



Chartered Quantity Surveyor

Chartered Arbitrator

Registered Adjudicator

Quantum Expert

Core Skills

Adjudication

Arbitration

Expert Witness

Quantum

Extension of Time /
Prolongation Claims

Termination / Repudiation
matters

Uneconomical working /
Disruption claims

Measurement Issues

Design Responsibility

Contract Formation

Breach of Contract and
Damages Claims

Company Insolvency

Cost Reporting

John Nicolson is the Principal at Nicolson & Co Consulting Ltd, a firm of Chartered Quantity Surveyors regulated by the RICS.

Nicolson & Co specialise in Construction, Engineering and Manufacturing Dispute Resolution Services.

John is a Chartered Quantity Surveyor, a Chartered Arbitrator, registered Adjudicator and recognised Quantum Expert with over 40 years' experience in construction within building, civil, petrochemical, structural, rail, utilities, mechanical, and M&E environments.

John Chartered with the RICS in 1984, became a Fellow of the RICS in 1996, a Fellow of the Chartered Institute of Arbitrators in 2006 and a Chartered Arbitrator in 2009.

John is a practising Arbitrator, Adjudicator and Quantum Expert.

John has a master's law degree in construction law from Strathclyde University, a post graduate diploma certificate in construction law and arbitration from The Robert Gordon University and a post graduate diploma certificate in adjudication from the RICS/RSPH.

John is also a full Member in the Practising Category as a Chartered Quantity Surveyor of the Academy of Experts.

Represents parties in pursuing and defending claims in adjudication and arbitrations.

Provides expert witness reports on quantum and programming issues (court testified).

Works extensively throughout Europe (UK, Spain, Portugal, Germany & Gibraltar) and the Middle East (UAE, Saudi Arabia, Qatar, Kuwait and Libya) on such contracts as FIDIC, JCT, SBCC, ICE, NEC 3, GC/Works, etc.

<p>Qualifications:</p> <p>Chartered as an Associate of the RICS in 1984</p> <p>Appointed as a Fellow of the RICS in 1996</p> <p>Appointed as a Fellow of the Chartered Institute of Arbitrators in 2006</p> <p>Chartered as an Arbitrator in 2009</p> <p>Master's law degree in Construction Law 2005</p> <p>Postgraduate diploma with distinction in Construction law and Arbitration - 2006</p> <p>Postgraduate diploma in Construction Adjudication- 2013</p> <p>Arbitrator Panel member for:</p> <ol style="list-style-type: none">1. Chartered Institute of Arbitrators2. RICS - Scotland3. SBCC4. ADCCAC <p>Member Scottish Arbitration Centre</p> <p>Adjudicator Panel member for:</p> <ol style="list-style-type: none">1. Institute of Civil Engineers,2. RICS President's Panel3. RICS Chairperson's Panel4. Scottish Building5. RICS/Federation of Master Builders, UK6. CI Arb – London7. CI Arb - Scotland	<p>Career History</p> <hr/> <p>Founder & Principal, Nicolson & Co Consulting Ltd. 2003 - Ongoing</p> <hr/> <p>Principal in a firm of Chartered Quantity Surveyors specialising in construction and engineering dispute resolution.</p> <ul style="list-style-type: none">• Acting as independent Arbitrator• Acting as independent Adjudicator• Acting as independent Contract Auditor• Acting as Expert Witness - Quantum• Representing parties in adjudication and arbitration.• Formulating notices, referrals and responses for adjudication and arbitration.• Providing expert reports on quantum and delay analysis.• Providing support to parties in mediations.• Producing construction and manufacturing claims and defences for Employers, Main Contractors, Sub-contractors and Manufacturers.• Providing training sessions in contract, management and dispute resolution topics.• Lean management consultant, implementing company procedures into contracting organisation for management accounting and payment systems to comply with the Housing Act.• Technical and commercial advisor to a franchise group of insurance contractors <hr/> <p>Partner – EC Harris International 2012 - 2014</p> <hr/> <p>Partner – Head of Dispute Resolution in EC Harris' Dubai office of Contract Solutions for the Middle East. Managing a team of circa 20 quantum and delay Consultants specialising in:</p> <ul style="list-style-type: none">• Arbitration• Adjudication• Expert Witness• Claim Preparation• Claim Defenses• Dispute Avoidance
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<p>Expert Panels</p> <ol style="list-style-type: none"> 1. Full Member in the Practising Category as a Chartered Quantity Surveyor of the Academy of Experts 2. Panel member ADCCAC <p>Memberships of Societies</p> <ol style="list-style-type: none"> 1. Adjudication Society 2. Society for Construction Law 3. Arbrix <p>Contact Details</p> <p>Nicolson & Co Elmwood Netherplace Mauchline KA5 5SU Scotland UK</p> <p>T: + 44 (0) 1290 553612</p> <p>M: + 44 (0) 7793 674012</p> <p>E: john@nicolsonandco.com</p> <p>www.nicolsonandco.com</p>	<p>Career History Cont'd</p> <hr/> <p>Founder & Director, Monterey Group, 1993 – 2003</p> <hr/> <p>Founder & Director of a group of independent companies,</p> <ul style="list-style-type: none"> • Monterey Services Ltd. (A steel and pipework fabrication and manufacturing company). • Monterey Recruitment Ltd. (Specialised employment company to the rail industry), • Monterey Rail Ltd. (Signalling design company to the railway industry), • Intertech Services Ltd. (A consultancy company) • SMC Fabrications Ltd. (A specialist steel and pipework fabrication and manufacturing company to the building, civil engineering and petrochemical industry). <p>Provided Commercial, Quantity Surveying & contractual advice to a number of 'outside' contracting companies. Involved in producing and defending claims and counter claims for Main Contractors, Sub-contractors and Manufacturers.</p> <p>Prepared draft notices for adjudications under the Housing Grants, Construction & Regeneration Act 1996.</p> <hr/> <p>Area Commercial Manager, Lilley Construction Ltd., 1984 – 1993</p> <hr/> <p>Involved in major Building, Civil Engineering projects, Industrial and Petrochemical. Supervised and produced many claims under JCT, FIDIC, ICE and Client's own conditions. Responsible for the contractual and commercial dealings within dedicated geographical areas such as South of England, Spain & Gibraltar, reporting to the Commercial Director at Head Office</p> <hr/> <p>Project Quantity Surveyor, Dawn Construction Ltd., 1984</p> <hr/> <p>Project Quantity Surveyor on a number of building projects.</p> <hr/> <p>Senior Project Quantity Surveyor, Lilley Construction Ltd., 1982 - 1984</p> <hr/> <p>Senior Project Quantity Surveyor on major design & build contract and a gas gathering facility and various other building and civil engineering projects.</p> <hr/> <p>Project Quantity Surveyor, Mabco Prefabricating Co, 1981 - 1982</p> <hr/> <p>Project Quantity Surveyor on a £150m design and build project in Saudi Arabia. Responsible for producing the variation claim and the overall project's extension of time and loss and expense claim.</p> <hr/> <p>Project Quantity Surveyor, William Press Ltd. / AMEC, 1974 - 1981</p> <hr/> <p>Trainee to Project Quantity Surveyor on various forms of construction, on-shore oilrig fabrication, pipelines, mechanical installations, and HVAC installations etc. including building and civil engineering projects.</p>
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With extensive international dispute resolution experience, John Nicolson has been appointed to act as lead Consultant on various prestige projects representing Developers, Contractors and Sub-contractors throughout the United Kingdom, Europe and the in Middle East in United Arab Emirates, Qatar, Saudi Arabia, Kuwait, Bahrain & Libya.

As a Dispute Resolver, John is appointed by the Parties and Institutional Appointing Panels to act as either Arbitrator, Adjudicator or Expert Witness.

The following is a selection of projects which John Nicolson has acted as Arbitrator or Adjudicator or Expert Witness or Consultant.

❖ International Appointments

▪ Appointments / Nominations as Arbitrator/ Adjudicator/Expert

Quantum Expert – DIAC Arbitration, Petrochemical installation Iraq. EOT, disruption claim and counter claim, circa USD 70 million.

Adjudication Panel – Panel of three adjudicators for a project in the Kingdom of Bahrain, consisting of social housing units; contract value circa USD 180 million. Adjudicated EOT dispute of circa USD 27 million.

Quantum Expert – Petrochemical Installation UAE, Contractor's claim circa USD 45 million.

Technical / Quantum Expert – Hotel Development and commercial property, Saudi Arabia Arbitration, Contractor's claim of USD 127 million and Employer's counter claim of USD 115 million.

Adjudication Committee – Commercial high rise office and accommodation development Saudi Arabia – Value of dispute USD 2.3 billion.

Quantum Expert – ICC Arbitration, Qatar, Water Sewage Plant, Value - claim of USD 41 million and counter claim of USD 80 million.

Technical / Quantum Expert – ICC Arbitration, Abu Dhabi Pipeline installation, Claim value USD 80million counter claim of USD 13 million.

Parties' appointed Expert for the determination of the valuation of construction works completed and materials delivered to site of a prestige High Rise Office Development in Saudi Arabia. Value of Dispute USD 284 million

Adjudicator – Main Contractor / Subcontract Contra Charges, Dubai. Combined value of claim and counter USD 119 million

Tribunal Member Arbitrator – ADCACC Abu Dhabi, delay and quantum termination of Main Contractor USD 14 million

John Nicolson LLM DipArb DipAdj FRICS FCI Arb MAE C.Arb

Tribunal Member Arbitrator – ADCACC Abu Dhabi, High Rise Office Development, Professional Liability.

Quantum and Delay Expert – DIAC Dubai, High Rise development between Main Contractor and Developer.

- **Other International Projects appointed as the Consultant for preparing or defending claims.**

Petrochemical – Abu Dhabi – Arbitration review of Contractor’s claims and variations. Value of dispute USD 310 million.

Hospital – Abu Dhabi; defending delay & quantum claim on behalf of the Employer. Value of dispute USD 123 million

Housing development – Abu Dhabi; pursuing extension of time & quantum claim with a value of USD 121 million on behalf of the Contractor.

High rise office development - Saudi Arabia; providing Expert opinion on a Contractor’s delay & quantum claim. Claim value USD 158 million.

Oil pipeline installation – Abu Dhabi; preparation of Contractor’s claim for arbitration proceedings. Claim Value USD 98 million.

Hotel development – Saudi Arabia; defending Contractor’s claim for delay and quantum on the construction of a USD 170 million hotel in Madinah and pursuing a counter claim of USD186 million. Providing arbitration advice to the Developer.

High rise office and residential development - Saudi Arabia; providing Expert opinions on Contractor’s Claims to Riyadh Developer, on prestige development with a gross claim value of USD 2.17 billion.

Power stations – Libya; providing construction auditing services to a Main Contractor for its Force Majeure claim. Claim Value USD 74 million.

- ❖ **Selection of UK Appointments as Adjudicator / Arbitrations/ Expert/ Consultant**

Design issues, Road Bridge, Adjudicator UK

Design and construction of Water & Sewage Treatment plant, Adjudicator UK

Roads, design and build viaduct, Adjudicator UK.

Piling operations and ground conditions, Adjudicator, Fife UK.

Sea Defence, ground conditions, final account, Adjudicator, Inverness UK (3Nr)

Termination of Contractor’s Employment, Arbitrator, Glasgow UK.

Housing development, payment provisions, Adjudicator, Inverness UK

Airport; Delay dispute, Adjudicator, Aberdeen UK

Office development, payment provisions, Adjudicator, Glasgow UK

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Utility Framework agreement, Adjudicator, 2 nr appointments UK

High rise residential flat development; defending Main Contractor in a claim and counter claim against Major Sub-contractor, quantum dispute. Bristol UK

Bridge structures; Adjudicator 3nr appointments. Ipswich UK

Hospital refurbishment; pursuing Main Contractor's claim for quantum and delay. Paisley UK

Retaining wall /piling; Expert Quantum report. Edinburgh UK

Specialist School; Pursuing Main Contractor's claim for final account value, delay, loss and expense. Glasgow

Trams, civil and mechanical; Expert Quantum reports. Edinburgh UK

PPI School; pursuing Main Contractor's claim for extension of time. Arran UK

PPI School; representing Main Contractor in pursuit of final account value including extension of time and loss and expense. Renfrew UK

Drainage; Expert Quantum report. Edinburgh UK

Underground Utilities; dispute between Main Contractor and Employer. Adjudicator. Glasgow UK

Nursing Home, Dispute on final account value between Developer and Main Contractor. Arbitrator - Falkirk UK

Office Fit out; Dispute on the final account. Arbitrator – Glasgow UK

Drilling rigs' foundation structures, Wytchfarm Refinery.

Structural steel frame building; pursuing Sub-contractor's final account. Glasgow.

Medical / Dental hospital. Adjudicator - Liverpool UK

Hotel / hostel; representing Main Contractor in its dispute on its final account – Edinburgh UK

Office development; Pursuing Main Contractor's claim for extension of time and loss and expense. – Aberdeen UK

Blast buildings, and various structures Fawley Refinery.

High rise flats; Expert's Report on Quantum – Glasgow & Edinburgh UK

Structural Steel frame buildings; pursuing extension of time and quantum –Various UK sites.

Fabrication Shop; pursuing disruption costs on behalf of pipework manufacturer - Renfrew UK

Power Plant; pursuing extension of time and quantum for pipework and structural steel fabrication – Renfrew UK

Hotel refurbishment; representing M&E Sub-contractor in pursuing final account - Edinburgh

Representing Mechanical & Electrical subcontractor on projects for various North Sea Oil rigs

On shore oil rig fabrication for North Sea – UK

Various other appointments as Adjudicator by the appointing bodies RICS, ICE, Scottish Building and FMB / RICS, values ranging to £21 million in the UK and USD 119 million internationally.