

## Phil Roberts

MRICS, Member of the Society of Construction Law, Australia (SoCLA)

### Principal

#### Professional Profile

Phil Roberts is a commercial and construction contract professional, with over 35 years' experience in the construction and infrastructure sectors, focusing on the management of commercial and contractual aspects of a wide variety of projects.

For the first twenty years of his career, Phil worked as a quantity surveyor and commercial manager for contractors and property developers. This provided him with a detailed understanding of the commercial issues that can arise in the delivery of construction and civil engineering assets. Phil's experience has equipped him to offer robust, practical advice to all parties engaged in the development, construction, and ownership of projects.

Phil's expertise includes the management of disputes and claims, preparation of expert quantum evidence & expert witness reports, commercial management, cost estimating and financial control, contract administration and procurement. Phil has authored numerous expert reports and has provided oral evidence under oath in proceedings.

#### Core Skills

- Expert Witness
- Claims Management
- Commercial Management
- Contractual Advice
- Procurement Strategies
- Final Account Settlement
- Risk Management

#### Sector Experience

- Commercial Developments
- Education, Government & Culture
- Energy
- Hospitals & Healthcare
- Railways
- Residential Resources
- Retail
- Roads & Bridges
- Transport Infrastructure
- Tunnelling
- Utilities

## SPECIFIC SECTOR EXPERIENCE

### Commercial Developments

- Heritage CBD Office Refurbishment, Confidential Client, Sydney, NSW, (2020 - 2021), Independent Quantum Expert: Independent expert report on quantum of heritage restoration works and associated delay costs and variation works. Served in court proceedings.
- Major CBD Office Refurbishment, Confidential Client, Melbourne, VIC, (2019 - 2020), Independent Quantum Expert: Independent expert report on quantum of disputed variation claims. Served in litigation proceedings.
- Logistics Facility, Confidential Client, Melbourne, VIC, (2019 - 2020), Independent Quantum Expert: Independent expert report on quantum of disputed variation claims. Served in arbitration proceedings. Provided oral evidence under oath in arbitration proceedings.
- Logistics Facility, Confidential Client, Sydney, NSW, (2020), Independent Quantum Expert: Advice to legal counsel on the quantum of civil and drainage work to existing logistics facility.
- Blackmores HQ, (2009), Commercial Advisor (Security of Payment Act Adjudication): Phil led a team of advisors in the preparation of commercial submissions which formed the backbone to a Payment Schedule and subsequent Adjudication Response under the Building and Construction Industry Security of Payment Act.

### Education, Government & Culture

- Major Correctional Facilities, Confidential Client, Regional NSW, (2018 - 2019), Project Audit: Commercial audits of major expansion projects on two correctional facilities.

### Energy

- Solar Farms, Confidential Client, Regional NSW, (2020), Expert Evidence: Drafted independent expert reports on quantum of variation claims, submitted in a number of adjudication applications under the Security of Payment Act (NSW).

## Curriculum Vitae

### Hospitals & Healthcare

- Major Regional Hospital, NT, (2008 - 2013), Independent Quantum Expert: Phil authored 3 Independent Expert Reports in respect of the cost of defect rectification work, which were served in formal court proceedings. Attended conclave and co-authored Joint Report.
- Major Hospital, Sydney, NSW, (2018), Expert Quantum Evidence: Drafted independent expert report in respect of the cost to design and construct a major private hospital.

### Railways

- Major Rail Technology Project, Confidential Client, Sydney, NSW, (2013 - 2015), Dispute Management Advisor: Engaged to manage the process to resolve substantial claims in respect of variations, extensions of time and delay costs. This role included the co-ordination of input from the Project Team, in-house and external legal advisors and independent technical experts.
- Australian Rail Track Corporation, Southern Sydney Freight Line, (2009), Commercial Manager: Engaged as interim Commercial Manager to address commercial issues and to drive improvement in the commercial performance of the project.
- Major Rail Infrastructure Project, Confidential Client, Newcastle, NSW, Commercial Training: Phil prepared and delivered training to the client's project staff in respect of contract administration and commercial management.
- Major Rail Infrastructure Project, Confidential Client, Newcastle, NSW, (2017), Project Audit: Engaged to undertake a 'project commercial health check' in order to advise on the efficiency of the commercial performance and to suggest strategies for improvement. He was also engaged to provide ongoing strategic commercial support to the client's Project Team.

### Residential

- Residential Development, Confidential Client, Pyrmont, NSW, (2020 - 2021), Independent Quantum Expert: Independent expert reports on quantum of variation claims, submitted in a number of adjudication applications under the Security of Payment Act (NSW).

## Curriculum Vitae

- Residential Development, Confidential Client, Lavender Bay, NSW, (2018 - 2019), Independent Quantum Expert: Independent expert report in respect of the cost of defect rectification work, which was served in formal court proceedings. Attendance at conclave and co-authored joint report.
- Student Accommodation, Confidential Client, Sydney, NSW, (2018 - 2019), Independent Quantum Expert: Independent expert report in respect of the cost to complete the project, following termination of the original contractor.
- Residential Development, Confidential Client, Sydney Northern Beaches, NSW, (2018 - 2019), Independent Quantum Expert: Independent expert report in respect of the quantum of excavation work completed. Prepared for formal court proceedings.
- Residential Development, Confidential Client, Cremorne, NSW, (2018 - 2019), Independent Quantum Expert: Independent expert reports on quantum of variation claims and also the cost to complete the project. Prepared for formal court proceedings.
- Residential Development, Confidential Client, Pymble, NSW, (2019), Expert Determination: Provided expert determination on the quantum of disputed variation claims.
- Residential Development, Confidential Client, Wollongong, NSW, (2018 - 2019), Independent Quantum Expert: Independent expert report in respect of the cost of defect rectification work, which was served in formal court proceedings.
- Residential Development, Confidential Client, Roseberry, NSW, (2020), Independent Quantum Expert: Independent expert report in respect of the cost of defect rectification work, which was served in formal court proceedings.
- Chelsea Apartments, Chatswood, NSW, Independent Quantum Expert: Independent expert report in respect of the cost of defect rectification work, which was served in formal court proceedings.

## Curriculum Vitae

### Resources

- Major Resource Project, Confidential Client, Newcastle, NSW, (2016 - 2017), Independent Quantum Expert: Authored two independent expert reports in respect of the cost of alternative methods to rectify water ingress in the construction of a major tunnel. Attended conclave and co-authored joint report.

### Retail

- Retail Fit-Out, Confidential Client, Sydney Airport, (2020), Independent Quantum Expert: Independent expert report on quantum of disputed variation claims and defect rectification costs. Served in litigation proceedings.

### Roads & Bridges

- Major Motorway Upgrade, Confidential Client, Baker & Mackenzie, Sydney, NSW, (2013), Dispute Advisor (Litigation Support): Phil was engaged to assist the client's legal advisors, including Senior Counsel, in respect of a number of claims for variations, extensions of time and delay costs. He managed a team of time, cost and technical experts.

### Transport Infrastructure

- Transport Infrastructure Project, Confidential Client, Sydney Northern Beaches, NSW, (2017 - 2018) Independent Quantum Expert: Independent expert reports on quantum of variation claims in respect of civil engineering work and the removal of contaminated material, submitted in an adjudication application under the Security of Payment Act (NSW)
- CBD Infrastructure Project, Confidential Client, Sydney, NSW, (2019 - 2020), Independent Quantum Expert: Provided independent quantum advice on the cost of repair work to existing infrastructure, following damage arising from a burst water main.

Curriculum Vitae

Tunnelling

- Major Tunnel Project, Confidential Client, Perth, WA, (2020), Quantum Expert Evidence: Independent analysis and drafting reports on the quantum of insurance claims from the Contractor, following a major incident during the construction work.

Utilities

- Electrical Substation, Confidential Client, Mascot, NSW, (2020), Expert Evidence: Drafted independent expert report in respect of the cost of rectification work required due to subsidence arising from excavation in adjacent property.

EMPLOYMENT HISTORY

2024 – Current

DGA Group (Part of TSA Management)

Principal

2023 – 2024

HKA

Principal

2020 – 2023

WT Partnership

Manager, Contracts Claims and Dispute services

2019

Calibrate Consulting

Principal

2017 – 2019

WT Partnership

Manager, Contracts Claims and Dispute services

2004 - 2017

Evans & Peck (rebranded Advisian in 2012)

Principal

2002 – 2004

Australand Holdings Ltd

Commercial Manager

2001 – 2002

Walter Construction Group Ltd

Curriculum Vitae

Senior Project Administrator

1999 – 2001

Consolidated Constructions Pty Ltd

Contract Administrator

1998 – 1999

Paynter Dixon Pty Ltd

Contract Administrator

1997 – 1998

Consolidated Constructions Pty Ltd

Contract Administrator

1995 – 1997

Leighton Contractors Pty Ltd

Contract Administrator

1994 – 1995

HL Smith Construction Ltd, UK

Quantity Surveyor/Project Manager

1993 – 1994

Quantity Surveyor/Estimator

Polarstone Ltd (Specialist Contractor)

1991 – 1993

Freelance

Quantity Surveyor / independent travel

1984 – 1991

Holloway White Allom Ltd, UK (part of the Laing Group)

Quantity Surveyor