Experts in international construction & engineering disputes
Fairway is an internationally recognised company that provides expert analysis and advice in the avoidance, management and resolution of construction and engineering disputes.

Since its formation in 1990, Fairway has developed an outstanding reputation for providing clear and objective expert opinion. This includes all aspects of dispute management, avoidance and resolution, with our core expertise being directed to the principal issues of dispute - time and money.

We have extensive experience of construction and engineering disputes worldwide. Having assisted clients in over 80 countries, our multi-disciplinary team of highly respected professionals is uniquely placed to offer clients the very best service in terms of expert analysis, management advice and dispute resolution.

Our clients appreciate the extensive experience, integrity and commercial awareness we bring. The practical approach we apply to planning and forensic delay analysis means we can assist our clients to effectively minimise programme overruns and clearly demonstrate the consequences of delay events.
We understand the importance of planning, implementing control mechanisms and forensic delay analysis in disputes.

We offer planning support and the management of programmes during all stages of a project.

Systematic planning and programming provides a robust and dynamic project management tool. Effective control mechanisms facilitate the management of change that will inevitably occur on projects. Proper implementation allows for the assessment of the ‘cause and effect’ of change.

A sound baseline programme and a complete supporting network are essential to accurately monitor and assess progress for any form of critical path delay analysis. When not available, our experience and capability of interrogating contemporaneous records allows us to understand the delay issues and their potential impact.
Fairway provides both retrospective and prospective forensic planning services:

**Retrospective:**
- Dispute and litigation programme analysis including expert witness work using established and industry recognised retrospective delay analysis methods.
- Expert witness testimony - evidence on time related issues.
- Post contract claims preparation and defence utilising forensic planning analysis.

**Prospective:**
- Independent programme review at the commencement of a project or during the life-cycle of the project where the baseline no longer represents the planned intent.
- Advice on the requirements and merits of prospective claims.
- Project audits for projects under construction in order to determine likely completion dates and assess extension of time entitlements.
Services

EXPERT WITNESS

Fairway has an experienced and highly respected team of planning engineers at all levels who have detailed and thorough knowledge of construction and engineering. Their experience in construction methodology and planning techniques, together with their expertise in using the latest project management software, enable them to analyse the most complex delays.

Fairway's directors and senior staff are experienced in the preparation of expert reports and in providing testimony in courts and tribunals for litigation, arbitration and adjudication hearings. Our experts provide an independent assessment of the facts and when required will express an opinion based on their field of expertise and experience.

We apply experience and intelligence to computer generated analysis to demonstrate 'cause and effect' of the issues. Our team of forensic planners are skilled and experienced in analysing available information to assist in their understanding of the issues on often very complex projects.

The availability, quality of contemporaneous records and the scale of any dispute will dictate the retrospective delay analysis method adopted. These include: time impact, as-planned v as-built, impacted as-planned and collapsed as-built. We are competent practitioners with each of these techniques and can advise on their respective strengths and weaknesses in specific project circumstances.
The baseline programme review provides our clients with an early appreciation of the acceptability and robustness of the contract programme. The baseline programme review is a process to review the proposed programme, focusing on whether it complies with the contractual requirements. It will determine if the programme represents the ‘Works’ realistically and whether the planning and programming is deemed practical and complete.

We provide planning and programming specialists to review the merits of the baseline programme as a ‘statement of intent’ and to assess any risk associated with the baseline programme not being compliant.

The baseline programme review process includes various tasks to ensure the programme complies with the contract requirements. These tasks involve a review of the proposed contract programme, a review of project documentation and follow-up actions, as necessary, to satisfy the project parties that the baseline programme is valid.

The baseline programme review will use network-based techniques to identify the critical path(s) and assess whether the programme meets recognised good practice; e.g. identifying missing logic and highlighting the potential over-use of date constraints and excessive or forced float.

It can also be used to review the proposed methodology used to measure contract performance and progress and to determine if processes and systems are structured to enable the accurate recording of progress and change.
Dispute avoidance should be a fundamental objective of all parties involved in construction and engineering. Achieving this goal requires awareness, good communication and accurate record keeping. Potential disputes need to be identified, addressed and resolved at the earliest opportunity. Without such a strategy, the inevitable consequences are time consuming and expensive disputes.

We provide bespoke solutions to suit individual business needs, implement systems and processes that provide a robust and measurable baseline programme which can then be used to accurately track the impact of change through the course of the project. Dispute avoidance can be achieved by the early implementation of appropriate project controls and monitoring procedures, thus avoiding the considerable time, expense and inconvience of preparing or defending claims in legal proceedings.

A project audit is an interim assessment of project progress in relation to an agreed baseline programme. An audit enables the early identification of programme delays and highlights the potential risks in respect of time to the successful delivery of the project. The audit will assess the criticality of delays and provide the opportunity to avoid formal disputes.

We provide an independent peer review of project status as an alternative to the reported status prepared for clients by their project advisers and contractors. Fairway staff use the experience and forensic techniques gained from managing disputes to carry out accurate and efficient audits. Fairway will recommend strategies that, when implemented, will establish the necessary controls to produce high level reviews on a regular basis which often proves invaluable in avoiding disputes.
Fairway’s industry knowledge, expertise and its thorough understanding of the legal processes involved in claims and litigation, assists Fairway’s forensic planning experts in the production and defence of claims for recovery of delays and the loss and expense that commonly follow the delaying events.

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Team

DIRECTORS

John has over forty years’ experience in the construction industry on a wide range of building, civil engineering, petro-chemical, power generation, process engineering and transportation projects. John is regularly appointed as an expert witness and has provided oral testimony on over fifteen occasions. John is frequently the first choice of leading Counsel when they require a world class planning expert.

JOHN CRANE
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David has over forty years’ management experience of construction projects worldwide. That experience includes project management, commercial management, planning, monitoring and co-ordination on a wide range of building, civil engineering, petro-chemical, power generation, process engineering, transport and infrastructure projects. Appointed as planning expert, David has successfully given evidence on a number of projects.

DAVID WRIGHT
david.wright@gtfairway.com

Andrew has over thirty years’ experience in project management and related disciplines. He has worked on a wide range of building and civil engineering projects in the United Kingdom, Europe and the Middle East. Andrew has been appointed as planning expert on a number of projects and given evidence in the TCC and DIAC. Andrew is responsible for Fairway’s business development in Dubai where he is instructed in a number of major disputes in the Middle East.

ANDREW HOLLOWAY
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ASSOCIATE DIRECTOR

Jeff has almost thirty years’ international experience of construction projects, civil engineering, marine, power generation, transport and infrastructure. Jeff has been appointed as the planning expert on a number of commissions and has advised clients on planning procedures on numerous projects. He has also presented planning related lectures to construction companies.

JEFF BLINKHORN
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SENIOR MANAGERS

Gary has over twenty years’ experience working in consultant and client organisations. He has worked on a variety of projects in the UK and the Middle East, primarily in the commercial, rail, water utility and air transport sectors. Gary has assisted clients in the production and defence of extension of time claims and has been instructed on a number of occasions in respect of formal dispute resolution proceedings, as well as establishing systems and processes in relation to planning, programming and project controls.

GARY MCGIFFORD
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Nigel has over thirty years’ experience in the construction industry, working on a variety of major city developments both in specialist and commercial sectors. Nigel has significant experience with extension of time analysis and providing programme advice to clients.

NIGEL BRABANT
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Peter has over thirty years’ experience on varied projects, in the preparation of delay and disruption claims, providing planning expert analysis in mediation and arbitration. He has provided a planning and programme service to clients, and assisted with forensic analysis in respect of legal proceedings.

PETER GIRVAN
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Team

SENIOR CONSULTANTS

Andrew has over twenty years’ experience within the construction industry on a wide range of United Kingdom and international projects encompassing civil engineering, building, oil and gas, petrochemical and power. Andrew regularly assists Fairway’s planning experts with reports in support of arbitral proceedings. Andrew is based in Fairway’s Dubai Office.

Christelle has fifteen years’ experience in the construction industry. Christelle is currently part of Fairway’s team analysing and assisting in the preparation of expert reports for time related issues. She has worked in France, Gibraltar and the United Kingdom and has been involved in projects in Europe, the Middle East and North Africa. She has experience in engineering projects, fibre optic networks and data centres, as well as construction projects. She is also fluent in French and Spanish.

Robin has twelve years’ experience within the construction industry, predominantly in mechanical & electrical and civil disciplines within water, oil and gas, telecommunications, rail industry sectors and airports. He has worked on large industrial projects located within the United Kingdom as well as France, Germany and Kazakhstan. He is currently part of Fairway’s team analysing and assisting in the preparation of expert reports and in establishing the cause and effect of programme delay.
CONSULTANTS

Emma has eight years’ experience in the engineering, construction and rail industry sectors. Emma is currently part of Fairway’s team conducting prospective and retrospective delay analysis and assisting in the preparation of expert reports for time related issues. Since joining Fairway, Emma has been largely involved in disputes within the oil and gas and power generation sectors, which have included assignments in Africa, Holland and Germany.

Kevin has fifteen years’ experience in the construction industry. Kevin is currently part of Fairway’s team assisting in the preparation of expert reports for time related issues. He has considerable experience establishing project programmes, progress monitoring and retrospective delay analysis on projects in the United Kingdom and overseas. He also has substantial experience of analysing the quantum of contractor’s entitlement and has been seconded to supplement contractor’s teams on a number of occasions.

Tracy has seven years’ experience within the construction industry including two years’ previous employment with Primavera in Shanghai. At Primavera Tracy participated in planning, technical support and consultancy for large scale projects, implementing Primavera systems and providing training to planners. Tracy is currently part of Fairway’s team analysing and assisting in establishing cause and effect of programme delay, critical path analysis, time slice analysis and the preparation of expert reports.
Fairway advises clients from our offices located in the United Kingdom, Germany, Dubai, Hong Kong and Singapore.

Our clients range from small domestic businesses to multinational conglomerates in all four corners of the world. We have developed a network of international business contacts and relationships, because much of our work requires international visits to clients and lawyers, for whom we attend hearings and give expert evidence.