



Expertise

- Mechanical & Electrical Quantity Surveying
- Expert Witness - Quantum
- Litigation & Dispute Management
- Contract Review & Negotiation
- Training Delivery
- Procurement & Supply Chain

Experience

Graduating in Building Services Quantity Surveying in 1988, I have spent over 25 years working predominantly for large Mechanical and Electrical Sub Contractors as a Quantity Surveyor, Commercial Manager and from 2004 to 2013, as the Commercial & Legal Board Director.

Since 1991, I have developed a particular specialism in the management of disputes, bringing a fresh perspective to entrenched situations and providing the vital link between the Board and the Legal team.

I am highly experienced in conflict management and I have been involved in large disputes in the Technology & Construction Courts as well as Arbitration, Adjudication and mediation.

I also have experience and specialism in Aircraft Ground Lighting, Technical Facilities Management, Procurement and Marine HVAC Systems.

<h3>Personal Data</h3> <p>Position Director</p> <p>Year of Birth 1966</p> <p>Languages English, Conversational French</p>	<h3>Professional Qualifications and Registrations</h3> <ul style="list-style-type: none">• Diploma in Building Services Quantity Surveying• Chartered Quantity Surveyor (MRICS)• Associate of the Chartered Institute of Arbitrators (ACI Arb)• Member of the Society of Construction Law <h3>Contact Details</h3> <p>Email: rob.varney@twenty3consulting.com</p> <p>Phone: 07525 822577</p> <p>Postal Address: Studio 11, Lion Works, Mowbray Street, Kelham Island, Sheffield, S3 8EZ</p>
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SELECTION OF EXPERIENCE

Litigation & Dispute Management

- Strategic dispute management advice
- Litigation support
- Arbitration support
- Adjudication management
- Solicitor engagement, instruction and management
- County Court Claims (Claimant & Defendant)
- Cash Recovery
- Insolvency and Winding Up

Expert Witness

- Quantity Surveying
- Valuation and Quantum relating to Mechanical and Electrical Services
- Technical Facilities Management and Maintenance
- Loss and Expense
- Insurance Loss

Contract Review & Negotiation

- JCT Suite of Contracts (Domestic & Main Contracts)
- NEC 3
- FIDIC
- Operation & Maintenance Agreements
- Framework Contracts
- PFI Trade Contracts for Installation and Maintenance
- Orgalime/Incoterms 2000
- Bespoke forms
- Framework Agreements & Measured Term Agreements
- Agency Agreements
- Inter – Company Trading Agreements
- Joint Ventures
- Novation and Assignment
- Parent Company Guarantees
- Performance Bonds
- Collateral Warranties

Training Delivery

- Commercial Basics
- Design Liability Workshop
- Getting into Contract (With a Customer)
- Getting into Contract (With a Supplier or Sub Contractor)

Procurement & Supply Chain

- Procurement M&E and Technical FM (Multiple Site and Multiple Services)
- Engagement and Management of Design Consultants
- Drafting and advising on supply and service provider contracts
- Insolvency of Suppliers and Sub Contractors



Other Matters

- Management Buy Out Sale & Purchase Agreement including due diligence and all subsequent novations, and assignments of contracts and property leases
- Purchase of subsidiary business (Due diligence on contracts, Sale & Purchase agreement, novations)
- Sale and purchase agreement selling Inviron Limited to Royal Imtech NV
- Company Secretarial Duties for Inviron Ltd, Inviron Holdings Ltd and Inviron Property Ltd
- Management and supervision of Share Option Scheme open to every one of the 1200 employees of the Company
- Management of real estate portfolio of 12 – 15 properties across the UK including property identification, lease negotiation, fit-out management, lease renewals and rent negotiation, dilapidations and exit management.

CLAIMS EXPERIENCE

Litigation in the High Court - Reported Cases

- 2006 – Bennett Electrical Services Ltd v Inviron Limited
 - Enforcement of a Tony Bingham Decision over entitlement to be paid a final account. (Mayer Brown, Ben Quiney Crown Office Chambers)
- 2003 - Orange EBS Ltd v ABB Limited
 - Enforcement of an Adjudicators decision. Subsequent judgments have been decided contrary to this decision (Wragge & Co)
- 2002 – Total M&E Services Ltd v ABB Limited
 - Enforcement of an adjudicators Decision (Wragge & Co)
- 2000 – Isovel Ltd v ABB Building Technologies Ltd
 - Insolvent company and stopped cheque. Court of appeal (Wragge & Co)

Litigation in the High Court - Unreported Cases

- 2000 to Present - 8 cases (Mayer Brown, Wragge & Co, Cleaver Fulton Rankin)

Arbitration

- 2000 to 2001 – 2 arbitrations arising out of the same dispute

Adjudication

- As Referring Party – 9 Adjudications
- As Responding Party – 14 Adjudications

County Court Claims

- As Claimant – 10
- As Defendant – 44



RECENT APPOINTMENTS

Quantum Expert

- On behalf of defendant for large domestic residence dispute
- Dispute over account on Educational Establishment in Yorkshire
- Negligence claim against consultant for Data Centre Chilled Water System
- Defective services in large apartment complex in London
- Negligence claim against consultant for cost overruns on School in Scottish Islands

Claim Management

- Acting for small sub contractor in Adjudication by one of its sub contractors in 'smash and grab' adjudication
- Acting for sub-contractor in final account dispute on major Warehousing and Distribution complex in Norway
- Pursue claim for negligence on behalf of M&E Sub Contractor against its Design Consultant
- Acting for Dry Lining Contractor in London to pursue payment for variations from Main Contractors
- Acting for Major M&E Contractor to manage all issues in relation to the Insolvency of a Main Contractor

Procurement

- M&E Design & Build Contractor - review and advise on contractual terms for tender for £70m extension to dairy production facility in Riyadh, Saudi Arabia
- Major International Real Estate Manager - advising upon and drafting procurement forms and procedures
- Water Treatment Specialist – providing advice on specific Framework Contracts
- Aviation Contractor - advise on complex forms of Contract for UK Airports
- Technical FM Contractor – provision of bespoke forms of sub contract specific to the provision of Technical Facilities Management

Training

- M&E Contractor to provide contractual review and advice on Term Contracts and training to staff on Commercial Matters
- Major Real Estate client – providing training in commercial issues, contracts and procurement.
- Commercial Basics
- Design Liability Workshop
- Getting into Contract



2017 Rates for Professional Services

Hourly Rate

Rate for the provision of Professional Services £120.00 (Plus VAT)

Disbursements

Mileage charges	£0.45 per mile
Photocopying and Printing	£0.06 per sheet
Rail/Flights (standard class)	charged at cost
Parking, couriers etc	charged at cost

Invoicing and Payment

Invoices will be rendered at the end of each month and will be payable within 21 days of the date of the invoice unless otherwise agreed in writing.

Testimonials

"I have known and worked with Rob for around 15 years on many difficult and complex construction issues, both at the front and back end of contracts. Rob has always had a unique ability to understand difficult legal and technical issues and marry those together with the day to day commercial realities of doing business and finding pragmatic solutions. At heart he is a very sound and experienced quantity surveyor but with invaluable management experience and legal insight. When I heard he was becoming a consultant he shot straight to the top of my list of go to people I would recommend to my clients when they are faced with the type of contracts, claims and difficult situations I know Rob has spent a good deal of his career successfully managing and resolving."

N. Henchie (Head of International Construction - Vinson & Elkins RLLP)

"Having worked closely with Rob on a number of disputes over the years, I have always been impressed by his diligence, experience and firm grasp of both the technical and contractual complexities. This, combined with his personable nature and in-depth industry knowledge, give Rob a real edge in relation to the avoidance, management and resolution of disputes."

K Sarkodie (Partner - Mayer Brown LLP)

"I have worked with Rob[ert] for many years. He has, throughout that time, performed an essential function as the interface between the legal team and those involved at an operational level. Not only does this serve to reduce legal spend, often fairly considerably, but his input helps to ensure that the right questions are asked and the proper answers given. This is a key role."

Dan Wood (Partner - Wragge & Co. LLP)

"Rob brings a wealth of commercial experience and expertise along with absolute integrity and honesty to deliver a complete professional service"

Garry Metcalfe