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## EXPERIENCE

Mr. Davies has over 25 years of experience in Project, Contract and Construction Management, in the engineering, design, and construction fields, across a wide range of industries, including the residential, commercial, and educational and hospitality as well as the oil and gas, mining and metals, power, and transportation industries.

Over the past eight years, Mr. Davies' practice has concentrated on both litigation support and also services assisting company owners, contractors and their counsel in implementing effective management, company and project controls and procedures, as well as in the review of project risk and the development of schedules, estimates and contracting strategies. Mr. Davies also has substantial experience in the analysis and resolution of construction disputes, and has delivered expert testimony in construction disputes involving delay, disruption, acceleration, loss of productivity, cost/damages analyses, standard of care, defective construction, construction means and methods.

Mr. Davies has significant experience in project management, construction management and project controls management on large capital projects in the U.S., Brazil, South Africa, Germany, and the UK. He has been engaged as part of senior project management teams on a number of major international projects valued over \$1.5 billion.

As part of his duties working for EPCM Contractors, he managed the construction of various facilities, such as site infrastructure, roads, underground facilities, clinics, small regional healthcare facilities, etc.

Mr. Davies was also the project controls manager for the \$1.9 billion Nickel do Vermelho turnkey mining project in Brazil. This included the mine itself, a large Nickel Laterite process plant, associated infrastructure (such as roads, power, etc.), and a permanent 'village' with accommodation and facilities for mine staff. In this capacity, he was responsible for all capital project estimating, change order estimating and control, scheduling, document controls, and cost control functions.

Prior to that, he was the kick-off construction manager for the first phase of the RB720 Paper Mill expansion in South Africa, and managed the site for the first nine months. Additionally, Mr. Davies was tasked to manage the site team and ensure that all up-front construction activities (civil engineering, piling, etc.) started on time, prior to the arrival of the main construction manager and team to the site. He then continued providing these services under the main construction manager for the balance of the project.

Previously, Mr. Davies was engaged by an international German company in the iron and steel industry as part of their turnkey project management department. He was responsible for all aspects of the management of a project from Initial estimating, scheduling and contractual negotiations, through site development to project closeout. In this role, he held senior project controls and management roles on two

large projects in Brazil - the first for Companhia Siderurgia de Tubaro and project controls manager for the construction of Blast Furnace 2, and the second for the same client on a New Hot Strip Mill in Vitoria, Brazil as the turnkey project manager. Prior to this he was the Scheduling manager on a Blast Furnace revamp and a Dual Enzyme plant expansion in South Africa.

Mr. Davies' specialized skills and experience in company and project controls include: large capital project estimating, scheduling; company/project financial and cost controls, including establishing the cost controls systems; and project change order estimating. He also is experienced in scope change control; management systems set up; risk management systems support; and client and corporate reporting. In addition he is skilled in writing and implementing plans and procedures and has performed this function both on large projects and as a consultant for a large energy company.

Mr. Davies keeps his hands-on construction experience current and has recently acted in an Interim management/CEO role for a large specialty underground construction company in South Florida during an ownership dispute. He has also been the owner's representative managing a high-rise, multi-purpose country building in Miami-Dade County, Florida, is currently working on the Island of Curacao advising on issues within the Island's power/water company.

In addition to his pro-active construction and project controls experience, Mr. Davies has provided construction claims analysis and expert witness services for a number of contract/claim disputes in the U.S. and internationally.

He has provided forensic and dispute resolution support on a wide range of project types, such as mixed-structure type assisted-living, large-scale and luxury residential communities, mid/high-rise apartment and condominium buildings, government grade office buildings, airports, large-scale industrial projects, luxury hotels, power plants, gas pipelines, schools, public buildings, auditoriums and theatres, among others.

Mr. Davies has served as a testifying expert witness on a number of US and International arbitrations and litigation cases. He has also been designated as a testifying expert in a number of other matters currently in arbitration/litigation. In addition, Mr. Davies has participated in a number of mediation and dispute settlement negotiations both as a project manager and in a litigation support role.

Before commencing his career in the construction industry, Mr. Davies worked for National Utility Services, the world's leading energy cost management consulting firm. National Utility Services performs energy audits, tariff optimization, procurement consulting, carbon benchmarking, energy market research and consulting services which are used by utility companies, businesses and utility intensive organizations to optimize energy programs, structures and expenditures, improve risk management and implement sustainability/carbon reduction programs.

The firm performs rate analysis and optimization which requires a detailed understanding of rate design as well as the utilities or client overall usage profile, and systems to compare multiple cases or scenarios. The objective of the service is to identify and implement the most cost effective rate structures.

He is fluent in English and speaks Portuguese.

## EDUCATION

Diploma in Business Management, Damelin College, South Africa

N3 Engineering and Technical Drawing, Benoni Technical College, South Africa  
*Credits transferred and recognized in 2005 as B.Sc. in Construction Management, Cal Tech University*

## SELECT CASE EXPERIENCE

### *Construction and Project Management Experience*

- Rubicon Asset Management Phase 2 – Owners Representative/Project/Construction manager for the Overtown 2 Project (new County building in Miami) - \$95 Million building (Responsible signatory for entire project).
- Nickel Do Vermelho – Nickel Mine and Process Plant - Belo Horizonte Brazil – Project Controls Manager for \$3.5 Billion Project, responsible for all scheduling, cost controls, estimating of project and new scope, scope changes,. Also wrote the Project Procedures for all project control services.
- Mondi RB 720 Mill Expansion Richards Bay South Africa US\$800 million expansion of an existing Pulp plant – Site Kick off Construction Manager (9 months) responsible for site set-up, layout, phase 1 (demolition and civils) and then Area Manager (Construction Services manager) responsible for site wide services (transport, health, clinic, recruiting, community relations, union relations, site maintenance, site accommodation, etc.).
- Companhia Siderurgia de Tubaro US\$1.5 billion – New Hot Strip Mill, Brazil – Turnkey Manager (Project Management also responsible for project controls) Responsible for all project controls and project services for the project including site establishment and clearing, piling, civils, mech/elec/Instruments and commissioning.
- SMS – Metallurgy division – Proposals department, Germany - Proposals controller, Planner/Project Controls – cost and estimating and schedule set-up for bids for new Iron and Steel Projects for the company.
- Companhia Siderurgia de Tubaro Blast Furnace 2, Brazil- US\$ 500million project as the Project controls manager – totally responsible for all cost/estimating/contracts and schedule for a new Blast Furnace project in Vitoria Brazil.
- Iscor Blast Furnace C Reline V.D. Bijl Park, South Africa – Planning Manager – Responsible for the project scheduling of a Blast Furnace reline in South Africa.
- Iscor V2 Slab caster – V.D Bijl Park, South Africa – Proposal Planning (initial schedule set-up).
- Isutu Pulp Mill Revamp – Isutu, Swaziland – Senior Project Controller.
- Polifins Chlorine Plant Expansion – Sasolburg, South Africa – Project Controller (this is part of the main SASOL refinery – shutdown and tie in scheduling).
- Afprod Dual Enzyme Plant expansion Germiston, South Africa – Project Planner (Maize grinding and enzyme treatment for Matlose and Dextrose for Breweries).
- Sastech – Cyanide Project, South Africa – Cost & Estimating.

- Sastech – Acrylonitrile rail loading Project, South Africa – Cost & Estimating.
- Empresa Nacional De-Hidrocarbonetos – Gas Pipe, Moçambique – Cost & Estimating.
- Brokenhill Mining Company – Platinum mining, Zimbabwe – Cost & Estimating.
- Caltex – Naphtha Hydrotreater de-bottlenecking, South Africa – Cost & Estimating.
- Phalaborwa Copper Mine Underground Mining Study, South Africa – Cost & Estimating.
- As part of the Multi-projects team worked on various proposals and smaller projects (nuclear proposal – scheduling, etc.).
- Various projects as part of Contractors team working on regional clinics built by World Vision in Botswana, as well as site infrastructure projects such as roads, site homes and accommodation, site medical facilities, etc.

#### *Construction Advisory Services Experience*

- Queiroz Galvao Industrial (QGI) Southern Brazil – assisting the client on an ongoing nearly US\$1 billion project involving the Engineering, Procurement and Construction for the complete repurposing of a vessel to be used as an Off-shore Field Petroleum Support Vessel.
- Companhia Siderúrgica do Pecém – 2013 - Fortaleza, North East Brazil – \$6 billion Greenfields steel plant, Managing the Advisory Services team for the client covering strategic management, risk, schedule and potential claim issues.
- EDP/MPX (Energia Portugal – MPX Companies Joint venture) 2012 – ongoing – Fortaleza, North East Brazil – Energia Pecem 1 – 720MW Coal Fired power station. Managing a team of six performing advisory Services covering a full technical audit of the project in Brazil and risk analysis and mitigation advice.
- MPX Energy – North East Brazil – Energia Pecem 2 – 2012 – ongoing – 360MW Coal Fired power station. Advisory Services covering a full technical audit of the project in Brazil and risk analysis and mitigation advice on the same site as Pecem 1 (separate client).
- Barrick Gold – Pascua Lama Gold Mine, Chile/Argentina – 2012 – ongoing – Advisory Services covering review and assistance with Project Controls, Schedule and budget review and Project Procedures. This also includes the review of Project risks, various contracts on site for procedure, pricing and schedule compliance.
- Refineria di Korsou (Curacao) – 2011 to 2012 – advisory services for the owner regarding a number of issues on the refinery utility plant.
- Aqualectra Curacao – 2011 to 2012 – performance audit on the power and water company of the Island and then turnaround advisory work to implement the improvements to power generation capacity etc. Including two wind farms, one undergoing construction.
- Ric-man Construction – 2010 – Underground Specialty Contractor in South Florida - Interim CEO Management role during shareholder dispute, operational assessment and assisting in managing the ongoing operations.
- 850 MW Coal fired Power Plant Start-up and Commissioning assistance – 2010 (Confidential Client).

- Fontainebleau Hotel Miami – 5-star Luxury Hotel – 2009 – assisting client in the analysis and pricing of change orders for labor and material scope changes for payments to vendors and sub-contractors.
- South Hook Project (CB&I) United Kingdom – 2007-2008 – Liquid Natural Gas off loading, storage and re-gassing plant Overall to client – Construction Management consulting on management and project controls issues that have been found on site.

### *Litigation Support Experience*

- Confidential Claim Assistance and possible Arbitration on a major Hydro-electric dam project in Newfoundland – the Contractor retained us to help review a prior Request for Equitable Adjustment (REA) submitted, and then to completely rewrite the contractor claim, assist with the delay, acceleration, and loss of productivity analysis and the participate in the negotiation with the owner – this matter is ongoing.
- Confidential International Arbitration – ICC Arbitration in New York – Assisting a large Joint venture Shipyard in the North of Brazil against the Brazilian petroleum company on a project involving the complete repurposing of a sea vessel to be used as an Off shore Field Petroleum Support Vessel, this involves assisting the client in an arbitration to resolve claims against the project owner for scope changes and owner caused delays and disruptions.
- Confidential International Arbitration – ICC Arbitration in New York for a Major Brazilian EPCM Contractor against the Brazilian petroleum company on a project in the South of Brazil involving the complete repurposing of a sea vessel to be used as an Off shore Field Petroleum Support Vessel, this involves assisting the client in an arbitration to resolve claims against the project owner for scope changes and owner caused delays and disruptions.
- Confidential International Arbitration – ICC Arbitration in New York assisting a large Joint venture Shipyard in the North of Brazil against the Brazilian petroleum company – Brazil – Assisting the EPCM Contractor against the Brazilian petroleum company on a project involving semi-submersible large offshore Drill rig, this involves assisting the client in an arbitration to resolve claims against the project owner for scope changes and owner caused delays and disruptions.
- Confidential International Arbitration – ICC Arbitration under Brazilian law – assisting an International EPCM Company vs. US based Paper Mill owner in South Brazil – ongoing assisting the client in both claims against, and defending claims from the Project owner, this involves the detailed assessment of major project scope changes and schedule disruption impacts from others, in defending the client we are assisting in the schedule analysis with respect to Liquidated damages.
- Confidential International Arbitration – ICC arbitration under New York Law assisting a Brazilian Power Company vs. European Based Generating equipment supplier – assisting the client in rebutting a multimillion-Euro claim for breach of a supply contract for generating equipment for a Brazilian power plant. Testified in New York in 2013 on this matter and the award was completely in our clients favor.
- Confidential International Arbitration – ICC arbitration under UK law in the Bahamas for a Major Hotel Group – Bahamas – Ongoing, Arbitration against the Government of Bahamas for non-core work on a US\$2.4 billion hotel development.

- Fort Lauderdale International Airport – 2012 – Time impact and cost analysis for underground works on part of the airport expansion. Testimony resulted in a complete win for client.
- Arbitration (American Arbitration Association - AAA) under Montana Law – Assisting a large EPCM contractor against the CHS Oil Refinery Montana – 2011 on the Sulfur recovery Plant as part of the Bottoms Treatment expansion project, Time impact and costs analysis – Testimony on delay impacts resulted in an award for delay damages to client.
- Lawsuit on Condominium in Coral Gables for defective construction – 2011.
- Confidential Client – Insurance claim review of remediation costs for water damage to multimillion-dollar luxury home.
- Titan Concrete Plant – Miami Florida – Insurance matter with respect to pricing repair costs to concrete plant following a fire on a large storage facility – this was the investigation of the cause of the fire, reasons for the failure to properly respond and extinguish and then pricing and time impacts for the repairs to the facility.
- Chinese Drywall Jury Trial Litigation in South Florida – for one of the defendants (Banner Distributors) which consisted of the inspection, compilation and estimation of demolition and remediation costs for a home impacted by Chinese drywall in South Florida – Case 1 – Multimillion-dollar home in Coral Gables Florida. Post reports and deposition attorneys for both side reached agreement on remediation costs and the case then focused on other damages that were not construction focused.
- Chinese Drywall Multi-District Litigation class action – for one of the defendants (Banner Distributors) which consisted of the inspection, compilation and estimation of demolition and remediation costs for number of homes in South Florida in large housing developments that were impacted by Chinese drywall in the Homestead and West Palm and Fort Lauderdale areas. Post Report and depositions this case was then moved to New Orleans and a number of settlements were reached between the parties in 2010/11.
- Binding Arbitration (American Arbitration Association - AAA) under New Mexico Law Jicarilla Tribal Center – \$20 million community facility in New Mexico – formation of claim and time impact analysis for arbitration against owner – testimony resulted in complete award on time impacts and damages.
- Fontainebleau Hotel Miami – 5-star Luxury Hotel – Matter manager for multi-claim/multi-issue liens and lawsuits filed against the hotel for the \$650 million construction and renovation project. In total there were 59 separate litigation matters on this single engagement alone.
- Analysis and rebuttal of latent defect claims in South Florida for two very large short-term rental apartment complexes.
- Claim on behalf of the owner for Multi-Story, Multi-Building Luxury Apartments and “hotel” units for Active Living Community in Florida against various Contractors for defects and delays.
- Miami Dade Schools District – Claim for a General Contractor on a new school construction for defects and delays.
- Willard Brothers Construction – Defense of claim against owner – Residential up-market housing development in Fort Lauderdale for defects in shell construction and associated delays.
- Claim at the Miami Airport for the jet fuel Lines – defective installation and cost overruns.

- International Arbitration (ICC under UK law) assisting a Bermudian General Contractor against a claim for wrongful termination on a new \$100 million Secondary School on the Island of Bermuda.
- Miami Opera center – formation of two claims (Formwork/Concrete and scaffolding companies against the General Contractor).
- Comstock Canada – Claim defense – Power line construction in Canada.
- Mount Olive Shopping Center New Jersey – Claim Defense (schedule only).
- South Hook LNG Project United Kingdom various claims.
- ACME Steel CSP Mill Claim, Chicago USA – Claim Manager.