

NIGEL G HARLEY

LLB (Hons), LLM, MSc, Dip Arb, Dip Surv,
CEM PGdip Adj, RICS Cert Adj, FRICS,
MASI, FCIQB FCIArb



Expertise

- Quantity Surveying
- Arbitration
- Adjudication
- Contract Advice and Drafting
- Procurement Advice
- Assessment of quantum on negligence claims brought against construction professionals

Experience

Legal Services Manager with Thomas Sands. A Chartered Quantity Surveyor, project manager, expert witness and Adjudicator with over 30 years experience in building industry, with both contracting organisations and professional practices.

Since 1988 I have concentrated on construction litigation, arbitration, and adjudication claims.

I have a high degree of knowledge in the preparation and defence of contract claims on building matters, and adjudication references for claimants and respondents.

I have acted as expert witness in a number of construction related adjudication, arbitrations and litigations.

I have acted as surveyor advocate for a number of clients.

Excellent knowledge of most main and sub-contract forms of contract used in the UK. Regularly drafts bespoke agreements.

Professional Qualifications

- LLB (Hons) 1994
- Diploma in Surveying 1995
- MSc Procurement 1996
- LLM in Construction Law 1998
- Diploma in Arbitration 2000
- Master of Laws (LLM)
- Post Graduate Diploma in Adjudication 2010
- RICS Diploma in Adjudication 2011

Professional Memberships

- Member of the Architects and Surveyors Institute 1980
- Member of the Chartered Institute of Building 1981
- Associate of the Chartered Institute of Arbitrators 1987
- Fellow of the Chartered Institute of Arbitrators 2000
- Fellow of the Chartered Institute of Building 2001
- Member - Royal Institution of Chartered Surveyors 2001
- Fellow - Royal Institution of Chartered Surveyors 2014

Professional Committees & panels

- Member of the Chartered Institute of Building Committee: Avon 1978-1980, Thames Valley: 1980-1985, Wessex 1985-1988. Chairman Wessex Centre and Western Region 1986-1988.
- Committee Member: Building Employers Confederation Contracts and Legal Committee Member: South Western: Building Employers Confederation: 1988-1991.
- Visiting Lecturer to Brunel College, Bristol and South Somerset College of Technology, Taunton: Construction Contracts and Construction Law Subjects: 1979-1991.
- Occasional speaker and lecturer on Building and Civil Engineering Contracts and Claims: 1988-Present.
- FMB Adjudication Panel
- RICS President's Adjudication Panel
- JCT Homeowner Adjudication Panel

Professional Committees & panels (cont'd)

Training advisor to the Construction Industry Training Board on Construction Management and Contracts: 1983-1991.

Member of the Contracts Committee and the Working Party producing Standard Form of Collateral Warranty: Building Employers Confederation: 1988-1990.

And other ad hoc committees and working parties of the CIOB, CITB and BEC: 1977-1994.

Career History

1968-1977 - Trainee Surveyor with G J Harley Building Contractors involved with traditional building contracts.

1977-1979 - Lecturer at Brunel Technical College Bristol: School of Construction Studies teaching Construction Management and Technology and Measurement.

1979-1987 - Chief Quantity Surveyor with various Building and Civil Engineering Contractors in the South, West and London. In charge of Surveying and Estimating Departments; preparation of commercial tenders and bids for multi-million pound projects; preparation of claims and cost reporting.

1987-1988 - Senior Construction Contracts Consultant with James R Knowles; Bristol office. Preparation and settlement of claims, reports and acting as expert on various national and international building, civil engineering and specialist engineering projects. Also negotiating and drafting contracts for specialist contractors and professionals. During this period I was also a registered construction contracts lecturer on courses run by the practice.

Career History (cont'd)

1988-1992 - Chief Estimator: Director 1988-89; Galliford (UK) Ltd; South West: Bristol office.

1988-1992 - Commercial Manager and Board Member, Galliford (UK) Ltd, Head office, Worcester, Responsible for the region's quantity surveying, commercial and legal matters. Element Manager on the company's quality management programme. Primary function to oversee arbitrations and claims.

1992-1993 - Study and Research work: University of Wolverhampton: Construction Contracts and Law leading to degree in law.

1994 to date - Legal Services Manager with Thomas Sands working on building and civil engineering claims, litigation, advising on construction contracts matters. Since 1998, I have concentrated on the preparation of adjudication references, both for claimants and respondents. I have acted as expert witness in a number of construction related arbitrations and litigations.

Practice Profile

The services which the practice offers includes quantity surveying, employers' agent, building surveying, project management and also construction contract and dispute resolution services. The work which the practice has undertaken is to housing projects (both private, commercial, local authority and listed properties), schools, sports facilities, university accommodation (both teaching and residential), shops, factories, offices, pubs, restaurants and hotels. Surveying services have also been undertaken in connection with civil, petrochemical, process and waste water engineering. We also act as national surveyors and contract advisors to the National House Building Council (NHBC).