

JOHN R. J. G. DOWSE, LLB (Hons), MInstCES, MCIArb, FPD



Mr. Dowse is a Senior Executive Consultant with Long International and has over 40 years of experience in the construction field. His experience includes 18 years working in contracting organizations, at all levels from the board room to the construction site, and 22 years in advisory, consulting, dispute resolution, and expert roles. Mr. Dowse has been involved in diverse projects such as coal and mineral mining, mining stabilization, pipelines (oil, gas transmission and distribution, fuel, and water), power transmission (deforestation and transmission line construction), earthworks, heavy and light rail, roads, commercial buildings, and water and wastewater processing. He has worked in Canada, the Caribbean, India, the Middle East, Sri Lanka, the U.K., and the U.S. Mr. Dowse has advised contractors, subcontractors, architects, engineers, and owner/employers on projects worth up to several billion dollars in value. He has served as a testifying expert and has presented

evidence on both quantum and delay issues. In addition, he is experienced with dispute resolution, inclusive of formal and alternative procedures, and has performed the role of an advocate.

As a trainer and educator, Mr. Dowse has been a tutor and examiner for the Chartered Institute of Arbitrators. He has also been a regular facilitator of training courses for the International Federation of Consulting Engineers (FIDIC) and other internationally used forms of contract. Mr. Dowse has taught seminars and lectures on various bespoke and off-the-shelf subjects and regularly appears as a panel presenter on construction-related matters for a diversity of professional bodies, government departments, and international law firms. Mr. Dowse is a non-practicing barrister of the Middle Temple of England and Wales.

EDUCATION

Postgraduate Diploma, Legal Practice – Bar Vocational Course, Manchester Metropolitan University, 2003
Bachelor of Laws, Nottingham Trent University, Nottingham Law School, 2001

PROFESSIONAL REGISTRATIONS

Barrister of the Middle Temple of England and Wales (Non-Practicing)

PROFESSIONAL AFFILIATIONS

Chartered Institute of Arbitrators
Chartered Institute of Civil Engineering Surveyors
Society of Construction Arbitrators
Society of Construction Law
Fellow, Prime Dispute
Past member of the Contracts & Dispute Resolution Panel (Chartered Institute of Civil Engineering Surveyors)
Past Executive Member of Council (Chartered Institute of Arbitrators for the Caribbean Region)
Former education faculty member (Chartered Institute of Arbitrators)

TECHNICAL EXPERIENCE

Representative technical experience includes:

- Company restructuring and project turnaround
- Development of project management plans and procedures



- Construction claims preparation, analysis, defense, and negotiation of settlements
- Commercial management of complex construction and engineering projects, including development of commercial systems
- Development of business quality assurance and management systems
- Project management performance assessments
- Commercial management performance assessments
- CPM schedule analyses of the impacts of delays, disruption, acceleration, and loss of productivity
- Contract/entitlement analysis
- Identification and systematic evaluation of major engineering and construction problems and their cause/effect relationships with cost and schedule overruns
- Direct and indirect damages assessments
- Deposition and expert witness testimony
- Advocate in domestic and international arbitration hearings
- Arbitrator in the role of sole member, member of a multi-person tribunal, and chair of a tribunal
- Mediator, dispute adjudicator/resolution board member
- Testifying expert with experience under cross-examination in both quantum and delay claims
- Speaker and author of numerous presentations and training manuals on the subject of construction claims, project cost and schedule control, change order management, schedule delay analysis, damages calculation methodology, and project management

PROJECT TYPE EXPERIENCE

Mr. Dowse has evaluated claims and assessed the performance of owners, employers, engineers, architects, contractors, and subcontractors on numerous types of projects. Representative projects include the following:

Airports and Aviation

- On behalf of owner/employer, prepared delay and disruption claims on the construction of a new airport development in the U.A.E. for international and domestic flights.
- Was contractor appointed for the preparation of delay and Extension of Time (EOT) entitlement claims against the owner/employer on the construction of a new airport terminal for international flights in a Gulf Cooperation Council State. Assessed claims related to design obligations, employer delays, force majeure events, and exceptionally adverse climatic conditions.
- Was contractor appointed to seek judicial review of an award of a construction contract for the maintenance and resurfacing of a runway at a Caribbean international airport.
- Was subcontractor appointed for the development of an expert report concerning delays by the owner and main contractor for the upgrading of runway and taxiways at a U.K. regional airport.
- Was lead member of a dispute resolution board charged with assessing contractor claims on the construction of a new international airport. Adjudicated claims of all nature including EOT and additional cost claims.

Commercial, Recreational, and Residential Buildings

- Was contractor appointed for the assessment of and defense against delay and disruption claims from specialist subcontractors concerning the Louvre Museum Project in Abu Dhabi.
- On behalf of employer, examined and defended against a contractor's claims for delay and disruption pertaining to twin high-rise residential/hotel towers.
- On behalf of employer, was appointed head of commercial for a multifaceted, multibillion-dollar project with responsibility for all claims management, including litigation/arbitration. Project development included housing, marina, canal system, shopping mall, two hotels, conferencing center, a PGA championship golf course, centralized cooling system, and other infrastructure.
- Served as the lead arbitrator in an insurance matter concerning property flood damage.
- Was appointed project manager by state-owned housing corporation for the development of new social housing facility comprising low-rise residences, community shopping facility, and a high-rise, mixed-use residential/commercial tower.
- Served as project manager for a state company to oversee the revetment of beach areas and the redevelopment of associated parking and retail services.
- Was contractor appointed to advise on a claim brought by Housing Corporation, a state company, alleging negligence in design and construction.
- Was contractor appointed to develop claims and subsequently acted as an advocate in arbitration in relation to a wrongful termination claim by the owner/employer.
- Served as an arbitrator for a dispute between a contractor and employer concerning termination for alleged non-performance by the contractor.

Excavation and Earthworks

- Advisor to contractor on the merits of claims for payment in relation to an assertion of an additional excavation quantity comprising 70 million cubic meters.
- Counseled main contractor and attorneys on strategy for litigation by a subcontractor following main contractor's termination of subcontract for non-performance. The project was for a solar power installation and included matters such as suspension of work due to an unexploded ordinance.

Infrastructure, Roads, and Light and Heavy Rail

- On behalf of contractor, reviewed prepared claims and analyzed delay and costs submissions particularly relating to earthworks mass haul and bridges/structures along the route of a major U.K. highway between England and Scotland. The review resulted in the contractor making significant amendment to its proposed submissions and achieving a successfully negotiated settlement with the government employer.
- On behalf of contractor, was appointed and seconded into existing team to develop claims on all aspects of a major U.K. highway link. During this two-year secondment, managed the department and oversaw more than 100 claim issues.
- Was contractor appointed to provide advice on contract drafting errors and ambiguities. Subsequently, led a team to prepare delay, disruption, and costs claims on a project comprising seven interchange upgrades, including all slip roads and new structures, over a distance of approximately 25 miles. Principal issues in contention were a change in asphalt specification, restrictions on availability of bitumen materials from a government-owned refinery, employer-imposed suspension, employer-imposed testing

house, exceptional weather conditions, and, as a consequence of government actions, a market where supply could not meet demand.

- Contractor-appointed advocate in arbitration. Successfully defended against a subcontractor's claim for alleged payment facilitation fees.
- On behalf of owner/employer respondent, was appointed as a quantum expert in an arbitration concerning the failure of a power transformer on a wind power generation plant.
- On behalf of contractor, was appointed as a delay and quantum expert concerning a highway widening project.
- Commercial and contracts lead for DBJV on an approximately \$1.9 billion light rail project in the greater Toronto area. Directly interfacing with owner and reporting directly to the project board and executive company. Heading the upstream and downstream project controls, commercial and claims teams, including progress scheduling, delay analysis, and project recovery strategies.
- External consultant to contractor organization for a light rail project in the Seattle area. Supported development of technical engineering-based claims and consequential delay and costs claims.
- External consultant and advisor for a government organization on early feasibility and procurement stages for the development of a 50km LRT project in the Caribbean. The project was subsequently abandoned.
- On behalf of owner, served as an external consultant and advisor on aspects of contractor delay claims on several aspects of a metro project in Dubai.
- External consultant and advisor for a JV contractor on delay claims on an approximately £1.4 billion (\$2 billion) light rail project in the greater Manchester, UK, area.
- External consultant advising contractor on delays incurred on multiple regional rail projects valued at approximately \$400 million in the greater Toronto area.
- On behalf of owner, external consultant and advisor on delays to signaling upgrade contracts and contractor claims for the London Underground Project.
- External consultant and advisor to owner on diversity of contractor claims associated with both East Coast and West Coast mainline upgrade projects in the UK.

Marine

- On behalf of contractor, was appointed to develop claims for delay, EOT, and costs for delay and disruption regarding a deep-water harbor project.
- Commercial lead on a project for the construction of a shallow water harbor for leisure craft as part of a larger development.
- On behalf of contractor, was appointed to prepare a defense against employer termination of a contract for dredging works to reform an existing harbor inlet channel and form a new turning bay.
- Mentor to delay analyst undertaking his first "expert" appointment. The project involved the construction of a new container yard.

Petrochemical and Processing Facilities

- Advocate for the subcontractor involved in a dispute with the main contractor concerning performance on LNG train upgrade works.
- Was contractor appointed for the preparation of claims on a refinery project. Appointment involved the award of EOT and payment of delay and disruption costs. This included both preparation and advocacy

of claims, and progressing claims prepared by others. Preparation of the claims involved managing the contractor's planning and commercial teams in the preparation of delay analyses and quantum assessments. This assignment led to a seven-year relationship with the contractor, and work pertaining to multiple projects.

- Was contractor appointed for the preparation of claims on an ultra-low sulfur diesel processing plant. Assignment included an EOT award and payment of delay and disruption costs. This involved both preparation and advocacy of claims. Preparation of the claims involved managing the contractor's planning and commercial teams in the preparation of delay analyses and quantum assessments. In addition, the role expanded to managing all claims by subcontractors against the contractor including resolution in arbitration.
- Was appointed as a delay expert by a state-owned oil company in relation to a major refinery expansion project involving ten main contracting organizations, all of whom were making EOT claims.

PROFESSIONAL EXPERIENCE

Long International, Inc.

Trinidad & Tobago (May 2023 to Present)

As a Senior Executive Consultant with Long International, Mr. Dowse provides claims analysis services. Specific responsibilities include cost estimating and cost analysis of project cost accounting systems to identify supporting documentation for cost overruns, change order analysis, issue identification, CPM schedule delay and acceleration analysis, correlation of impacts to schedule activities, productivity evaluations, claims preparation and negotiations, damages quantification, and arbitration/litigation support.

Ankura Consulting Group

Ontario, Canada (October 2020 to March 2023)

Mr. Dowse was engaged as a Senior Managing Director within the Construction Disputes and Advisory Division of the Ankura Consulting Group in Canada. In this role, he provided delay and quantum expert services. Moreover, he provided advisory services, usually instructed by counsel, on a diverse range of projects in locations across Canada. Mr. Dowse also mentored future expert staff, led assistants in expert commissions, assisted lead experts in other commissions, and advised clients for the successful preparation of claims and defense against claims and counterclaims. He also engaged in planning and provided construction advice to national and boutique law firms.

Diales/Driver Trett

Canada (June 2019 to September 2020); Dubai, U.A.E., and Kuwait (February 2018 to May 2019)

Mr. Dowse was engaged as an expert within Diales, the international, expert witness division of the U.K.-based Driver Group of Companies. Mr. Dowse specialized in distressed building, construction, and engineering projects. In addition, he served as the director for the Driver Trett commercial division in the Dubai office and the Operational Director for the Kuwaiti office. Mr. Dowse was responsible for all aspects of office management and business development. Furthermore, he mentored future expert staff, led assistants in expert commissions, assisted lead experts in other commissions, and advised clients for the successful preparation of claims and defense against claims and counterclaims. He also engaged in planning and provided construction advice to international law firms.

Cerno Services Ltd./Cerno Consulting Ltd./Resolution Chambers*Trinidad & Tobago/U.K. (2011 to 2018)*

Mr. Dowse was the Founder and Chief Executive Officer of Cerno and Resolution Chambers, based in Trinidad and Tobago and in the U.K. In private practice, he was a legal consultant and dispute resolver. In addition, he provided project management and commercial management consulting, and claims services including avoidance services. When necessary, he prepared and supported services through the development, application, and training in the use of cost and schedule control systems, and preparation of thorough project documentation. He was also appointed as an arbitrator, adjudicator, expert, and mediator in civil disputes in both common law and civil law jurisdictions. Mr. Dowse acted as tribunal and advocate for multimillion-dollar disputes with the largest award secured being almost \$400 million.

Mr. Dowse further worked with domestic and international contractors, state companies, and government departments within, at times, highly contentious environments. He achieved notable successes in arbitration and litigation in Courts of First Instance, Appellate Courts, and the Supreme Court. He developed and implemented project and commercial policies and procedures for project selection, bidding, and project controls for both contractor and owner/employer clients to promote better control of the profit, cost, schedule, scope, quality, and safety objectives of projects. Beginning in 2013, Mr. Dowse lectured on behalf of FIDIC throughout the Caribbean regions on more than 30 occasions to audiences from less than 10 persons to more than 180. In addition, he conducted training and examinations for the Chartered Institute of Arbitrators.

Hill International Inc.*Manchester, U.K. (2007 to 2008) and Trinidad & Tobago (2008 to 2011)*

Mr. Dowse was Director and Vice President within the company's claims division. He was initially charged with the management of two regional offices in the U.K., and later as country/regional manager for the Caribbean operations. His responsibilities included managing all technical and business operations. Mr. Dowse successfully obtained and managed over 50 commissions in just over three years.

Brewer Consulting (subsequently FTI Consulting)*Dubai, U.A.E. (2005 to 2007)*

Mr. Dowse was seconded to a multibillion-dollar project for the development of the Dubai Festival City commercial, residential, and leisure complex. He was responsible for the management of all contract and commercial issues, including tendering, contractor selection, contract award, and dispute management on project elements as diverse as marine works to homes and shopping malls.

Augmentis (subsequently Navigant Consulting)*North West England, U.K. (2003 to 2005)*

As the Director, Mr. Dowse managed the company's principal office in the U.K. He oversaw all technical and business operations. In addition, he was appointed as an expert witness for a variety of projects, including wastewater treatment facilities, highways, and schools. He was also responsible for construction and management framework contracts.

Study Sabbatical

Manchester Metropolitan University, U.K. (2002 to 2003)

Mr. Dowse engaged in a year of full-time academic study to attain the professional qualification to practice at the legal bar of England and Wales.

Turner & Townsend Contract Services

Manchester, U.K. (1999 to 2002)

During his employment with the company, Mr. Dowse held the roles of Associate Director, Senior Associate Director, and subsequently Director. He oversaw the Turner & Townsend Manchester office, and was responsible for the management of all technical and business operations.

Independent Consultant

U.K. (1992 to 1999)

Mr. Dowse worked on a freelance basis, primarily for contractors located in the U.K., India, and Sri Lanka. He mainly held commercial roles, and to a smaller degree, performed planning and claims roles.

E.P.H. Group

U.K. (1989 to 1992)

During his employment with the company, Mr. Dowse held various roles, such as Chief Quantity Surveyor, Commercial Director, and Managing Director for a small group of construction companies and construction equipment rental companies. Mr. Dowse was involved in civil engineering infrastructure work, commercial and domestic building work, and specialists trades including joinery and landscaping.

J. F. Donelon & Company Ltd.

U.K. (1983 to 1989)

Mr. Dowse was initially engaged as a Junior Quantity Surveyor by what was, at that time, the largest independent specialist tunneling and engineering company in the U.K. He subsequently rose to the position of Senior Quantity Surveyor and Managing Quantity Surveyor with responsibility for major tunneling installations in the U.K. primarily for local and regional authorities.

Tozer Gallagher & Partners

U.K. (1982 to 1983)

Mr. Dowse joined the company, a professional quantity surveying and project management consultancy, after undertaking civil engineering university studies. He was quickly seconded to the British Gas Corporation to work with high-pressure gas transmission pipelines and pressure maintenance/reduction installations.

PUBLICATIONS AND SPEAKING ENGAGEMENTS

“The Importance of Strong Project & Commercial Management Contract Administration,” Buildex Vancouver, 2023.

“Art of Construction Negotiations,” Canadian Institute 7th Annual Conference on Managing Risks in Construction, 2023.

“Statutory Adjudication – Update,” Canadian Institute 7th Annual Conference on Managing Risks in Construction, 2023.

Webinar series on public procurement of construction projects: Caribbean Corporate Governance Institute, 2022–2023.

Webinar series on the use of contractual adjudication, dispute adjudication boards, dispute advisory boards, and dispute resolution boards: Chartered Institute of Arbitrators (Trinidad & Tobago), 2022.

“Prompt Payment,” Canadian Institute of Quantity Surveyors, Annual Conference, 2022.

“Adjudication,” American Bar association webinar, 2022.

“Procurement Fraud – Bid Rigging,” Caribbean Corporate Governance Institute, 2022.

“Protocols and Principles – Why Expert Delay Analysis Is Under Scrutiny,” Construction Law Letter Canada, 2021.

“The Need for Alternative/Appropriate Dispute Resolution Practices in a Developing Construction Market Place,” Kuwait 3rd Annual Project Management Conference, 2019.

“Keep Your Staff: Being a Better Boss,” in-house presentation, 2019.

“Mediation of Construction Disputes,” presented internationally in various countries, 2015–2019.

“Quantum Claims – Best Practice: An Expert’s Perspective,” presented on various occasions to international legal firms and international professional bodies, through both face-to-face and web-based seminars, 2018–2019.

“Prolongation Costs Claims,” presented on various occasions to international legal firms and international professional bodies, through both face-to-face and web-based seminars, 2018–2019.

“Contract Interpretation: The Latest Legal Updates,” presented on various occasions at seminars in the U.A.E. and other G.C.C. States, 2018–2019.

“Delay, Disruption, and the S.C.L. Protocol,” presented on various occasions at seminars in the U.A.E. and other G.C.C. States, 2018–2019.

“FIDIC Contracts and Project Management,” presented on various occasions throughout the Caribbean region, 2011–2018.

“Claims Under the FIDIC Contracts,” presented on various occasions throughout the Caribbean region, 2011–2018.

“The FIDIC Short Form of Contract (the Green Book),” presented on various occasions throughout the Caribbean region, 2011–2018.

“Practical Use of the FIDIC Conditions of Contract,” presented on various occasions throughout the Caribbean region, 2011–2018.

“The Impact of Biased Contracts on a Construction Economy,” presented internationally, 2018.

“The FIDIC Contracts in Practice in the Caribbean,” 2nd FIDIC Conference in Washington, D.C., 2013.

Other various courses presented include: Management of Contract Claims, Dispute Adjudication Boards, Delay Claims Masterclass, Quantum Claims Masterclass, Appropriate Dispute Resolution, The Pitfalls of Terminating Contracts, Conflicts of Interest for Consulting Organizations, and Calculating Head Office Overheads and Profit Contributions.