



Accreditation: 2000  
Panel Admission: 2004  
CEDR Ireland Panel: 2011

Languages: English  
Location: United Kingdom

*“...skilfully removing feelings of animosity*

*so that a deal could be done.”*

Client Feedback

## Christopher Ennis

### Overview

Chris Ennis has over 35 years’ experience in the Construction Industry, for the last 20 years specialising in expert witness work in the area of quantum analysis along with work as a neutral mediator, adjudicator or arbitrator where he has been involved in resolving over 100 disputes. He has practised in the UK and internationally in connection with construction contract disputes and a significant number of general commercial contract matters. The disputes in which he has been involved as neutral have related to claims as high as £15 million, and his expert witness practice has involved him in disputes where the sums claimed have been up to £250 million.

### Professional Background

Following early experience gained in building trades, Chris qualified as a Chartered Quantity Surveyor in 1981, and became a Director in a small property development and architectural consultancy in 1989. Chris joined Northcrofts Management Services as a Director in 1995 and became Managing Director in 2003. Until Autumn 2012 he was a Director in the Legal Support Group Division of the global construction consultants Davis Langdon, an AECOM Company, and he is now Director of Time | Quantum Expert Forensics Ltd. (“TQEF”).

### Expertise

- Commercial Contracts
- Energy & Natural Resources
- Shipping
- Construction & Engineering
- Professional Negligence



## Dispute Experience

*(Non-Neutral work in italics)*

### Commercial Contracts

- Multi-party matters involving up to four separate parties and around twenty party representatives.
- Disputes involving complex technical and commercial issues.
- Complex disputes involving many different alleged causes of action.
- Matters where knowledge of the parties' first languages, and ability to read key documents in languages other than English, has been of assistance.
- Time-limited matters, where (typically) a half-day has been set for the mediation itself, following preliminary exchanges.
- Matters requiring particular sensitivity due to issues of aggression, emotional and domestic complications, limited communication ability or otherwise disadvantaged nature of one of the parties.
- Disputes where the outcome at settlement has involved significant elements of non-monetary compensation or consideration.

### Construction & Engineering

In his specialist practice as a quantum expert, adjudicator, arbitrator and mediator Chris has been involved in the analysis and resolution of many contentious claims, the majority of which arose out of JCT and NEC contracts. As a Chartered Quantity Surveyor Chris has spent most of his professional life administering the financial provisions of various editions and different forms of these contracts, and he has also acted as project manager and employer's representative/agent under the various editions and forms. For a number of years he sat on the RICS Practice and Management Board Queries Panel dealing with queries on contract matters and disputes, almost all of these involved JCT contracts.

- Dispute between subcontractor and main contractor under framework agreement for public utilities works.
- Dispute between a specialist mechanical services subcontractor and a main contractor regarding final account and completion issues relating to a residential development.

- Project mediator on a dispute between a local authority and a main contractor in relation to a long term multi-million pound project partnering contract to build and manage council housing stock.
- Mediating domestic disputes involving private house owners.
- Dispute over release of retention, completion status, defects and delays to construction of Central London apartment.
- *Quantum Expert for Owner in ICC Arbitration arising out of new paint shop facilities in car factory, Warsaw, Poland, claim value \$20,000,000.*
- *Quantum Expert (also dealing with time matters) for specialist works contractor claiming delay, disruption, acceleration and loss and expense on Shopping Centre development, Glasgow.*
- *Quantum Expert for design and build contractor in connection with disputes arising on new office development.*
- *Quantum expert for insurers in dispute arising on rebuilding under NEC 3 Options A (building) and D (process plant) of confectionery factory following total loss in fire.*
- *Quantum expert for property funder in ad-hoc arbitration concerning funding and purchase of retail development, Portugal.*
- *Quantum expert for main contractor in connection with various major disputes arising on national stadium, West London.*
- *Dispute between a sub-contractor and main contractor regarding final account for highways drainage contract under NEC Conditions.*

#### Infrastructure

- *Quantum Expert for Contractor in connection with UK High Court litigation on railway re-signalling project, claim value £5,000,000.*
- *Expert advice and assistance in negotiation of settlement for dispute subject to domestic arbitration on airport redevelopment, southern Caribbean.*
- *Quantum Expert for Employer in a number of separate disputes at adjudication and UK domestic arbitration involving major claims under £4.5 billion PPP rail infrastructure upgrade and operation contract.*
- *Expert advice in connection with disputes on £750 million NEC 3 Option C contract for new and upgraded rail infrastructure project.*
- *Quantum expert for Contractor in arbitration arising out of major motorway construction project, Ireland, under Irish Arbitration Acts.*



- *Quantum Expert for main contractor in adjudication and High Court proceedings in connection with financial disputes arising on major heavy marine civil engineering works in South-West England.*
- *Quantum Expert for Employer in three separate disputes at adjudication and UK domestic arbitration involving major claims under £1.3 billion PPP rail telecommunications project.*

### Energy & Natural Resources

- *Mediator in dispute arising on chemical processing plant, North-East England, involving pipework spools and ancillary plant installations.*
- *Quantum Expert for Owner in ICC Arbitration arising out of construction of new oil refining plant, Slovakia, claim value \$9,376,872.*
- *Quantum expert for public authority in dispute arising on construction of waste-to-energy plant in South Wales under PFI arrangements.*
- *Quantum expert for Defendant in High Court action involving total loss due to oil terminal explosion, UK, involving complex issues of betterment.*
- *Quantum Expert for Employer in dispute in UK High Court arising out of construction of LNG liquefaction plant, West Africa, involving consideration of costs to complete and disallowable costs arising out of settlement agreement.*
- *Quantum Expert for Employer in dispute at ICC Arbitration arising out of construction of gas pipeline and associated process installations, Middle East, involving consideration of costs to complete and disallowable costs arising out of settlement agreement and other aspects following partial award.*
- *Quantum Expert for Employer in dispute arising on combined cycle power plant, UK Midlands.*
- *Quantum Expert for principal HRSG vendor in dispute with its principal subcontractor arising out of combined cycle power plant, South-East UK at UK domestic arbitration.*

### Professional Negligence

- *A number of mediation appointments related to professional consultants involved in construction projects.*
- *Quantum and Liability Expert for insured defendants in a number of alleged professional negligence suits involving quantity surveyors and QS project managers, and for Claimant Employers in other similar matters.*

### Shipping

- Member of Dispute Adjudication Board in connection with subcontract for topsides modules, UK jurisdiction.
- *Advice to Employer in dispute at ICC arbitration arising out of topsides sub-contract, Middle East, in connection with termination and attempted back-charge of costs to complete by replacement contractor.*
- *Quantum expert for shipbuilder in major dispute involving alleged time and cost overruns arising out of superyacht construction contract.*

### Personal Style

Chris is known for his calm demeanour and commercial approach to resolving disputes using a mix of facilitative and evaluative techniques. His detailed background knowledge and experience of the manner in which more formal dispute resolution unfolds enables him to understand and successfully deploy factors arising from complex procedural issues that can be of significant influence in the outcome of negotiations.

Chris believes that achieving closure through mediation is best achieved by recognising the parties needs in early discussions, often before the mediation day itself, whilst recognising that those needs can change considerably during the course of the process.

### Feedback

- *“It looked like everyone could end up walking out with no resolution but Chris got stuck in and made it happen.”*
- *“He had a very practical approach and took on board the undercurrent of feelings which ran between the parties”.*
- *“We both appreciated your advice at appropriate moments and we have no doubt that you did great things in the other room.”*
- *“He conducted the mediation in the appropriate way. He was clear, calm and most importantly he gave our client confidence.”*
- *“The client asked me to pass on his thanks generally and in particular for keeping the show on the road to a conclusion.”*
- *“...very astute and obviously understood the issues very well. He probably pushed the parties along further than would have happened in court.”*
- *“We both appreciated your diplomacy and good humour.”*

- *“.....a pleasant manner which is always very helpful for people in this situation.”*
- *“....very impressive in the face of quite staunch positions.”*
- *“He persevered and managed to pull the parties back.”*
- *“.. skilfully removing feelings of animosity so that a “Deal could be done”.”*
- *“Chris was very good on the commercial side of things as he knew the industry very well.”*
- *“....the mediator was excellent he was very good and added a lot to the process rather than just carrying messages backwards and forwards.”*
- *“Put the clients at their ease, especially when the other side were spending long periods considering offers put forward.” “...insistent, practical and down-to-earth...”*
- *“...transformative and the right balance between facilitative and evaluative.”*
- *“He was very patient and steady-handed.” “...calm but focused...” “...pro-active...”*

### Professional Skills

Over 35 years' varied experience in construction, and over 20 years' specialised experience in construction dispute resolution related consultancy.

1974 – 1989: Quantity Surveyor in private practice from Trainee to Associate with G.D. Walford and Partners, Chartered Quantity Surveyors (with seven months in 1983 at EC Harris & Partners).

Full and varied experience in all aspects of Construction Industry, including highways, defence installations, commercial, industrial and residential buildings, prisons and hotels, and in civil, marine, process, petro-chemical and other heavy engineering; airport-related work including control towers, radar installations, terminal buildings, aprons, runways and ancillary installations.

Project Management experience. Expert Witness appointments and advice on disputes concerning construction defects, professional negligence, and progress and financial problems occurring on construction contracts. Management consultancy.

1989 – 1991: Director of Ergon Design Group Ltd., an architectural and property development consultancy, managing amongst other things a professional negligence suit involving defects following Contractor's determination, culminating in six week High Court action.



1991 – 2007: Initially Consultant, in August 1995 Director, and from July 2003 to August 2007 Managing Director, Northcrofts Management Services Limited, a practice specialising in analysis of construction claims and disputes and advice on construction contracts.

2007 – 2012: Partner/Director in Legal Support Group, Davis Langdon LLP, since October 2010 an AECOM Company

2012 – present: Director of Time | Quantum Expert Forensics Ltd., (“TQEF”) specialising in mediation, arbitration, adjudication and quantum expert witness appointments.

### Legal Support

Expert, Adjudicator, Mediator and Arbitrator and established “name” amongst construction dispute resolution specialists. “Checked” Expert Witness in “The Expert Witness Directory” published by Sweet & Maxwell.

Named Adjudicator in several construction contracts and an Agreement for Lease, and named Panel Expert for adjudication in several BSF/PPP projects. Adjudicator, Arbitrator or Mediator in connection with over 100 construction contract disputes. Arbitrator in domestic construction disputes and as Quantum Assessor in commercial arbitration. Member of Dispute Adjudication Board for a petrochemical contract.

Private Expert Advisor appointments (i.e., pre-action advice) in connection with numerous construction contractors’ claims and claims against Quantity Surveyors, QS Project Managers, Architects and Consulting Engineers.

Expert and other appointments in connection with time, management and financial matters in building, civils, petrochemicals and process engineering disputes in the UK and overseas, including:

Consultant advisor on a day-to-day basis on problems arising in practice faced by quantity surveyors, project managers and employer’s agents, mostly related to JCT and NEC3 contracts.

### Qualifications

- MSc in Construction Law & Arbitration (King’s College, London)
- Fellow of the Royal Institution of Chartered Surveyors

- Fellow of the Chartered Institute of Arbitrators

## Publications

- “How Soon Should Claims in Multi-Party Disputes be Settled?” (1997) 13 Const. LJ 35.
- “Credit for Betterment in Quantum Arguments” (2000) 16 Const. L.J. 31.
- “What degree of proof is required in ‘ascertainment’ of loss and/or expense?” (2009) Const L.J. 7. (Published simultaneously in China Construction Law Review).
- “Financial Claims under NEC3 Contracts: An Overview”, paper D117, Society of Construction Law, December 2010.
- “Issues to be considered in evaluation of disruption costs on major construction projects”, paper for TECBAR Conference January 2011.
- “Evaluating Disruption Costs on Major Construction Projects”, paper D125, Society of Construction Law, July 2011.
- “The Expert in International Disputes”, paper D177, Society of Construction Law, August 2012.
- From 1996-2001, Member of Editorial Board, Assistant Editor and regular contributor, Construction and Engineering Law, published by Central Law Training.
- Occasional contributor on ADR matters to “Contact”, the Chartered Institute of Building members’ newsletter.