

Lee Mallek BSc (Hons) LLM FCIOB ACI Arb AssocRICS AMAE
Associate
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Professional Details

Introduction Lee graduated in 1998 and joined the Kier Graduate Programme. He worked in Site Management, Engineering and Planning for UK Main Contractors from 1998 to 2006. In 2006 he relocated overseas as a Senior Planner with Sir Robert McAlpine before relocating in 2013 to the Middle East with Hill International (HKA) to specialise in Claims Delay Analysis. In 2015 Lee became a Senior Delay Consultant within Hill International. At the end of 2017 Lee relocated back to the UK to work for Tempus Delay Analysis.

Roles Lee is an Associate with Tempus Delay Analysis, a specialist team providing advice, support and expert analysis on delay and disruption disputes.

Qualifications BSc (Hons) in Building
LLM in Construction Law and Practice

Associations Fellow of the Chartered Institute of Building (FCIOB)
Chartered Construction Manager
Associate of the Chartered Institute of Arbitrators (ACI Arb)
Associate of the Royal Institute of Chartered Surveyors (AssocRICS)
Associate of Academy of Experts (AMAE)

Specialisms Forensic delay analysis, Claims Preparation, Construction Planning and Management

Projects - Claims / Delay Analysis

GMCS - Dubai, UAE, Senior Delay Analyst, Nov 2016 to July 2017

- **Opus Tower, Business Bay, Dubai, UAE, July 2017.**
Provided forensic analysis for Hayden MEP Contractor investigating delay events on their document management system Aconex and provided tabulated results to form the basis of delay fragnets.
- **WAFI Mall - 54 Storey Hotel Complex & Mall Expansion including Hypermarket, Cinema and Car Park, Dubai, UAE, 380million AED, Mar 2017 - Jun 2017.**
Provided the Client (MKM) with Independent Engineer's decision reports using 'Time Impact Analysis' methodology for Contractor's Claims received for extensions of time under Clause 67.
- **QIIB Tower Fitout for North Oil Company, Doha, Qatar, Feb 2017.**
Advised the Client (North Oil) on the preparation of their baseline programme for 27 storeys fit-out of 52 storey tower building. Liaised with the relevant Consultants and Clients to provide realistic programme options.
- **Mirfa International Water & Power Company in Abu Dhabi, UAE, Nov 2016 - Jul 2017.**
Worked within a team representing the Client (MIPCO) assessing 3 No. Contractor's (Hyundai) Claims prepared and submitted by Hill International for 'Extensions of Time' on a new power and water plant. We investigated delay events affecting the key completion milestones for 'Early Power Units', 'Open Cycle GT Units', 'New Reverse Osmosis Plant' and 'Overall Completion' on the power and water plant preparing substantiated chronologies and delay analysis checks.

Hill International (HKA) - Oman & UAE, Senior Consultant Apr 2013 to Nov 2016

- **Kudgi Power Plant, Boiler Unit in India, August 2016 - Oct 2016.**
Time Impact Analysis over 21 No. time slices for one of three Boiler Units extension of time claim. Responsibilities included supervision of a consultant, establishing delay event details and assisting with the production of a time impact analysis.
- **Sadara Chemical Plant, LDPE Polyethylene Pipeline Project in Saudi Arabia, Aug 2016.**
Commission Manager and was responsible for commission planning / progress reporting / budget and close out of invoices. Duties included overseeing a delay analyst to deliver an As-Planned v As-Built Analysis and production of the final extension of time report.
- **Business Development and Proposals for Middle East and Africa, Apr 2016 - May 2016.**
Researching potential business avenues for future claims business in the Middle East and Africa. This included the preparation of proposal submissions to clients for potential work and client meetings.
- **Sky View Towers (Twin 60-Storey Towers), Address Residence, Dubai, Mar 2016 - Apr 2016.**
Part of a claims team of four personnel developing delay event narratives for the ACC main contractor's interim claim on a project consisting of two 60 storey towers, Sky Bridge and Podium. Once the delay event narratives were completed I was responsible for managing the completion and issue of the report ensuring all the client's comments had been incorporated.
- **Saraya Bandar Jissah, 5 Star Hotel Complex in Oman, Jan 2016 - Mar 2016.**
Programme updates generated from contemporaneous progress records and Time impact Analysis methodology used over 17 No. windows for an international main contractor's extension of time claim.

- Public Authority for Social Insurance Project (PASI) in Oman, Oct 2015 to Dec 2015.**
 Lee worked as a Delay Analyst on an extension of time claim for an international main contractor constructing 8 No. residential buildings, 1 No. Office building, 1 No. Head Quarters building and associated utilities/external works. Developed lists of critical and sub-critical delays through 18 No. windows by collapsing programme updates. Prepared windows analysis report which included periods of critical impact for each delay event, related prolongation periods (delay event effect on milestone completion) and possible reasons for delay. Finally produced master list and programme baseline comparison of delay events as-planned versus as-built.
- Bid Bid to Sur 75km Highway in Oman, May 2015 to Oct 2015.**
 Lee worked as a Delay Analyst on an extension of time claim for an international main contractor working on a 75km major road infrastructure project. Initially two programme updates and report had to be prepared retrospectively because there were no project records for the first nine months of the project and this completed the records for the 21 No. windows. Delay events were then researched and fragnets produced for time impact analysis. Starting with window 1 and working sequentially through to number 21 the window programmes were impacted with the relevant delay events, progress was imported, programme rescheduled and then used to start the following window time impact analysis. Finally, a time impact analysis was prepared for ROP OBC Ductwork.
- Majlis Oman Project, Feb 2015 to May 2015.**
 Lee worked as a Delay Analyst on an extension of time claim for an international main contractor constructing the new Majlis Oman. The analysis consisted of 14 No. windows and the initial task was to collapse each window back to the completion date at the start of the window to develop a list of dominant delay events for each window. As-planned versus as-built programmes were then produced for the delay events in each window prior to delay periods being added. There were no records for the final year of construction, so the last update provided by the Contractor was impacted with all client/site instructions and changes (Impacted As-Planned) during that period to give a projected completion date.
- Development of Batinah Expressway Package 2 in Oman, Nov 2014 to Dec 2014.**
 Lee provided planning advice on the preparation of a Clause 14 Construction Programme and Narrative for the main contractor constructing 45km of Road including Four Intersections, Two Overpasses, One Underpass and Seven Wadi Bridges.
- Development of Muscat International and Salalah Airports in Oman, May 2013 to Jan 2015.**
 Lee was assigned as a Delay Analyst to a Consultancy acting as Engineer on this major Airport and Infrastructure Project. Lee's duties include carrying out delay analysis on various elements of the project including Air Traffic Control Tower, Air Traffic Management, Data Centres, Passenger Terminal Building, Baggage Handling, Meteorological Systems, Navigational Systems and Passenger Boarding Bridges. Lee's deliverables necessitate the use of different delay analysis techniques including Time Impact Analysis, Windows Analysis, As-built Analysis and Impacted As-Planned Analysis to assess Contractor's claims for extensions of time and preparation of reports.
- Third Party Independent Review of a Road Dispute in Oman, May 2013.**
 Lee was part of a small team carrying out a third party independent review of a dispute on a Road project in Muscat. He was responsible for extracting progress data from various contemporary records to prepare an as-built programme for the purposes of conducting a delay analysis to establish the Contractor's entitlement to an extension of time.

McAlpine Ltd (Cayman) v Walkers Lawyers, Cayman Islands, 2009

Lee worked for the Main Contractor McAlpine Ltd (Cayman) who were employed by Walkers to construct their new head office building. Unfortunately, the smoke extraction system failed during testing which prevented the building from being signed-off and achieving substantial completion. A dispute arose between the Contractor, Design Team and Client. Lee played a pivotal role for McAlpine

in preparing and providing the necessary programmes and records to the expert witness (mediator) assigned to the project.

Schofield Lothian (London) Forensic Planning Consultant, Jan 2005 - Mar 2006

- **Slough Borough Council v Dew Pitchmastic, 2006.**
Schofield Lothian was commissioned to represent Slough Borough Council in a dispute relating to delays to the refurbishment of two residential tower blocks. Lee provided forensic planning and delay analysis support services.
- **RMG A13 Joint Venture DBFO Road Claim v Transport for London (TFL), 2005.**
Schofield was awarded the forensic planning analysis commission on the construction of the A13 Road. Lee was responsible for included collating the evidence to develop as-built programmes, performing a collapsed as-built delay analysis. He also conducted a number of exercises which compared the deliveries of materials against the as-built dates for activities to establish if there were any concurrent delays caused by the contractor.
- **Birse Build Ltd v Elliotts Ltd, 2005.**
Schofield Lothian was commissioned to represent Birse Build Ltd to defend an extension of time claim from its subcontractor in relation to the construction of three large apartment buildings. Lee provided forensic planning support and delay analysis services. This role included preparing as-built programmes, comparing the as-built with the as-planned programme to identify the periods of delay and the party responsible for the delays.
- **Munns Electrical Subcontractor v Mitie, 2005.**
Schofield Lothian was engaged to represent Munns electrical subcontractor in a claim against Mitie. Lee prepared a detailed as-built programme for the purposes of identifying and assessing the effects of the delay events.
- **TAG Farnborough Airport, Aggregate Industries claim, 2005.**
Lee carried out impacted as-planned delay analysis to quickly establish the effects of the compensable events on the contract programme to determine at a high level whether Aggregate Industries had any entitlement to an extension of time.

Projects - Site Management / Project Planning

Sir Robert McAlpine - Cayman/Bermuda. Senior Planner, Mar 2011 - Apr 2013

Lee was the Senior Planner providing all tender and live project project planning services for the main contractor in the Cayman Islands and Bermuda. Lee was responsible for preparing and monitoring/progressing master baseline programmes, short term programmes and detailed target programmes using Microsoft Project, Primavera P6 and Asta Powerproject. Lee was also responsible for preparing client progress reports, identifying the periods of delay, tracking procurement progress, resources allocations, and maintaining as-built records.

- King Edward VII Memorial Hospital Redevelopment PPP Project, Bermuda - 250million US, Bermuda, Mar 2011 to Apr 2013.
- Clifton Hunter & John Gray School, \$100million US, Cayman Islands, 2010 to 2011.
- Government Offices Accommodation Project, 100million US, Cayman Islands, 2008 to 2011.
- Walkers Head Office, \$50million CI, Cayman Islands, 2006 to 2011.
- Butterfield Bank Headquarters, \$50million CI, Cayman Islands, 2006 to 2007.
- Camana Bay Offices Block 6 and Car Park, \$50million CI, Cayman Islands 2006 to 2007.

Schofield Lothian (London), Forensic Planning Consultant, Jan 2005 - Mar 2006

- Planning & Delay Analysis Support on various commissions as shown above.

Shepherd Construction Ltd (London & SE), Senior Planning Surveyor, Feb 2002 - Jan 2005

- Tender Planner for Burlington Danes Medical Research Facility, £60million, London, 2004.
- Tender Planner for Lee Valley Sports Stadium, £50million, London, 2004.
- Veterinary Laboratories and Energy Centre (DEFRA), £35million, Addlestone, 2003 to 2004.
- St Georges Court Offices Refurbishment for MOD, New Oxford Street, £32million, London, 2002 to 2003.

HBG (BAM) Construction Ltd (London & Southeast), Planner, Feb 2001 - Feb 2002

- John Hanson School, Andover, £4million.
- Sun Microsystems Consolidation Project, Guillemont Park, Fleet, £90million.

Kier Group - Southern, Graduate Building Engineer, Aug 1998 - Feb 2001

- New Reigate & Banstead Town Hall Offices, Reigate.
- Fort Cumberland Scheduled Ancient Monument Refurbishment for English Heritage.
- Offices on Brownfield Site with Asbestos and Vibration sensitivity, Farnham, \$4.5million.
- Tender Planning Department.

Ballast Wiltshier (Sandwich Year) Site Engineer, Jul 1996 - May 1997

- New BT Offices, Plot 1, Trinity Park, Solihull, £4.5million.