

Khalil Tayab Hasan - Curriculum Vitae



EDUCATION

1984

BSc Civil Engineering from
Texas Tech University
Texas, USA

CORE COMPETENCIES

- Panel of Expert (Procurement and Contracts)
- Registered with ICC, Paris as an Arbitration Expert Witness for Construction & Design Disputes
- Construction Claims
- Construction Design Claims
- Construction Dispute Boards & Arbitrations
- Independent Expert Reviews & Reports
- Contracts' Specialist
- FIDIC Expertise
- Commercial Management

CAREER SUMMARY

Mr. Hasan has almost 40 years' experience in the construction industry with expertise in Dispute Boards & Arbitrations, Panel of Expert, Expert Witness for construction & design related disputes in ICC Arbitrations, Contracts' Enforcement, construction claims management and administration (especially Extension of Time and related cost claims), dispute resolution (Dispute Boards, Arbitrations & Litigation), independent 3rd Party claims' evaluations, Independent Expert Reports for Arbitrations, cost estimating, contracts' management and administration, and project controls/construction management including planning & scheduling. Such expertise was developed while employed on domestic and international assignments (Germany, China, USA, Italy, Syria, Dubai, Pakistan, Malaysia, Republic of Georgia, Egypt, Abu Dhabi, Nepal, Bangladesh, Sudan, Qatar, Panama, Turkey, UK, Afghanistan, Saudi Arabia, South Africa, Bosnia & Herzegovina, Tajikistan etc.) with major contracting and consulting firms in addition to several years working as a free-lance consultant (Ed. Züblin AG., Lahmeyer (Tractebel), Impregilo, Lagan, Salini, Salini-Impregilo, Mott MacDonald, CSPDR, Dar Al-Handasah, Arabtec, Powerchina (Sinohydro), SMEC, Descon and Nespak etc.).

Mr. Hasan has been involved in all types of construction projects including: Buildings, Hotels, Hydropower projects, Dams, Metros, Thermal Power Plants, Power Transmission Lines, Airports, Infrastructure Works, Roads, Highways and Tunnels. Projects have ranged in capital value up to US\$ 5 billion. Types of Contract forms included FIDIC (entire rainbow suite), NEC3 and several bespoke forms for Construction, Design & Build, EPC Turnkey, MDB, DBO, BOT & Client/Consultant Agreements.

Mr. Hasan's experience, in the design and construction of Hydropower & Water Resources Projects, is extensive. He has experience working as a Panel of Procurement Expert of one of the largest Dams (4,500 MW Diemer Basha), worked as a Planning Engineer, Contracts & Claims Manager and Chief Contracts Engineer on several hydropower and dam projects worldwide. "Xiaolangdi" in China (1,836 MW), "Ghazi-Barotha" in Pakistan (1,450 MW), "Upper Atbara Complex" in Sudan (135 MW), "Upper Arun" in Nepal (1,040 MW), "New Assiut Barrage & Hydropower Plant" in Egypt (32 MW) and Tarbela 5th Extension Project in Pakistan (1400 MW). In total he worked over 30 years for these hydropower and dam mega projects and was employed by one of Germany's largest civil works contractor, Ed. Züblin AG., the leading German consultant Lahmeyer International and the leading Chinese consultant

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PERSONAL INFORMATION

Nationality: Pakistani

DOB: 23 Feb 1960

Languages: English, Urdu,
German

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Changjiang Survey, Planning, Design & Research Co. (CSPDR) for these projects. In addition, Mr. Hasan gained extensive experience as an Expert related to project management, contracts administration, claims resolution, settlements of disputes, Independent expert, Dispute Boards and arbitrations under FIDIC, NEC3 and several bespoke Contract Forms. The projects serviced as a contracts expert included the Mangla Dam Raising Project, in Pakistan (310 MW), Raine Canal in Pakistan, Panama Canal Expansion in Panama, Ingula Dam Pumped Storage Scheme in South Africa (1,332 MW), Taunsa Barrage Rehabilitation in Pakistan, Ulu Jelai Hydropower Dam Project in Malaysia (372 MW), Duber Khwar Hydropower in Pakistan (130 MW), Nenskra Hydropower in Republic of Georgia (280 MW), Assiut Hydropower in Egypt (32 MW), Ikhuwa Khola Hydropower in Nepal (40 MW) and Golen Gol Hydropower in Pakistan (106 MW). In addition, Mr. Hasan, during his initial career was employed as a designer of the 3,600 MW Kalabagh Multipurpose Dam in Pakistan.

Mr. Hasan offers unique perspectives based on a combination of his contracting and consulting skills, technical expertise, legal knowledge and "mud-on-the-boots" practical experience.

Mr. Hasan has successfully delivered lectures in seminars and conferences organized by FIDIC, Society of Construction Law, Dubai Municipality and in-house for several entities. The topics have been project management, construction and design related claims, extension of time claims etc.

EXPERIENCE

Managing Partner

Construction Solutions, International

September 2017 – Present

- Employer Appointed Procurement Expert member of a 5 member Panel of Experts (POE) for the 272 m high, 4,500 MW Diamer Basha Dam Project, Pakistan.
Advice on procurement and contractual matters on 5 lots, including, and not limited to oversight of the contracts and claims management during implementation and changes in the scope, quality and variations in the contracts.
- Mott MacDonald: 1400 MW Hydel plus 300 MW Floating Solar Tarbela 5th Extension Project, Pakistan.
Contracts' specialist on behalf of Mott MacDonald (Consultant) for Civil, Hydromechanical & Electromechanical Works, Transmission Line and Floating Solar Panels (4 contracts). Evaluation and

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determination of contractor's claims and settlement of disputes involving delays and design related issues. Day-to-day contract administration for all the contracts. Advice to the Employer of pre-emptive actions to reduce contractual defaults. Review of the Contract Programmes. Assessment and preparation of variation orders due to design changes etc.

- Tractebel Engineering GmbH: 140 MW Tanahu Hydropower Project, Nepal.

Contracts' specialist on behalf of Tractebel Engineering GmbH (Consultant) for Civil and Hydromechanical & Electromechanical Works (2 contracts). Evaluation and determination of contractor's claims and settlement of disputes involving delays and design related issues. Day-to-day contract administration for the 2 contracts. Advice to the Employer of pre-emptive actions to reduce contractual defaults. Review of the Contract Programmes. Assistance to the Employer during negotiations for Amicable Settlement Agreements.

- Dispute Adjudication Board (DAB): Construction of 220 kV Akhaltsikhe-Batumi Overhead Transmission Line Project, Georgia

Engaged by the DAB to carry out an independent review and reporting of the Parties Position Papers for a DAB Decision in respect of a dispute related to Extension of Time and related Costs.

- Dispute Adjudication Board (DAB): Contract CP-01 - Rehabilitation and Improvement of the Dushanbe - Kurgonteppa Road, from KM 0+275 to KM 33+475, Tajikistan.

Engaged by the DAB to carry out an independent review and reporting of the Parties Position Papers for a DAB Decision in respect of a dispute related to Extension of Time and related Costs.

- Changjiang Survey, Planning, Design and Research Co. (CSPDR).

Contracts' management of Upper Arun & Ikhuwa Khola Hydropower Projects in Nepal.

- Independent Expert appointed for an Arbitration under the International Chamber of Commerce in Paris (ICC) for the Waste Water Treatment System Upgrade Project in Saudi Arabia.

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Engaged by Kettaneh Construction Saudi Arabia Ltd. to carry out an independent review and prepare an Independent Expert Report of its claims for Extension of Time and related Costs for an ICC Arbitration.

- Dispute Adjudication Board (DAB): Construction of Brcko Bypass, Bosnia & Herzegovina.
Engaged by the DAB to carry out an independent review and reporting of the Parties Position Papers for a DAB Decision in respect of a dispute related to Extension of Time and related Costs.
- Lahmeyer International: 32 MW Assiut Hydropower Project, Egypt.
Chief Contracts' specialist (Deputy CRE) on behalf of Lahmeyer International (Consultant) for Civil, Hydromechanical & Electromechanical Works (4 contracts). Evaluation and determination of contractor's claims and settlement of disputes involving delays and design related issues. Day-to-day contract administration for the 4 contracts. Advice to the Employer of pre-emptive actions to reduce contractual defaults. Review of the Contract Programmes. Assistance to the Employer during negotiations for Amicable Settlement Agreements.
- Salini-Impregilo, Doha, Qatar: Doha Metro – Red Line North Underground.
Preparation of Force Majeure Claim due to economic and social blockade of Qatar by other GCC Countries.
- Sinohydro Corporation: Kahramaa Awareness Park Project, Doha, Qatar.
Several commercial issues, involving EOT & related costs, design disputes and Illegal deductions etc.
- Sinohydro Corporation: Padma Multipurpose Bridge Project-River Training Works, Bangladesh.
Several Commercial Issues involving Extension of Time (EOT) & related cost claims, including validation of Contract Programmes.
- Salini-Impregilo: 280 MW Nenskra Hydropower Project, Republic of Georgia.
Several Commercial Issues involving EOT & related cost claims. In addition supported the Dispute Board proceedings in respect of several claim issues. Review and validation of Contract Programmes.

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- Netracon: 106 MW Golen Gol Hydropower Project, Pakistan.

Several Commercial Issues involving additional cost claims. In addition, issued advice on the procedures for initiating arbitration under the contract.

Managing Partner

Forensica Consultancy Services, Doha, Qatar

March 2017 – August 2017

- Sinohydro Corporation: Lusail CP1 MEP Works
- PICQS: CPD Lecture
- Sinohydro Corporation: Kahramaa Awareness Park Project

Responsibilities and Achievements

- Review and evaluation of EOT & Costs Claims of MEP Subcontractor of Sinohydro.
- Conducted a CPD Event for 100 members of PICQS – Topic Project Management with Emphasis on Effective Contract Administration.
- Several commercial issues, involving EOT & related costs, design disputes and Illegal deductions etc.

Commercial Manager

Salini-Impregilo, Doha, Qatar

May 2015 – Feb 2017

- Doha Metro – Red Line North Underground

Responsibilities and Achievements

- Ensured all commercial matters were effectively managed and safeguarded for the contractor, including and not limited to claims for EOT, disputes, variations, notices, daily correspondence, and contractual management of all subcontractors. Successfully negotiated and closed out several Amicable Settlements between the Parties.
- Advice to the Projects Control team on contractually compliant planning & scheduling.

Chief Contracts Engineer

Lahmeyer International, Germany

Jun 2012 – Apr 2015

- 135 MW Dam Complex of Upper Atbara Project, Sudan

Responsibilities and Achievements

- Contracts' specialist on behalf of Lahmeyer International (Consultant) for Civil, Hydromechanical & Electromechanical Works (3 contracts)
- Evaluation and determination of contractor's claims and settlement of disputes
- Assessment and preparation of variation orders due to design changes etc.

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- Determination of contractors' claims and variation orders
- Day-to-day contract administration for the 3 contracts
- Issue of corrective action notices to the contractors for delays and failure to perform
- Advice to the Employer of pre-emptive actions to reduce contractual defaults
- Preparation of Employer's claims re. various contractor defaults, such as construction delays and design issues
- Review of the Contract Programmes
- Assistance to the Employer during negotiations for Amicable Settlement Agreements

Managing Partner

Construction Solutions, International

Jul 2007 – May 2012

- Delivered series of lectures at Fidic Conferences.
- Delivered series of lectures for Dubai Municipality.
- Arabtec Pakistan – Karachi Financial Towers, Pakistan.
- Dar-Al-Handasah – Dubai International Airport Expansion Project (Phase II), Dubai, UAE.
- CWE-Descon – 310 MW Mangla Dam Raising Project, Pakistan.
- Descon – Raineer Canal Project, Pakistan.
- Descon – Taunsa Barrage Rehabilitation Works, Pakistan.
- Descon – Uch Power Plant, Pakistan.
- Lagan Construction – New Islamabad Airport, Pakistan.
- Salini – Improvement of Interchange No. 1 on Sheikh Zayed Road, Dubai, UAE.
- Society of Construction Law (SCL) of UK (Gulf Region) – Organizing Committee Member & conducted lectures.
- Impregilo – Panama Canal: Design and Construction of the Third Set of Locks, Panama.
- Impregilo – 1,332 MW Ingula Pumped Storage Scheme (Dam Project), South Africa [NEC3 Contract Forms].
- Arabtec – Yasmeen Rotana 5 Star Hotel, Damascus, Syria.
- SMEC – 372 MW Ulu Jelai Hydropower Dam Project, Malaysia.
- Sinohydro – 130 MW Duber Khwar hydropower Project, Pakistan.

Responsibilities and Achievements

- Contracts' management & administration
- EOT & Prolongation Costs claims management
- Review of planning & scheduling functions and issue corrective advice, as deemed necessary.
- Preparation & Presentation at Dispute Boards.
- Preparation & Defence of Variation Orders.
- Development of claims' strategies.

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- Preparation and defence of claims.
- Preparation and presentation of pleadings for disputes in Dispute Boards, Arbitrations and Courts.
- Independent 3rd Party Claims' Assessments

Claims Manager

Dar Al-Handasah, Dubai, UAE

Nov 2005 – Jun 2007

Dubai International Airport Expansion (Phase II), Dubai, UAE
– Several Contracts

Responsibilities and Achievements

- Assessment, Evaluation, Recommendation, Determination and Decisions related to Extension of Time Claims for 50-odd Contracts within the scope of the Dubai Airport Expansion Project (Phase II). The claims valued at approximately US\$ 800 to 900 million in respect of design and construction defaults of the Parties.
- Responsibility included consultations with the Employer and the Contractors.
- Also involved in routine Contracts Administration matters.

Claims & Disputes' Resolution Manager

Ed. Züblin AG., Pakistan

Dec 1997 – Nov 2005

1,450 MW Ghazi-Barotha Hydropower Project, Pakistan

Responsibilities and Achievements

- In the Capacity of the Country Manager for one of Germany's Largest Construction Companies (www.zueblin.de) several tasks of administrative / managerial nature including business development.
- Management of team of claim specialists and Engineers.
- Involved in the preparation and presentation of position papers for disputes' settlement process under Dispute Review Boards (DRB or ADR) and Arbitrations (ICC and ICSID forums). Disputes involved several matters related to contractual defaults in respect of construction and design of the project.
- Amicable settlement negotiations with the Employer and the Government of Pakistan (re-presented by the Attorney General and Chairman Wapda).
- Coordination and working with specialist construction lawyers, adjudicators and arbitrators.
- Contractual management and claims administration for the two Civil Contracts in accordance with the FIDIC contract conditions.

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- Hands on experience in research, writing and valuation of claims; claims for late design, design defaults, construction issues such as late possession of Site etc.
- Development of strategies for Delay & Disruption Claims and pricing of Change Orders. [Value of Claims/Change Orders more than US\$ 300 million].
- Identification and substantiation/quantification of delay events and costs for extension of Time claims (Inclusive of forensic research).
- Technical/Contractual Justifications for events leading to delay and disruption to the progress of works.
- Preparation of Simulated As-Built schedules using contemporaneous site record and detailed substantiation of delay events.
- Extensive working knowledge of EOT methodologies such as Time-Impact Analysis, Collapsed As-built technique, impacted baseline techniques including proper identification of issues which are concurrent delays so as to evaluate entitlement to EOT and related compensable periods.
- Negotiations with the Engineer/Employer for time extension, prolongations costs & disruption claims.
- Responsible for routine contractual correspondence.
- Analysis and evaluation of subcontractor claims.

Planning Manager

Ed. Züblin AG., China

Jul 1994 – Nov 1997

1,836 MW Xiaolangdi Multipurpose Dam Project, Henan, China

Responsibilities and Achievements

- Construction Scheduling (Critical Path Method) for the complete project.
- Detailed resourced working schedules for parts of the project.
- Preparation of detailed extension of time claims using CPM delay/impact analysis, analysis.
- Evaluation of subcontractor claims.
- Monitoring the progress of the project.

Site Engineer

Ed. Züblin AG., Abu Dhabi, UAE

Jan 1994 – Jul 1994

Buildings project in Abu Dhabi, U.A.E.

Responsibilities and Achievements

- Planning, execution and control of a section of a US\$ 10 million buildings construction project.

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- Detailed evaluation of working parameters for Site Supervision such as establishment of effective manpower requirements for various site activities.

Estimation Engineer

Ed. Züblin AG., Duisburg, Germany

Jun 1992 – Dec 1993

International Tender Office, Duisburg, Germany

Responsibilities and Achievements

- Preparation of Pre-qualification documents.
- Inquiries for Materials and Plant, coordination with Subcontractors and Joint Venture Partners and the estimation of large civil engineering projects.
- Development of Tenders estimation software.

Design & Construction Supervision Engineer

Nespak, Pakistan

Feb 1985 – May 1992

Several Project in Pakistan

Responsibilities and Achievements

- Construction supervision of a 300 MW thermal power project.
- Computer aided Structural design of large power projects.
- Structural Analysis and Design of major structures.
- Computer aided drafting & Project Management of nuclear power project.
- Monitoring & Control of approximately 1000 jobs handled by NESPAK at that time.
- Geo-technical design of 3,600 MW Kalabagh Dam (a large multipurpose dam project).

PROFESSIONAL ACCREDITATIONS, MEMBERSHIPS & AWARDS

- Member of a Panel of Experts
- Member of Commission on Arbitration and ADR of the International Chamber of Commerce in Paris (ICC)
- Registered Expert Witness in ICC Database for Construction & Design Disputes
- Delivered series of lectures for FIDIC during several seminars and conferences organized by FIDIC, Society of Construction Law (SCL UK) and Dubai Municipality etc. Some of the lectures can be downloaded, from the FIDIC website:

<https://fidic.org/node/333>

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- Co-Author for a Publication on International Construction Contract Law:

<http://ndl.ethernet.edu.et/bitstream/123456789/49735/1/Lukas%20Klee-International%20Construction%20Contract%20Law-Wiley-Blackwell%20%282015%29.pdf>

- Nominated and selected for induction into the Texas Tech University Civil and Environmental Engineering Academy. Civil and Environmental Engineering alumni, who have earned distinction and excellence through professional accomplishments, are chosen to receive special recognition. This nomination was received in the year 2012, which is 28-years after graduation from the Institution.

<http://www.depts.ttu.edu/ceweb/alumni/academy/2013.php>

- Organizing Committee Member of Society of Construction Law (SCL) of UK (Gulf Region).
- Member Dispute Review Board Foundation (DRBF)

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