



Contact Details

T: +61 2 9276 1400

M: +61 468 777 235

Email: david.gibson@tsariley.au

Qualifications and training

BSc Quantity Surveying , FRICS, FCICES, FCIArb

Accredited CEDR Mediator

Relevant skills

Procurement Strategies
Claims Management
Strategic Advice
Quantum Expert Witness
Strategic Corporate Planning
Commercial Management
Contract Administration
Contractual Advice
Final Account Settlement

Relevant sectors

Rail
Road
Energy
Health
Residential
Water
Housing
Sports and Leisure
Tunnelling

David Gibson

Global Head of Claims, Disputes & Expert Services

Professional experience

David founded DGA in 1993 to provide contractual commercial and programme support services to clients in the construction industry. He has more than 35 years' experience working on major international infrastructure and building projects. David is a Fellow of the Royal Institution of Chartered Surveyors, the Chartered Institute of Civil Engineering Surveyors and the Chartered Institute of Arbitrators. He has also trained as an Adjudicator with the Chartered Institute of Arbitrators and has completed the Bond Solon series of Expert Witness training courses in conjunction with the RICS and has qualified as a CEDR accredited mediator.

David's principal background is heavy civil engineering having worked on major metro / tunnelling, highways and rail projects both in the UK and internationally. He also has significant experience from building projects more recently in Asia, Australia, and the Middle East. He has substantial experience of adjudication, litigation and arbitration acting as adviser in preparing or defending claims on major infrastructure and building projects. He has also acted as expert witness on quantum issues in Europe, Asia and Australia and has been cross examined.

In June 2023 the DGA Group was acquired by TSA Riley and DGA rebranded as TSA Riley in July 2024. DGA has become the Claims, Disputes & Expert Services Group within TSA Riley.

Relevant Project Experience

Education

- **Sydney, Educational facility buildings:** Quantum expert in the Supreme Court of NSW for a cladding replacement contract where the existing ACP cladding was not fire resistant. Instructed by Norton Rose Fulbright.

Health

- **Sydney, Medical facility building:** Quantum expert in the Supreme Court of NSW for a cladding replacement contract where the existing ACP cladding was not fire resistant. Instructed by Clyde & Co.
- **Sydney, Hospital:** Quantum expert in the Supreme Court of NSW for the replacement of hot and cold-water pipework and associated fittings and equipment. Instructed by Thompson Geer.
- **Australia, New hospital:** Quantum expert for an arbitration concerning the construction. Value A\$3.2 billion (PPP). Instructing solicitors King & Wood Mallesons.
- **Dubai, Outpatient and administration hospital building:** Project management and QS services on behalf of the Contractor to build an outpatient clinic and administration building for an existing hospital in Dubai.

Housing

- **Melbourne, Private resident block of apartments:** Quantum expert in VCAT proceedings for structural defects and defective ACP cladding which was not fire resistant on a private resident block of apartments. Instructed by HFW.
- **Melbourne, Private resident block of apartments:** Quantum expert in county court proceedings for defective ACP cladding which was not fire resistant. Instructed by HFW.
- **Sydney, Residential tower block:** Quantum expert in the Supreme Court of NSW for glazing replacement. Instructed by MinterEllisons.
- **Sydney, Private residential property:** Quantum expert for rectification works to fire damaged residential property in Sydney for insurance claim. Instructed by Swaab.
- **Melbourne, Residential tower:** Quantum expert for insurers for the replacement cost of basement slab. Instructed by Carter Newell Lawyers.
- **London, UK, Prestigious central London residential tower:** Quantum expert for defective balconies on a prestigious central London residential tower in the High Court of Justice Business and Property Courts of England and Wales Technology and Construction Court (TCC) instructed by K&L Gates.
- **Sydney, large residential property:** Independent cost assessment for bank financing the construction of a prestigious residential property in Sydney. Instructed by Swaab and Bank of Queensland.
- **Dubai, Residential complex:** Quantum expert for new build residential and commercial towers and residential villas in Dubai where the Main Contractor was terminated – Value circa AED 250m. DIAC Arbitration instructed by Pinsent Masons.
- **Qatar, 3 residential tower blocks:** Independent third-party determiner on project disputes for 3 No. residential towers in Qatar with a value of circa QAR 300m. Appointed jointly by the Employer and Main Contractor to provide an independent opinion on a number of disputes dealing with technical, quantum and delay matters.
- **Dubai, Mixed use towers:** Provide strategic advice and lead quantum and delay team to produce extension of time and additional costs claims for Main Contract on commercial and residential towers in Dubai. (Claim values circa AED650m)
- **Hong Kong, Residential and Commercial Development advance earthworks Contract:** Quantum Expert on HK\$300m earthworks claim in arbitration in the HKIAC. Instructed by Pinsent Masons.

Tourism and Hospitality

- **Sydney, Hotel and resorts complex:** Quantum expert for insurance claim for water ingress in basement car park. Instructed by Ashurst.
- **Abu Dhabi, 5 Star Hotel:** Quantum expert on dispute in arbitration between Main Contractor (Respondent) and MEP Subcontractor (Claimant) on 5 star hotel in Abu Dhabi. Instructed by Kennedys Solicitors. Providing expert opinion on variations, claims and counterclaims including design and design development issues.
- **Abu Dhabi, 5 Star Hotel and retail complex** Provide strategic advice and lead quantum and delay team to produce extension of time and additional costs claims for Main Contractor of 5 star hotel and retail complex in Abu Dhabi. Manage ad hoc dispute resolution process through the appointment of a third party independent expert to resolve final account with the Employer (Claim values circa AED 625m).
- **Macau, Casino:** Managing the strategy and claims production for additional cost and delay on this project for the design and construction of a Casino in Macau – HK\$20.6bn.
- **Wiltshire, UK. Center Parcs:** Bespoke form of contract developed by Center Parcs Group. Value £30m. Providing contractual and quantum advice for various heads of claim and variations with a combined value of £8m. These issues mainly concerned the installation of the below ground drainage system to the new Park built at Longleat, Wiltshire.
- **Qatar, Commercial, retail and hotel complex:** Quantum expert in QICCA arbitration regarding a large commercial, retail and hotel complex in Qatar. Instructed by Clyde & Co. Representing the Respondent in a Main Contractor (Respondent) v Subcontractor (Claimant) façade dispute. Providing expert opinion on statement of

claim and counterclaim valuation of measured work, variations and claims / counterclaims (Combined value circa QAR 100m).

- **Riyadh, Saudi Arabia, Hotel project:** Provide strategic advice for pre-cast concrete pods contractor to finalise contract terms and supply agreement with Main Contract (Project value circa SAR 45m) .

Office

- **Central London, Prestigious Office Refurbishment. (Value £2 million):** Acting as expert witness on quantum issues associated with extension of time and delay and disruption claims. Instructed by Taylor Wessing for adjudication –

Energy

- **Victoria, Australia. Wind farm. (Value circa A\$12.5m):** Quantum expert on wind farm development in the Supreme Court of Victoria. Instructed by HFW.
- **WA, Australia. Wind farm. (Value circa A\$125m):** Quantum expert on wind farm development in the Supreme Court of WA. Project value circa Instructed by Clyde & Co.
- **Victoria, Australia. Wind farm. (Value circa A\$35m):** Quantum expert on wind farm development in the Supreme Court of Victoria. Instructed by HFW.
- **NSW, Australia. Hydro power.** Quantum expert on hydro power project in NSW providing independent quantum valuation of various claims. Instructed by Malino Cahill.

Rail

- **NSW, Australia. Rail project:** Quantum expert between Joint Venture Partners in arbitration. Instructed by Norton Rose Fulbright.
- **NSW, Australia. Urban Metro:** Quantum expert on design, construct, finance, operate and maintain urban metro system. Matters concerning additional cost incurred from design changes on this A\$3.7bn project in the Supreme Court of NSW. Instructed by King & Wood Mallesons.
- **NSW, Australia. Rail project:** Quantum expert on Rail Project in New South Wales between Joint Venture Partners before expert determiner. Instructed by Norton Rose Fulbright.
- **Hong Kong, Rail infrastructure project:** Quantum expert on rail infrastructure project in Hong Kong. Matters concerning additional cost incurred on this HK\$6bn project. Instructed by HFW.
- **Hong Kong, Rail station:** Quantum expert on approach works to rail station terminus building in Hong Kong. Matters concerning additional cost incurred on this HK\$3bn project. Instructed by HFW.
- **Hong Kong, Rail infrastructure project:** Quantum expert on MEP works undertaken on rail infrastructure projects. MEP works value was circa HK\$1.2bn. Instructed by King & Wood Mallesons.
- **Hong Kong, Rail tunnel:** Twin bore tunnelling contract (drill and blast) for Hong Kong rail project. Providing strategic advice and leading a claims team to produce the claim submissions for extension time and additional cost of circa HK\$1.5bn.
- **Hong Kong, Underground Station:** New Underground Rail Station, Hong Kong: Providing strategic advice in managing this target cost contract and renegotiating the Target Cost as part of a Supplementary Agreement on behalf of the contractor (JV) – circa HKD 2.2 billion.
- **Hong Kong, Rail tunnel:** Twin bore and single enlarged bore tunnel (drill and blast and TBM) for Hong Kong rail project. Strategic advice to the parties to manage a third party intervention process to reach a settlement for all matters in dispute. Value of dispute in excess of HK\$2bn.
- **Hong Kong, Terminus building:** Cut and cover in situ reinforced concrete box culverts to construct the approach tunnels to the new terminus building in Hong Kong. Strategic advice and managing the claims for extension of time and additional cost in excess of \$2.5bn.
- **UK, East London Line:** Managing the Contractor's submission of compensation events including all financial and time adjustments. This involved various Star Chamber presentations and a 6 month mediation to assist the parties

to negotiate a final account settlement on this £1bn rail infrastructure project. NEC Option C form of Contract. The Parties reach a settlement 3 months after the conclusion of the mediation.

- **UK, Train Depots Refurbishment:** Acting as team leader in providing defence to claim submissions for extension of time, additional works and delay and disruption. Value of claims circa £40 million. Heading up team of both commercial and programming staff to provide defence for the Employer.
- **UK, Jubilee Line Extension:** Bespoke client contract based on the Honk Kong FIDIC form of contract. Value £350m +. Providing contractual and quantum advice for various heads of claim, extensions of time and variations. This contract comprised the construction of tunnels (TBM) and two new underground stations in central London. Tunnel claims based on changed geological ground conditions and ground stabilisation using grout injection. On completion of the Contract works the final account was the subject of conciliation which brought about a settlement between the parties.
- **UK, Channel Tunnel Rail Link:** Section 2: NEC form of Contract – Option C [Target Cost]. Contract Value £175 million +. Providing expert report on the quantum associated with events that have caused delay to the works. The works comprised the construction of the tunnels (TBM) under the Thames for CTRL. Instructed by Masons solicitors.

Ports

- **Hong Kong, Barging dock:** Independent third-party determiner on project disputes for the construction of barging facilities in Hong Kong with a value of circa HK\$300m. Appointed jointly by the Employer and Main Contractor to provide an independent opinion on a number of disputes dealing with technical, quantum and delay matters.

Road

- **NSW & QLD, Australia. Multiple highway projects:** Quantum expert on several major highway projects in New South Wales and Queensland combined, the subject of a securities class action, with proceedings in the Supreme Court of New South Wales. Instructed by Herbert Smith Freehills.
- **New Zealand, Motorway:** Expert Determiner on matters in dispute on motorway project in New Zealand between main contractor and subcontractor.
- **Melbourn, Australia. Highway interchange:** Quantum expert on delay and disruption to highway interchange construction in Melbourne in arbitration. Instructed by Corrs Chambers Westgarth.
- **Melbourne, Australia. Rail project:** Quantum expert on highways / tunnel project in Australia. Project value A\$6bn+ in arbitration. Instructed by Corrs Chambers Westgarth.
- **NSW, Australia Highway tunnel:** Quantum expert in the Supreme Court of NSW for highway tunnel dispute in Sydney, Australia. Appointed by HFW. Contract value circa A\$1.16bn.
- **Hong Kong, Viaduct Construction Contract:** Managing the strategy and claims production for additional cost and delay on this project for the design and construction of a 9.4km-long viaduct (pre-cast segmental bridge) supporting dual three-lane carriageways. Value – HK\$12.9bn.
- **Poland, A1 Motorway:** Managing the claims and variations on 3 projects constructing sections of the A1 motorway in Poland under FIDIC and Polish law - circa EUR730m.
- **Dubai, UAE. Beniyas Interchange:** Acting as expert witness on quantum issues with a combined value of AED60 million. Major roads interchange in central Dubai. Instructed by Clifford Chance solicitors in arbitration between Main Contractor and the Dubai Municipality. Acting for the Contractor. FIDIC form of contract with bills of quantities produced in accordance with CESMM 3.
- **Sydney, Motorway tunnel:** Quantum expert for motorway tunnelling dispute for additional works dealing with contaminated water ingress initially through Expert Determination and potentially followed by arbitration, to be conducted in accordance with the rules of the Australian Centre for International Commercial Arbitration (2016 edition). Instructed by Norton Rose Fulbright.

Retail

- **Sydney, Cofferdam piling on retail project:** Quantum expert in adjudication for advanced cofferdam piling works in Sydney. Instructed by Allens.

- **Hong Kong, Reatil extension and fitout:** Quantum expert for a fit-out contract to an existing building being renovated and extended. Main Contractor v Subcontractor dispute concerning termination of the Main Contractor under the Main Contract - Value circa HK\$50m. HKIAC Arbitration - Instructed by MinterEllison.

Water

- **Victoria, Australia. Recycle water plant:** Quantum expert on defective work to recycled water plant in Victoria. Proceedings in Supreme Court of Victoria including referral to Special Referee. Instructed by Corrs Chambers Westgarth.
- **NSW, Water pipeline:** Quantum expert on pipeline dispute in adjudication in NSW instructed by Minter Ellison.
- **IChemE Red Book form of Contract with Employer Amendments. Value £30 million +.** Investigate and review the additional costs and delay incurred by the Contractor on this design and construct project. Analyse the design changes with regards to design development, betterment and revised specifications and resolve matters of quantum and time with the Employer and Designer. Appointed directly by the Contractor. Manage the referral of certain claims through adjudication.

Resources & Waste

- **Victoria, Australia. Sewage plant:** Quantum expert on sewage treatment plant in Australia in arbitration. Project value circa A\$60m. Instructed by Clyde & Co.

Employment History:

TSA Riley	Global Head of Claims, Disputes & Expert Services	(Jul 2024 – Present)
DGA Group	CEO & Quantum Expert	(May 1993 – June 2024)
Balfour Beatty Civil Engineering Limited	Commercial Manager	(Jul 1991 – May 1993)
Rider Hunt Pty, Melbourne, Australia	Senior Commercial Consultant	(Aug 1989 – Jul 1991)
Balfour Beatty Civil Engineering Limited	Project Quantity Surveyor	(Jan 1985 – Aug 1989)