



Contact Information

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Education & Professional Membership

- MSc Construction Financial Management
- LLM Oil & Gas Law
- FRICS Chartered Quantity Surveyor
- MCI Arb
- SRF BTEC Level 7 Advanced Professional Award in Expert Witness Evidence
- RICS Certificate in Mediation & Mediation Advocacy

Simon Nightingale

MSc, LLM, FRICS, MCI Arb

Independent quantum expert and project advisor

Summary

Chartered Quantity Surveyor, and expert on quantum, contracts & commercial management with over 30 years' experience in the engineering and construction industry. Provides independent expert advice and consultancy services to the energy and infrastructure sectors.

Experienced in Alternative Dispute Resolution (ADR) processes including evaluative mediation and arbitration. He is registered as a Technical Arbitrator (faglig voldgiftsdommer) with the Danish Building and Construction Arbitration Board (Voldgiftsnævnet).

Educated and experienced in contracts & commercial management, quantum, final accounts, variations and claims, measurement, cost analysis, disruption, value & risk, procurement, negotiations, dispute avoidance & resolution and expert witness services.

Experienced in working with a range of standard contract form suites including FIDIC, LOGIC, AB (Danish forms), NTK (Norwegian forms) and numerous bespoke contracts for on and offshore engineering and infrastructure works. Specific project experience includes metros, light rail, tunnels, roads, harbours, steel structure fabrication (jackets & topsides), marine installations & commissioning, offshore drilling, offshore decommissioning, and oil & gas production operations.

Work Experience

Selected Infrastructure Experience

- Copenhagen Metro Sydhavn Line, Denmark - Advisor to civil works contractor on contract/ commercial matters including Subcontractor dispute resolution and Client delay claims. Drafted claim submission documents resulting in settlements for delay and disruption and acted as lead advisor in settling subcontract disputes including arbitral proceedings.
- Fehmarn TEM contract, Denmark – Advisor to the mechanical and engineering contractor for Denmark/ Germany link project on contract/ commercial matters. Drafted documentation resulting in settlement relating to delay and prolongation costs.
- Odense Letbane, Denmark – Contract management and claims support to track works contractor on an urban light rail project, provided quantum evaluation and acted as lead advisor in resulting arbitration case.
- Mixed civil engineering and building development in Malta – Consultant commercial manager to the Developer including management of the cost plan, procurement processes and post-contract management of contractors.

- Quantity Surveyor, Denmark - Responsible for developing contracts, commercial & cost management procedures for overseas projects and contractual and commercial support for multiple projects including offshore wind farms, harbour and road projects in countries including Jamaica, Poland, Greenland, Sweden & Tanzania (Zanzibar).
- Infrastructure Projects, Dubai, UAE - Overall commercial and contractual management responsibility for all aspects of infrastructure projects including roads and harbours. Managed a team of QS staff to facilitate project procurement and awards, contract compliance, payment applications and certifications, variations and financial reporting.
- Copenhagen Metro Construction, Phases 1 & 2A - Commercially responsible for deep underground stations including cost and contract management, subcontractor management, including final account collation and the preparation, development, and submission of claims for inclusion in arbitration.

Selected Energy Experience

- Jackdaw Field Development (UK) – Provided advice to the EPCI contractor in Norway in relation to the jacket and topside construction and installation contract. Produced claims for additional cost and delay including in relation to the impacts of the War in Ukraine on costs.
- Onshore gas processing facility, Norway – Advice and production of delay and disruption claim for EPCI contractor including development of quantum submission.
- Onshore Oil Field Expansion Project, Iraq – Project review and production of expert report for an oil company evaluating EPC contractor claims quantum and potential counter claims.
- Cormorant A Mobile Drilling Project, UK – Advised a drilling contractor on the valuation of final account and variations, resulting in final settlement.
- Yme Mærsk Inspirer Modifications, Norway – Advisor to the engineering and construction contractor on contractual claims and quantum.
- Yme Wellhead Module Fabrication, Norway – Contract support to the engineering and construction contractor.
- Tanker to FSO Conversion, Singapore - Engaged as independent Expert Witness on quantum including submission of expert report on valuation of variations and final account.
- Advisor to a Norwegian contracting company on commercial negotiations to form a JV in Saudi Arabia.
- Flyndre Cawdor Development, UK - Expert Adviser to the contractor, provided evidence on quantum and was cross examined in the case of HSM Offshore BV v Aker Offshore Partner Ltd [2017] EWHC 2979 (TCC).
- Contracts and procurement responsibilities for operator in Brunei involved in offshore field developments including jacket and topside construction and subsea umbilicals.
- Contracts and procurement activities for operator on the circa \$50Bn Kashagan Development, involved in the tendering and execution of engineering and construction service contracts for offshore operations activities including engineering services, geotechnical surveying and intelligent “smart” pipeline pigging.
- Contracts Management for a Norwegian contractor responsible for all contractual matters and claim management on a USD 2Bn offshore project hook-up and commissioning contract.

- Frigg Field Decommissioning Project, UK/ Norway continental shelf - Consulting expert in relation to the decommissioning of the topsides and jackets for the Frigg Field and MCP01 installations, including claims development and final settlement of disputes.

Education & Courses

- SRF BTEC Level 7 Advanced Professional Award in Expert Witness Evidence, Legal Experience Training/ Pearson, UK
- Master of Laws (LLM) (Awarded with Distinction), Oil and Gas Law, Robert Gordon University, Aberdeen – dissertation topic *“Kazakhstan’s Oil Industry: Legislative Development vs. the Sanctity of Contracts”*
- Master of Science (MSc), Construction Financial Management, Heriot Watt University, Edinburgh – dissertation topic *“Cost Management Practice in Danish Construction Firms”*

Additional Details

Professional Membership & Accreditations:

- RICS evaluative mediator course
- Registered as Technical Arbitrator by the Danish Building and Construction Arbitration Board (faglig voldgiftsdommer ved Voldgiftsnævnet) - 2024
- Member of Det Danske Selskab for Byggeret (Danish Society for Construction Law)
- Member IDA, Ingeniørforeningen Danmark (Danish Society of Engineers)
- Fellow of the Royal Institution of Chartered Surveyors (FRICS)
- RICS Accredited Expert Witness for Construction Disputes in accordance with the RICS EWAS scheme (2017 – 2024)
- Member of Chartered Institute of Arbitrators (MCIArb)
- Member Society of Construction Law (UK)

Published Articles:

- Co-author *“New Nordic tracks The quantity surveying profession has not traditionally been recognised in the Nordic region. As investment in construction projects continues to grow, the benefits of the profession are becoming more visible”* published in RICS Construction Journal, April 2020
- Author *“Off the Beaten Track: Raising the profile of quantity surveyors working in all sectors and specialisations is vital to ensuring growth of the industry: the first article exploring these different avenues focuses on quantity surveying in the oil and gas industry”* published in RICS Construction Journal, July 2019
- Author *“The Future of Quantity Surveyors in the Upstream Oil and Gas Industry”* published in the journal Civil Engineering Surveyor, 2018