



## **Personal Profile**

Colin has over 50 years' experience in the construction industry, some 36 years in Hong Kong, initially in a senior capacity with a major construction company and in the last 29 years acting independently as a consultant specialising in contract administration and contractual problems.

During his career he has gained a wide experience in all aspects of the construction industry including working on differing types of building and civil engineering projects both in the UK and in particular, Hong Kong.



His work on civils projects has included major road works, reclamation works, railway works, drainage / sewage and water treatment work and other major infrastructure projects. He has provided a full range of services on such projects, including expert witness work for arbitrations, mediations, DRA services, acting as an independent consultant reviewing contract documents, providing contractual advice and preparation, negotiation and settlement of contractual claims. He has also provided such services on building projects, A&A works, repair and maintenance works and E&M works on projects of all sizes.

He has experience in all aspects of the quantity surveying processes from the stages of initial tender to the final account including the preparation of bills of quantities, specifications, preambles and preliminaries. At the same time he has prepared many applications for extensions of time and related loss and expense submissions.

Whilst Colin's initial training was as a quantity surveyor, he has also diversified into construction management. For over three years, whilst in the employment of a major Hong Kong construction company, he was the project manager on several building projects in Hong Kong, one of them being a major residential development.

Throughout his career Colin has gained a very much wider appreciation of the problems which continue to be encountered within the construction industry today.

Much of the work in his capacity as a consultant has involved presenting advice to a variety of clients on specific problems on contract administration, quantum, programming, commercial negotiations including the preparation of supplemental agreements, contract documentation and dispute resolution.

Colin was Chairman of Brian E. Rawling & Associates Ltd., being responsible for the management and direction of the company operations as well as undertaking direct responsibility for all projects. Some seven years ago Colin together with the owners of



**Colin B. Lee**  
***Executive Director***

Cannonway Consultants Ltd. and PowerPoint Consultants Ltd. formed The Contracts Group Ltd. Colin is an Executive Director of the Contracts Group.

Colin has been appointed in several arbitrations as an Expert Witness, for both quantum and time, in which he has been cross-examined.

Colin is an accredited mediator and adjudicator, qualified to practice in Hong Kong, and has provided assistance in several mediations, the majority of which, were successfully concluded with an agreement between the parties. Colin has also been appointed as a Mediator.

### ***Qualifications / Professional Affiliations***

- Fellow of the Royal Institution of Chartered Surveyors (FRICS)
- Fellow of the Hong Kong Institute of Surveyors (FHKIS)
- Fellow of the Chartered Institute of Civil Engineering Surveyors (FCInstCES)
- Fellow of the Chartered Institute of Building (FCIOB)
- Fellow of the Hong Kong Institute of Construction Managers (FHKICM)
- Member of the Chartered Institute of Arbitrators (MCIArb)
- Associated Member of the Hong Kong Institute of Arbitrators (AHKIArb)
- Registered Professional Surveyor (RPS – Quantity Surveying)
- Dispute Resolution Advisor, listed by ArchSD, HK Housing, CEDD, DSD, HyD and Science Park (DRA)
- Accredited Mediator, HKIAC and HK Institute of Arbitrators
- Accredited Adjudicator, HKIAC

### ***Key Experience***

- Expert Witness & Dispute Resolution Services
- Contractual & Commercial Advice
- Claims Management, including preparations, negotiation and defence
- Contractual strategy, preparation, tendering, negotiations
- Final Account Management
- Construction & Contract Management



### ***Synopsis of Experience***

#### **Arbitrations – Expert Witness for Quantum and/or Programming:**

- Newall Sigma Limited v. Josef Gartner & Co., (HK) Ltd.
- Standard Refrigeration v. Kim Hung Construction
- Shinryo (HK) Ltd. v. Nixon Construction
- Insitu Form Asia v Noble Crown Development
- Best Leader v. Leighton Contractors
- UDL Argos v. Cleveland
- Wah Sung v. Kingcity
- Wah Seng v. Korean International School
- Wah Seng v. Charter National International Ltd.
- HKSAR v. Zhuhai
- Brington v. HKSAR
- Tactful Building Co. Ltd. v Intercontinental Hong Kong Ltd.
- Laing O'Rourke – Hsin Chong – Paul Y Joint Venture v Lap Kai Engineering Co. Ltd.
- Cheung Kee Fung Cheung v. Man Hing Hong Properties Co. Ltd. & Permanent Investment Co. Ltd.
- Main Contractor v. Government of HKSAR, KL/2010/03
- 8 Contractors v. Government of HKSAR
- Pico Sanderson v. Build King
- Chevalier (Macau) v. New Tenhon
- Remedy Asia & True Light v. Yick Shing
- Great Harvest v. Venetian Cotai
- Law Chi Yip v. Government of the HKSAR
- Peako Engineering v. Government of the HKSAR

#### **Mediations:-**

- Cathay Pacific Airways – New Headquarters
- Civil Engineering Development Department – TP29/97 Ting Kok Road Upgrading Stage II and Sewerage
- Civil Engineering Development Department – ST81/99 Sha Tin NT Stage II
- Civil Engineering Development Department – CV/2001/04 – Reclamation for Ma Liu Shui Interchange & Re-provisioning of Existing Pier



- Civil Engineering Development Department – CV/94/14 – Tseung Kwan O Port Development at Area 137 Stage 1
- Drainage Services Department – DC/94/08, N&S Kowloon Sewerage Stage 1
- Highways Department – HY/93/20 – Lung Chung Road and Ching Cheung Road
- Highways Department – HY/2010/02 – Hong Kong-Zhuhai-Macau Bridge, Hong Kong Boundary Crossing Facilities, Reclamation Works
- HKC-AMEC JV – Wong Chu Road
- West Kowloon Cultural District Authority / Hsin Chong Construction Co. Ltd.

**Dispute Resolution Adviser (DRA):-**

- ASD / Shui On Co. Ltd : Princess Margaret Hospital, Radiotherapy Centre and A&E Department
- HyD / Gammon Construction: Widening of Tolo Highway / Fanling Highway between Island House Interchange and Fanling.

**Hong Kong Projects with which Colin has been involved include (full list available on request):**

**As Quantity Surveyor for the Main Contractor:**

- Office Development : Mong Kok
- Waterworld : Ocean Park
- Godown : Swire Bottlers
- Market : Sai Wan Ho
- Residential Complex : Taikoo Shing

**As Project Manager for the Main Contractor**

- Residential Development : Parkview
- Administration Building : Kai Tak

**As Independent Consultant**

- Road Works : Wanchai : Contracts Advice / claims
- **Office Development** : **Hong Kong** : **Standard Contract Documents**
- Data Centre : Tseung Kwan O : Contracts Advice
- Office Development : Manila : Claims preparation
- Theme Park Redevelopment: Hong Kong : Claims preparation



- Renovation Works  
Residential Complex : Hong Kong : Contracts Advice
- Office Building  
Renovation / Cladding : Hong Kong : Contracts Advice
- E&M Installation : Stonecutters : Contracts Advice
- School Development : Hong Kong : Contracts Advice / Delay Analysis
- Office Development : Quarry Bay : Contract administration for architect
- Commercial Development : Queensway : Assisting architect on claim assessments
- Reclamation Works : Yau Ma Tei : Advising JV partner  
Phases I & II
- Container Development : Kwai Chung : Advising JV partner
- Water Works : Tsuen Wan : Advising main contractor
- Road / Railway Works : Kwai Chung : Preparation of EoT application
- Convention & Exhibition : Wanchai : Contract administration for  
Centre Extension architect / advisor to employer's project management team
- Office / Hotel : Kowloon : Contract administration for  
Redevelopment architect / appraising applications for EoT
- Tung Chung Development : Tung Chung : Contract administration for  
Package One developer
- Cargo Terminal : Chek Lap Kok : Advising employer
- Office / Hotel : Chek Lap Kok : Advising project management team
- Swire Properties : Various : Drafting of Consultants Standard Contract Document
- Cyber-Port Development : Pok Fu Lam : Advising project management team
- Housing Authority : Shamshuipo : Advising contractor on quantum claims for bored piling.
- Vocational Training Council : New Campus : Providing guidance to developer on major project



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| - MBH Joint Venture  | : Road Project     | : Advising main contractor on quantum claims, mediation.  |
| - Hong Kong Construction   | : Various Projects | : Advising main contractor on quantum claims, mediation on several projects.  |
| - Major residential development  | : Kowloon          | Advising on the financial status of the project, overall progress and reporting on areas of risk.   |
| - Industrial Factory development   | : New Territories  | Management of final account preparation for Café de Coral.  |
| - HKU CYM Auditorium Project   | : Kowloon          | Contractual advice and programming services.  |
| - Tamar Development, Façade  | : Hong Kong        | Programming and quantum expert.   |
| - HJKC Race Horse Training Ground Site Formation & Perimeter stabilization | : Guangzhou        | Claims preparation.   |
| - XRL810B, West Kowloon Terminus   | : Kowloon          | Quantum expert for an Arbitration   |
| - Venetian, Sands Cotai Central  | : Macau            | Claims consultancy service.   |
| - MGM Macau  | : Macau            | Preparation of various consultancy Agreements for Lead Architect, Structural Engineer, M&E Engineer, Quantity Surveyor and other specialists. |
| - Jardine Engineering, Middle Concourse Building                           | : Hong Kong        | Preparation of position paper   |
| Central Interchange, Leighton  | : Hong Kong        | Review and opinion on valuation   |
| - Methodist International Church   | : Hong Kong        | Retainer to provide commercial & contractual advice throughout entire project.  |



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| - 11/WSD/11,CNCECC                                    | : Hong Kong | Provision of contractual and claims services.  |
| - Kone, Express Rail Link                             | : Hong Kong | Prolongation claim preparation.  |
| - Open University                                     | : Kowloon   | Provision of commercial & contractual advice.  |
| - HK Science Park                                     | : Kowloon   | Review of claim documents for developer  |
| - HKEx Data Centre                                    | : Kowloon   | Provision of commercial & contractual advice.  |
| - Architect Firm                                      | : Various   | Standard Contract preparation  |
| - Office Development                                  | : Kowloon   | Retainer to provide commercial & contractual advice throughout entire project  |
| - Hospital expansion                                  | : Kowloon   | Retainer to provide commercial & contractual advice throughout entire project  |
| - West Kowloon Terminus South valuation and principle | : Kowloon   | Review and opinion on  |
| - Royal Hong Kong Yacht Club                          | : Hong Kong | Review of claims from Contractors. Project Managers, Consultants; Programme Review; Assistance with Supplemental Agreement |
| - MGM Cotai   | : Macau     | Provision of claims and contractual consultancy services.  |
| - Construction of International School                | : Kowloon   | Retainer to provide commercial & contractual advice throughout entire project.   |



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| - Swire Properties  | : Various  | Standard Building Contract preparation & review |
| - Hotel Development | : Thailand | Provision of contractual advice.                |





**EXPERIENCE WITH EXPERT REPORTS, ARBITRATION, LITIGATION, ADJUDICATION, MEDIATION**

**COLIN B. LEE**

**FRICS, FHKIS, FCInstCES, FCIQB, FHKICM, MCIArb, AHKArb, RPS – Quantity Surveying, DRAd, Accredited Mediator**

<b><u>Case</u></b>	<b><u>Project</u></b>	<b><u>Details</u></b>
Best Leader v. Leighton Contractors	Central Reclamation Phase III	Appointed as quantum expert for the Defendant. Issues in dispute relation to differences in valuations in the final account.
Brington v. HKSAR	Mainlaying between Sai Ying Pun & Kennedy Town	Appointed as quantum expert for Claimant. Expert report prepared for arbitration, and evidence given in hearing. Disputes were related to measurement and valuation of final account, prolongation costs, and disruption claims.
Cheung Kee Fung Cheung v Man Hing Hong Properties Co. Ltd & Permanent Investment Co. Ltd.	Harmony Mansion, Wanchai – Renovation Works	Appointed as quantum expert for the Claimant. Dispute related to EOT.
Contractor v. HKSAR	Contract No. HY/2010/02 Hong Kong –Zhuhai-Macau Bridge Hong Kong Boundary Crossing Facilities – Reclamation Works	Appointed as quantum expert for the Defendant in a mediation. Issues relating to delay, disruption and prolongation claims.
Contractor v. HKSAR	Contract KL/2010/03 – Kai Tak Development – Stage 2 Infrastructure Works at North Apron Area of Kai Tak Airport for Residential Development and Government Facilities	Appointed as quantum expert for the Defendant. Issues related to measurement of valuation of variations and prolongation claims.



<u>Case</u>	<u>Project</u>	<u>Details</u>
Contractors (8 No) v Hong Kong Housing Authority	Valuation of Aluminium Hinges Works under District Term Contracts (Contracts)	Appointed as quantum expert on disputes arising from measurement of valuation of repairs to metal windows
Chevalier (Macau) v. New Tenhon	The Praia Residential Development, Macau	Appointed as quantum expert for the Defendant. Preparation of quantum expert report in respect of disputes arising from EOT and Quantum, including prolongation costs, defects rectification and contra charges.
Great Harvest Construction (Macau) v. Venetian Cotai Limited	Major Trade Contract WP31260 Parisian Macau	Appointed as Quantum Expert by Claimant. Preparation of expert report.
Insitu Form Asia v Noble Crown Development	Issues related to the Term Contract on Pipe-laying Rehabilitation Works	Appointed as quantum expert for the Defendant. Preparation of quantum expert report in respect of disputes arising from the Final Account.
Laing O'Rourke – Hsin Chong – Paul Y Joint Venture v Lap Kai Engineering Co. Ltd.	Dispute in Respect of Sub-Contract for Installation of Sheet Piles – TWS5A, 4b Phase 2	Appointed as quantum expert for the Respondent. Preparation of quantum expert report in respect of disputes arising from the Measurement of Pre-boring under Cesmm3.
Law Chi Yip v. HK Government	Saltwater mains supply	Appointed as Quantum Expert for the Claimant. Arbitration process underway
Newall Sigma Limited v. Josef Gartner & Co., (HK) Ltd.	Tamar Development Project, Sub-contract for External Façade Works	Appointed as quantum expert for Defendant. Preparation of quantum expert report in respect of disputes arising from the valuation of final account and disputes on EOT.



<u>Case</u>	<u>Project</u>	<u>Details</u>
Pico Sanderson Hong Kong Ltd. v. Build King Construction Ltd.	Theme Park Contract	Appointed as quantum expert. Provision of preliminary report on major variations not agreed, amounts of contra-charges agreed, rates claimed for prolongation. Provision of quantum expert report on quantum & valuations and attendance at hearing (if required).
Remedy Asia Ltd. & True Light v. Yick Shing	High Court Action No. 4 of 2012	Appointed as Quantum Expert. Provision of expert report in respect of disputes arising from valuation of variations and final account.
Shinryo (HK) Ltd. v. Nixon Construction	Issues related to M&E Variation Account / Prolongation	Appointed as quantum expert for the Claimant. Preparation of quantum expert report in respect of disputes arising from valuation of final account and prolongation costs.
Standard Refrigeration v. Kim Hung Construction	Upgrading of the Mechanical Ventilation Air-Conditioning System, Various Hospitals	Appointed as quantum expert for the Claimant. Preparation of quantum expert report in respect of disputes arising from EOT claims.
Tactful Building Co. Ltd. v Intercontinental Hong Kong Ltd.	Fitting Out Works to Hotel	Appointed as quantum expert for the Claimant. Preparation of quantum expert report in respect of disputes arising from valuation of final account.
UDL Argos v. Cleveland	Issues related to Structural Steel Variations	Appointed as quantum expert for the Claimant. Preparation of quantum expert report in respect of disputes arising from valuation of final account.
Wah Seng v. Charter National International Limited	Nos. 60-66 Baker Street, Hung Hom, Kowloon	Appointed as programming expert for the Claimant. Preparation of programming expert report for a dispute related to EOT.



<u>Case</u>	<u>Project</u>	<u>Details</u>
Wah Seng v. Korean International School	Korean International School	Appointed as quantum expert for the Claimant. Preparation of quantum expert report for a dispute related to EOT.
Wah Sung v. King City	Residential Building, Nos. 43-45 Tin Hau Temple Road, Hong Kong.	Appointed as quantum expert for the Claimant. Preparation of quantum expert report for disputes relating to measurement, prolongation costs, and EOT.