



## Andrew Davies

Partner

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Andrew has 25 years' experience in dispute avoidance and dispute resolution in the construction, engineering and energy sectors. Andrew works with clients to avoid disputes and seek commercial resolutions wherever possible. When disputes do arise, he has considerable experience of resolving disputes by negotiation, adjudication, expert determination, mediation, arbitration and litigation.

Andrew was first recommended in *The Legal 500 UK* in 2013. Andrew's practice focuses on disputes throughout the UK construction supply chain. Andrew mainly acts for contractors but has also acted for employers, subcontractors and construction professionals in a variety of domestic and international disputes. Andrew's experience includes advising on complex issues of contractual interpretation, termination and repudiation, defects and quality (including building safety), delay, loss and expense, and payment.

Andrew has substantial experience with the NEC, JCT, GC/Works and IChemE standard form contracts and subcontracts as well as with bespoke domestic and international construction and engineering contracts and subcontracts.

### Specialist expertise

Andrew's recent focus has been on large commercial and complex infrastructure projects, with his recent dispute avoidance and resolution experience arising from projects such as offices and large mixed use schemes, roads, railways, bridges and tunnels.

Andrew has considerable expertise in advising on and acting in domestic disputes, with particularly strong experience in adjudications. Andrew has advised and acted for a number of UK-based contractors and subcontractors in a wide variety of disputes arising out of a diverse range of projects including power stations, tunnels, bridges, road and rail infrastructure works, process plants, hotels, educational establishments, sports stadia, arenas and leisure facilities, offices, retail spaces and private dwellings.

*Examples of Andrew's expertise include:*

- advising a main contractor on multiple disputes with both subcontractors and the employer on a large, complex office conversion scheme in central London;
- advising and acting for various main contractors in claims relating to alleged fire safety defects;
- acting for the successful defendant in *GREP London Portfolio II Trustee 3 Limited and another v. BLFB Limited* [2021] EWHC 1850 (TCC)
- advising a number of main contractors in respect of disputed compensation events on live tunnelling projects. Amounts in dispute – £35 million to £175 million;
- acting for various main contractors in a number of adjudications arising from road and rail infrastructure projects. Amounts in dispute up to £20 million;
- advising a main contractor in disputes, including TCC proceedings, arising out of the construction of a luxury hotel in a landmark London building. Amount in dispute £90 million;
- providing dispute avoidance advice to a main contractor on a project to extend and refurbish a world-renowned art gallery;
- acting for a main contractor in multi-party TCC proceedings arising out of alleged mechanical and electrical defects at a further education college. Amount in dispute £6 million;
- acting for Alstom Power Limited in TCC proceedings against a subcontractor concerning disputes at a power station. Amount in dispute £7 million (*Alstom Power Limited v Somi Impianti S.R.L.* [2012] BLR 585);
- advising a main contractor in negotiations with a subcontractor to complete certain works and ensure the opening on time of a prestigious hotel in London; and
- advising a number of main contractor clients in TCC proceedings relating to adjudication enforcement and associated Part 8 claims.

#### **Other activities**

Andrew is the editor of the Fenwick Elliott blog. Andrew regularly gives talks and seminars to clients and other industry groups on a variety of construction law topics.

Andrew wrote the chapter on dispute resolution in the book *Construction and Engineering Law: A Guide for Project Managers* (Butterworths, 2003).

Andrew is a keen cyclist and has twice cycled to MIPIM.

#### **Andrew's memberships/positions include:**

- Member of the Society of Construction Law.