



### **Specialisms**

- Quantification of Claims.
- Claims Planning.
- Quantum Expert Reports.
- Contract Review Risk Registers.
- Adjudication Party Representative.
- Adjudication Decision Writing.

### **Professional Qualifications**

- Chartered Quantity Surveyor (MRICS).
- Chartered Construction Manager (MCIQB).
- Professional Dispute Resolver (FCIArb).
- Registered Adjudicator.

### **Academic Qualifications**

- Diploma in Senior Construction Management.
- Diploma in Higher Education in Law.
- Diploma in Construction Adjudication.
- Certificate in Higher Education in Law

### **OVERVIEW**

Mark has over 28 years of experience in construction. As a Chartered Quantity Surveyor with the RICS, a Chartered Construction Manager with the CIOB, and a Professional Dispute Resolver with the CIARB, Mark specialises in the field of Construction Claims and Disputes.

Mark has successfully handled over 400 claims for Employers/Clients, Contractors, and Subcontractors in respect of avoidance and resolution of disputes arising under JCT, NEC and bespoke forms of construction and engineering contracts.

Mark accepts instructions to act as Quantum Expert and is a Registered Adjudicator on panels for the Royal Institution of Chartered Surveyors and the Chartered Institute of Arbitrators.

### **Recent Claims Experience**

Provided claims Quantity Surveying services and acted as sole Party Representative for the Responding Party in an Adjudication. Achieved successful defence whereby the Referring Party's claim for £1.3M in damages was decided at £Nil, and its claim for £240K for defects was reduced to the true value of £90K.

Acted as Quantum Expert in an Adjudication for an Employer concerning a £300,000 dispute concerning compensation events claimed by the Contractor under an NEC Contract. Mark's independent report found in favour of the Employer, which was also in line with the Adjudicator's decision.

Provided claims Quantity Surveying services and acted as sole Party Representative for the Referring Party, achieving a successful outcome and payment for the Referring Party in a £700,000 dispute concerning the valuation of extra works and design liabilities.

Provided claims Quantity Surveying services and acted as sole Party Representative for the Referring Party, achieving a successful outcome and payment for the Referring Party in a £600,000 dispute concerning the valuation of variations, delay, and disruption, whereby the adjudication was ended early by a settlement agreement.



## Examples of General Experience

- **Defects Claim:** Successfully rebutted a defects claim of £117,000 made by a contractor against a subcontractor by demonstrating that (a) the Subcontractor complied with the specification notwithstanding the complaints made by the contractor, (b) the contractor's claim failed to take account of damage to the subcontract works thereby failing 'but for test' for causation, and (c) pursuant to the Limitation Act 1980 s.5, the contractor was time-barred from bringing its claim in any event.
- **Risk Management:** As of December 2024, over 80 Contract Review Risk Registers were provided in relation to NEC3/4, JCT, and Bespoke forms of contract & subcontracts. Advice on the successful negotiation of terms during the agreement process followed most of the contract reviews.
- **Delay & Disruption:** Provided a Delay Analysis and Loss & Expense Claim for a subcontractor under a modified JCT Sub-Contract. Quantified an extension of time of 54 weeks and a loss & expense claim of £760,000 for prolongation and loss of productivity, which assisted the subcontractor in settling the claim at £600,000 without a dispute.
- **Termination, Suspension, and Repudiatory Breach:** The subcontractor suspended performance due to late payment, and the contractor continued to pay late whilst employing others to continue with the subcontract works, so the subcontractor accepted the contractor's actions as a repudiation. We quantified the sum due to the subcontractor following termination, started an adjudication, and attended negotiation meetings on behalf of the subcontractor. The meetings resulted in the adjudication being ended early by agreement and the successful negotiation and settlement agreement of a payment of £288,000 to the satisfaction of the subcontractor.
- **Decision & Award Writing:** Passed the RICS Adjudication Diploma Award Writing Exam, and the RICS Arbitration Award Writing Exam.
- **Adjudication Party Representative:** Represented clients in approximately 30 adjudications as of December 2024. Including identification and procurement of evidence, quantification and drafting of claims and defence, and all submissions and correspondence required throughout the adjudication process.



## **Employment History**

- **2020-Current: Managing Director - Holden Smith Consultancy Ltd.**

### Responsibilities

- Quantification of construction claims and management of disputes, including resolution and avoidance. Claims and defence successfully handled for a diverse range of construction and engineering works including, but not limited to: internal partitioning, ceilings, mechanical and electrical, joinery, painting, external cladding, structural steel framing, warehouse racking, concrete reinforcement, screeding, rendering glazed ballustrating, groundworks (including excavation, piling and concrete reinforced slabs).

### Scope of Services

- Quantification of Construction Claims.
- Construction Claims Planning.
- Quantum Expert Reporting.
- Construction Contract Reviews and Risk Registers.
- Adjudication Services.

- **2018-2020: Commercial Manager – GWN Contracts Limited**

### Responsibilities

- Commercial and financial management of the business and works, which includes partitioning, ceilings, cladding, rendering, structural framing systems, and coordination with the client's other works.

### Scope of Specific Responsibilities

- Management of procurement and tendering.
- Cashflow forecasting and reporting.
- Cost and value reporting.
- Valuation of claims.
- Negotiation of claims with clients.
- Preparation and management of claims in adjudication.



- Progress reporting.
- Valuation and measurement of construction works.
- Contract practice.
- Customer service.
- Regular onsite meetings with company staff and clients.

- **2015-2018: Managing Director – GWN Contracts Limited**

- Responsibilities

- Commercial and financial management of the business and works, which includes partitioning, ceilings, cladding, rendering, structural framing systems, and coordination with the client's other works.

- Scope of Specific Responsibilities

- Management of procurement and tendering.
    - Cashflow forecasting and reporting.
    - Cost and value reporting.
    - Valuation of claims.
    - Negotiation of claims with clients.
    - Preparation and management of claims in adjudication.
    - Valuation and measurement of construction works.
    - Contract practice.
    - Customer service.
    - Regular onsite meetings with company staff and clients.

- **2012-2015: Commercial Director – GWN Contracts Limited**

- Responsibilities

- Commercial and financial management of the business and works, which includes partitioning, ceilings, cladding, rendering, structural framing systems, and coordination with the client's other works.

- Scope of Specific Responsibilities

- Management of procurement and tendering.
    - Cashflow forecasting and reporting.
    - Cost and value reporting.
    - Valuation of claims.
    - Negotiation of claims with clients.
    - Preparation and management of claims in adjudication.
    - Valuation and measurement of construction works.



- **2009-2012: Contract Manager – GWN Contracts Limited**

- Responsibilities

- Senior management of company projects and responsible for surveying and commercial management of construction works, which includes internal partitions, ceilings, cladding, rendering, structural framing systems, and coordination with clients' other works.

- Scope of Specific Responsibilities

- Progress reporting.
    - Valuation of contract works and variations.
    - Submission of valuations.
    - Customer service.
    - Regular on-site meetings with GWN staff and clients.
    - Reconciliation of operatives invoices with works claimed.
    - Onsite measurements of works.
    - Account meetings with clients' surveyors.

- **1996-2009: Plasterer Supervisor – GWN Contracts Limited**

- Responsibilities

- Plasterer and site supervisor responsible for quality of workmanship and supervision of site operatives.

## Panel Memberships

- Low-value disputes Adjudicator's Panel for the CI Arb.
- Consumer Home Improvements disputes Adjudicators Panel for the RICS.

## Professional Memberships

- Chartered Member of the Royal Institution of Chartered Surveyors (MRICS).
- Fellow of the Chartered Institute of Arbitrators (FCI Arb).
- Chartered Member of the Chartered Institute of Builders (MCI OB).
- Member of the Conflict Avoidance Pledge.
- Member of the Conflict Avoidance Coalition.
- Member of the Adjudication Society.
- Joint Author of Construction Industry Collective Voice (CICV) Practice Notes  
<https://cicvforum.co.uk/downloads/>



**Current Qualifications being Undertaken**

- Bachelor of Laws honours degree (completion due in 2026).
- Diploma in Arbitration (UK) (completion due in 2025).