



PHILIP KEEP B.SC. LL.M. FCIARB : SR. CONTRACTS & CLAIMS MANAGER



Profession:

Contracts & Claims Consultant/
Quantity Surveyor
Expert Witness (Arbitration)

Nationality:

British

Years of Experience:

+25

Education and Training

- MSc/LLM Construction Law and Arbitration
- B. Sc., (Hons) Economics – City University London – 1983
- Post Graduate Certificate (CPD) in Construction Contract Law and Administration, Liverpool John Moores University – 2002
- Hong Kong Marine Dept. small craft licence – Master (ii) Engineer (ii (1,2,3)) – 1989

Professional Affiliation

- Fellow of the Chartered Institute of Arbitrators

Areas Of Expertise

- Expert Witness Management
- Arbitration Strategy Management
- Claims and Dispute Resolution
- Oil & Gas/Petrochemical/Power/Process
- Civil Engineering/Building

EXPERIENCE SUMMARY

Philip joined Schema's Dubai operations in 2008 and prior to this, was responsible for Claims and Dispute Resolution for a Major Middle Eastern Power Station Contractor. He has held senior commercial positions for several international contractors in the Middle East and Asia.

Philip is an experienced Claims and Contracts Manager and a Fellow of the Chartered Institute of Arbitrators, experienced in all aspects of building, civil and heavy engineering projects based on client's design and design and build contracts for both private and public sector projects. Extensive experience has been gained in the commercial and contractual management of projects ranging from marine, process and utility plants, offices, hotels and residential buildings. Philip's experience also includes work for contracting organizations involved in the power industry in Coal, gas, oil, asphalt and waste burning power stations.

In addition to his experience as a Quantity Surveyor and Contract management, Philip's main sphere of interest and predominant activity is the development of contractual claim and/or defense documents with particular focus on the amicable resolution of disputes that arise in the construction, heavy engineering and petrochemical industries.

PROFESSIONAL EXPERIENCE

- Over 25 years experience as a Quantity Surveyor of which 18 years have been overseas and has worked in France, UAE, UK, Singapore, Japan, Thailand, Australia and Curacao.
- Dispute negotiations and involvement with arbitration proceedings.
- Ability to assess Clients' initial requirements, prepare definitive strategy reports.
- The development and application of commercial and contractual procedures.
- Management of teams engaged in the claim preparation and dispute resolute processes.
- The evaluation, management and resolution of claim scenarios on international projects in the engineering, construction and petrochemical industries
- Expert Witness; Dispute negotiations and involvement with arbitration proceedings. Preparation of witness statements & expert witness report & statement of claim.

SR. CONTRACTS & CLAIMS MANAGER

Jan.2008 – present

Schema Management Group – Dubai, UAE

- Dispute negotiations and involvement with arbitration proceedings.
- Senior Claims Consultant managing claims team working on Power and Building claims as well as Contract administration for various projects. The team working on various projects for the following clients:
 - Arabian Bemco Contracting Ltd – Aweer Phase II & Fujairah Power stations.
 - Emirates Trading Agency (Power Division)–Aweer Phase III
 - Al Ahmadiyah Contracting & Trading Co. – JBR Hotels (Rotana, Sofitel, Crown Plaza), Al Badrah, Swiss International Scientific School of Dubai (SISSD), etc..
 - Al Yaqub Group – Two hotel developments
 - HLG-Specon & Drake & Scull JV – Al Habtoor City Hotel Complex
 - City Engineering & Construction Co. – Al Awir Police Headquarters
 - NCTC - Al Khawaneej Road -Second, Cycling Track & Latifa Bint Hamdan St.
 - LANE-NCTC – Al Maktoum Airport-Dubai & Al Wakrah – Doha,Qatar
 - GEK Terna - Rotana Hotel, Abu Dhabi
 - J&P - Intercontinental Hotel – Doha, Qatar
 - Arcelor Mittal - Seamless Tubular Plant, Jubail, KSA
 - ARCO - Motiagate 7 Dubai Parks
 - CCC – APM Headhouse Abu Dhabi, New CCB & HMI Upgrade-Das Island,
 - Drake & Scull – Habtoor City-Dubai, Al Rajih Bank – Riyadh KSA
 - NCTC - Latifa Bint Hamdan Street

CONTRACTS MANAGER EOT TEAM

Mar.2010 – Feb.2011

Areva NP – France (OL3 Nuclear Project)

- Managed the EOT claim team and the Expert Witness for a 1 billion Euro arbitration between Areva NP and a major European client .
Tasks including the supervision of the preparation of witness statements, expert witness report and the statement of claim. Providing full liaison between the internal and external legal teams, data research, progress monitoring and detailed oversight of all reports.



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SENIOR CONSULTANT

Jun.2007- Jan.2008

Systemch International Limited (Hong Kong)

- Senior Consultant with the following short assignments:
 - Hartfield-Jackson Atlanta Airport APM.
 - Mitsubishi Heavy Industries Singapore Twin Train Polyolefin's Project office in Yokohama, Japan.
 - Polaris Data Center Project located in Brisbane and being built by Thiess Pty Ltd, filling in for an absent staff member.
 - Chun Wo Ltd working on claims for the Sky Plaza Terminal 2 Hong Kong International Airport

CONTRACTS ADMINISTRATOR

Sep.2006- Jun.2007

Arabian Bemco Contracting Co. Ltd. – Dubai, UAE

- General contract administration duties as well as drafting delay and cost claims on the Al Aweer Phase II 'H' Power Station. A Gas Powered 400mW Power Station being built in Dubai for the client Dubai Electricity and Water Authority. The project was delayed for more than a year and faced substantial delay due to design approvals.

CONTRACT CONSULTANT – FREELANCE

Aug.2006 -Sep.2006

Projexasia(macau) Ltd., Macau

- Drafting a Subcontract for the fabrication and installation of large Statue to be supplied by a PRC company.

PROJECT MANAGER

Oct.2003-Jan.2004

Kamalaya Co. Ltd, Thailand

- Redefining Project Procurement Method.
- Responsible for restarting a stalled project for a resort in the Gulf of Thailand. Advising on Procurement methods, analysing previous tenders and advising on cost reduction methods.

PROJECT QUANTITY SURVEYOR

May.2002-Oct.2002

Jamieson & Associates Limited, Hong Kong

- Seconded to Mitsubishi Heavy Industries (Contractor) in Curacao Curacao Utilities Corporation 151 mW IPP and Utilities Plant. Responsible for management of the EPC Contract including liaising and negotiating with the Client (Mirant). Management of Civil Subcontractor and E&M Subcontractor. One month period as acting Site Manager during Site Managers absence.
- Liaising with the Subcontractors and the Client to resolve outstanding contract issues.
- Certification of Interim Payments.
- Evaluating and responding to a substantial quantity of outstanding Claims from subcontractors.
- Preparation, substantiation and agreement of variation costs.
- Preparation of a substantial number of Claims to the Client and negotiation and finalisation of those claims, both in Civil works and E and M works.
- Preparation of EOT's claims, assessment of delay and disruption, deduction of liquidated damages.
- General Contractual Issues, correspondence and the resolution of conflicts and disputes.
- Labour relations management.

SENIOR CONSULTANT CONTRACT ADMINISTRATOR Jamieson & Associates Limited, Hong Kong

April 1999 – April 2002

- Seconded to Mitsubishi Heavy Industries (Main Contractor) in Singapore Responsible for contract administration of the primary M&E subcontracts for the Tuas South Incineration Plant a 720 Mw waste burning power station in Singapore with particular duties encompassing sub-contract management of the Electrical, Instrumentation and Control Packages entailing general contracts administration, claims preparation and negotiation and preparation of the final account.

The role involved;

- Lead negotiator in the extended and complex negotiation of the Final Account and preparation for a possible arbitration resulting in a successful outcome for MHI.
- Liaising with the PQS, RE and Client to resolve outstanding contract issues.
- Certification of Interim Payments.
- Evaluating and responding to the PQS assessments.
- Preparation, substantiation and agreement of variation costs with regard to the Electrification, Instrument and Control packages including substantial omissions.
- Preparation of EOT's, assessment of delay and disruption, deduction of liquidated damages.
- Analysis of complex Claims based on specification changes for the distributed control system.



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SENIOR CONSULTANT CONTRACT ADMINISTRATOR
Skipper Yacht DTS

Mar.1999 – Apr.1999

- On behalf of the Dolphin Research Group of the Swire Institute of Marine Science and WWF Hong Kong .

The team, including several international experts conducted an extensive Hydrographic Survey of the Finless Porpoise populations in Hong Kong waters over a six week period.

COMMERCIAL MANAGER
Oceantech Marine Services Limited, Hong Kong

Dec.1996 – Jan.1999

- Involved with Marine construction works to various clients including; Hong Kong Electric (Lamma Island Power Station, Hong Kong), China Light and Power. Responsible for the financial and contractual control, tendering, contract negotiation and projects administration including dealing with all additional costs and claims etc.

QUANTITY SURVEYOR
Argos Heavy Engineering Ltd (became UDL Ltd.)

Dec.1992 – Dec.1996

- Involved in Quantity Surveying and Claims including post contract work on the Macau Refuse Incineration Plant.