



NEIL FITCH

BSc (Hons) Quantity Surveying
FRICS
MBA
MAE - Academy of Experts

Contact:

Neil.Fitch@FITCH-quantum.co.uk

+44 7810 850 322

www:FITCH-quantum.co.uk

NEIL FITCH IS A CHARTERED QUANTITY SURVEYOR with some 40 years' experience on construction and engineering projects globally, gained in professional practice, Local Authority and contracting.

Experience covers UK, Ireland, Mainland and Eastern Europe, Middle East, Africa, Asia and Fiji.

Neil has provided financial, legal/ contractual, commercial and other QS/ construction consultancy for developers/ investors, banks, insurers, government/ local authorities, education authorities, transport authorities, NHS Trusts, contractors, sub-contractors, project managers, consultants, accountants, solicitors and private individuals.

EXPERT WITNESS WORK

Neil has acted as an Expert Witness on many occasions, including as Single Joint Expert and Expert Determination. He has given oral evidence in TCC, arbitration and criminal proceedings, in-person and virtual, as well as when acting for parties in mediation or adjudication, and has been 'hot-tubbed' in the TCC and international arbitration.

Buildings/ property experience covers new build and fit-out/ refurbishment works in the commercial, office, retail, industrial, health, residential, leisure, sports and defence. Key experience includes:

- Expert Witness for Employer on hospital development in Middle East, including Valuation at termination and defects rectification management. **Giving evidence in Arbitration**
- Expert Witness for employer in steps and ceilings valuation dispute on museum in Liverpool. **Giving evidence in TCC including 'hot-tubbing'**
- Expert Witness for owner on defects valuation dispute on high quality residential development in Jersey. **Giving evidence in TCC**
- Expert Witness for landlord on valuation dispute on call-centre. **Giving evidence in TCC**
- Expert Witness in VAT fraud case on cost of leisure development. **Giving evidence in Crown Court**

Infrastructure/ engineering experience covers major civils projects including power, highways and rail. Key experience includes:

- Expert witness for employer in **two** infrastructure projects in Middle East. **Giving evidence in two ICC Arbitrations**
- Expert Witness for employer on valuation of works, termination, delay & disruption on **four** motorways in Eastern Europe. **Giving evidence in Arbitration including 'hot-tubbing' and virtual hearings**
- Expert Witness for employer on valuation of works and defects on refugee camp in Middle East. **Giving evidence in Arbitration**



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CAREER



1982-1983
CJT Construction

Site Foreman/ labourer



1983-1985
LB Greenwich

Highways QS/ Buildings
Estimator

CORDEROY

1985-1997
**George Corderoy &
Co**

Managing QS and
Quantum Expert Witness



1997-2015
**EC Harris (later
Arcadis)**

Partner, QS and Quantum
Expert Witness



2015-2023
**Blackrock Expert
Services (later Kroll)**

Managing Director,
Quantum Expert Witness



2023
FITCH quantum

Quantum Expert Witness



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TESTIFYING EXPERIENCE¹

In addition to giving oral evidence in adjudication and mediation, and presenting opinion at Case Management Conferences, Neil has given full oral expert testimony, including:

- 2022 Arbitration (virtual). Gave evidence in front of, and was questioned by, Raid Abu Manneh, Christopher Thomas QC and Aymen Masadeh, cross-ex by Ms Serena Cheng QC;
- 2022 Arbitration (virtual). Gave evidence in front of, and was questioned by, Ms Lindy Patterson QC (President), Mr Peter Chapman and HH Francis Kirkham, cross-ex by Ms Serena Cheng QC;
- 2021: Arbitration (Paris). Gave evidence in front of, and was questioned by, Dr Daniel Busse (President), Mr Daniel Hochstrasser and Mr Laurent Jaeger, cross-ex by Mr Hai Son Tan;
- 2021: Arbitration (Paris). Gave evidence in front of, and was questioned by, Dr Philipp Habegger (President), Dr Cyril Chern and Dr Inka Hanefeld, cross-ex by Giovanni di Falco;
- 2019: Arbitration (Geneva). Gave evidence in front of, and was questioned by, Mr Richard Harding as Sole Arbitrator, cross-ex by Mr Razi Diab;
- 2018: Arbitration (London). Gave evidence in front of, and was questioned by, Sir Stanley Burnton (Chair), Mr Fernyhough and Mr Willmot- Smith, cross-ex by Mr Ter-Harr;
- 2013: UK Technology & Construction Court 2013 (London). Gave evidence in front of, and was 'hot-tubbed' by, Mr Justice Akenhead. Cross-ex by Paul Reed QC and Jonathan Lee QC.
- 2013: Arbitration (Romania). Gave evidence in front of a single Arbitrator, cross-ex by Mr Giovanni di Falco and also 'hot-tubbed';
- 2009: UK Technology & Construction Court (London). Gave evidence in front of Mr Justice Ramsey (Vector v JD Williams), cross-ex by Paul Darling QC;
- 2007: UK Technology & Construction Court (London). Gave evidence in front of HHJ Coulson QC in 2007 (Ian McGlenn v Waltham Contractors and others). Cross-ex by Andrew Bartlett QC, Colin Reese QC and John Whitting QC; and
- 1995: St Albans Crown Court, a criminal case of VAT fraud on development costs in front of a judge and jury.

¹ Tribunal and barrister designations are as at time of giving evidence.

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WHO'S WHO LEGAL ENTRIES**WWL Construction: Expert Witnesses 2023**

- "Neil uses his deep experience to deliver clear and persuasive evidence."
- "He has a rare gift of being able to put clients and lawyers at ease in challenging situations."

Construction: Expert Witnesses 2022

- "Neil possesses strong expert witness credentials and experience of large-scale international arbitration proceedings. He has vast experience of many different types of claims and projects in various jurisdictions."
- "Neil is a "top" expert in the construction industry who possesses an impeccable eye for detail."

WWL Construction: Expert Witnesses 2020 Global leader

- "Neil Fitch always delivers when providing expert testimony in contentious proceedings relating to construction and engineering projects."

WWL Construction: Expert Witnesses 2019

- "Neil Fitch is an outstanding expert witness with wide-ranging experience in international arbitration. Interviewees call him "a very strong quantity surveyor"."



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ALL EXPERIENCE

Defects - buildings

- Expert witness for owner on defects valuation dispute on abattoir (Colne).
- Expert witness on car-park remedial works dispute (GCC).
- Expert Witness for insurers on remedial works costs from defective piling works on leisure centre (Thub)
- Expert Witness for employer on major defects dispute on theatre development (Sad)

Fire damage - buildings

- Expert Witness for insurers on cost and programme for reconstruction of fire-destroyed industrial facility in UK (Iron)
- Expert Witness for insurers on cost and programme for reconstruction of explosion-damaged office blocks and industrial facilities (KBGT/ Chee)
- Expert Witness for LA on fire related defects valuation dispute on residential blocks in UK (Barn)
- Expert Witness for insurers on cost for reconstruction of fire-damaged office facility in UK (Eich)

Cladding

- Expert Witness for developer on cladding and fire related defects valuation dispute on residential blocks in UK (Ston)
- Expert Witness for owner on cladding defects valuation dispute on office development in UK (EdSt)
- Claim preparation for cladding contractor on valuation of works to major public building (Port)
- Expert Witness for owner on cladding and fire related defects valuation dispute on residential blocks in UK (Chalc)
- Claim preparation for specialist cladding contractor on high quality resi project (ImpWh)
- Expert Witness for Developer on envelope sub-contractor adjudication on residential blocks (Filam)



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Termination – infrastructure/ energy

- Expert Witness for employer in **two** highways contractor termination disputes in Eastern Europe, including Valuation at Termination. **Giving evidence in two ICC Arbitrations** (Ast/ Tod)
- Expert witness for employer in two infrastructure projects in Middle East. **Giving evidence in two ICC Arbitrations** (88/ 169)
- Expert Witness for employer in highways contractor termination dispute in Europe including Valuation at Termination (Gib)
- Expert witness for employer in termination dispute on fuel tank farm and infrastructure in Middle east (SRS)

Termination – buildings

- Expert Witness for Employer on hospital development in Middle East, including Valuation at termination and defects rectification management. **Giving evidence in Arbitration** (Sid)
- Expert Advice for employer in airport contractor termination dispute in Kenya including Valuation at Termination (KAAGEP)
- Expert witness for Employer in termination dispute on multiple production facilities, shopping centres and infrastructure, Turkmenistan (UMI)

Valuation – buildings

- Expert witness for contractor on partitioning valuation dispute on hotel/ resi development in Middle East (Ish)
- Expert witness (in adjudication) for contractor on partitioning valuation dispute on resi development in UK (Tel)
- Expert Witness for employer in steps and ceilings valuation dispute on museum in Liverpool. **Giving evidence in TCC including ‘hot-tubbing’** (MusLiv)
- Expert Witness for landlord on valuation dispute on call-centre. **Giving evidence in TCC** (Men)
- Expert Witness in VAT fraud case on cost of leisure development. **Giving evidence in Crown Court** (HMC&E)
- Expert witness for employer on major housing refurbishment dispute in UK – final account dispute, including mediation (LewHom)
- Expert witness for employer on major housing refurbishment dispute in UK – scaffolding and fire doors including adjudication (LewHom)



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- Expert witness for employer on major housing refurbishment dispute in UK – PII claim (LewHom)
- Expert Witness for LA in defence of adjudication from design and QS consultant on school in UK (Sud)
- Expert witness for contractor in defence of adjudication relating to obligations to provide documents (GHall)
- Expert Witness for Developer on sub-contractor adjudication on residential blocks (Ebury)
- Independent Assessor on valuation of effect of delays to mixed use development (FWH)
- Expert Witness for owner in valuation of materials stripped out in theft at office block (SixHH)
- Expert commercial advice to Employer regarding Final Account settlement with a Main Contractor at a luxury shopping complex, Dubai. (M1M)
- Expert Witness for local authority on electrical works valuation dispute (Tow)
- Claims preparation for contractor on valuation dispute on residential development (Pip)
- Expert Advice for insurers on the remedial solution, valuation and programme for reconstruction works to listed building following party wall collapse (GrosSt)
- Expert Witness on valuation and programme for fit-out for office rent reviews (BPRd/ VicSt/ BeckHse/ 3More)

Residential

- Expert Witness for owner on defects valuation dispute on high quality residential development in Jersey. **Giving evidence in TCC** (Mai)
- Expert Witness on valuation and programme for fit-out for high-rise development in rent reviews (GtMinst/ VicSt)
- Due diligence/ technical risk review on mixed use development (TwiRd)
- Expert Witness to owner on valuation dispute on high quality resi refurbishment (PLane)
- Expert advice to owner on valuation dispute on high quality resi refurbishment (HPk)
- Claims preparation for contractor on high quality resi development and sole party representative in adjudication (DuncT)
- Expert Advice to adjudicator on valuation dispute on high quality resi property (Camp)
- Expert Witness for insurers on works costs arising from fire/ water damage on residential premises (DeeH/ PealH)

Insolvency - buildings



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- Expert Witness for Insurers on works valuation on student accommodation following insolvency (Imt)



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Valuation – infrastructure/ energy

- Expert witness for contractor on valuation dispute on oil refinery development in Middle East (Gal)
- Independent Assessor valuation of fuel distribution infrastructure and pipeline at Fiji airport (Nadi)
- Claims and procurement advice to aviation authorities (LHR/ LGW)
- Expert witness for contractor in sub-contract adjudications and subsequent TCC proceedings regarding valuation of power station plant, equipment and steelwork (CARR)
- Contract review and cost verification of actual spend on power stations and power distribution networks (MagB/ MagT/ NGrid)
- Insurance coverage and related risk audit on Cross-Rail tunnelling project (DSJV)
- Contract and commercial audit and resolution advice on paving works to major rail hub (KXSq)
- Expert Witness for advertiser on dispute on underground advertising facilities (Beck)
- Expert Witness for employer on valuation of s278 Agreement works (Don)

Land Sale/ Development Agreements

- Advice to Client on DA including option appraisal on office/ leisure development (KXB3)
- Advice to Client on DA including party wall driven delay on theatre development (Lyric)
- Expert advice to residential developers in valuation disputes under LSA (Cher/ Friz/ StonX)

Criminal Proceedings

- Expert Witness in VAT fraud case on cost of leisure development. **Giving evidence in Crown Court** (HMCE&MG)
- Expert Witness for Local Authority in fraud/ embezzlement case on payment for central heating works (Ruby)
- Expert Witness for Police in money laundering case on cost of construction of substantial residential property in Pakistan (Glob)

Audit/ Forensic/ Due Diligence

- Forensic Audit advice to Contractor on inter-JV dispute on by-pass in Ireland (Tull)
- Project Cost Audit for Funder on retail development in Italy, including advice on recovery options on inter-JV dispute (Frec)



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- Expert Advice for insurers on defective works on pier including cost gathering and settlement advice (WsMP)
- Contractual and commercial due diligence on retail developments, hospitals (VicSq/ SBPFI)
- Progress and commercial monitoring and dispute avoidance adviser on high profile London tower construction (CheeseG)
- Contract and commercial audit and resolution advice on paving works to major rail hub (KXSq)
- Insurance coverage and related risk audit on Cross-Rail tunnelling project (DSJV)
- NEC3 contract audit on major tunnel/ water main project (LeeT)
- Expert advice to Bank on valuation/ sustainability of company ledgers as loan collateral (Sars)
- Due diligence for UK construction group on take-over of international FM group (J&St)
- Due diligence/ technical risk review on valuation of works and assessment of delay on high quality resi development (MontP)

Acting as Mediator or Party Appointed Expert in Mediation

- Acting as Mediator on dispute relating to refurbishment costs of HA Stock (CarMed)
- As party appointed Expert experience includes: PI dispute with loss adjuster (ASq); refurbishment costs on high class residential/ palace (Fav); final account, delay and loss and expense on student accommodation (Glanv); final account for hospital including leading 'pre-mediation' meetings (Conq); final account for electrical trade contract on theatre redevelopment (Sad2); remedial works costs arising from fire/ water damage on residential premises (DeeH); defects valuation dispute on office development (EdSt).

Single Joint Expert / Independent Assessor

- SJE on tri-party valuation dispute relating to defects at a museum (HR&RM)
- SJE on structured negotiation of valuation dispute on high quality resi development (StPkCres)
- IA valuation of fuel distribution infrastructure and pipeline at Fiji airport (Nadi)

Resolution Strategy

- Formulation of resolution strategy for defects liability and rectification works to car-park (Wit)
- Formulation of resolution strategy and evidence bundle relating to final account and defects counterclaim on high quality residential works (Holf)
- Preparation of evidence bundle and prospects advice on new build police development (Hend)
- Advising and enacting resolution strategy for LA on defective swimming pool (SwCot)



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- Advising employer in defence of valuation claim on civic centre (Forum)

Seminars and speaking engagements

- Academy of Experts/ Institute of Arbitrators: Hot-Tubbing
- Academy of Experts/ Institute of Arbitrators: Expert Meetings and Joint Statements
 - RICS Expert Witness Roadshow (Gatwick and London).