


William Timothy (Tim) Sullivan (FIAMA; Dip Law (LPAB))
CURRICULUM VITAE

	<p>Director: Contract Administration Group Pty Ltd 35 Dietz Lane Oakdale NSW 2570</p> <p>Position: Past National President of the Institute of Arbitrators and Mediators Australia</p> <p>Contact: Tel: 02 – 4659 6200 Fax: 02 – 4659 6355 Mobile: 0411 55 44 35 office@contraxgroup.co</p> <p>m</p>
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- OCCUPATION:** Adjudicator, Arbitrator, Mediator, Dispute Board Member and Chair, Expert Determiner, Contract Administrator, Dispute Resolution Consultant and Company Director.
- ARBITRATOR:** Grade 1, Graded and listed by the Resolution Institute (Institute of Arbitrators and Mediators Australia). Arbitrator on the Panel of Arbitrators Shenzhen International Court Arbitration.
- MEDIATOR:** Accredited by and listed with the Resolution Institute (Institute of Arbitrators and Mediators Australia).
- ADJUDICATOR:** Accredited as an Adjudicator under the New South Wales, Victorian, South Australian, Northern Territory and Australian Capital Territory *Building and Construction Industry Security of Payment Acts* and under the *Building Industry Fairness (Security of Payment) Act 2017*.
- PROBITY:** Accredited Probity Service Provider – Procurement.
- MEMBER:** Dispute Resolution Board Foundation, Society of Construction Law, AMPLA, Resolution Institute, Hong Kong Institute of Construction Adjudicators.
- TERTIARY:** Diploma in Law – Legal Practitioners Admission Board (NSW).
- TRAINER:** Training of Adjudicators, Continuing Professional Development (CPD), Public Speaker.

SPECIALISING IN:

- Arbitration, Dispute Boards, Adjudication, Expert Determination, Expert Appraisal, Mediation, Conciliation, Facilitation, Change Management, Contract Administration and Representation for Commercial Contracts
- Resolution of Supply Disputes, Professional Services Disputes and Commercial Arrangements
- Delay, Prolongation, Acceleration and Time Extension Claims
- Variation, Latent Condition, Design vs Design Development, Breach Claims

- Quantum as per Contract, Statute and Tortious Damages
- Precontract Document Review. Contract and Quality Assurance Documentation
- Dispute Avoidance and Management of Disputes
- Conduct of Large and Complex Arbitrations, Mediations, Adjudications, Appraisals, Expert Determinations, Inquiries and References
- Contract Risk Analysis and Risk Sharing

EXTRACT OF EXPERIENCE:

- Contract administration and site supervision for sewerage treatment plant earthworks, amenities building, reticulation and ocean outfall.
- Dispute resolution board member and chair Construction and Development Projects.
- Dispute resolution for loss and damage claims - negligence, misleading and deceptive conduct claims, prolongation, professional conduct matters.
- Building and construction management and supervision. Wholesale and retail nursery management.
- Contract administration, quality control, supervision for major earthworks, stabilised pavements, road tanker terminal base, major roads, subdivisions.
- Contract administration and/or dispute resolution for mining, rail, large building complexes, airfield upgrade, roof membranes, insulation, major expansion jointing, granite slab paving, concreting, glazing, landscaping, fountains, carpentry and joinery, hydraulics, piling, bridges, electrical and data, facades, retaining walls, brick and block work, excavation, gas infrastructure, ship loading infrastructure, and port construction.
- Reports, programs, resource demands, cash flow projections and cost recovery.
- Analysis and administration of claims, settlement negotiations for claims including variations, breaches, defects, latent conditions, delay, disruption, loss of productivity, time extensions, re-sequencing, compression/acceleration, rise and fall (escalation and de-escalation).
- Workshop facilitation for design, dispute resolution, dispute avoidance, expert conclaves, project coordination.
- Field work and testing for geotechnical site investigations and feasibility studies.
- Administration of contractual Issues and dispute avoidance heavy and light rail – tunnel, station fitout works, power (LV & HV), track, OHW, radio, signals.
- Dispute Avoidance for roll out of NSW Government Social and Affordable Housing Fund
- Dispute Avoidance and Resolution for Asian Development Board Projects.
- Dispute Avoidance and Resolution for Shipping Facilities/Port Construction.
- Dispute Avoidance and Resolution for Urban Development
- Dispute Avoidance and Resolution for Light Rail Infrastructure Projects.
- Dispute Avoidance and Resolution for Light Rail Supply, Operator and Maintenance Contract.
- Dispute Avoidance for Road Tunnel Construction.
- Production and quality control testing for raw material road, building and concrete production, precast concrete production, testing of raw material and concrete mix design.
- Various submissions and defences for Arbitration, Expert Determination, Adjudication, Litigation, Negotiation and Mediation.
- Dealing with claims and disputes for projects such as -

- Design and Construction of Hangar, Maintenance Facility and Offices - Bankstown NSW.
- Design and Construct school gymnasium, auditorium and theatre – Canberra and Campbelltown.
- Quantum expert for NSW Supreme Court Reference in disputes over variations, non-payment, breach of contract and foreign exchange claims.
- Drywall subcontracts Canberra.
- Multi-services (Hydraulics, Data Cabling, Electrical, Mechanical) subcontract conversion project Canberra.
- Data Cabling Subcontracts Sydney, Canberra.
- Civil and Hard Landscaping Works, Government offices and land development Canberra.
- Construction of sewerage treatment plants and ocean outfall NSW.
- Rock Anchors, Latent Conditions, Road Underpass and tunnels Sydney, bridge foundations (Driven Piles) Bathurst NSW.
- Construction of Brunei High Commission Canberra.
- Sewer and Water Infrastructure projects in Victoria, NSW, Queensland and Western Australia.
- Plumbing and Hydraulics subcontracts hospitals and schools NSW and ACT.
- Heavy and Light Rail infrastructure works various locations.
- Arbitration of Heavy Rail Rolling Stock design and construction dispute - China and Australia.
- Mining development and infrastructure works, wash plant, conveyors, water treatment, winches NSW, Qld, Overseas – underground and surface.
- Road Construction Contracts NSW and ACT.
- Civil Works & Buildings College NSW.
- Electrical and Hydraulic Works Bruce Psychiatric Hospital Canberra.
- Hydraulics Works Concord Hospital.
- Civil Works – Sporting Ovals Campbelltown.
- Commercial fitout work – several Sydney.
- Electrical Substation construction – Sydney.
- Tunnelling works (cable and rail) – Sydney.
- Infrastructure underwater construction – NSW.
- Shiploading Facility – NSW.
- Wharf construction and dredging – Vanuatu.
- Mining Infrastructure and Processing NSW, Qld and Overseas.
- Commercial, Residential and Industrial Construction – several NSW, Qld.
- Subdivision Civil Works – NSW.
- Design work, consulting – several NSW and Qld.
- Urban Development Dispute Board – Vanuatu.
- Fabrication of Structural Steelwork for School Construction Calwell ACT.

- Plumbing and Hydraulics Work for School Construction ACT.
- Brickwork and Masonry Subcontracts for School Construction.
- Appeal from Professional Misconduct Findings.
- Horse Breeding Syndicate and Joint Venture Dispute.
- Joint Venture Dispute – Land Development Canberra.
- De Facto Relationships Act (NSW).
- Refurbishment and Fitout works.
- Several Arbitrations and Determinations on disputed professional fee entitlements and subcontract payments Theatre Project Canberra.
- Prolongation, Sequencing and Financing Disputes – Unit Development.
- Land Classification for Sale and Building Purposes, Latent Conditions, Delay Damages, Misleading Conduct Unit Development Canberra.
- Streetscape Improvements and Civil Works, Latent Conditions, Variations, Misleading and deceptive Conduct, Prevention Queanbeyan NSW.
- Court Appointed Referee in NSW and ACT.
- Multi party (30+ parties) workplace dispute regarding organisation restructure.
- Court Appointed Arbitrator for Award of Damages arising out of Negligent Professional report Canberra.
- Highway Reconstruction Queanbeyan NSW, Latent Conditions, Design Defects, Construction Defects, Delay and Acceleration.
- Dispute on Development of Shopping Centre in NSW.
- Court Appointed Arbitrator in Multiparty Timber Flooring Dispute – Negligence, Sale of Goods, Trade Practices.
- Mediator in workplace dispute regarding constructive dismissal.
- Dispute Board for new Embassy Indonesia.
- Mediator in workplace dispute regarding back-payments and conditions.
- Multi party (12 parties) mediation of development, contract performance, statutory authorities and insurance disputes.
- Arbitration of Export Dispute – Australia – China.
- Arbitration of Export Dispute – Australia – USA.
- Arbitration and Expert Determination re disputed rates for services.
- High Voltage Infrastructure and Power Transmission, Power Generation; HV Reticulation.
- Over 400 Building and Construction Industry Security of Payment Act adjudications for claimed amounts of AUD\$15K to AUD\$180M+
- Expert determination for suspended, varied and delayed project.
- Multi party (12 parties) financial planning and investment dispute.
- Chemical refractory linings failure – Trade Practices claims.

OTHER DETAILS:

- National President, Institute of Arbitrators and Mediators Australia (IAMA) 2004 – 2006.
- Trained adjudicators 2001 – 2021 in New South Wales, Victoria, Queensland, South Australian, Australian Capital Territory for the *Building and Construction Industry Security of Payment Act*, and assisted with initial training in Western Australia for the *Construction Contracts Act* (about to be repealed and replaced with the *Building and Construction Industry (Security of Payment) Act 2021*).

- Assisted parties with Payment Claims, Payment Schedules, Adjudication Applications, Adjudication Responses, Submissions and Applications for enforcement.
- Member of Institute of Arbitrators and Mediators Australia (IAMA) [now Resolution Institute] since 1986. Member of Dispute Resolution Board Foundation. Member of Society of Construction Law (2015).
- IAMA – Australian Capital Territory (ACT) ACT Chapter 1989, ACT Chapter Secretary 1989–92, ACT Vice Chairman 1992–93; ACT Chairman 1993-96; NSW Chapter Committee from June 2001 – 2004, IAMA National Councillor from 2004. National President 2004 – 2006.
- Presentations to various seminars and training courses on Dispute Avoidance, Arbitration.
- Negotiation, Adjudication, Dispute Resolution, Contract Administration and Mediation.
- Conduct/Assessment of Master Classes for Grade 1 Arbitrators in Canberra, Melbourne, Sydney, Adelaide and Perth.
- Preparation and presentation of training material for Industrial Relations Alternative Dispute Resolution Providers.
- Tutor in Professional Certificate Course in Arbitration – in association with University of Adelaide, University of Technology Sydney and Australian National University.
- Tutor in IAMA Mediation Courses and addresses to various other IAMA training courses.
- Address to NSW Law Society Seminar on Specialist Accreditation.
- Adjunct Associate Professor, Faculty of Business, Government and Law, University of Canberra (until 2020).
- Addresses to students at ANU Law School and University of Canberra Law School on Arbitration and ADR.
- Addresses to arbitrators and others at Chongqing Arbitration Commission and Shenzhen Arbitration Commission, China-Oceania Legal Forum Guangzhou.
- Addresses to Building Science Forum of Australia, Industry Bodies.
- Training to industry and others on Security of Payment, contract administration, dispute avoidance and dispute resolution. Certification of Adjudicators for Security of Payment legislation in Queensland.