



**Mike Testro** MCIOB

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**I am a Consultant Delay Analyst + Expert Witness – in the field in Arbitration and Adjudication. I have been court Tested and Hot Tubbed**

For the past 28 years I have been self employed as a consultant in the construction industry, the last 18 of which have been concentrated on delay analysis.

I am a Member of the Chartered Institute of Building and Member of the Society of Construction Law and Adjudication Society.

I am the author of several books and articles including A Practical Guide to Delay Analysis + India Contract Act 1872 and its relevance to Modern India Construction + Method Statement for MEP Planning.

As a Construction Economist I can do BOTH Time and Money

I have worked in the construction industry at home and overseas for more than 45 years.

During this time the only types of projects that I have not yet experienced include:

Oil refineries.

Nuclear power.

Shipbuilding

**I have extensive experience in:**

Mechanical & Electrical works (MEP) and the interface with construction stages.

**Heavy Engineering including:**

Offshore Oil Rigs and Subsea Pipelines in India and Malaysia

Combined Heat and Power Plants.

Roads and Railways.

Hydroelectric Dams.

LPG Onshore Gas Storage

Harbours and Breakwaters

Pipelines and Pumping Stations

Airport Runways and Infrastructure

**Domestic and Industrial Buildings Including**

Churches

Hospitals and Historic buildings

High Rise Structure – Steel & Insitu Concrete

**Sub Contracts Including**

External Cladding

Fibre Optic Cable Networks

Hi Level IT – Office Fit Out

Lifts – Elevators - Escalators

## **Recent Career Highlights:**

**Along with routine delay analysis and planning work some highlights are worth pointing out.**

### **September 2014 – December 2014**

Delay analysis for the fit out – conversion of a Grade I 13<sup>th</sup> C priory to a modern training centre for an international utility provider.

After submission the parties settled at top level with 8 months EoT and £1.5m.

### **April 2014 – Continuing**

Assisting International Lift / Escalator Manufacturer in presenting extension of time claims and associated costs to several landmark projects in London.

Achieved negotiated settlements in two claims – remainder in process.

### **March 2014 – Continuing**

Delay Analysis for an Adjudication – combined refit + new extension to care home.

Adjudication document yet to be submitted.

### **May to July 2014 – New Airport Qatar**

Complex delay analysis for the combined IT systems and Finishing trades for three strategic sections in the Airport.

My role as delay analyst was completed successfully – Client took on the remaining negotiations.

### **Sep 2013 to Jan 2014 – ACC Abu Dhabi**

Delay Analysis for a 161 km water pipeline and associated pumping stations for a Joint Venture.

I worked on this for three months but the JV could not agree on the analysis method and would not take my expert advice.

I left the commission with very little accomplished.

### **May 2013 – July 2013 – Impregilo - Romania**

Programme Recovery and EoT for Motorway in Romania stalled by a landslide.

I demonstrated that Power Project “Line of Balance” software was far superior to P6 on linear projects.

The simpler presentation opened up the presentation to the DAB.

### **August 2012 to December 2012 – Jacobs**

Extensions of Time on a Large Combined Heat and Power Plant in a significant industrial complex in Scotland.

I demonstrated that when using the bespoke form of contract between the client and contractor it was impossible to present a valid extension of time for any client event.

The threat to put time at large opened the log jam and reasonable settlement was reached.

A potential 3 month commission therefore ended in 3 weeks.

### **November 2011 to May 2012 – Client’s Name Withheld**

Appointed as Expert Witness for the Respondent MEP Sub-Contractor in an Arbitration in Dubai – Court Tested & Hot Tubbed.

The claimant was installing the fibre optic cable network.

I was surprised that there was no counter claim and advised that one should be prepared and presented within the time frame.

Our client lost the arbitration and refused to release the award narrative.

### **April 2011 to November 2011 – Punj Lloyd - India**

Appointed to Assist as Expert in a Main Contractor in an Arbitration Involving Off Shore Oil Rigs and Sub Sea Pipelines – Mumbai.

Lack of As Built data made a substantial Time Impact Analysis impossible.

The solicitor and counsel insisted on going ahead with an Impacted as Planned analysis against my warnings of impending defeat.

I resigned the commission but I learned a great deal about oil rigs and undersea pipe laying.

### **November 2010 to April 2011 – Fisia Italmipianti (Impregilo) - Kuwait**

Appointed as Expert Delay Analyst to complete a stalled Extension of Time Claim.

I restructured the flawed contract programme to demonstrate a clear critical path and three key events gave a clear demonstration of entitlement to EoT.

One event was the failure of the client to provide an outfall pipe to take the desalinated water into town – thus stopping the test and commissioning.

The client suggestion that the test process be diverted back into the sea was a violation of Sharia Law on wasting fresh water.

### **References**

Mike prides himself on his extensive experience and contribution to the planning professional as a whole. He wants to continue this. He's very good at his job and a natural problem solver who doesn't always go by the book. He's someone who does not appreciate unprofessionalism and poor attitudes. He will stand his ground if he knows something is right and is ethical in his work. Unlike other professionals who have been in the same industry for more than 40 years, Mike is open minded and flexible. He's polite and thoughtful and simply very good at his job.

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Mike has a truly remarkable grasp on what really counts in a delay claim as well as extensions of time. Battle scarred war veteran of many claims with an enviable track record of coming up trumps when needed.

If you have a claim you can't afford to go past Mike, he is truly tested and hasn't been found wanting.

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Mike has a real grasp on Contract Issues and understands Planning and Programming. Mike can analyse the problem, look at the logic and very quickly get the right answer for both Client and Contractors.

Mike is a really good analyst who has a logical grasp on Contract terminology and Contract Issues.