

David Daly – Director

- BSc (Hons) Quantity Surveying
- LLM Construction Law & Practice
- Bond Solon Expert Witness Certificate

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David is a Chartered Quantity Surveyor and testifying expert witness, bringing extensive commercial experience in dispute avoidance, management and resolution to sectors including healthcare, residential, offices, insurance and energy.

An accredited expert witness and NEC3 Project Manager, he began his career in London as a mechanical and electrical (M&E) quantity surveyor apprentice in 1999. After focusing on claims and dispute resolution in the Middle East from 2007-2016, he returned to London and founded Novus Resolve in 2019, offering support in claims management and expert witness services.

As well as his expert work, David provides ongoing commercial advisory services, guiding projects from pre-contract to handover. Notable commissions include a secondment as contracts manager on a UK wind farm project and numerous adjudications as a party representative.

Appointed as a quantum expert witness over 60 times, David has contributed to notable cases including the first fully remote trial in the Technology and Construction Court (TCC) in May 2020. He has given oral evidence in international arbitration, the TCC (twice), the Central London County Court, adjudication hearings and mediations.

David's expertise extends to preparing reports for mediation, adjudication, arbitration, and litigation.

He has recently been instructed by (*inter alia*):

- DAC Beachcroft
- Gateley Legal
- Squire Patton Boggs
- Barton Legal
- Shakespeare Martineau
- Addleshaw Goddard
- Beyond Corporate
- Burges Salmon
- Morgan LaRoche

Professional memberships

- Member of the Royal Institution of Chartered Surveyors (**MRICS**)
- Member of the Chartered Institute of Arbitrators (**MCI Arb**)
- Member of the Academy of Experts (**MAE**)
- Member of the Society of Construction Law (**SCL**)
- Member of the Adjudication Society
- Supporting Member of the London Maritime Arbitrators Association (**LMAA**)
- Accredited NEC3: ECC Project Manager

Disputes experience

Expert witness (as appointed expert)

- **(2024) Scotland, UK, £2.1m:** Appointed as quantum expert on a nuclear plant in Scotland. Instructed in a potential adjudication on behalf of the employer defending a termination claim by its former contractor under a NEC3 form of contract. Matter ongoing.
- **(2024) London, UK, £1m:** Appointed as quantum expert on a luxury residential project in Central London. Instructed in a potential adjudication on behalf of the employer defending a loss and expense claim by its contractor. Matter ongoing.
- **(2024) Yorkshire, UK, £1.3m:** Appointed as quantum expert for a district heating contractor (responding party) on a city wide scheme in Yorkshire. Instructed in responding to a claim by the employer in a termination and final account dispute under a NEC4 form of contract. Matter ongoing.
- **(2024) Leicestershire, UK, £2.3:** Appointed as quantum expert in relation to a national supermarket chain storage facility. Instructed on behalf of a specialist subcontractor in a loss and expense claim for suspended works in a potential dispute with the main contractor. Matter ongoing.
- **(2024) London, UK, £TBC:** Appointed as quantum expert in relation to structural design issues on a student residence. Instructed on behalf of the structural designer's insurers (defendants) at pre-action stage to assess the quantum in relation to remedial works carried out on a large development in North West London. Matter ongoing.
- **(2024) London, UK, £3.4m:** Appointed as quantum expert in relation to a defective pipework installation leading to significant water damage. Instructed on behalf of the project policy holders (claimants) at pre-action stage against the pipework sub-subcontractor responsible for the defective installation on a large residential development in North London. Matter ongoing.
- **(2024) Various, UK, £17m:** Appointed as quantum expert on a defective brickwork claim across 10 different developments throughout the South East of England. Instructed in the TCC on behalf of a large national house builder (claimant) against the supplier and the manufacturer of defective bricks requiring extensive and costly remedial works. Matter ongoing.
- **(2024) London, UK, £3.4m:** Appointed as quantum expert on a large multi-unit residential development in North London. Instructed at pre-action stage on behalf of insurers to assess losses arising out of a defective pipework installation causing substantial water damage to the development. Matter ongoing.
- **(2023-2024) London, UK, £8m:** Appointed as quantum expert on a multi-million pound property in London. Instructed in the Property Court by an ultra-high net worth couple (claimants) against the seller of their home following allegations of misrepresentation of the property's condition at the time of sale. The property requires extensive destructive investigatory and remedial works because of a pervasive vermin infestation throughout the property. Matter ongoing.
- **(2023-2024) London, UK, £23m:** Appointed as quantum expert on a student accommodation block in East London. Instructed in a TCC action on behalf of a developer (claimant) against its design and build (D&B) main contractor for defective and negligent cladding design and workmanship. Matter ongoing.

- **(2024) Bristol, UK, £0.1m:** Appointed as quantum expert on a high rise residential project in Bristol. Instructed in an adjudication on behalf of an electrical subcontractor defending a wrongful termination claim (responding party) by its labour only sub-subcontractor. Matter ongoing.
- **(2023-2024) Cardiff, UK, £0.7m:** Appointed as quantum expert for a district heating design, build, operate and maintenance contractor (responding party) on a city wide scheme in Cardiff. Instructed in responding to a claim by its pipework subcontractor for variations, an extension of time and associated loss and expense.
- **(2023-2024) Berkshire, UK, £0.9m:** Appointed as quantum expert in relation to a defective cladding dispute. Instructed on behalf of the cladding contractor (claimant) at pre-action stage against the main contractor on a car park refurbishment project. Matter ongoing.
- **(2023-2024) London, UK, £1.3m:** Appointed as quantum expert on a defective extension claim in South East London. Instructed in the TCC in a claim on behalf of the residents' association (claimants) against the freeholder for severe water damage caused by the defective addition of three prefabricated modular dwellings on top of an existing block of flats. Matter ongoing.
- **(2023-2024) Yorkshire, UK, £0.2m:** Appointed as quantum expert on a private residence in Yorkshire. Instructed in a potential litigation on behalf of a private homeowner (claimant) against the main contractor for defective workmanship in relation to the brick slip system used. Matter ongoing.
- **(2023-2024) Yorkshire, UK, £0.6m:** Appointed as quantum expert on a residential development for a large national house builder. Instructed at pre-action stage on behalf of a developer (defendant) against the seller in relation to the quantification of costs associated with a cut and fill geotechnical package to an adjoining piece of land also owned by the seller. Matter ongoing.
- **(2023-2024) Cardiff, UK, £0.7m:** Appointed as quantum expert for a district heating design, build, operate and maintenance contractor (responding party) on a city wide scheme in Cardiff. Instructed in responding to a claim by its pipework subcontractor for variations, an extension of time and associated loss and expense.
- **(2023-2024) Berkshire, UK, £2.2m:** Appointed as quantum expert on a private residence in Berkshire. Instructed in a TCC action on behalf of a D&B main contractor (defendant) against its high net worth employer for allegedly incomplete and defective/negligent design and workmanship. Matter ongoing.
- **(2023-2024) Warwickshire, UK, £0.8m:** Appointed as quantum expert on a hotel development within the grounds of a large niche sports and leisure club. Instructed at pre-action stage on behalf of a high net worth employer (claimant) against an architect and an associated contractor for negligent design and substantial defective works. Matter ongoing.
- **(2023-2024) Yorkshire, UK, £1m:** Appointed as quantum expert on a residential development in Yorkshire. Instructed in a potential action on behalf of an employer (referring party) in a professional negligence claim against the architect and contract administrator. Matter ongoing.
- **(2022-2024) London, UK, £1.3m:** Appointed as quantum expert for a residential development at two mews properties in Central London. Instructed by a private homeowner employer (claimants) against their contract administrator and D&B contractor in a defects and negligence litigation.
- **(2022-2024) Wexford, Ireland, €0.6m:** Appointed as quantum expert on a mixed-use care home and residential property development dispute. Instructed in a litigation on behalf of the

employer (claimant) in a professional negligence claim against the contract administrator in the Irish High Court. Matter ongoing.

- **(2022-2024) Midlands, UK, £19m:** Appointed as quantum expert on a substantial rail project. Instructed in a litigation by a specialist contractor (defendant) in a dispute with its former joint venture partner (claimant). Matter ongoing.
- **(2022-2024) Essex, UK, £1.3m:** Appointed as quantum expert on a large residential property development in Essex. Instructed in a litigation on behalf of the developer (claimant) against its architect for defective and negligent cladding design. Matter ongoing.
- **(2019-2024) London, UK, £3.7m:** Appointed as quantum expert for two residential developments in London, both procured with the same contractor who became insolvent. Instructed in separate litigations by the employer justifying calls on the related performance bonds provided by the contractor. Matter ongoing.
- **(2021-2024) Reading, UK, £1.1m:** Appointed as quantum expert on a residential property dispute in Reading. Instructed in a litigation on behalf of the homeowners (claimants) against a leading national house builder following substantial damage to the property resulting from subsidence. Matter ongoing.
- **(2023) Teesside, UK, £1.4m:** Appointed as quantum expert on a smelting plant decommissioning project in the North East of England. Instructed in an adjudication on behalf of an industrial treatment and cleaning sub-contractor (claimant) against the decommissioning and demolition main contractor for non-payment of Compensation Events under an NEC4 Option A form of sub-contract.
- **(2023) Kent, UK, £9m:** Appointed as quantum expert on a care home demolition and rebuild dispute. Instructed in a TCC action on behalf of a contractor (claimant) against its timber frame supplier for substantial defects resulting in the care home being demolished and rebuilt.
- **(2023) London, UK, £0.7m:** Appointed as quantum expert on a refurbishment and conversion project in Central London. Instructed in an adjudication on behalf of a cladding subcontractor defending a termination claim (responding party) by its labour only sub-subcontractor.
- **(2023) London, UK, £4m:** Appointed as quantum expert on a medical research facility in London. Instructed in an adjudication on behalf of a M&E subcontractor (in assistance to the main contractor responding party) against the employer for a defective pipework installation.
- **(2022-2023) London, UK, £1.2m:** Appointed as quantum expert on a high end refurbishment and extension dispute on a property in Hampstead, North West London. Instructed by the builder (responding party) against an employer in defending a claim in an adjudication against its professional indemnity policy for alleged design related defective works.
- **(2022-2023) London, UK, £0.9m:** Appointed as quantum expert for a district heating subcontractor (referring party) on a substantial residential development across multiple blocks in London. Instructed in the preparation of a claim against the main contractor in a final account dispute.
- **(2022-2023) London, UK, £0.9m:** Appointed as quantum expert for a district heating subcontractor (referring party) on a substantial residential development across multiple blocks in London. Instructed in the preparation of a claim against the main contractor in a final account dispute.
- **(2022-2023) Hertfordshire, UK, £0.6m:** Appointed as quantum expert on a residential property dispute in Harpenden. Instructed at pre-action stage on behalf of the homeowners (claimants) against a contractor following substantial defective works.

- **(2022-2023) London, UK, £0.5m:** Appointed as quantum expert for a c. 100 unit residential development in London. Instructed by a contractor against its piling subcontractor in defending a final account dispute and likely adjudication.
- **(2022-2023) Northampton, UK, £0.4m:** Appointed as quantum expert on a high end residential property dispute in Northampton. Instructed in a litigation on behalf of the contract administrator (respondent) in defending a professional negligence claim for services provided to the homeowners.
- **(2022-2023) London, UK, £0.5m:** Appointed as quantum expert on a residential property dispute in South West London. Instructed in a litigation on behalf of the developer (respondent) against a national utility provider following damage to underground services.
- **(2021-2023) Rotterdam, the Netherlands:** Appointed as quantum expert for a project at a liquid bulk storage terminal for petroleum products. Instructed in an arbitration by the parties as a replacement expert witness on a Dispute Adjudication Board under a FIDIC form of contract between the employer and one of its specialist contractors.
- **(2022) Scotland, UK:** Appointed as an expert advisor (and potential expert witness) on a new build pharmaceutical process plant in Grangemouth, Scotland. Instructed by the contractor (claiming party) against the employer in a contentious defective design claim.
- **(2022) London, UK, £0.2m:** Appointed as quantum expert for a high-end bespoke twin dwelling residential development in South East London. Instructed by the employer (responding party) against its contractor in defending an adjudication.
- **(2020-2022) London, UK:** Appointed as quantum expert on a residential development in North London advising on a professional negligence claim against the employer's contract administrator/quantity surveyor.
- **(2021-2022) London, UK, £1.3m:** Appointed as quantum expert on a large mixed-use development in South West London on the site of a former power station. Instructed on behalf of a trade contractor (claimant) in a potential dispute against the employer in a delay and disruption claim under a construction management contract.
- **(2021-2022) Yorkshire, UK:** Appointed as quantum expert on a secondary school extension in Yorkshire. Instructed on behalf of the employer (claimant) in a claim against multiple parties for the defective design and installation of the air conditioning system.
- **(2021-2022) Milton Keynes, UK, £3.2m:** Appointed as quantum expert on a care home development in Milton Keynes. Instructed on behalf of the employer (claimant) for a mediation and dispute relating to extensive design and installation defects by its D&B contractor.
- **(2021-2022) Oxfordshire, UK, £3.6m:** Appointed as quantum expert in relation to a defectively constructed acoustic bund and fence on a substantial residential development. Instructed by the developer in a professional negligence claim against the designers of the bund and acoustic fence.
- **(2021) Norfolk, UK, £0.4m:** Appointed as quantum expert on a large residential dwelling extension including the construction of a hydrotherapy pool in Norfolk. Instructed in an adjudication on behalf of the contractor (responding party) against the employer in a termination and defective works dispute.
- **(2021) London, UK, £0.3m:** Appointed as quantum expert on a residential development dispute in South West London on behalf of the contractor (claimant) against the employer in

a quantum meruit dispute ([Rems.co.uk v Blakebrough & Darrowcourt \[2021\]](#)). David was cross examined on his evidence in the Central London County Court in October 2021.

- **(2021) London, UK, £0.4m:** Appointed as quantum expert on a residential development in East London. Instructed in an adjudication on behalf of a flooring subcontractor (responding party) against the main contractor in a final account dispute. Originally instructed in a related point on this project in 2019.
- **(2021) Yorkshire, UK, £0.2m:** Appointed as quantum expert for hotel project. Instructed in an adjudication on behalf of the air conditioning subcontractor against the contractor in relation to its final account. The adjudicator's decision was successfully enforced in the Central London County Court.
- **(2021) London, UK, £0.7m:** Appointed as quantum expert for a warehouse extension development. Instructed on behalf of the employer in a professional negligence claim against its Employer's Agent following the insolvency of the contractor and substantial delays and cost overruns.
- **(2021) London, UK, £1.2m:** Appointed as quantum expert for a residential development in North London. Instructed by the employer (responding party) against its contractor in the fourth adjudication between the parties.
- **(2021) Yorkshire, UK, £0.2m:** Appointed as quantum expert for a residential development in Barnsley. Instructed on behalf of a brickwork subcontractor in a wrongful termination claim and potential adjudication.
- **(2021) Yorkshire, UK, £0.9m:** Appointed as quantum expert for a residential development comprising a conversion of a listed building in York. Instructed in an adjudication on behalf of the employer in a professional negligence claim against its Project Manager following the insolvency of the contractor and substantial delays and cost overruns.
- **(2021) London, UK, £0.7m:** Appointed as quantum expert for a residential development in Central London. Instructed by the high net worth employer (responding party) against its contractor in defending an adjudication.
- **(2020-2021) London, UK, £2m:** Appointed as quantum expert for a residential development in London. Instructed by the employer justifying a call on the performance bond provided by the contractor.
- **(2019-2021) Surrey, UK, £2m:** Appointed as quantum expert in relation to a defective cladding dispute. Instructed on behalf of the insurers of a D&B contractor in relation to an office conversion.
- **(2019-2020) London, UK, £3m:** Appointed as quantum expert on a large private residential property dispute in North London. Instructed in a litigation on behalf of the home owners (claimants) against a local authority following substantial damage to the property because of ongoing water leaks from an underground pipe. Matter settled for more than £3m (95% of David's assessment) during the first fully remote trial ever held in the TCC in May 2020.
- **(2020) London, UK:** Appointed as quantum expert in a personal injury matter on behalf of the claimant who was injured in a motorcycle accident. Instructed to opine on the commercial agreement reached between the claimant (the owner of a CAD/BIM consultancy) and his client (a large M&E contractor) and commercial viability of that contract before the claimant's accident to assess the overall damages claim. Matter settled following mediation.

- **(2020) London, UK:** Appointed as quantum expert for a residential development in North London. Instructed in an adjudication by the employer against its contractor following termination of the works and associated termination account.
- **(2020) Cheshire, UK, £1.5m:** Appointed as quantum expert for a residential development in the North West of England. Instructed on behalf of an employer against its contractor following termination of the works in a wrongful termination dispute. This matter was subject to two adjudications and a separate TCC action. Matter settled following mediation.
- **(2019-2020) London, UK:** Appointed as quantum expert on a residential development in East London. Instructed on behalf of a flooring subcontractor (claimant) against a top 20 main contractor in a final account dispute. Involvement ceased when settlement negotiations commenced.
- **(2019-2020) London, UK, £0.6m:** Appointed as quantum expert on an office fit-out project in Central London. Instructed in a final account adjudication on behalf of the contractor (responding party) against its M&E subcontractor.
- **(2018-2020) Wales, UK, £16m:** Appointed as quantum expert for a biomass facility dispute in Wales. Instructed on behalf of the principal subcontractor (claimant) against the EPC contractor in an adjudication and litigation. David was cross examined on his expert evidence during a three-week hearing in the TCC in July 2019 ([PBS Energo AS v Bester Generacion UK Ltd & Anor \[2020\] EWHC 223 \(TCC\)](#)). The sums awarded were those jointly agreed between the experts.
- **(2020) London, UK, £0.1m:** Appointed as quantum expert on a residential dispute between shareholders of a limited company owning the concerned property. David's role involved the assessment of reasonable refurbishment and maintenance costs incurred on the property over a ten-year period. Matter settled following mediation.
- **(2020) London, UK, £0.3m:** Appointed as quantum expert on a restaurant fit-out project in Central London. Instructed in an adjudication on behalf of an employer (responding party) against its contractor, following non-completion and termination of the works.
- **(2019) London, UK, £0.8m:** Appointed as quantum expert on a residential development dispute in South West London to provide expert opinion to the contractor (claimant) in a potential claim against the employer.
- **(2019) London, UK:** Provided independent expert opinion on a residential development in West London. The dispute concerned whether a contract administrator had unreasonably withheld issuing a certificate of practical completion.
- **(2019) London, UK:** Appointed as quantum expert for a residential development dispute in East London. Instructed on behalf of an employer (claimant) against its M&E subcontractor. David's expert opinion was given to satisfy the employer's creditors that its claims were sufficiently justified to secure approval to enter a Company Voluntary Arrangement.
- **(2018) London, UK, £1.2m:** Appointed as quantum expert. Instructed in two separate adjudications on behalf of an M&E contractor (responding party) against a pipework subcontractor.
- **(2018) London, UK, £1m:** Appointed as quantum expert for a high-end residential development dispute in West London. Instructed in an adjudication on behalf of a developer (referring party) against its D&B contractor.

- **(2018) Lincolnshire, UK, £3m:** Appointed as quantum expert for a flood defence system in Northern England. Supported the employer (a government agency) in conciliation and preparation for adjudication proceedings under the NEC3 form of contract.
- **(2018) Shanghai, China, US\$20m:** Appointed as quantum expert for a lift boat fabrication dispute in Shanghai. Instructed in an arbitration on behalf of the contractor (Claimant) against the employer under LMAA rules. David was cross examined on his expert evidence in London in September 2018.

Adjudication, arbitration and litigation support

- **(2020-2024) Various:** David has acted as party/co-party representative in adjudications for both referring and responding parties on more than 30 occasions in the UK, mostly in disputes of less than £1m. David notably assisted the expert team on the Burj Khalifa arbitration worth US\$800m having previously worked on its construction for the main contractor joint venture between 2009-2011.
- **(2014-2020) Various:** Assisted legal teams on various projects ranging from a private homeowner dispute (Oxford, UK) to a €0.5bn EPC waste to energy facility in Dublin and a 7,000-bed hospital project in Abu Dhabi, UAE.

Mediation

- **(2016-2023)** David has been instructed by employers, contractors and subcontractors in the preparation and assessment of quantum for various matters related to many of his expert appointments listed above.

Commercial management experience

- **(2016-2024) Various:** As well as his expert and dispute resolution appointments, David provides ongoing commercial management, dispute avoidance and dispute resolution advice on live projects directly to employer, contractor and subcontractors clients.
- **(2018-2019) Belfast:** Seconded into an offshore contractor as contracts manager in its subcontractor's shipyard fabricating and delivering wind farm foundation jackets.
- **(2016-2018) London, UK:** Several M&E related commissions to various office blocks in London
- **(2012-2014) Sharjah, UAE:** Two new build engineering jack-up drilling rig contracts worth more than US\$360m combined plus a US\$125m wind farm installation vessel.
- **(2009-2011) Burj Khalifa, Dubai, UAE:** Commercial management services provided for the main contractor joint venture managing all M&E and cladding packages.
- **(1999-2007) London UK:** Experience gained as a trainee M&E QS at one of the UK's leading M&E contractors, subsequently moving to the UK's leading privately-owned contractor as a site-based M&E QS. David then moved to one of the country's leading M&E QS consultancies. In his time in London, David worked on various JCT and NEC contracts within various sectors.