


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

CURRICULUM VITAE

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- OCCUPATION:** Arbitrator, Mediator, Dispute Board Member and Chair, Dispute Resolution Consultant and Adjudicator under the NSW, Vic, Sth Aust and ACT Building and Construction Industry Security of Payment Act 1999 and the equivalent Queensland Act, Company Director, Contract Administrator, Expert Determiner, Workplace Assessor.
- APPOINTMENT:** Adjunct Associate Professor, Faculty of Business, Government and Law, University of Canberra.
- POSITION:** Past National President - Institute of Arbitrators and Mediators Australia
- ARBITRATOR:** Grade 1, Graded and listed by the Institute of Arbitrators and Mediators Australia.
- MEDIATOR:** Accredited by and listed with the Institute of Arbitrators and Mediators Australia and LEADR. Registered Mediator under the Mediation Act (Australian Capital Territory).
- ADJUDICATOR:** Accredited as an Adjudicator under the NSW, Victorian, South Australian and Australian Capital Territory *Building and Construction Industry Security of Payment Act* and under the Queensland *Construction Industry Payments Act*.
- PROBITY:** Accredited Probity Service Provider - Procurement
- MEMBER:** Dispute Resolution Board Foundation. Society of Construction Law. Resolution Institute.
- PROFESSIONAL:** Diploma in Law – Legal Practitioners Admission Board (NSW).

SPECIALISING IN:

- Adjudication, Arbitration, Dispute Boards, Expert Determination, Expert Appraisal, Mediation, Conciliation, Facilitation, Change Management, Contract Administration and Representation for Commercial Contracts
- Training
- Resolution of Supply Disputes
- Delay, Prolongation, Acceleration and Time Extension Claims
- Variation, Latent Condition, Design vs Design Development, Breach Claims
- Quantum as per Contract, Statute and Tortious Damages
- Contract and Quality Assurance Documentation, Precontract Review
- Dispute Avoidance and Management of Disputes
- Conduct of Large and Complex Arbitrations, Mediations, Adjudications, Appraisals, Determinations, Inquiries & 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 Board member and chair.
- Dispute resolution for loss and damage claims - negligence, misleading and deceptive conduct claims, professional conduct matters.
- Building and construction management and supervision.
- 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.
- 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 investigation and feasibility study.
- Administration of contractual Issues heavy and light rail –tunnel, station fitout works, power (LV & HV), track, OHW, radio, signals.
- Management of home and home unit construction – administration of subcontracts and suppliers.
- Preparation and evaluation of time and cost estimates for claims and tenders.

- Probity advice and audit procurement
- Production and quality control testing for raw material road, building and concrete production, precast concrete production, testing of raw material and concrete mix design.
- Preparation of template documents for project management tenders and agreements for project management services to Government.
- Preparation of project delivery tender and contract documentation for Government, mining and construction principals.
- Various submissions and defences for Arbitration, Expert Determination, Adjudication, Litigation, Negotiation and Mediation - expertise in dealing with claims for latent conditions, delay, disruption, acceleration and prolongation, latent conditions, payment shortfalls, contract and TPA breaches, and variations 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,
 - Rail infrastructure works various locations,
 - Mining development and infrastructure works, wash plant, conveyors, water treatment, winches NSW, Qld, Overseas – underground and surface.
 - Road Construction Contracts NSW, Victoria and ACT;
 - Civil Works & Building Dormitories and Classrooms College NSW;
 - Electrical and Hydraulic Works Bruce Psychiatric Hospital Canberra;
 - Hydraulics Works Concord Hospital;
 - Civil Works – Sporting Ovals Campbelltown and Canberra.
- Arbitrator/Dispute Board/Referee/ Adjudicator/Mediator/ Expert Determiner in various matters such as –

- Commercial fitout work – several Sydney.
- Electrical Substation construction – Sydney.
- Major Tunnelling works – Sydney.
- Infrastructure underwater construction – NSW.
- Shiploading Facility – NSW.
- Rail Infrastructure – NSW.
- 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.
- 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 Centres 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 Rail and Light Rail Projects in NSW
- Dispute Board for New Embassy Overseas
- Mediator in workplace dispute regarding back-payments and conditions
- Multi party (12 parties) mediation of development, contract performance, statutory authorities and insurance disputes
- Arbitration and Expert Determination re disputed rates for services
- High Voltage Infrastructure and Power Transmission, Power Generation; HV Reticulation;
- Various Building and Construction Industry Security of Payment Act adjudications

ranging from claimed amounts of \$15K to \$120M+

- 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 – 2016 in New South Wales, Victoria, Queensland, South Australian, Australian Capital Territory and assisted with initial training in Western Australia for the Building and Construction Industry Security of Payment Act and equivalent legislation.
- Assisted parties with Payment Claims, Payment Schedules, Adjudication Applications, Adjudication Responses, Submissions and Applications for enforcement.
- Member of IAMA (now Resolution Institute) since 1986. Member of Dispute Resolution Board Foundation. Member of Society of Construction Law (2015).
- Founding Member of IArbA (subsequently IAMA then LEADR/IAMA), 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.
- Presentations to various seminars and training courses on Dispute Avoidance, Dispute Boards, 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 IR ADR 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 1997, 1998, 1999, 2000 and 2001.
- Addresses to various other IAMA training courses.
- Address to NSW Law Society Seminar on Specialist Accreditation.
- Addresses to students at ANU Law School and University of Canberra Law School on Arbitration and ADR.
- Addresses to Building Science Forum of Australia, Industry Bodies.
- Training to industry on Security of Payment, contract administration, dispute avoidance and dispute resolution.