

Adjudicator's Curriculum Vitae

1. Name:	Francois	-----	Spies
	<small>First Name</small>	<small>Middle Name</small>	<small>Last Name</small>
2. Date of Birth:	05	21	1976
	<small>MM</small>	<small>DD</small>	<small>YY</small>
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4. Employer	Self Employed at Francois Spies Consulting (Pty) Ltd		
5. Present Position	Consultant/Director		
6. Contract experience	<ul style="list-style-type: none"> * NEC – NEC3 ECC, ECSC, ECS, ECSS, TSSC, TSC, PSSC, PSC, SSC, SC; NEC4 ECC. * FIDIC – 1999 Red, Yellow, Silver, Green; 2011 Red-Subcontract; 2017 Red, Yellow, Silver; White 1998, 2006, 2017. * JBCC – 4.1, 5, 6.1, 6.2. PBA, N/S Sub, MWA. * GCC – 2010, 2015; 2018 GCSC, GCC Simp. * MBSA – DSA 2005, 2008, 2014. 		
7. Experience as an as built environment professional at a senior level	<p>During my 27 years of employment, I have worked in various related operations, maintenance, engineering, construction & project fields and as such have vast experience and related understanding of design projects, large and small scale construction works, mining, minerals processing, public & private infrastructure projects, as well as the renewable energy industries. Further to this, I possess a solid and balanced knowledge of the various factors which drive risk, performance, and general operating dynamics within these various industry sectors.</p> <p>The following is a high-level breakdown of my experience, sorted into related industry sectors rather than in chronological order.</p> <p>NOTE: that there is some overlap below, as the stated durations represent both roles and industries at the same time.</p>		

•Years in the Electrical/Project Engineering Field	± 17 Years.
•Years as a Project/Contracts Manager	± 13 Years.
•Years in the EPCM Project industry	± 12 Years.
•Years completing contract commercial works	± 10 Years.
•Years spent at operations & maintenance	± 8 Years.
•Years in the contracting industry	± 8 Years.
•Years as an independent consultant	± 6 Years.
•Years as the EPC Project industry	± 3 Years.

8. NEC Experience

I am a construction adjudicator, accredited mediator and arbitrator, who has been accredited by ICE as an NEC3 Project Manager.

Over the last decade I have held positions such as Snr Project Manager, Commercial Manager and Contracts Director, all within the project and construction industry.

I have worked for, and executed projects for the likes of TWP Projects, WorleyParsons, Basil Read, etc. As such, I have acted as Employer, Engineer, Contactor and Subcontractor on numerous occasions, some of which were governed by the NEC3 – ECC set of contract conditions. In addition to this, I have also been responsible for the drafting and negotiations of various NEC3 contracts making use of main and secondary option clauses, as well as various Z Clauses.

At times, such projects and roles have ended in various disputes either with the Employer or Subcontractor. During such instances, I have coordinated and managed legal teams of construction experts, attorneys and advocates for the purpose of dealing with the related arbitrations and litigation matters. These included for various contractual disputes as well as High court proceedings for including, builder's liens, spoliation orders, urgent interdicts, performance guarantee protection, liquidations, etc.

I have directly mobilised and appointed Adjudicator's (in accordance with NEC3 Option W1), and coordinated and drafted referrals to these Adjudicators, as well as represented my clients at the various hearings and *in loco* site visits.

Furthermore, in conjunction with the likes of Induna Training, Alusani Skills & Training Network, as well as CPD Management and Consulting, I have compiled and presented various CPD accredited training courses on NEC3, amongst others.

In addition to this and related to my ADR experience. I have previously taken

various appointments as mediator and arbitrator for the resolution of construction related disputes.

9. Career Overview

- **2017 – Present** – In 2017 I launched my own consulting company, namely Francois Spies Consulting (Pty) Ltd, and commenced to become an **Independent Consultant** focusing on engineering, project management, construction claims consulting and ADR (Alternative Dispute Resolution), and providing related services to the civil infrastructure, water infrastructure, building's development, renewable energy and mining/minerals processing sectors.
- **2015 – 2017** – I was initially transferred to Basil Read Ltd as a **Snr Project Manager**, as well as being appointed as a **Director** of a Basil Read incorporated JV renewable energy company. This for the purpose of dealing with various project disputes. Once this role was concluded, I took up a position also within Basil Read Ltd, as a **Divisional Commercial Manager** under the Civil and Building Division, which duties included for project management head office support, contract commercial support, claims compilation, evaluation and determinations, as well as dispute resolution management on various civil and building projects.
- **2013 - 2014** – I was employed by Matomo Projects (Pty) Ltd (a wholly owned Basil Read Ltd company) as a **Snr Project Manager** and **Solar PV Portfolio Manager**. This for the execution of a 66MW Solar PV project under the REIPPP programme, as well as the negotiations with partners, and pursuit of additional Solar PV projects under the same REIPPP programme.
- **2010 – 2013** – I was employed by TWP Projects (Pty) Ltd (which later became WorleyParsons SA), as a **Project Manager**, responsible for the multi discipline management of various base metal and coal minerals processing design and construction projects located in South Africa, Zambia and the DRC. Projects were executed for the likes of Anglo American, ENRC, etc.
- **2009 – 2010** – I was employed by Metorex Ltd, on its Ruashi Copper/Cobalt, mining and refinery operation located in the DRC. This as the **Head of Electrical and Manager Projects**. Which included the management of the electrical maintenance department as well as the SIB (Stay In Business) project department, responsible for all maintenance and optimisation projects.
- **2006 – 2009** – I was employed by TMP Projects (a TWP and Matomo

incorporated JV) as a **Snr Electrical Engineer** and **Electrical HOD**. At the time TMP was executing various mining, green and brown fields projects for the likes of Lonmin, Anglo Platinum, Impala Platinum, Metorex, ENRC, etc

- **2004 – 2006** – I was employed by Alstom SA as a **Contracts/Commercial Manager**, with projects executed for the likes of BHP Billiton, Kumba Resources, etc.
- **2001 – 2004** – I was employed by EHL Consulting Engineers (Pty) Ltd as an **E&I Project Engineer**, responsible for the design, execution, and commissioning of various electrical, control and instrumentation projects for the likes of Anglo Platinum, Impala Platinum, Barrick Gold, etc. The works included for MV, LV & C&I activities, and were executed both on surface and underground.
- **1995 – 2001** – I commenced my career, and was finally employed as a **Snr E&I Technician** at Douglas Colliery, one of BHP Billiton's coal mines. Where I gained experience in process plant, underground and opencast mining operations.

10. Other

I am currently a member of, and active as follows:

- I am a fully-fledged and registered Professional Construction Project Manager as recognized by the SACPCMP (South African Council for Project and Construction Management Professions), in terms of Section 18.(1)(a) of the Project and Construction Management Professions Act (Act No 48 of 2000).
- I am an Accredited NEC3 Project Manager, issued by ICE (UK).
- I am a Fellow of the Association of Arbitrators (SA).
- I am a Fellow of the Chartered Institute of Arbitrators (UK).
- I am a Fellow of the Institute of Construction Claims Professionals (UK).
- I am listed as a dispute resolution practitioner with AFSA (Arbitration Foundation of Southern Africa).
- I am listed as a dispute resolution practitioner with CAASA (Construction Adjudication Association of South Africa), and furthermore am the standing Deputy Chairman of CAASA.
- I am listed as a dispute resolution practitioner with the MBAN (Master Builders Association North).
- I am a member of the SCL (Society of Construction Law).

I am prepared to undertake adjudications for the following forms of NEC Contract

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- ✓ ECC & ECS
 - ✓ PSC & PSSC
 - ✓ NEC Supply and Short Supply
 - ✓ ECSC & ECSS
 - ✓ TSC & TSSC
 - ✓ CIDB Supply