



Summary CV

# STUART G GRAY

BSc FRICS IMaPS MIoD ACI Arb APAEWE



*Stuart is a Director of BDG Thomson Gray Dispute Ltd. He has previously served as the Chairman of the Junior Branch of RICS in Scotland and was formerly an Associate Partner in the Edinburgh office of Gardiner & Theobald.*

He has over 27 years of experience in the construction industry working as a Chartered Quantity Surveyor, Employer's Agent and Construction Health and Safety Practitioner (CDM Advisor) on a vast range of projects ranging from small scale alterations, city centre refurbishments, demolition projects, new build offices, schools, hospitals, university projects, hotels, retail units and residential developments for both public and private sector clients. These projects have ranged in value from £50,000 to £150M.

Stuart regularly provides advice and opinions on construction disputes, professional negligence and Quantum to individual clients and to the legal profession having been regularly engaged by many of the leading legal practices in Scotland. He is an RICS Accredited Expert Witness.

## CONTACT DETAIL

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## QUALIFICATIONS

▶ BSc Quantity Surveying with Distinction (BSc)

▶ Fellow of the Royal Institution of Chartered Surveyors (FRICS)

▶ Incorporated Member of the Association for Project Safety (IMaPS)

▶ Professional Chairman / Assessor for Royal Institution of Chartered Surveyors APC – QS Professional Group

▶ Member of the Society of Construction Law

▶ Member of the Institute of Directors (MIoD)

▶ Associate of the Chartered Institute of Arbitrators (ACI Arb)

▶ Legal Experience Training Advanced Professional Award in Expert Witness Evidence (APAEWE)

▶ RICS Accredited Expert Witness

## ACCREDITATIONS

- ▶ I am an RICS Accredited Expert Witness. I have undertaken the Advanced Professional Award in Expert Witness Evidence training, run by Legal Experience Training for RICS. The accreditation is a level 7 BTEC which is at the level of a Masters. I have successfully completed the assessments and have been awarded the Advanced Professional Award in Expert Witness Evidence (APAEWE)
- ▶ I am used to giving written and oral evidence. I have appeared in court and at hearings. I have acted in Adjudications and Mediations. I am used to conducting Expert Witness meetings and preparing Joint Expert Statements for court
- ▶ I am regularly engaged by many of the leading legal practices in Scotland most recently Brodies LLP, MacRoberts LLP and Balfour + Manson LLP

## EXPERT WITNESS EXPERIENCE

### City Inns v Shepherd Construction

I was Associate/Senior Surveyor responsible for Cost Management on new build City Inn Hotels in Bristol and Glasgow. I acted on behalf of City Inns for multiple adjudications in respect of quantum for Final Accounts and other technical matters. I also provided cost / technical input in legal case in relation to clause 13.8. Value of Claims - + £10Million. Attended multiple Adjudications between 2001 – 2002.

### Strathclyde Builders v Costain

I was Associate/Senior Surveyor responsible for Cost Management on this new build residential project. I acted on behalf of Strathclyde Builders for multiple adjudications in respect of quantum and other technical matters including undefined provisional sums. Value of Claims - + £5Million. Drafted responses to multiple adjudications between 2002 – 2003.

### Health and Safety Review for Water Damage to Office/ retail property in Glasgow

Acted as Expert Witness providing opinion in respect of liabilities of Principal Contractor and Sub Contractor for water damage arising at property in Glasgow. Value of claim – circa £250k

### Office Building, Glasgow

Acting as Expert Witness proving opinion in respect of quantum associated with repairs and replacement of External façade of office building in city centre of Glasgow. Value of Claim - £18.6M. Currently preparing for Mediation in April 2018 having prepared various reports, reviewed opposing experts' reports, attended multiple meetings with opposing parties quantum experts between 2015 – 2017.

## EXPERT WITNESS EXPERIENCE

### NMS Render Repairs, Edinburgh

Acted as Expert Witness providing opinion in respect of quantum associated with remedial works and repairs to existing render on Museum Building arising out of alleged negligence in Architectural services. I prepared a Quantum Report, reviewed opposing Expert's Report, attended Mediation and undertook Quantum Experts meeting in 2007. Value of Claim - £1.2M. Settled at mediation.

### Professional Negligence of Surveying Practice acting as Employers Agent

Appointed by Solicitors acting for Pursuers to act as Expert Witness providing an opinion on the alleged professional negligence of national QS practice whilst acting as Employer's Agent on the development of the Office Building, Glasgow. Meeting with Expert for Defenders and preparation of Joint Statement for Court in April 2016. Value of Claim - £1M. Claim - £850,000. Prepared for attendance at court in 2017 and case was settled out of court.

### Remedial Works to Care Home

Acted as Expert Witness providing opinion in respect of quantum associated with remedial works undertaken at Care Home arising out of negligence arising from civil and structural engineering consultancy services provided by Defenders. Value of Claim - £300K

### Health & Safety File for New Build Speculative Office, Edinburgh

Acted as Expert Witness providing an independent opinion on the requirements of the structural engineer (Halcrow Group Limited) to provide information for the Health & Safety Files in respect of deflections for structural designs. Value of Claim - £200K

### Private Residential Apartments, Edinburgh

Acted as Expert Witness providing my opinion on the actions of a Chartered Quantity Surveying practice and whether they exercised reasonable skill, care and diligence when performing their contractual duties as Quantity Surveyor on this project. Value of Claim - £850,000. Prepared for attendance at court in 2017 and case was settled out of court.

### Divorce Case – Assessment of Value work to Beauty Salon, Dumfries

Acted as Expert Witness providing opinion in respect of quantum associated with project management services and manual labor provided by Pursuer. Value of Claim - £85K. Prepared for attendance at Sheriff Court in 2015 and case was settled out of court.

### Cancer Centre at Hospital

Acted as Expert Witness providing opinion in respect of quantum associated with remedial works required at NHS property arising out of negligence in design and construction works provided by Defenders (Contractor and Designers). Value of Claim - £1.2M

## EXPERT WITNESS EXPERIENCE

### Residential Extension, Edinburgh

Acted as Expert Witness providing an opinion on the quantum associated with the alleged professional negligence of Defenders whilst acting as Architects on alterations and extension to Pursuers house. Attendance at Mediation / Experts meeting in November 2016 where dispute was resolved. Value of Claim - £500K.

### Professional Negligence of Surveying Practice acting as Employers Agent

Appointed by Solicitors acting for Pursuers to act as Expert Witness providing an opinion on the alleged professional negligence of national QS practice whilst acting as Employer's Agent on the development of the Office Building, Glasgow. Meeting with Expert for Defenders and preparation of Joint Statement for Court in April 2016. Value of Claim - £1M.

### Pipe Storage Yard, Aberdeenshire

Acted as Expert Witness providing an opinion on the quantum associated with repairs to concrete in storage yard involved liaison with structural engineering expert, specialist subcontractor, site visit, preparation of Expert Witness report and review of opposing Expert's Quantum Report. Value of Claim - £2.5M. This case was settled at Mediation.

### Bottling Plant, Central Scotland

Acted as Expert Witness providing opinion on the quantum associated with the remedial repairs arising from the defective design at bottling and office facilities. Value of Claim - £12.6M. A commercial settlement was subsequently reached between the parties.

### New Build Private Dwelling, Nr Arbroath

Acted as Expert Witness providing an independent opinion on the costs of rectifying aspects of poor workmanship and defects which had arisen at the house. After visiting the house and site I prepared my opinion report. Value of Claim - £125,000. The case was subsequently settled out of court in 2018.

### Extension to existing private dwelling, Edinburgh

Acted as Expert Witness providing opinion on the costs of completing an extension to a residential dwelling where the building contractor has failed to complete the works. Value of Claim - £25,000. I was required to give evidence in Court. Sheriff McGowan stated in his judgement "No question as to Mr. Gray's credibility arises. He struck me as an impressive witness with good knowledge and experience of the subject matter at hand and his report is straightforward, clear and compelling"