



Seán McNally

Senior Associate Director

BSc (Hons) QS & CM, MRICS MCI Arb

SKILLS

- > Precise Cost and Time Claims Management
- > Forensic Quantum Analysis
- > Alternative Dispute Resolution
- > Preparation and Negotiation of Commercial Departures
- > Identify Damages and Quantify with Appropriate Methods
- > Quantum Meruit
- > Identify Factual Entitlement and Evidencing Causation
- > Analyse Loss of Productivity
- > Robust Contract Management

CREDENTIALS

- > BSc (Hons) Quantity Surveying and Commercial Management
- > Member of the Chartered Institute of Arbitrators (MCI Arb)
- > Member of the Royal Institution of Chartered Surveyors (MRICS)
- > Registered Expert Witness with the Royal Institute of Chartered Surveyors
- > ICE accreditation, Civil Engineering Law & Contract Management

PROFILE

A collaborative leader, Seán is a highly focused chartered quantity surveyor and Registered Expert Witness with vast experience delivering major projects in Australia, New Zealand and the UK.

His well-rounded knowledge in contract and commercial management forged over a decade of industry exposure has been enhanced by his exposure to clients from various industry sectors, including transport, mining, civil infrastructure, insurance, residential and education. Recent projects include the landmark Sydney Metro Pitt Street Station, Sydney Metro Waterloo Station & Melbourne Airport Rail.

Most recently, Seán has acted as the lead independent quantum expert report on a complex litigation that was settled in the Supreme Court of New South Wales. As the lead quantum expert, Seán undertook a forensic quantum analysis of the available information and a fact-finding exercise to establish the additional costs incurred due to the designers' negligence.

A specialist in contractual claims, dispute avoidance and dispute resolution, Seán is considered an expert across an assortment of contracts where he drives the successful conclusion of large value and/or complicated accounts on a wide variety of projects.

In addition, Seán keeps up to date with the latest legislation, Arbitral awards, Litigation awards and Adjudication determinations which best places Sean in the management of disputes and preparation of expert evidence.

Years of
experience

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KEY PROJECT EXPERIENCE

Sydney Metro Pitt Street Station Project - CPB

Melbourne Airport Rail - ARTC

Sydney Metro Waterloo Station – John Holland and Mirvac

Albion Park Bypass Project – Fulton Hogan

SRRC Rosehill Project – Downer

Mac Park – Frasers Property

Senior Associate Director – Claims Consultant

\$463 million

Feb 2020 – Present

Various Clients

The Integrated Station Development will provide a 250-metre-long underground Pitt Street Station running from Park Street to Bathurst Street, between Pitt and Castlereagh Streets, connecting the two station entries with retail and other commercial facilities.

Key achievements:

- > Provided commercial and claims consultancy services to various Tier 1 to 3 civil contractors and legal practices
- > Understood and provided advice on Entitlement
- > Managed contracts, tenders, sub-contracting, and provided advice
- > Prepared written notices, claims, and extensions of time
- > Calculated quantum/damages to produce a compensable claim or defence against plaintiff's claim
- > Investigated and prepared disruption claims using the measured mile approach
- > Handled Quantum meruit claims
- > Converted quantum forensic analysis into an Expert Quantum opinion
- > Developed and presented fully substantiated claim documents with detailed particulars
- > Established contractual entitlement and evidenced causation to allow additional payment
- > Calculated damages to produce a compensable claim.

\$1.5 million

Luxurious Residential Property, Sydney Australia

Senior Associate Director – Registered Expert Witness

Sep 2022 – Present

HWL Ebsworth Lawyers

Engaged by HWL Ebsworth Lawyers on behalf of their client to act as an independent Registered Expert Witness. Tasked with valuing the demolition and reconstruction of a luxurious residential property and producing an Expert Report to assist with Litigation proceedings.

Key achievements:

- > Conducted quantum valuation of the demolition and reconstruction of the property
- > Performed forensic quantum analysis of the costs incurred relating to works undertaken to make the site safe
- > Completed a site visit and incorporated the constructability issues within the valuation
- > Produced a Quantum Expert Report clearly setting out the quantum valuation
- > Conducted quantum meruit valuation
- > Produced a Quantum Expert Report
- > Ensured strict compliance with the HWL Ebsworth Lawyers' instructions.

KEY PROJECT EXPERIENCE

Maintenance Service Agreement (WHA & TAH), New Zealand

\$1.5 million

Jan 2022 – Mar 2023

Senior Associate Director - Claims Consultant

Landscape Solutions Pty Ltd

Maintenance Service Agreement, in excess of \$25 million Auckland Council owns and manages the Assets, which include parks, administrative buildings and community facilities such as libraries, community halls, pools and public toilets.

Key achievements:

- > Prepared and presented a claim for hyperinflation and the changes in law relating to COVID restrictions and the importation of goods of Russian origin
- > Produced a robust claim document and successfully negotiated a commercial outcome on behalf of the Client
- > Utilised the knowledge of the project team to develop the claim
- > Collated supporting information, including technical documents, statements, and claims analysis, to prepare and support the claims
- > Prepared written claim notices
- > Provided a full suite of substantiation resulting in a positive commercial outcome
- > Converted quantum forensic analysis into an Expert Quantum opinion
- > Developed and presented a fully substantiated claim document with detailed particulars.

Puhoi to Warkworth Project, New Zealand

\$600 million

Sep 2019 - Dec 2020

Senior Quantity Survey – Claims Consultant

Acciona & Fletcher JV

A private partnership consisting of the construction of 18.5 kms of a highway lane median divided express through the areas of Puhoi to Warkworth. It included several bridges and will provide connections with local roads.

Key achievements:

- > Investigated the cause of the delay, its effects, and established contractual entitlement while costing the claim and identifying cause-and-effect events
- > Participated in a team to investigate and develop a potential delay and disruption global claim
- > Established contractual liability to produce a robust and logical claim
- > Used the knowledge of the project team to develop the claim
- > Conducted interviews with project staff and reviewed contract documents to determine claims opportunities
- > Collated supporting information, including technical documents, statements, and claims analysis, to prepare and support claims
- > Conducted delay analysis and productivity evaluation to support time and cost assessments
- > Provided a full suite of substantiation resulting in a positive assessment outcome
- > Identified added value opportunities that were incorporated as additional leverage during final account negotiations.

WORK HISTORY

Anvelo Pty Ltd	Senior Associate Director	Feb 2020 – Present
Mainbrace Constructions Pty Ltd	Senior Quantity Surveyor	Feb 2020 – Oct 2022
Aston Consult Pty Ltd	Senior Quantity Surveyor, Claims Consultant	Sep 2019 – Feb 2020
John Holland & CPB JV	Project Quantity Surveyor	Mar 2019 – Jun 2019
Gibson Bros (Ireland) Ltd	Project Quantity Surveyor	May 2018 – Feb 2019
Whitemountain (Scotland)	Project Quantity Surveyor	Jun 2014 – Jul 2018

PROJECT SUMMARY

Project Name	Responsibilities	Client	Year
37 Russell Avenue NCAT	Quantum Expert	Hamilton Locke	2023
Melbourne Airport Rail Link	Financial Control Specialist	ARTC	2022
YTO vs Ganghui	Quantum Expert	Hamilton Locke	2022
Greenland Bathurst St	Independent Certifier	Polczynski Robinson	2022
39 Mermaid Ave Maroubra	Quantum Expert	Marque Lawyers	2023
4 Wangalla Road, Riverview	Quantum Expert	Development Lawyers	2023
Middleton Prison VIC	Assistant Delay Expert	Fairbrother	2023
Prospect Highway Upgrade	Claims Consultant	Confidential	2023
M6 Stage 1	Claims Consultant	Confidential	2023
Sydney Metro Pitt Street Station Project	Claims Consultant	CPB	2022
Sydney Metro Waterloo Station	Claims Consultant	Ferrycarrig	2022
SRRC Rosehill Project	Commercial Manager	Hasson Projects	2020
Macquarie Park	Claims Consultant	Hasson Projects Projects	2021
Albion Park Bypass Project	Claims Consultant	Hasson Projects	2021
Auburn Central Shopping Centre	Project Quantity Surveyor	Mainbrace Pty Ltd	2020
Pūhoi to Warkworth Project	Claims Consultant	Acciona & Fletcher JV	2020
Sydney Metro, Showground Station	Project Quantity Surveyor	John Holland & CPB JV	2019
N2 Corracrin to Emyvale Road Realignment	Project Quantity Surveyor	Gibson Bros Ltd	2018
Aberdeen Western Peripheral Route	Project Quantity Surveyor	Breedon Whitemountain Ltd	2017
RAF Airfield, Isle of Anglesey	Project Quantity Surveyor	Whitemountain Northstone JV	2016