

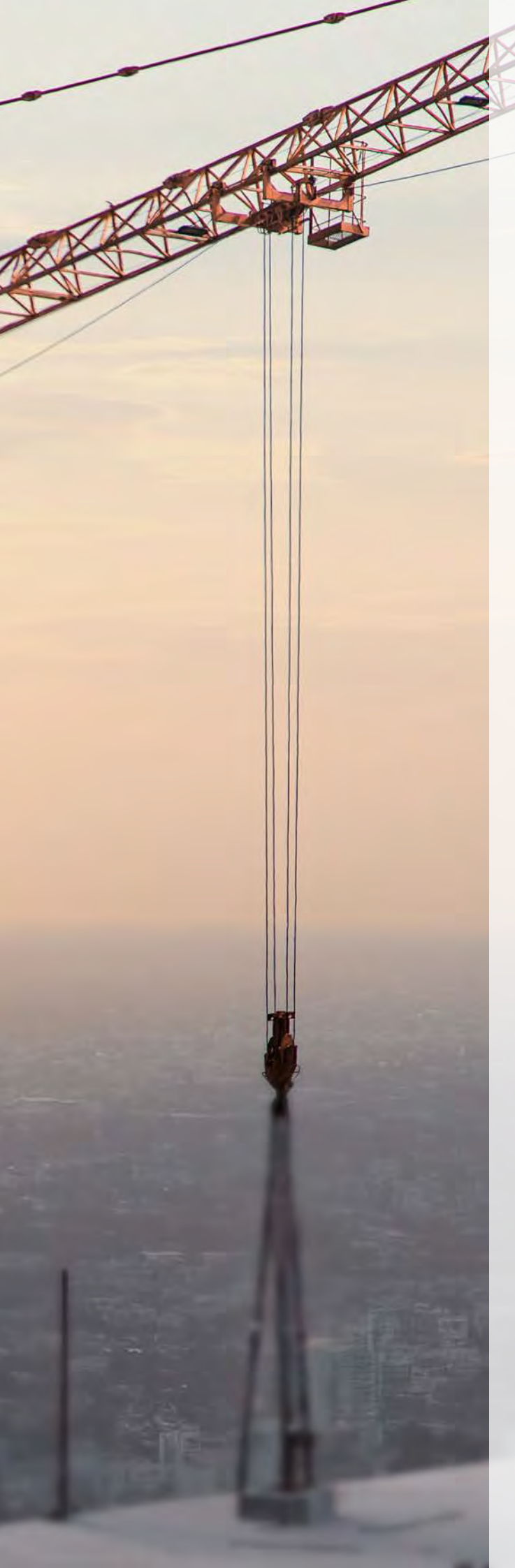
Global Solutions

Worldwide expertise, delivered locally



**Advisory and expert witness support
services to the global construction and
engineering industry**





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About us

As a global expert witness and consultancy business, Diales has been providing specialist support and expertise to clients in the construction and engineering industries across the world, for over 40 years.

We provide commercial management, planning, programming and scheduling, project management, dispute resolution and expert witness services, in a standalone capacity, or as part of an integrated team within our client's existing structure.

We have an established network of offices around the world, and our people speak over 25 languages, including Spanish, Arabic, French, Portuguese, Dutch, German, Korean, and Chinese. We work together internationally to form the team's most suited to our clients' needs, and we harness the worldwide expertise of our staff to deliver local solutions.

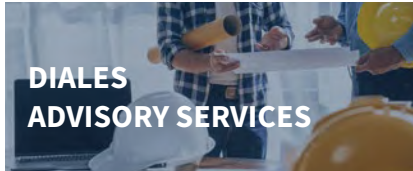
Our core business offering includes:

DIALES EXPERT SERVICES



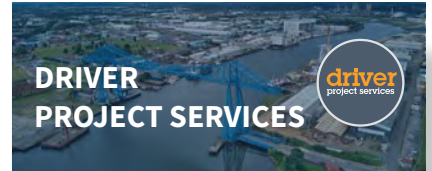
We offer specialist expert support in adjudication, arbitration, litigation, and Alternative Dispute Resolution, whether acting as an expert witness, an expert advisor, or as an expert determiner.

DIALES ADVISORY SERVICES



We provide strategic commercial improvement and contract management assistance, planning and programming support, dispute avoidance and dispute resolution services, training, seminars and workshops.

DRIVER PROJECT SERVICES



Driver Project Services provide site-based commercial management, project management, planning and programming services, integrated with client's teams, throughout a project lifecycle.

The quality and experience of our people is fundamental to our success.

Our in-house IT expertise allows us to work remotely, and handle large volumes of data. This capability combined with the skill of our highly qualified team, enables us to deliver comprehensive services on time, and within budget.

The solutions that we provide for our clients are innovative and creative, and our values are at the core of our practice.

OUR VALUES



Innovation



Transparency



Quality



People



Integrity



Independence

All assignments are managed by a director who remains personally responsible until its conclusion. The director will regularly evaluate the client's requirements to ensure that the most appropriate members of the Group's multi-disciplinary team are engaged on the assignment and that, where necessary, they are successfully integrating into the client's team.

Expert services



We have been providing expert services for over four decades.

Diales experts offer uncompromised expertise to the legal profession in adjudication, arbitration, litigation and all forms of alternative dispute resolution, including mediation, independent evaluation and dispute avoidance boards. Our expert team also includes accredited Adjudicators, Arbitrators and Mediators.

Working across all areas of the construction and engineering industries, our experts provide experienced opinion in the fields of quantum, delay, project management, construction management and technical, including architecture, civil and structural engineering, mechanical and electrical engineering, and power and environmental engineering.

Depending on the nature of the dispute, we are able to provide a multi-disciplined team of experts, with broad experience, offering a complete expert service with the benefit of collaboration and enhanced understanding of the issues between the instructed experts.

Our experts have access to a global network of offices, with a support team which collectively speaks over 25 languages.

Our Experts and their assistants are well versed in their obligations to the tribunal, and are committed to providing the best service possible in the timeframe and budget available. They are experienced in working closely with clients and their legal teams, delivering robust and reasoned opinion, whatever the choice of dispute resolution forum.

QUANTUM

Quantum experts are key in developing independent, soundly reasoned and evidenced reports that are essential in delivering a clear, comprehensive and coherent assessment of costs on matters in dispute.

Our quantum experts include Chartered Quantity Surveyors with many years of live project experience, who are able to quickly cut through extensive and detailed cost data to understand the basis, merits and value of a claim, whether under NEC, JCT, FIDIC, EPC or other forms of bespoke contracts. They provide independent opinion on the assessment of quantum claims, whether through the preparation of reasoned and evidenced reports for use in tribunals or court, or through oral testimony.

Their expertise includes matters such as:

- The value of measured works completed under a contract or subcontract.
- The valuation of variations, compensation events and change.
- The quantification of delay and/or disruption.
- The value and basis of contra charges and counterclaims.
- The assessment of claims for overheads and profit.
- Additional costs, loss and expense or damages.
- Costs associated with the rectification of defects and/or remedial schemes.



PROJECT MANAGEMENT

Efficient project management stems from two essential qualities: communication and organisation. The role of the project manager is to deliver projects through the effective management of all stages of the project lifecycle, including briefing, design, cost, programme, procurement and construction processes.

Our project management experts have extensive experience in the management of projects, and the standards of practice and services required to be delivered by contract administrators, project managers and engineers.

Our work involves the review of contract and project documents, as well as the review of the performance of project management processes, from feasibility studies through to handover, including understanding and commenting on:

- Industry standards for project management services and the scope of services under specific agreements, and the adequacy of the service provided against those benchmarks.
- Obligations to warn and advise clients of potential issues arising on the project, and the identification of any failures to do so.
- Reasonable levels of payment for the amount and quality of project management provided.
- The assessment of the consequences of a failure to deliver an adequate service.



DELAY

Our delay experts all come from a practical background in the construction and engineering industry, which means their forensic analysis is based on solid knowledge, and ensures they provide credible evidence during testimony. They are instructed on high profile domestic and international disputes, and are familiar with industry standards and protocols.

Our experts demystify the delay analysis process by presenting their findings in a robust and understandable manner. We use the most appropriate method of analysis, depending on the unique circumstances of each appointment, its jurisdiction, and whether a retrospective or prospective approach is required.

For live projects where a prospective approach is most appropriate, methodologies include:

- Time Impact Analysis
- Time Slice Windows Analysis (prospective critical path and prospective delay events)

For completed projects where a retrospective approach is the most appropriate, methodologies include:

- Time Slice Windows Analysis (prospective critical path and as-built delay events)
- As-Planned v As-Built Windows Analysis
- Retrospective Longest Path Analysis
- Collapsed As-Built

Our experts will determine either the contemporaneous or the as-built critical path(s) through a project, identifying the individual delay events and their effect upon planned completion, the events which cause disruption, float, the occurrence of concurrent delay events, and the effect of acceleration and mitigation measures. They ensure the delivery of concise reports that distil the complex field of delay analysis into coherent and unambiguous written submissions and oral testimony, robust enough to withstand challenge.

TECHNICAL

Disputes often include complex technical issues, and instructing an appropriately qualified and experienced technical expert is essential. This includes the cause and impact of technical matters within an often elaborate matrix of fact and opinion.

Our technical experts are able to provide clear and concise opinion on issues relating to all stages of the project lifecycle, from design, workmanship and construction through to post-handover maintenance.

Our areas of technical expertise include:

- Architecture
- Civil Engineering
- Structural Engineering
- Mechanical and Electrical Engineering
- Power and Environmental Engineering

Our technical experts are complemented by a wider team of technical and non-technical assistants which can be coordinated and scaled to suit the requirements of the instruction. This enables reports to be efficiently produced and accessible for a non-technical audience.



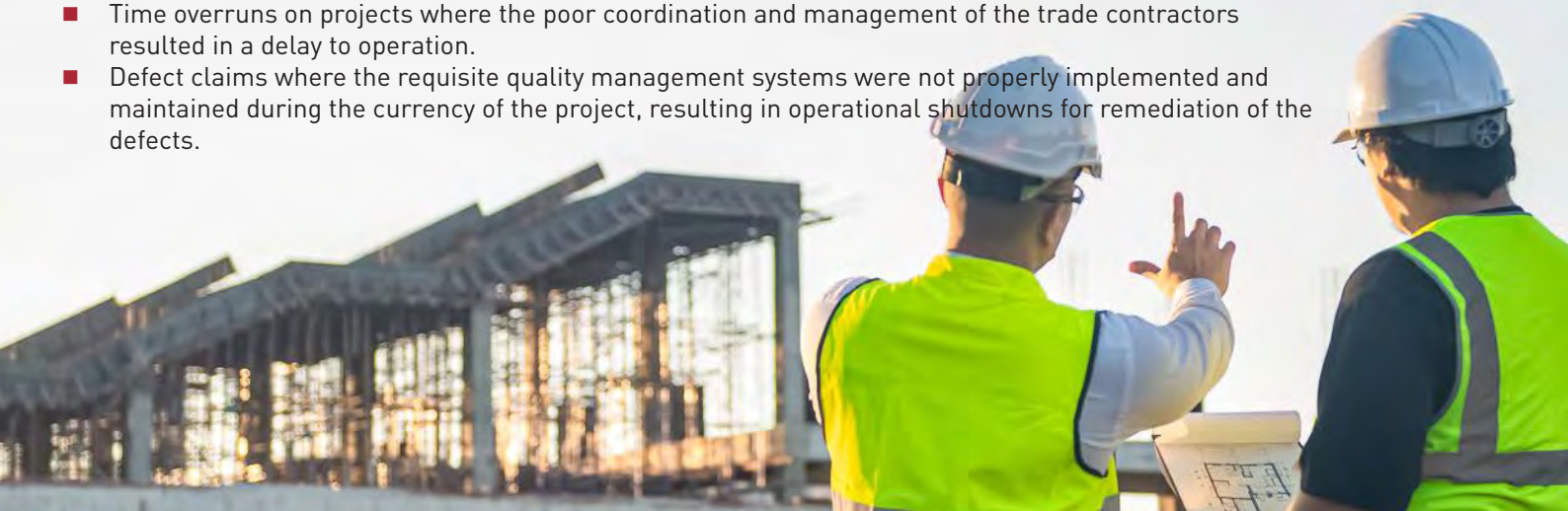
With the use of Construction Management (“CM”) and Engineering, Procurement and Construction Management (“EPCM”) contracts increasing globally, along with the introduction of new standard forms of contract, our construction management skills are highly sought after.

Diales’ construction management experts have first-hand experience of delivering complex construction management projects, and understand the subtle differences in approach that are required to successfully deliver projects procured using CM/EPCM contracts.

We are frequently instructed to assess the performance of construction managers and EPCM contractors to identify if their performance met the required standards.

Issues we are typically instructed to opine on include:

- Cost overruns on projects where the procurement approach recommended by the construction manager was inconsistent with the project strategy.
- Time overruns on projects where the poor coordination and management of the trade contractors resulted in a delay to operation.
- Defect claims where the requisite quality management systems were not properly implemented and maintained during the currency of the project, resulting in operational shutdowns for remediation of the defects.



PRIVATE FINANCE INITIATIVE EXPIRY

The planned expiry of Private Finance Initiative (“PFI”) contracts in the United Kingdom is recognised by all stakeholders as a significant challenge.

This is primarily due to the complexity of the process and the lack of available expertise in the marketplace.

Diales’ pool of technical, quantum, delay, project management and construction management experts have extensive experience of PFI projects. Our experts have acted for most project stakeholders at various stages of the contract lifecycle.

Our experts have also been appointed on a number of formal disputes on PFI projects. Typical matters that our experts are instructed to opine on include:

- The nature, extent and frequency of defects in an asset, whether civil, structural, architectural, mechanical or electrical and/or maintenance related.
- The proposed methodology for the remediating defects in operational assets, including the likely programme duration of the remedial works.
- The likely cost of remediating defects in operational assets.

Advisory services



We have decades of experience in assisting our clients to manage the commercial, contractual and programme challenges which inevitably occur on construction and engineering projects. Our team's practical, hands-on knowledge is invaluable in helping our clients to proactively identify and manage issues before they crystallise into formal disputes, and to prepare and defend claims when they arise.

Whether the requirement is for commercial support in understanding and managing contractual risks, preparing internal position papers, identifying critical programme delay and the cause and effect of that delay, or reviewing and defending, or preparing a claim for an extension of time and/or additional cost, we are able to assist.

We work closely with our clients' teams at all times to provide the level of support required, utilising crucial in-house knowledge and experience to provide a tailored solution based on the unique circumstances in question. Our services include:

- Strategic commercial improvement and contract management assistance
- Planning and programming support
- Technical expertise
- Dispute avoidance and dispute resolution services
- Training, seminars, and workshops



STRATEGIC COMMERCIAL IMPROVEMENT AND CONTRACT MANAGEMENT ASSISTANCE

Having a clear contractual and commercial strategy for managing the contract, the works and the associated risks is essential to the successful delivery of a project. Diales are experts in this field - identifying, influencing and managing the delivery of the appropriate contractual obligations and processes is part of our core skill set.

Our services include:

- Pre-contract reviews to identify and manage risk allocation, and contract review and team workshop sessions.
- Ongoing contract/commercial 'health-checks'.
- Assistance in the production and management of contractually compliant notices and other records, and drafting commercial and contractual correspondence.
- Preparation of commercial position papers, identifying the strengths and weaknesses of each party's position.
- Preparation, defence and negotiation of claims, including variations and compensation events, prolongation, disruption and damages.
- Final account valuation, negotiation and settlement.



PLANNING AND PROGRAMMING SUPPORT

We recognise the central role played by effective and robust planning and programming in the smooth delivery of any construction and engineering project. Our team provides support from inception to completion and beyond, including feasibility and baseline audits, project monitoring and progress reporting, ongoing risk identification and forensic delay analysis.

Our programming specialists come from diverse backgrounds across the industry, bringing practical insight and live project experience to their work. They employ a wide variety of programming techniques and are conversant with all the leading industry software packages. They can analyse and assess prospective and retrospective extension of time entitlement, as well as the causes and effects of delay, acceleration, disruption and loss of productivity.

Our services include:

- Baseline programme preparation, and baseline programme validation and stress-testing to ensure compliance with contractual requirements and completion dates, to identify and manage exposure to liquidated damages.
- Progress monitoring, including the preparation of contractually compliant programme updates.
- Identification of potential programme risk areas, and advice on strategies and options for managing those risks.
- Forensic delay analysis to prepare and defend claims for extensions of time.



We provide worldwide support in dispute management and resolution, alongside assistance in the assessment of risk and the avoidance of disputes.

DISPUTE AVOIDANCE AND DISPUTE RESOLUTION SERVICES

Helping our clients avoid disputes is key to the advisory services we deliver.

Our extensive practical experience enables us to identify potential risks before they develop into more complex disputes, allowing our clients to consider proactive measures to monitor and manage those issues.

However, even on the most well-managed projects, disputes can still arise between the parties. Diales offers focused, practical support and assistance, and we work closely with our clients to deliver robust and effective solutions. Our involvement can start at the preliminary investigative and preparation stage, and run through to assistance in commercial discussions and negotiations, or formal dispute processes such as mediation, adjudication, arbitration and litigation.

Our services include:

- Assessment of entitlement to, and the value of, claims for variations and compensation events, extensions of time, prolongation, thickening and disruption.
- Preparation and defence of claims for extensions of time and additional cost.
- Assistance in the preparation for and management of adjudication proceedings, whether acting for the Referring or Responding Party.
- Assistance in the preparation for and representation in negotiation, mediation and other dispute resolution forums.
- Assistance in arbitration or litigation proceedings.

TRAINING, SEMINARS, AND WORKSHOPS

Diales has a vast internal knowledge base resulting from the extensive experience that each of our members of staff has amassed, the varied sectors in which we have worked and the solutions and strategies we have developed and delivered to our clients.

We add value to our clients' businesses by providing a wide range of tailored training programmes for staff, at all levels of experience and knowledge.

Our training, seminars and workshops include:

- Public breakfast seminars on topical matters, such as: Dispute Avoidance Boards (DABs); quantifying delay and disruption; NEC4; disallowed costs; payment provisions.
- Targeted client seminars on key topics, such as: notices and record keeping; planning and programming; change management; various forms of contract and subcontract, e.g. JCT, NEC, FIDIC.
- Joint seminars and presentations with leading law firms.
- Speakers at leading conferences (e.g. Construction Law Summer School, Cambridge, Society of Construction Law (SCL) Conferences, Global Arbitration Review (GAR) sessions etc).



Technical disciplines

ARCHITECTURE

Diales has an experienced team of architects with a wide range of sector experience, including large scale urban residential, mixed-use developments, luxury residential properties, healthcare and other medical and research facilities, commercial buildings (both industrial and offices), leisure, sport stadia and educational buildings.

Our architects have extensive experience throughout all stages of the architectural process, from conceptual work and planning, through to delivery and handover; working for main contractors, architectural consultant practices, and developers.

Our technical expertise covers:

- Appropriate levels of design and construction information
- Building defects (incl. both internal and external)
- Compliance with Building Regulations and other technical guidance
- Technical obligations and duties
- Fire stopping and compartmentation
- External wall construction (incl. cladding, curtain walling, brickwork, insulation types)
- Practical completion and handover
- Roofing systems (incl. water ingress)
- Root cause analysis of defects (incl. design, construction and maintenance)



ENERGY AND ENVIRONMENTAL

Our experts in the energy and environmental sector specialise in the design, specification, construction, commissioning, performance testing, and operation of renewable and non-renewable energy generation, infrastructure and utilities projects, and process plant. They are also experts in regulatory compliance including environmental permitting.

They have experience in greenfield projects, brownfield development, facilities de-bottlenecking and troubleshooting. They support operational facilities on day to day technical issues as well as end of life decommissioning of major process facilities including nuclear, chemicals/petrochemicals and oil and gas; providing detailed technical input for numerous dispute arenas.



CIVIL AND STRUCTURAL ENGINEERING

Our experts have extensive experience in civil engineering, geotechnical engineering, and structural engineering. Diales experts have recently given opinion on issues including structural frames, rail and highway infrastructure, piling and foundations, cladding, below ground drainage, steelwork, concrete, timber and masonry.

Our engineers also work on live projects, which includes a longstanding relationship with artist, Gerry Judah, where we act as the structural engineers in the delivery of monumental projects worldwide.

Our technical expertise includes:

- Concrete, masonry, timber and steel buildings
- Bridges, highways and rail
- Industrial structures
- Drainage design and flood prevention
- Ground investigation and substructure design
- Tunnelling, deep basements and underground spaces
- Linear and non-linear finite element analysis (FEA) of all structure types



MECHANICAL, ELECTRICAL AND PUBLIC HEALTH ENGINEERING (MEP)

We have a team of highly skilled experts who have extensive knowledge on the design, installation, commissioning and maintenance of MEP building services required for all building types.

Recent issues our experts have opined upon include defects relating to local exhaust ventilation systems, chilled water, low temperature hot water, air handling plant, plant capacity, primary ventilation and BMS systems, domestic hot and cold water systems, above ground drainage systems and the materials selected for use in pipework distribution systems.

Our technical expertise covers:

- BMS and control systems
- Commissioning and handover
- Domestic water systems
- Heat pumps
- Lighting control systems
- Maintenance requirements
- Pipework
- Potable water
- Specialist earthing systems
- Testing and commissioning services
- Underfloor heating systems



Our sectors

We offer a broad range of services, across multiple sectors.

Our consultants and experts work to single appointments, or as part of an engaged, multi-disciplinary team - suited to your requirements. Our global in-depth knowledge and expertise covers the following sectors.

BUILDING

For those involved in the demolition, construction, or refurbishment of buildings, the importance of proper planning, costing and controlling of the works can never be underestimated. Our extensive experience covers a range of new build, refurbishment, and fit-out projects in both the public and private sector.



TRANSPORT AND INFRASTRUCTURE

These highly complex and essential projects form the backbone of the future development of any region. They deliver solutions on a grand scale to the populations they service, and beyond. Diales has over 40 years' experience in understanding and working with the requirements of the teams responsible for implementing these schemes, from inception to completion.

ENERGY

Our specialists in civil and structural engineering, mechanical, electrical and instrumentation, insulation, HVAC and coatings, offer an unrivalled level of expertise. Our multi-disciplinary business makes us the first choice to deliver dynamic commercial solutions, and support project delivery, across the energy sector.





PROCESS AND INDUSTRIAL

In recent times, the process and industrial sector has faced immense pressure on capital and operating expenditure budgets, as a result of worldwide competition and the drive to reduce emissions. We have a robust working knowledge of the sector, whether advising in a commercial and project support capacity, or delivering technical expertise in a live project environment.

OIL AND GAS

The oil and gas sector represents one of the world's biggest markets and is among the most technically challenging of all areas in which to work and operate. Diales delivers services to both client organisations and contractors, including long-term relationships with leading national and international oil and gas operating companies.



SHIPBUILDING AND MARINE

The unique and extreme challenges that our clients face on marine and shipbuilding projects require an exceptional depth of knowledge in the field, combined with a sharp commercial eye for the contractual, financial and programme outlooks on a project. Many members of our team have extensive practical experience in this sector, offering an unrivalled skill set to our clients.

MINING

The mining of natural resources, including coal, metals and minerals, is one of the world's largest and most important industries. Our team is highly skilled in identifying, addressing and managing the issues which commonly arise across the sector, offering commercially-driven solutions and strategies.



With over 250 members of staff, based across five continents, we are able to deliver local solutions, backed by worldwide expertise.





250+
Staff

15+
Countries

5
Continents

Our global presence

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