Mervyn Nigel Bosworth -Smith

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Academic qualifications:

- Engineering Council of South Africa, Pr Eng 880468
- The SA Council for Project & Construction Mgt Prof, Pr CPM D/1327/2006
- Programme in Construction Adjudication, University of Pretoria
- BSc Civil Engineering, University of Natal, South Africa

Membership of professional institutions:

- Society for Asphalt Technology, Member
- South African Institution of Civil Engineering, Member
- Association of Arbitrators, Member
- Engineering Council of South Africa, Mentor, Civil
- SAICE Presidents list of Adjudicators

Experience and fields of work:

- Mervyn Bosworth-Smith is a registered Professional Engineer who has been working in the civil engineering industry for forty-five years and has gained extensive experience in all aspects of the civil engineering construction industry.
- Due to having worked in several counties outside of South Africa, Mervyn has gained the experience of working with a diversity of people from developing countries and has been able to successfully complete the projects in conjunction with the local people of the various countries.
- During Mervyn's career he has progressed from being a Junior Engineer on site to the level of overseeing multi-million Rand projects. During this process he has been exposed to all the levels and aspects of contract administration and project management. Mervyn has filled the position as Contract's Engineer on numerous projects and has a very good working knowledge of the FIDIC and SAICE General Conditions of Contract. He also has knowledge of the JBCC and NEC forms of Contract. Mervyn has extensive

experience in monitoring the progress of projects, using the available computer software and has a good working knowledge of costing systems for financial control on projects.

- In 2017 he completed a course in Construction Adjudication to gain additional knowledge in the legal aspects of the administration of Construction Contracts and to be in a better position to evaluate claims and interpret the construction contract.

- Mervyn has adjudicated a number of construction disputes and is currently serving on three three-person adjudication boards and has under taken an number of ad-hoc adjudications.

Dispute Adjudication Experience:

- **2022 to Current** — **Construction Adjudicator and Contract Administration Specialist**
- **2023** — **Claims expert**
  Claims expert on the Kariba dam spillway and plunge pool rehabilitation projects.
- **2018 to 2022** — **Royal HaskoningDHV, Israel**
  Project manager on Metro Red Line Project in Tel Aviv
- **2016 to 2018** — **Royal HaskoningDHV, Pietermaritzburg, South Africa**
  Principal
- **2013 to 09/2016** — **Royal HaskoningDHV, Pietermaritzburg, South Africa**
  Director Advisory Group: Transport, KwaZulu-Natal and Principal
- **2012 to 2012** — **Royal HaskoningDHV formerly SSI Engineers and Environmental Consultants (Pty) Ltd, Pietermaritzburg, South Africa**
  Sector Regional Manager, Principal
- **2009 to 2012** — **SSI Engineers and Environmental Consultants (Pty) Ltd, Pietermaritzburg, South Africa**
  Sector Regional Manager, Principal
- **2006 to 2009** — **SSI Engineering and Environmental Consultants (Pty) Ltd, Pietermaritzburg, South Africa**
  Senior Engineer, Principal
- **2006 to 2006** — **Stewart Scott International, Pietermaritzburg, South Africa**
  Senior Engineer, Principal
- **2005 to 2005** — **Stewart Scott International, Pietermaritzburg, South Africa**
  Senior Engineer, Principal Associate

- **2004 to 2004** **Stewart Scott International, Pietermaritzburg, South Africa**
  Senior Engineer

- **2003 to 2003** **UWP Consulting, South Africa**
  Resident Engineer

- **2002 to 2003** **Endecon / Ubuntu Development Consultants, Ethiopia**
  Assistant Project Manager

- **1997 to 2002** **Rumdel Construction**
  Site Agent

- **1996 to 1996** **El Fadeel, Libya**
  Project Manager

- **1994 to 1996** **AA Loudon & Partners**
  Resident Engineer

- **1993 to 1994** **Family Farm**
  Farm Manager

- **1982 to 1992** **Grinaker Construction**
  Site Agent

Professional Experience:

- **2023 to current** **Self Employed**
  Position: Adjudicator
  Mervyn has been appointed to several ad-hoc Adjudication Boards to give rulings on disputed claims. The disputed value was in excess of R40 million.
  Mervyn is currently serving on two Dispute Adjudication Boards for SANRAL projects on the N3 in KwaZulu-Natal and is chairman of one of these boards.

- **2023-04 to 2023-10** **Kariba Dam Rehabilitation Project**
  Position: Contract Expert
  Short term appointment to help sort out three years of claims that had not been sufficiently dealt with. Involved in preparing position papers for referring matters to the DB for opinions. Involved with the preparation of statements of defence and rejoinders to Contractor's statement of claim. Liaised with the Contractor and the Employer to resolve claims amicably. Interacted with the DB on the project.

- **2018 to 2022** **Metro Red Line Project – Tel Aviv, Israel**
  Client: NTA
  Position: Project Manager
  Brief Description: Design and high-level supervision of ten underground stations for the Metro Red Line Project.

Assigned Tasks: Management of the final stages of the design process and coordinating and monitoring the high-level supervision of the construction works in the capacity as the Designer. FIDIC form of General Conditions of Contract used.
Project Value: $6.25 billion.

- **2004 to 2018** **Numerous projects for KZN Department of Transport**
  Client: KwaZulu-Natal Department of Transport
  Position: Contract's Engineer.
  Brief Description: Upgrading and new construction of numerous Provincial roads within the province and this involved the construction of bridges and drainage structures and also the rehabilitation of existing asphalt surfaced roads.
  Assigned tasks: Carrying out Engineer's duties and ensuring that the projects are carried out in accordance with the Contract and are completed to the required quality standard, within time and on budget. Project used the SAICE General Conditions of Contract 2010 and 2015.
  As Contract's Engineer on these projects, Mervyn had to deal with Contractor's claims and asses the merits of the claims and give a ruling on the claims in accordance with the GCC.
  Project value: In excess of R1 billion

- **2004 to 2018** **Numerous projects for South African National Roads Agency (SOC)**
  Client: SANRAL
  Position: Contract's Engineer
  Brief Description: Rehabilitation of various roads on the national network. Upgrading of a major interchange on the N2 that comprised the construction of two new interchange bridges and the demolition of the existing structure.
  Assigned Tasks: Carrying out Engineer's duties and ensuring that the projects are carried out in accordance with the Contract and are completed to the required quality standard, within time and on budget. These Projects used the FIDIC General Conditions of Contract.
  As Contract's Engineer on these projects, Mervyn had to deal with Contractor's claims and asses the merits of the claims and give a ruling on the claims in accordance with the GCC.
  Project value: In excess of R1 billion.

- **2006** **HA Mofutho Footbridge across the Senqu River, Qachas' Nek District, Lesotho**
  Client: Kingdom of Lesotho: Ministry of Works of Rural Roads
  Brief Description: The structural design, construction management and site supervision of a suspended steel footbridge on the Senqu River, which comprise of six mass concrete cable stay anchor blocks plus two foundation basis which support the reinforced concrete pylons. The structural steel deck is suspended via hangers from the main cable and supports the walkway which comprises steel (Vastrap) deck plates. The bridge has a span of approximately 80 m.
  Assigned Tasks: Responsible for project execution and engineer in terms of the FIDIC General Conditions of Contract.
  Project Value: R8,000,000.00

- **2003** **Rehabilitation of N2 Section 24 and 25, KwaZulu-Natal, South Africa**
  Client Name: SANRAL
  Brief Description: Rehabilitation of 19km of double carriageway.

Position: Resident Engineer
Responsible for all on site quality control, progress monitoring, financial control and for determining the extent of the rehabilitation work to be carried out within the framework of the contract. General Conditions of Contract used - FIDIC
Project Value: R80 000 000.00

- **2002 to 2003** **Alamata - Woldiya Road Construction, Ethiopia**
  Client Name: Ethiopian Road Authority
  Brief Description: Construction of 78 km of national road in Ethiopia
  Position: Assistant to Chinese Project Manager
  Assist the Chinese Project manager on technical and contractual matters and assist with the communication with the Engineer's staff. FIDIC General Conditions of Contract used.
  Project Value: USD20 000 000.00

- **1997 to 2002** **Working for Rumdel Construction**
  Brief Description: Site agent for various construction projects including rehabilitation of portion of the N2 for SANRAL, township services, construction of a 40Ml reservoir.
  Position: Site Agent.
  Responsible for all aspects of site control on these contracts.

- **1995 to 1996** **Adjedabiya - Jalo Road, Libya**
  Client Name: El Fadeel
  Upgrading and rehabilitation of 50km of road in Libya
  Position: Project Manager
  Responsible for all aspects of site control for this contract.
  Project Value: USD50 000 000.00

- **1994 to 1995** **Construction of N2 section 28, South Africa**
  Client Name: Department of Transport (Now SANRAL)
  Construction of 8 km of four lane undivided national road.
  Position: Resident Engineer
  Responsible for all on site quality control, progress monitoring, financial control.
  Project Value: USD20 000 000.00