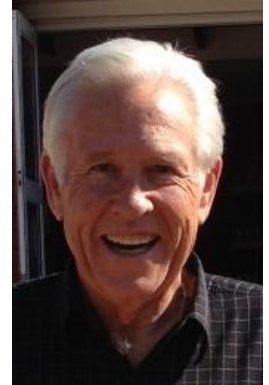


CURRICULUM VITAE: KEVIN SPENCE

KEVIN SPENCE (Civil Engineer)

Nationality: South African
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1. Introduction

Kevin is a registered Professional Civil Engineer, Mediator, Adjudicator and Arbitrator with over 45 years' experience in the Construction Industry. His experience spans across Earthworks, Freeway Construction, Airport Runway Rehabilitation, Civil and Building Construction, Dams, Water Retaining Structures, Pipeline Construction, Concrete Structures, Asphalt and Concrete Road Surfacing.

With a passion for the law and extensive construction experience, Kevin completed the Fellowship of Arbitrators Qualification and the Specialisation in Construction Law [Post Graduate Course offered by the Association of Arbitrators] and currently specialises in large scale Construction Claims and Dispute Resolution.

Kevin is considered an expert on the FIDIC suite of contract documentation as well as the other three forms of contract prescribed by the CIDB. He facilitates regularly on all the four types of contract documentation both locally and internationally. He is the only FIDIC accredited trainer in South Africa.

Kevin is an admitted member of the FIDIC President's List of Adjudicators

2. Experience

- 2014 – Date: Independent Consultant
- 2007-2013: Binnington Copeland and Associates –Director and General Manager
- 1995 – 2007: Owner/Managing Director – Spray Pave (Pty) Ltd (Road Surfacing)
- 1985 – 1992: LTA Construction – Managing Director - Various Group Companies
- 1982 – 1985: ZAI Consulting – Construction Manager
- 1977 – 1982: Basil Read (Pty) Ltd - Specialist Engineer-Concrete Roads

3. Dispute Resolution Experience

Over the last 15 years Kevin has been involved as Mediator, Adjudicator, Arbitrator and expert witness on approximately 60 dispute matters.

Presently appointed on Dispute Adjudication Boards (DAB) in numerous matters in and out of South Africa.

Recent appointments include:

- Adjudicator on 2 Road Contracts for eThekweni Municipality BRT System in Pinetown, RSA [GCC 2010](Project Duration 2 years: 2015-2016)
- DAB member-4 Contracts for eThekweni Rehabilitation of Roads [GCC 2010] (2015-2016)
- Adjudicator/mediator-5 disputes in Namibia, appointed through the EPA [Namibia] [FIDIC](2015-2017)
- Adjudicator: Coega v Scribante Construction-Eastern Cape-Road Contract [FIDIC] (2016)
- Adjudicator: Liviero v Ekurhuleni Local Authority [GCC2010](2015-2016)
- Adjudicator: Basil Read v Esor, Olifants River Water Resources Development Project [FIDIC] (2017)
- DAB member : New Maputo Airport, Mozambique [FIDIC] (Project Duration 2015-2017)
- Arbitrator : Frankwela v Lepelle Northern Water, Polokwane [2016-2017]
- City of Windhoek, Namibia and Tecnonam Roads and Bridges-[FIDIC] (Project Duration 2015-2017)
- Advisor to Nigerian Ministry of Water Affairs and Agriculture on TRIMING Project. There are 4 separate FIDIC Contracts with a combined value of USD\$ 500million.
- DAB Member: NRA N001-160-2014/2: SANRAL Contract [FIDIC] Winburg
- DB Member: Lichinga to Litunde and Montepuez to Ruaca Road Contracts in Northern Mozambique [FIDIC]
- DAB-Sole Member: Cornubia Interchange, Umhlanga, KZN. Project Value USD \$ 30 million-to be complete in June 2018

Current Appointments include

- DAB Member: Neckartal Dam Project, Karas Region, Namibia [FIDIC]-Ongoing- 3 years to date. Project Value USD \$400million
- DAB-Sole Member: City of Windhoek -Rehabilitation of Roads in Windhoek, Namibia [FIDIC]-ongoing
- DAB Chairman: Extensions to Simon Vermooten Road, Pretoria [FIDIC] Project Value USD\$ 40 million[Ad hoc DAB-complete in May 2018]

- DAB-Sole Member: Uganda -Buhimba Nalweyo Road Project [FIDIC] Project Value USD\$ 250million
- DAB -Sole Member: Ethiopia-Cuka to Yigachef Road Project [FIDIC], Project Value USD\$ 250million
- Chairman DAB: Eastern Cape, South Africa : Mtentu Bridge [FIDIC], Project Value ZAR 1.7 billion
- DAB Member: Kafubu Sustainable Water and Sanitation Project, [FIDIC], Zambia, Project Value USD100million

He was intimately involved in the claims process for the Kusile Power Station Project, including matters which were referred to adjudication as well as arbitration. Kevin was a member of the Main Claims Committee for Eskom, Kusile for 5 years form 2009-2013-this committee oversaw the R28bn contingency fund on the contracts awarded.

4. Education

- 2008 – Specialisation in Construction Law. Association of Arbitrators (SA)
- 2004 – Fellowship Course – Association of Arbitrators (SA)
- 1989 – MAP (Wits)[Short Course MBA]
- 1977 – BSc.Eng (Civil)(Wits)

5. Professional Associations

- Member CESA: Consulting Engineers South Africa
- Registered Professional Engineer
- Member, South African Institution of Civil Engineers
- Fellow, Institute of Quarrying
- Fellow, Association of Arbitrators (Southern Africa)
- Affiliate Member : FIDIC
- Member CAASA
- Member: Engineering Professions of Namibia

6. Other

- Past Director – South African Bitumen Association
- Past Director – ASPASA (Aggregate and Sand Producers Association of South Africa)
- **Member: FIDIC Presidents List of Adjudicators**
- **Member-Presidents List for approved Mediators, Adjudicators and Arbitrators-SAICE**

- **Member- Presidents List for approved Mediators, Adjudicators and Arbitrators- CESA**
- **Senior Adjudicator-National Adjudicators List, Namibia**
- **Director-Association of Arbitrators (Southern Africa)**

7. Publications and Presentations

- CAPSA – Use of Emulsions in Cold Weather Surfacing, CAPSA 2004
- DAB's in Africa-FIDIC Africa Conference, Nairobi, September 2016
- DAB's in Southern Africa, case studies and current trends-FIDIC GAMA Conference, Cape Town, May 2107
- Expert Panel-ICC FIDIC Conference in South Africa, October 2018