

ROBERT A SLIWINSKI

Barrister Chartered Arbitrator
BSc LLB(Hons) DipIntArb FCI Arb FRSA



CURRICULUM VITAE

Robert Sliwinski is a Barrister, Chartered Arbitrator, Accredited Adjudicator and Mediator, Quantity Surveyor and Dispute Board Member.

Robert has over 35 years' experience of the construction industry with particular emphasis on all forms of alternative dispute resolution. After 12 years as a quantity surveyor Robert entered the Bar dealing with civil, landlord & tenant, property and construction law issues whilst also undertaking arbitration and adjudication disputes as the neutral. He also practised as a solicitor for six years specialising in civil, landlord & tenant, property and construction law and dispute resolution. He returned to the full-time Bar in the UK in 2011 and is now a senior partner with Kochhar & Co Inc in Dubai specialising in all aspects of the property and construction industry representing parties as well as undertaking appointments as arbitrator, adjudicator, expert determiner, mediator and dispute board member.

As an arbitrator Robert has been involved in cases in both the UK and internationally concerning professional negligence, property, landlord & tenant, delay analysis, costs, variations, defects, interpretation of contracts, repudiation, and many other aspects of contract in the areas of building, civil engineering, mechanical & electrical, waste water treatment and process engineering. He has most recently been joint arbitrator on a multi-million-dollar case between a joint venture contractor and national government in a dispute involving the construction of an airport runway and as a member of an ICC panel arbitration also between a joint venture and a national government involving the construction of a major road project.

In the field of UK adjudication Robert has received over 400 appointments from the CI Arb, CIC, AICA, CEDR, RICS and by private appointment. The disputes referred have covered all aspects of construction including professional negligence, delay analysis, costs, defects, interpretation of contracts, repudiation and all other aspects of contract in the areas of building, civil engineering, mechanical & electrical, waste water and process engineering.

Robert's work as an expert determiner has included final account, cost and variation disputes for projects including hospitals, office developments as well as mechanical & electrical services, civil engineering and development agreements.

In the mediation arena Robert has acted as party representative as well as Mediator in a wide range of issues including construction, professional negligence, contract, development agreements and landlord & tenant.

Robert is also qualified and trained as a dispute board member and has a thorough knowledge of the FIDIC and ICC provisions. He is a professional member of the Dispute Board Federation. Robert has been appointed by FIDIC and is able to undertake dispute board appointments throughout the world in the areas of construction, engineering, waste water and process engineering.

In deciding disputes covering large numbers of complex issues, (for example Variation Accounts involving 100s of individual items) Robert has worked closely with the parties and/or their experts so that fully functioning Scott Schedules can be used. This allows the parties to understand each decision made and the effect on the overall account/dispute.

Robert's work as a neutral dispute resolver has taken him across the world including the Middle East (Dubai & Kuwait), the USA and Caribbean, Europe and Cyprus. He also has knowledge and experience of the contracting and dispute processes within the United Arab Emirates, Africa and the Far East (Singapore, Hong Kong and Malaysia).

PROFESSIONAL QUALIFICATIONS AND PANEL MEMBERSHIPS

The Chartered Institute of Arbitrators

Associate, elected 1994
Fellow, elected 2001
Chartered Arbitrator, 2008
Panel of Adjudicators
Panel of Arbitrators
Accredited Mediator
Panel of Property Dispute Service

The Council of Legal Education – The Inns of Court School of Law

Vocational Training for the Bar, gained July 1990

The Honourable Society of Middle Temple

Called to the Bar 1990

Royal Institution of Chartered Surveyors (1987 to 2018)

Fellow
Panel of Adjudicators
Accredited Mediator
Panel of Mediators
Dispute Board Register
Member of the Conflict's Avoidance Panel for Transport for London
Accredited ACRE Mediator

New York State Board of Bar Examiners

Bar Examinations, gained July 1997

New York State Bar (USA)

Attorney, admitted to the Bar 1998

The Construction Industry Council

Panel of Adjudicators

The Law Society (2004 to 2010)

Solicitor, admitted 2004

Royal Society for the Encouragement of Arts, Manufacture and Commerce

Fellow, elected 2005

Dispute Resolution Board Foundation

Dispute Board Training

Professional Member, admitted 2005

Association of Independent Construction Adjudicators

Panel of Adjudicators

Centre for Effective Dispute Resolution

CEDR Accredited Mediator

CEDR Panel of Adjudicators

DIFC – LCIA

Membership

Dubai International Arbitration Centre

Panel of Arbitrators

Kuala Lumpur Regional Centre for Arbitration

Panel of Arbitrators

London Court of International Arbitration

Member

List of Arbitrators

Technology and Construction Solicitors Association

Panel of Adjudicators

Federation Internationale des Ingenieurs-Conseils International (FIDIC)

President's List of Approved Dispute Adjudicators

Technology and Construction Bar Association

Member

Panel of Arbitrators

Panel of Adjudicators

Panel of Mediators
Panel of Dispute Board Members

PROFESSIONAL EXPERIENCE

- 1978 - 1981 **MCBAINS** Quantity Surveyors, London
General quantity surveying duties.
- 1984 - 1986 **SILK & FRAZIER** Chartered Quantity Surveyors, London
Working as assistant to an Associate Partner. Work involved detailed measurement, estimates, negotiating variation and final accounts and on site measurement and valuation.
- 1986 - 1988 **WEBB & TAPLEY** Chartered Quantity Surveyors, London
Assistant quantity surveyor progressing to senior quantity surveyor reporting to Partners and Associate Partners. Providing both pre and post contract services including new build, renovation and refurbishment projects. The work also involved working with and training junior quantity surveyors.
- 1988 - 1990 **JAMES R KNOWLES**, London
Appointed as a senior consultant dealing with all aspects of dispute resolution, construction contract advice and the organisation of contractual administration. Advising on and compilation of financial claims along with extension of time entitlement for both sub-contractors and main contractors. Preparation of and assisting Counsel in the running of Arbitrations.
- 1990 -1991 **KEATING CHAMBERS**, 10 Essex Street, London
Construction, Landlord & Tenant, Professional Negligence and Contract Law, including litigation and arbitration whilst under pupillage to Mr V A Ramsey QC.
- 1991 - 1993 **CHAMBERS OF DONALD GORDON**, 3 Temple Gardens, London
Litigation and arbitration work included Construction, Planning, Professional Negligence, Contract, Landlord & Tenant, Personal Injury, Commercial and Criminal Law.
- 1993 - 2000 **CHAMBERS OF GEOFFREY HAWKER**, 46/48 Essex Street, London
Advocacy, drafting, negotiation, and advice for litigation and arbitration work in the areas of Construction, Planning, Professional Negligence, Contract and Landlord & Tenant.
- 2001 - 2004 **ALWAY ASSOCIATES**, Banbury, Oxfordshire
Director with responsibility for legal services.

- 2004 - 2006 **WRIGHT HASSALL SOLICITORS**, Leamington Spa, Warwickshire
Partner and Joint Head of Construction Department.
- 2006 - 2011 **SWL DISPUTE RESOLUTION**, Loudwater, Buckinghamshire
Principle.
- 2011 to date **SWL CHAMBERS**, 25 Southampton Buildings, London
Barrister.
- 2018 to date **KOCHHAR & CO INC.** Citadel Tower, Suite 1410, Business Bay, P.O.Box 113297, Dubai – UAE
Senior Partner.
Undertakes all aspects of dispute resolution undertaken including Arbitration, Adjudication, Expert Determiner, Mediation, Dispute Resolution Boards, Litigation and Advocacy. Accepts appointments as Arbitrator, Expert Determiner, Mediator and Dispute Board Member.

POSITIONS HELD (* denotes current)

- Member of the Board of Management, Chartered Institute of Arbitrators*
- Chairman Panels Management Group, Chartered Institute of Arbitrators*
- Chairman Thames Valley Branch of the Chartered Institute of Arbitrators
- Member of the Inns of Court Disciplinary Panel
- Committee Member, Construction ARBRIX
- Chairman of Membership Committee, Worshipful Company of Arbitrators*
- Freeman, Liveryman & Court Assistant, Worshipful Company of Arbitrators*
- Member, Society of Construction Law*
- Member, Adjudication Society*

CONTRACTS EXPERIENCE

- JCT, ICE, NEC, GC Works, PPC 2000, ACA, ACE, IET (MF), NSPE, AIA & FIDIC
- Bespoke contracts for main contract works, sub-contract works and consultants
- Framework Agreements
- Partnering Contracts
- Development Agreements

OTHER INFORMATION

- Robert provides training, seminars and undertakes assessments on international and domestic arbitration, mediation as well as adjudication on behalf of the Chartered Institute of Arbitrators both in the UK and overseas.