



Raine Selles

MSc. Construction Law & Arb. LLB(Hons) FQSi, MCI Arb. MNZIOB FNZACE MInstD PRI

Construction Law Expert & Consultant • Adjudicator • Arbitrator • Trainer

CONTACT

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HIGHER EDUCATION

- **MSc Construction Law & Arbitration**
Kings College London
- **Honours Degree in Law** University of London
- **National Certificate in Business & Finance**
Hastings College of Arts and Technology

OVERVIEW

Raine is an accomplished construction professional with over 30 years' experience in the industry gained initially as a quantity surveyor and project manager for a major multinational PQS Practice, thereafter in senior quantity surveying and commercial management positions and later as director of professional services practices.

Since 1996, she has specialised in contract law and, as a construction contract and commercial consultant, combines her extensive practical experience with legal qualifications to provide high quality, realistic and cost effective dispute resolution, commercial management, Adjudication, Arbitration and training services to a variety of clients throughout the UK, wider Europe and the Asia Pacific Region. She has practiced as an Adjudicator since 1996

That practical experience encompasses a wide range of market sectors, construction types and methods covering disciplines such as quantity surveying, commercial management, project management, claim preparation and defence, adjudication, arbitration, mediation, contract drafting and vetting, planning, estimating, personal and project mentoring and training.

EXPERIENCE

Commercial Management Consulting Ltd Director and Owner

APR 2013 – PRESENT

Having worked for many international consultancies in the UK and USA providing dispute resolution services to the construction and engineering industries worldwide, Raine founded her own professional services practice in the NZ in 2013. She provides a flexible, cost effective and professional service to her clients internationally through both companies in all aspects of construction commercial matters such as:

- Advice on effective procurement strategies
- Contract advice, vetting and drafting
- Dispute avoidance
- Dispute management and resolution
- Time and quantum claim preparation and analysis
- Adjudication
- Arbitration
- Mediation
- Litigation support
- Commercial assistance and management
- Expert witness
- Project healthcheck and review
- Training

Raine is one of few facilitators that provides advanced training on NZS3910:2013 and is a member of the Construction Accord and Strategy Group.

MEMBERSHIPS

- Fellow of Quantity Surveyors International
- Member of the Chartered Institute of Arbitrators
- Member of NZ Institute of Building
- Member of Society of Construction Law
- Professional Member of the Resolution Institute
- Member of Construction DRB

PUBLICATIONS AND APPOINTMENTS

- Author of many International papers of the Role of the Expert Witness, Construction Adjudication, Construction Claims
- Trainer for Brightstar
- Member of Construction DRB Adjudicator and Arbitrator list
- Founder of the National Association of Women in Construction UK and Auckland
- Member of the Construction Accord
- Member of the Construction Strategy Group
- Member of Arbitral Women
- Speaker at Conferences including NEC, NZ Steel, Master Builders

Construction Cost Consultant Ltd

APR 2012 -APR 2013

Raine was brought over from UK to establish and develop an office in Auckland for a fledgling company operating with a small number of staff in Christchurch on the recovery programme. Successfully established an office in Parnell offering various services including commercial management, procurement advice, dispute resolution and mediation, training on commercial procedures and contract awareness. In addition, she have provided advice and training to Auckland Council and Auckland Transport, commercial advice and assistance to Transpower, including NEC 3 Training, collaborative working techniques, procurement advice and training on NZS:3910. Set up a procedure for peer review and settlement of claims in respect of Christchurch recovery for Vero Insurance, including provision of a team of quantity surveyors to provide full time assistance. She prepared, mediated or negotiated a number of contractual claims on behalf of Contractors and Subcontractors throughout NZ, and have been acting as Commercial Manager for two Contractors providing QS teams with procedures, systems and training for improved financial and contractual management. Introduction of monthly Cost Value Reconciliations and programme management.

BAM NUTTALL (Global Contractor) Commercial Manager

APR 2011 - APR 2012

Brought in by Bam's Senior Contract Advisor to lead the commercial department with finalising £250m Final Account and claim including preparation of valuation of Compensation Events. NEC 2 Option C contract. First Guided Busway, Cambridge UK. Project runs along route of old railway and interfaces with Cambridge Railway Station, requiring Network Rail Possessions and other restrictions/requirements. Despite five adjudications have taken place during the course of the contract and millions having spent of claims consultants and lawyers, the full extent and cause and effect had not been established. Within 4 weeks of my appointment, I had discovered the primary cause of delay and established a way forward which would give the contractor relief under the contract. Managed a 20 strong QS team to finalise Final Account, produce Lessons Learned Training and commercial awareness for future projects.

EDRC Ltd Director

SEPT 2009 – APR 2012

Raine joined as Director of Dispute Resolution Services providing adjudication support, Expert witness services, mediation services and commercial training to contractors and subcontractors, building, civil and M&E. She was also engaged by a major civil engineering contractor to work alongside Keating Chambers to assist resolving a 250 million GBP dispute in Cambridgeshire. During this time, she appointed as Adjudicator, as a member of the ACA panel of adjudicators on a number of disputes ranging from 150,000 GBP to 5 million GBP.

Tudor Rose Limited Senior Consultant

MAR 2008 – SEP 2009

Raine provided Commercial Management and Adjudication support to contractors on a number of major fit-out and New Build projects including University of Manchester Amps & Schuster Buildings, Grosvenor House Apartments, Mayfair, Offices. Value £10m to £70m. She also provided assistance with the production and settlement of final accounts, preparation of Referral, appointment of Adjudicator and management of Adjudication Proceedings on behalf of Contractors and Principals including School Trustees, University Trustees and Eddie Jordan F1.

Director of own Consultancy providing contractual advice, risk and procurement management and QS services to smaller building companies including management of accounts and negotiating final accounts. Consultant QS/CM building and civils projects between £5m and £50m, including procurement and contract advice.

First Engineering Limited

MAY 2003 – AUG 2004

Commercial Manager/Consortium Joint Project Director

Raine was brought on as Commercial Manager/Contract Administrator for Engineering Contractor and Consortium Partners on the Power Supply Upgrade for Sussex Region Railway - Client Network Rail. Project Value £50m, NEC2 Option C. Role included the production and delivering of all commercial procedures, ensuring contract compliance and control of all financial and commercial aspects of the project, including procurement, risk, programme, cost, contractual obligations and monthly reporting to the consortium and Network Rail. She was in charge of 50 strong commercial team and became joint Project Director

Hill International UK Ltd

FEB 2002 - MAY 2003

Managing Consultant

Raine headed the Audit Team for a £90million Pharmaceutical manufacturing plant for Merck in England. The Audit included research and analysis of project costs, cause of delays and cost overrun, extent of liability, contractual remedies and recommendations after the project had come to a standstill. She was also appointed joint Quantum Expert on disputes including Beirut International Airport and the Taiwan High Speed Rail Link. She was also a member of the advisory Team for Hill project management on the Palm Island Dubai project. During her time at Hill International, Raine also lectured on FIDIC to Govt staff in Romania and launched the National Association of Women in Construction.

Freelance consultant

AUG 1998 – FEB 2002

Advised and assisted Southern Water regarding Contractual matters and re-writing contract documents, advising procurement strategy and compiling tender documentation in connection of £3 billion K3 water treatment contracts from Isle of Wight to the East Coast of England. Provided QS services for Wates Construction on 2 No. major city refurbishment projects including Final Account and valuing of variations. Headed "Audit Team" on behalf of PQS Franklin & Andrews Disputes Team employed by Dutch Client, Budelco to audit contractor's accounts and contract records in connection with Process Engineering Plant in Weert, Holland. Contract Value £300 million. Purpose of audit was to establish whether Client had grounds to claim against contractor. Site based in The Hague and Weert, Holland. Commercial Manager role for Joinery Subcontractor in respect of works in connection with prestigious residential development, SW3. Contract Value £10m. Prepared case for Adjudication in respect of monies due against Variation/Final Account. Dispute concerned the price to be paid for variations. Settled. Provided contractual advice to contractors, including contract appraisal, assistance with programming, project set-up, tender appraisal and procurement. Prepared, negotiated and settled claims for joinery, M&E and civil engineering contractor, including assistance with preparation and settlement of Final Accounts. Provision, training and implementation of Procedures Manuals. Lecturing in-house on such subjects as HGCR Act 1996, record keeping, forms of contract etc.

Senior Consultant

Raine advised clients on commercial and contractual matters in respect of large construction projects. Clients include major contractors, Banks, Blue chip companies such as Glaxo, Wellcome, Unilever, Railtrack, Hyundai, Harrods, Co-op etc. She was involved with mediation between large Civil Engineering contractor and Railtrack. Employed by Railtrack and led team of quantity surveyors and engineers to review claims submitted by contractor in order to make recommendations to the 'Engineer' regarding validity of each individual claim. A very fast-track programme was imposed by Railtrack and the dispute was settled in favour of the contractor within *10 weeks* of our appointment.

She also did preparation of tender documents for civil engineering project in Pakistan, including drafting conditions of contract, employer's requirements and special conditions, along with preparation of tender documents for fit-out works in London, EC1.

Commercial Management Consultants LTD JAN 1995 – JUN 1997**Commercial Manager Mowlem Civils & BB/Amec JV**

Raine was mainly site based, resolving final accounts and claims for Main Civils Contractors Balfour Beatty/Amec and Mowlem.

Projects included M20, JCT 5 to 8, Jubilee Line Extension Projects JLE 111 and 102 (Underground);

John Webster & Associates LTD – PQS Consultancy**Quantity Surveyor****APR 1985 – JAN 1995**

Raine was here for 10 Years - QS Apprenticeship covering all aspect of procurement, QS, Contract Administration and project management. During that time, she was member of project management team employed by LPA Receiver and private clients. Managing projects in Receivership from valuation, tender to completion. Housing developments, commercial buildings and mixed used buildings.

Projects she worked on include Housing Developments, Commercial and Residential Refurbishments, New Build Offices and Warehouses, Zoological Gardens and Facilities in Middle East. She was also involved with development of concept, design and cost management of various schemes and projects, including contract administration. Experience gained with Civil Engineering, Building and Mechanical & Electrical Contracts, along with all Standard Forms of Civil Engineering, Building and Subcontracts, and F.I.D.I.C.