

Dominic Helps

1. **Family name:** Helps
2. **First names:** Dominic David Wycliffe
3. **Nationality:** British

Summary

Dominic Helps is recognised in the legal directories as in the top category of leading individuals specialising in construction law.

Since February 2010 Dominic has been working as a consultant for Corbett & Co. Before that he had been a partner in specialist construction firm Shadbolt & Co since 1996, having previously worked with Lovells in the UK and in Hong Kong after qualifying with Linklaters & Paines.

Dominic has very considerable experience in handling both domestic and international construction and engineering disputes of all sorts. He has been involved in a number of landmark cases including *London Borough of Merton v Stanley Hugh Leach*, *Malmaison v Henry Boot*, *Crest Homes v Marks* and *Edmund Nuttall v RG Carter and Discain v Opecprime*. He has been involved with disputes on major projects such as the Hong Kong Airport, the Channel Tunnel Rail Link, Wembley Stadium, the Docklands Light Railway and the Broadgate Development.

He has represented and advised parties in literally dozens of other adjudications in England and Northern Ireland involving construction and engineering disputes of all sorts, and has also acted for parties in numerous enforcement situations.

Dominic has acted for a number of developers and funders in advising on amendments to standard form construction contracts and in the drafting of bespoke consultancy appointments and warranty agreements, performance and payment guarantees and forms of bond in connection with office, shopping centre, warehouse and business park developments.

Dominic also has significant non-contentious experience, having been involved in drafting engineering and construction contracts and consultant appointments together with ancillary documentations such as bonds, guarantees and collateral warranties.

He has experience of working with most of the leading standard forms of contract on disputes and advisory work including the NEC, ICE, JCT, FIDIC and MF1 forms.

He sits as an adjudicator, is a Committee member of the Technology and Construction Solicitors Association, is a regular contributor to Building Magazine and other periodicals including the Construction Law Journal for which he is co-editor.

4. Education:

Institution Date: from – to	Degree(s) or diploma(s) obtained:
Cambridge University, England (1975-78)	BA History (First Class)
Cambridge University, England (1979-80)	Common Professional Exam in Law (Equivalent of 2.1)
City of London Polytechnic (1980-81)	Solicitors' Final Examination

5. Career:

Date	Location	Company	Position	Description
1981-1983	London	Linklaters & Paines	Trainee Solicitor	All the core seats (including Litigation) and Commercial Law option
1983-1985	London	L & P	Assistant Solicitor	Qualified into the Litigation Department. As Assistant Solicitor involved in wide range of commercial litigation and arbitration work.
1985-1987	Hong Kong	Lovell White & Durrant	Assistant Solicitor	Real mixture of commercial litigation, arbitration and advisory work: much of this work was construction related.
1987-1996	London	Lovells	Senior Assistant Solicitor	As Senior Assistant involved with a wide range of building and civil engineering disputes including the Heathrow Tunnel Collapse, the Broadgate dispute in the City of London and the MEPAS tunnelling project.
1996-2010	London	Shadbolt & Co/Shadbolt LLP	Partner	A senior member of the contentious construction team involved with a wide range of dispute resolution activity on infrastructure, construction, power and engineering projects both domestic and international, including litigation, arbitration, adjudication and mediation. Sat as an adjudicator and acted for parties in a number of mediations. A regular contributor of articles to construction industry and law periodicals and is frequently involved with in-house and external seminars.
2010- to date	London	Corbett & Co.	Consultant	Involved on a wide range of international and domestic disputes. Acted as adjudicator on a number of domestic disputes. Regular contributor to construction industry and law periodicals and regular speaker at conferences.

6. Expertise:

Subject	Description	Country
Roads	<p>Acting for a road surfacing contractor in proceedings which it brought against a London local authority for injunctions and other relief under the public procurement rules and for misfeasance.</p> <p>Advising clients on a number of contractual issues arising out of term maintenance road contracts with highway authorities.</p>	England



Subject	Description	Country
	<p>Acting on behalf of an Employer in Romania in connection with arbitration proceedings brought by a contractor to enforce a DAB decision in excess of €10 million made under the FIDIC Red Book.</p> <p>Acting for an Italian contractor in connection with the preparation of a wide range of claims for presentation to the DAB arising out of a motorway refurbishment contract in Romania.</p>	Romania
Railways	<p>Acting for Channel Tunnel Rail Link on two very substantial multi-million pound disputes involving adjudication arising out of the Channel Tunnel project.</p> <p>Acting for a Northern Irish Contractor against Northern Irish Rail in a multi-party adjudication arising out of a major rail signalling project in Northern Ireland.</p>	England Northern Ireland
Energy and Dams	<p>Acting for a German contractor on a number of DB referrals on a wide range of disputes arising under a contract for the rehabilitation of the Maritza East 111 227 mw lignite-fired power plant in Bulgaria and in the subsequent renegotiation of the contract.</p> <p>Acting for a principal shareholder in connection with the drafting of the construction contract, consultancy appointments and ancillary contractual documentation including warranty agreements, bonds and parent company guarantees for a waste to energy plant in Wolverhampton involving the incineration of tyres.</p> <p>Acting on behalf of a leading Northern Irish civil contractor in arbitration proceedings involving a major delay and disruption claim on a contract for the refurbishment of a power station in Northern Ireland.</p>	Bulgaria England Northern Ireland
Buildings	<p>Advising a German contractor regarding its claims for payment arising under a contract for the construction of a magnesium plant in Egypt.</p> <p>Acting for a leading international consultancy in relation to payment and defect issues involved in multi-million pound proceedings arising out of the construction of the new Wembley Stadium.</p> <p>Acting for Malmaison Hotels on an appeal to the TCC from an arbitrator's decision, and on the application for leave to appeal to the Court of Appeal, arising out of the construction of the Birmingham Malmaison hotel which became the leading authority on the treatment of concurrent delay under building contracts (<i>Henry Boot Construction v Malmaison Hotels</i>).</p> <p>Acting for a local authority on an appeal from an arbitrator's decision on issues arising under the JCT contracts regarding the architect's powers and duties and the treatment of delay and disruption claims which became a landmark decision in construction law. (<i>London Borough of Merton v Stanley Hugh Leach</i>)</p> <p>Acting for two local authorities in relation to a claim against a managing</p>	Egypt England



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	<p>contractor involving approximately £2 million in respect of the rebuilding and other costs and losses that they have incurred as a result of the failure of various new school building projects.</p> <p>Acting for a leading veterinary practice in connection with a substantial claim against its building services consultant for the cost of rectifying inadequate and defective heating and cooling services in its new investigation and operating premises. The claim settled during the pre action protocol stage. (<i>Forem Limited v RSP</i>).</p> <p>Acting for British Steel Corporation in multi-party proceedings against a contractor and engineering firm arising out of the deterioration of the ground floor slab in its new headquarters building.</p> <p>Acting for a developer in court proceedings brought against a leading national construction management company for negligent management of the design and construction of the major Orion House development in the West End.</p> <p>Acting for a major UK house-builder in intellectual property proceedings arising out of the misuse of house designs involving hearings before the Court of Appeal and House of Lords on issues relating to the execution of search orders and disclosure obligations. (<i>Crest Homes v Marks</i>)</p> <p>Acting for a contractor in multi-party proceedings brought by a housing association concerning the replacement of windows in new build accommodation blocks situated by the sea.</p> <p>Acting for a developer in a number of proceedings arising out of construction management projects on the Broadgate and other developments relating to payment and delay issues.</p> <p>Acting for a leading hotel chain in arbitration proceedings commenced by its contractor against it in respect of a substantial delay and disruption in respect of the construction of one of its hotels.</p> <p>Acting for an individual against a contractor in arbitration proceedings involving claims of over £1million arising out of the refurbishment of a classic feature Georgian property.</p> <p>Acting for a leading specialist roofing and cladding contractor in adjudication proceedings arising out of the construction of the Olympics Village. (<i>Prater Limited v Galliford Try</i>)</p> <p>Acting for an SPV in adjudication proceedings arising out of a claim for defective design work under a PFI contract for the construction of a bus station.</p> <p>Acting for a leading contractor in a series of adjudications arising out of the construction of the new civic community centre and library in Norwich.</p> <p>Advising James Longley in connection with the determination of its contract and its ability to pursue claims against the Employer in</p>	



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	<p>connection with the contract for the construction of Chelsea Village and the new West Stand at Chelsea F.C.</p> <p>Advising an SPV on substantial delay and liability issues arising out of a fire on a PFI project for the construction of new Law Courts.</p> <p>Acting for a local authority in arbitration proceedings involving a substantial multi-million pound delay and disruption claim brought by its contractor.</p>	
	<p>Acting for a major UK contractor against the Employer in connection with a multi-million pound claim arising out of the construction of the Glasgow Megaplex cinema.</p>	Scotland
	<p>Advising a German contractor concerning claims pursued against it by a subcontractor in connection with a contract for the design and construction of an ammonia plant in Venezuela (<i>Ferrostaal v ABB</i>).</p>	Venezuela
	<p>Acting for a contractor in two sets of Court proceedings arising out of the discovery of severe defects in a major refurbishment project for a local authority client in Wales involving both the Employer and the roofing subcontractor.</p>	Wales
Bridges	<p>Advising a French slipform contractor on various contractual questions concerning performance and liability arising out of the construction of the Tsing Ma Bridge in Hong Kong.</p>	Hong Kong
Airports	<p>Acting for BAA in connection with various issues concerning contractual responsibility, insurance and health and safety arising out of the Heathrow Tunnel collapse.</p> <p>Advising a leading contractor, and represented it in negotiations concerning substantial claims under an NEC contract for works at Birmingham Airport.</p>	England
Other	<p>Advising a leading contractor on a wide range of contractual matters arising out of a defective tunnel boring machine on the MEPAS scheme in Liverpool.</p> <p>Acting for a contractor in advising upon, and presenting claims on, a multi million pound project for the National Trust involving the construction of the Millennium Seed Bank.</p> <p>Acting for British Gas providing advice on claims submitted by a number of contractors involved on the Morecambe Bay project.</p> <p>Acting for a major contractor in arbitration proceedings arising out of the construction of a swimming pool for a local authority relating to</p>	England



Subject	Description	Country
	responsibility for delay and the withholding of payment from the contractor. Acting for a German contractor in arbitration proceedings brought in connection with substantial delay and disruption claims arising under a contract on the FIDIC Red Book form concerning the relocation of the Sungai Sarawak River in Malaysia.	Malaysia

7. Membership of professional bodies:

- Member and Social Secretary of the Technology and Construction Court Solicitors Association
- Member of the Arbitration Club and Chairman of its Law Courts Branch
- Member of the Worshipful Company of Arbitrators
- Member of the Adjudication Society (AS)
- Member of the Society of Construction Law (SCL)

8. Other relevant information:

Co-editor of the Construction Law Journal.