

Siobhan Fahey Chartered Engineer & Chartered Arbitrator

BA BAI LLB(Hons) CEng Dipl.Arb FCI Arb MIEI MICE RConsEI
Accredited Mediator (CI Arb) FIDIC International Accredited Trainer



Gold Coast Road, Ballinacourty, Dungarvan, Co. Waterford, Ireland

tel: +353 58 44505

email: siobhanfahey@cablesurf.com

Experience and Key Skills:

Over twenty years experience in the construction industry, specialising in contractual/legal aspects of construction projects since 1995.

Independent professional consultant since 2004

- acting as Arbitrator, Conciliator, Adjudicator, Mediator of numerous cases of construction disputes,
- advising on construction contracts, dispute avoidance and dispute resolution, and
- training in contracts and dispute resolution.

Strong interpersonal skills and extensive experience in dealing positively with individuals from different cultural backgrounds and from both legal and engineering backgrounds.

An aptitude for getting to the heart of a problem in order to offer practical and constructive input on contractual matters and complex legal issues.

Skilled in writing concise and articulate appraisals, reports and awards.

Specific expertise in civil engineering contracts, in particular the FIDIC (Fédération Internationale des Ingénieurs-Conseils) forms of contract 1999, and Irish forms of construction contracts.

On the panels of Arbitrators and Conciliators held by the Chartered Institute of Arbitrators and Engineers Ireland. On the panel of Arbitrators held by the Law Society of Ireland.

Regular speaker at FIDIC and FIDIC/ICC (International Chamber of Commerce) conferences and training workshops run by Engineers Ireland.

Experienced trainer in FIDIC and Irish construction contracts.

2009 - present: committee member of the Dispute Resolution Board of Engineers Ireland.

2012 - present: member of the Contracts Committee of FIDIC.

2011 - present: leader of the FIDIC task group for a new Subcontract for Design-Build contracts.

2007- 2011: member of the FIDIC task group for the new FIDIC Construction Subcontract 2011.

Academic and Professional Qualifications:

BA, BAI (Hons) Civil/Structural Engineering, Trinity College Dublin 1989

LLB (Hons) Bachelor of Laws, University of Wolverhampton 1997

Postgraduate Diploma in Arbitration, College of Estate Management Reading 2000

Chartered Member of the Institution of Civil Engineers UK 1996

Chartered Member of Engineers Ireland 2006

Fellow of the Chartered Institute of Arbitrators 2007

Chartered Arbitrator with the Chartered Institute of Arbitrators 2009

Registered Consulting Engineer with the Association of Consulting Engineers of Ireland 2009

Professional Dispute Board Member of the Dispute Board Federation, Geneva 2010

Accredited Mediator with the Chartered Institute of Arbitrators 2011

FIDIC International Accredited Trainer (Module 1) 2012

FIDIC International Accredited Trainer (Module 2) 2013

Professional History:

2004 – present: Independent dispute resolution practitioner, Dungarvan, Ireland

Acting as Arbitrator, Conciliator, Adjudicator and Mediator of construction disputes involving detailed technical issues as well as complex legal arguments, of various values up to €10 million. Acting as Conciliator (on over twenty-five occasions since 2009) of disputes under the Irish Public Works Contracts (PWC) and other standard forms of engineering contract. Acting as Arbitrator on construction disputes and under consumer schemes (run by CI Arb Irish Branch). Acted as a Mediator for a five-party construction dispute, which was successfully settled at mediation. Advising clients on the details of construction contracts, and giving practical advice on dispute avoidance and resolution. Training and guidance on ADR procedures, dispute avoidance, and dispute resolution strategies. Previously, preparing written submissions for construction arbitrations and conciliations. Objective examination of the substance of claims and defences prepared by others.

1999 – 2004: The Railway Procurement Agency (formerly C.I.E.), Dublin, Ireland

In-house Contracts Advisor for the Dublin Light Railway (Luas). Drafting, negotiating and advising on all construction (FIDIC design-build, IEI and RIAI forms of contract), supply and professional services contracts procured by RPA in connection with construction of the Red and Green Lines of the light railway. Assessing the implications of risk allocation for new contracts. Drafting and negotiating of property development/lease agreements with local landowners, working agreements with utility companies/local authorities, bonds, collateral warranties and guarantees. Liaison with and management of external legal advisors for the Luas operating and maintenance contracts. Providing in-house training workshops and day-to-day advice to technical and managerial personnel on:- procurement of contracts, administration of construction contracts, insurance matters, claims, and dispute avoidance/resolution.

1999: Staveley & Partners, Dublin, Ireland

Providing contractual advice to clients in respect of civil engineering contracts.

1998 – 1999: James R. Knowles Ltd., Hong Kong

Advising and drafting claim pleadings on behalf of construction contractors and developers. Drafting and negotiating new construction contracts. Providing day-to-day contractual support to technical personnel in the administration of construction contracts. Member of the legal representative team in a number of mediations and arbitrations.

1995 – 1998: Mott MacDonald Ltd., Hong Kong

Resident Engineer (seconded to the Hong Kong Government) responsible for claims management on a number of contracts for a large infrastructure/land reclamation project of total value circa €130 million. Negotiating with contractors for the resolution of claims, preparing supplemental agreements, and advising technical staff on the contractual implications of technical issues and disputes. Drafting defence submissions to claims, and pleadings for arbitral proceedings.

1993 – 1995: Mouchel Asia Ltd., Hong Kong

Section Engineer responsible for detailed design of the ancillary buildings, plant support structures, sewage treatment works and large capacity fuel/water storage tanks of a new electricity generating station in Hong Kong of total value circa €60 million.

1989 – 1993: L.G. Mouchel & Partners Ltd., Bath, UK

Graduate Engineer with responsibilities that included the design of a refurbishment scheme of river flow control structures in Herefordshire, and acting as Resident Engineer for construction of river control structures in Berkshire. Undertaking the conceptual design and feasibility of an urban regeneration scheme in Wiltshire. Designing the substructure and external works for an industrial/commercial complex in Kent.



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