



John G. Davies, B.Arch., C.Arb

President and CEO: JGD Resolutions.
President and CEO: John G. Davies, Architect, Incorporated.
Pannelist: ADR Chambers.

Resolutions/Architect - Ottawa Office:

Cel/Direct: +1 613 762 9796

Tel/Fax: +1 613 237 1671

E-mail: jgd@jgd.ca

Website: www.jgd.ca

ADR Chambers - Toronto Office:

Tel: +1 416 362 8555

Fax: +1 416 362 8825

Bookings: +1 800 856 5154

E-mail: jgdavies@adrchambers.com

Website: www.adrchambers.com



Areas of Practice

- Third Party Neutral Evaluation, Claims/Disputes Analysis and Evaluation;
- Expert Witness, Expert Determination, and Design, Bidding and Construction related Litigation Support;
- Negotiation, Mediation, Arbitration, Adjudication and Fairness Monitoring;
- Design-Build, Construction Management, and Cost-Plus counselling;
- Procurement and Custom Front-End Document Preparation;
- Independent Third Party Peer Review/Project Compliance Verification, Progress/Payment Certification.

Background

Mr. Davies began his architectural career as an apprentice design-draftsman in the UK in 1957. He immigrated to Canada in 1966, and worked as a designer, project architect and specification writer in Sault Ste Marie, Calgary and Ottawa before entering private practice as a licensed architect in Ottawa, Ontario, in 1977.

Over the past fifty years his architectural and construction administration experience has included work on major historic restoration projects, embassies, hotels and convention facilities, office buildings, churches, laboratories, schools, major regional shopping centres and various other industrial, commercial and institutional (ICI) buildings; custom housing, multiple unit residential buildings, and high-rise apartments; and toxic and hazardous substances decontamination in both the residential and ICI sectors of the Industry.

Licensed to practice architecture since 1977, Chartered Arbitrator since 1988, Canadian Citizen since 1971.

Worked on projects located in Italy, France, Lebanon, Jamaica, South Korea, the UK, the US and Canada.

Education

- Harvard Law School, Program for Instruction of Lawyers (Fisher and Patton), Negotiation, 1997
- Carleton University, School of Architecture, Bachelor of Architecture with Minor in Legal Studies, 1977
- Liverpool Polytechnic, School of Architecture UK, Intermediate Certificate RIBA, 1962

Special Designations

- Fellow, Canadian Design-Build Institute (FCDBI)
- Registered Architect (MOAA) (Ontario, Canada)
- Chartered Arbitrator (C.Arb.) (Canada)
- Professional Member, Dispute Board Federation (Geneva, Switzerland)
- Special Advisor to Council, Canadian Design-Build Institute (CDBI)
- Past Chair, Canadian Construction Documents Committee (CCDC)
- The ADR Institute of Ontario, Inc. - Member and past Director (Ontario, Canada)

Membership / Affiliations

- ADR Chambers –Arbitrator, Mediator, Neutral Evaluator and Fairness Monitor (Design and Construction)
- Ontario Bar Association – Affiliate Member ADR and Construction Law Sections
- Ontario Association of Architects (OAA) - Licensed Member
- The Dispute Board Federation – Geneva, Switzerland - Professional Member
- The Canadian Design-Build Institute (CDBI) – Fellow and Integrated Member
- The ADR Institute of Canada, Inc. - Member and Chartered Arbitrator



Teaching

- Adjunct Professor of Architecture, Carleton University, (*Tort and Contract Law for Architects*) 1986-2005
- Admission Course for the Ontario Association of Architects (*General Conditions CCDC 2&3*) 2000 and 01
- Lecturer and Course Examiner for Royal Architectural Institute of Canada Syllabus Courses on Building Economics and Construction Administration 1992-2002
- Adjunct Professor of Architecture, Carleton University, (*Professional Practice for Architects*) 1979-1985
- Carleton University School of Continuing Education/ADR Institute of Ontario: Design, develop and deliver con-ed course fulfilling the academic requirements for the designation of Chartered Arbitrator 1993-1995.

Seminars

An accomplished public speaker and educator, Mr. Davies has delivered many seminars throughout Canada and the US. Sponsoring Organizations include:

- Ontario Bar Association – Construction Law Section
- The Canadian Design-Build Institute
- ADR Institutes of Canada/Ontario
- Canadian Construction Documents Committee
- Canadian Construction Association
- The Toronto Construction Association – Gold Seal Program

Papers

- Conflicts of Interest, Impartiality and Adapting the Role of The Consultant as Contract Administrator in Canadian Construction Contracts
- Alternatives to the Alternatives – A Review of ADR Procedures Currently Available to the Construction Industry in Canada
- Comparative Overview of Procurement Alternatives
- Design-Build Teaming Strategies
- Project Documentation and Pitfalls
- Acts Codes Regulations and Authorities Having Jurisdiction in the Province of Ontario, Canada

Publications

- Construction Comment April 2010 edition – Viewpoint: *Coordination – Whose Job is it?*
- Construction Comment November 2009 edition – Viewpoint: *As-builts Demystified*.
- Construction Comment September 2009 edition – Viewpoint: *Stepped ADR v. Dispute Boards*
- Ontario Bar Association, ADR Section, Vol. 17, No.3, June 2009: *The “Stepped ADR” Process v. DABs*.
- Construction Comment April 2008 edition - Viewpoint: *Shop Drawings Demystified*.
- The Design-Build Handbook of Practice - Manual of Practice Series 100, 200 and 300 (*Author/Ghost Writer*)
- The Canadian Handbook of Practice for Architects – Section entitled “*The Construction Industry*”
- The Canadian Bar Review: (*Review*) *The Annotated Construction Contract CCDC 2-94* by Harvey J. Kirsch and Lori A. Roth.

Professional Community Activities

- Committee for writing Canadian Standard Design-Builder/Consultant Contract (Doc. 15 - 2000) - Member
- Committee for writing Canadian Standard Design-Build Contract (Doc. 14 - 2000) – Member
- Committee for writing a Guide to Construction Management (CCA 26 -1998) - Member
- Canadian Construction Documents Committee – Past Member (CSC) and Chair
- Ontario Court of Justice and the Ontario Ministry of the Attorney General: Committee for the preparation of Supplementary and Final Reports entitled Civil Justice Review - Contributing Member
- Ontario Ministry of the Attorney General – Working Group of Construction Dispute Resolution Alternatives
- Joint Industry/Government of Canada Design-Build Task Force – Contributing Member

Awards

- City of Ottawa Award of Excellence (Heritage Restoration) (*in association with Joseph Milcic Architect*) 2000
- Construction Specifications Canada (CSC) National Award of Merit 1984
- Merit Award - National Design Competition Mississauga City Hall (*The Davies/Leggett Partnership*) 1982



Representative Work

- Historic Restoration, Library of Parliament, Ottawa, Canada - **\$136M (CAD)**: Independent Third Party Neutral Evaluation Services concerning issues arising between Public Works and Government Services Canada (PWGSC) and various contractors and subcontractors over changes in the work and the entitlement and values thereof.
- Construction of laboratory building, Ottawa, Canada - **\$6.5M (CAD)**: Independent Third Party Neutral Evaluation Services concerning issues arising between Public Works and Government Services Canada (PWGSC) and various contractors and subcontractors over changes in the work, the value thereof and payment for such changes.
- Design Fee disputes (3) regarding the provision of Additional Services between various Consultants and PWGSC - Claims Evaluation Services regarding the appropriateness and values of such services.
- Replacement of curtain wall façade, Bank of Canada Building, Wellington Street, Ottawa, Canada - **\$15M (CAD)**: Expert Contractual Advocacy Services with regard to the selection of appropriate procurement methods. Preparation of R&D/ Design-Build/Clean and 5 year Maintenance; Prequalification, Bidding, Procurement and Front-End Documentation. Provision of bidding, bid evaluation assistance and support services. Provision of Independent Third Party Payment Evaluation and Certification Services throughout construction.
- Integrated Building Trades College Facility and Light Rapid Transit Terminal, Ottawa, Canada - **\$94.5M (CAD)**: Expert Contractual Advocacy Services with regard to specialized contractual procurement provisions. Preparation of custom Design-Build Procurement and Front-End Documentation. Mid-stream HST conversion Consultation Services. Provision of proposal evaluation assistance and proposal related counselling and support services.
- Preparation of Master Generic International Design-Build and Turnkey Procurement Documentation for a major Federal Government department - Expert Architectural Counselling Services to in-house legal counsel with regard to the evaluation, selection, and customizing of suitable FIDIC contract masters for use on such projects. Preparation of custom Design-Build and Turnkey Prequalification, Procurement and Front-End Documentation, provision of bidding and proposal evaluation assistance and proposal related counselling and support services for a **5M €** project.
- LeBreton Flats Infrastructure and Remediation Project - **\$65.7M**; Champlain Bridge Reconstruction - **\$25.5M (CAD)**: Preparation of custom Procurement and Front-End Documentation for the National Capital Commission (NCC).
- Consolidated headquarters for a Federal Government Department in the National Capital Region - **\$200M (CAD)**: Fairness Monitoring involving the evaluation of 14 individual design-build-turnkey proposals.
- Construction of Condominium Project, Brockville, Canada - **\$6.5M (CAD)**: Expert Witness Services including preparation of Expert Opinions and delivering of Expert Testimony at trial. (*Standard Trust Company v. Metropolitan Trust Company of Canada 2007 ONCA 897 Docket C44876*).
- Bidding dispute - Expert Witness Services including the preparation of an expert report and opinion relating to a question of 'privilege'. (*Ed. Brunet and associates Inc. v. 154469 Ontario Inc., 2002 CanLII 28959 (ON S.C.)*)
- Breach of Contract dispute - Expert Witness Services including preparation of expert report and delivery of expert testimony at trial. (*Edward J. Cuhaci and Associates Architects v. Rochester Holdings Ltd*)
- Construction of Recreation Centre, Northern Ontario, Canada - **\$12.5M (CAD)**: Expert Witness Services with regard to issues arising out of disputes between the contractor, consultant, and the owner over alleged deficiencies.
- HMCS Cabot Armory, Department of National Defence, St. John's, Newfoundland, Canada - **\$6.4M (CAD)**: Bidding dispute relating to Design-Build bidding documents - Expert Witness Services through outside counsel.
- Resort Hotel, Victoria, British Columbia, Canada, contract dispute between developer and construction manager regarding cost-plus 'own forces' work - Expert Witness Services through counsel.
- Rideau Canal Retaining Wall Restoration Project, Parks Canada, Ottawa, Canada, bidding dispute - Expert Witness services for PWGSC through the Canadian Department of Justice.
- Condominium Project, Toronto, Canada - **\$10.5M (CAD)**: dispute between owner and contractor with regard to the interpretation of a Cost-Plus Contract with Guaranteed Maximum Price and Incentives - Expert Witness Services through counsel.
- Various Slip and Fall and Personal Injury Cases, Ontario, Canada - Conducting investigations, preparation of Expert Opinions, provision of Expert Architectural Counsel, provision of expert testimony at various trials.
- Arbitration of issues arising under the *Ontario New Home Warranties Plan Act* following the TARION Builder Arbitration Forum Procedural Rules, City of Ottawa, Canada.
- Mediation of issues arising from a dispute between 10 sub-contractors, the general contractor, the architect and its sub-consultants, and a local school board, Hawkesbury, Ontario, Canada.
- University Residence project, Ottawa, Canada - **\$6M (CAD)**: Mediation between an architect and a university with regard to the degree of, and payment for, services rendered by the architect.
- Kanata North Technology Park, Ottawa, Canada - **\$22M (CAD)**: Three hi-tech office/production facilities employing the Design-Build Method - Independent Third-Party Peer Review, Compliance Verification, Progress and Payment Evaluation, and Certification Analysis Services for Bentall LP and Royal Trust Realty.