

Paul Brennan

Special Counsel

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Summary

Paul is a strategic and results-orientated practitioner with more than 20 years professional experience in construction and infrastructure projects across Australia and the UK.

He has a track record of success in developing and implementing contracting strategies and contract administration, participating in detailed claims negotiations and preparing for expert determinations, mediations, arbitrations and Supreme Court proceedings.



Qualifications

- » Admitted England & Wales 2004
- » Admitted New South Wales 2007
- » Admitted High Court 2009
- » Master of Science in Construction Law & Arbitration (Leeds Beckett University)
- » Postgraduate Diploma in Legal Practice, (College of Law, York)
- » Postgraduate Diploma in Law (College of Law, York)
- » Bachelor of Science in Construction Management (Nottingham Trent University)



Expertise

- » Contract drafting and negotiation
- » Contract administration, including claims and modifications
- » Preparation of legal documents
- » Dispute management and avoidance
- » In-depth knowledge of PPP contracts
- » Excellent communicator and stakeholder manager



Experience

- » **2020– Current**
Construction Legal (Special Counsel)
- » **Feb 2015 – 2020**
Maple & Co, Sydney (Partner)
- » **Apr 2014 – Feb 2015**
Swaab Attorneys, Sydney (Partner)
- » **May 2011 – Apr 2014**
Parsons Brinckerhoff, (Senior Legal Counsel)
- » **Nov 2008 – May 2011**
Corrs, Sydney (Senior Associate)
- » **May 2005 – Oct 2008**
Herbert Smith Freehills, Sydney (Solicitor)
- » **Sep 2002 – Apr 2005**
Clyde & Co, London (Graduate & Solicitor)



Highlights

Sydney Light Rail PPP, NSW (\$3 billion): Paul was responsible for the assessment and determination of over 2500 claims, including utility works claims and extension of time claims, together with preparing material for the purposes of executive negotiation, expert determination and arbitration.

Canberra Light Rail PPP, ACT (\$1.2 billion): Paul acted was responsible for day to day management of the Project Agreement, including responsibility for risk and change, responsibility for administering third party agreement and reporting directly to the Project Director on all contractual matters.

Sydney Trains Master Services Agreement, NSW (\$50 million): Paul advised on potential risks arising out of a tender services agreement and a services agreement for the appointment of a design engineer.

Perth Children's Hospital, WA (\$1.1 billion): Paul provided commercial and contract advice on variation and extension of time claims (both upstream and downstream), advised on strategic plans and prepared incentive proposals for completion of the works.

QGC, QLD (\$1.6 billion): Paul provided services in assessing and managing multi-million dollar arbitration claims made by a design and construct contractor for variations and extensions of time.

QCLNG, QLD (\$500,000): Paul advised a subcontractor on its entitlements and assisted with the presentation and negotiation of claims.

QCLNG, QLD (\$275,000): Paul negotiated and settled payment claims made by a design and engineering consultant against a design and construct contractor.

East West Link, Vic (\$6 billion): Paul reviewed, negotiated, amended and settled a services agreement between the head contractor and the design and engineering consultant together with negotiating and drafting a 'back-to-back' services agreement with a subconsultant.

Lane Cove Tunnel PPP, NSW (\$1.1 billion): Paul advised and managed claims arising out of the collapse of an intersection during the construction of the Lane Cove Tunnel, as well as patronage forecasting.

BrisConnect PPP, QLD (\$4.2 billion): Paul advised and managed claims arising out of patronage forecasting for the BrisConnect Tunnel.

Epping to Chatswood Rail Link, NSW (\$1.2 billion): Paul provided commercial support and advice in respect of claims for defective design and defective construction regarding a cut and cover tunnel.

Seaford Rail Extension, SA (\$300 million): Paul provided commercial support and advised on entitlements to final payment claims and potential issues arising from alleged set-off claims, prepared and negotiated settlement deeds.