

# JOHN WONG WENG LONG



## DIRECTOR

**Qualifications:**

Degree in Quantity Surveying (BSc - Hons)

Degree in Law (LLB - Hons)

Certificate in Adjudication – Kuala Lumpur Regional Centre for Arbitration

Diploma in International Arbitration

**Memberships and Associations:**

Fellow of the Chartered Institute of Arbitrator (FCIArb)

Fellow of the Malaysian Society of Adjudicators (FMSAdj)

Registered Quantity Surveyor with the Board of Quantity Surveyors Malaysia (Reg. QS)

Member of the Royal Institution of Surveyors Malaysia (MRISM)

**Geographical Experience:**

Asia Pacific, Mexico, Algeria & Middle East

**Home Office:** Malaysia

**Email:** john.wong@charltonmartin.com

## Summary

John is a Director of Charlton Martin Consultants Sdn Bhd. John holds dual qualifications in quantity surveying and law, is a Fellow of the Chartered Institute of Arbitrators, a Fellow of the Malaysian Society of Adjudicator, a Certified Adjudicator under KLRCA, a Registered Quantity Surveyor with the Board of Quantity Surveyors Malaysia and a Member of The Royal Institution of Surveyors Malaysia. John is a Panel Arbitrator and Adjudicator with KLRCA and has acted as an adjudicator and an arbitrator in proceedings. John has over 22 years of experience in quantity surveying and construction contracts consultancy including providing contractual advice; contract management and administration; preparing as well as assessing loss and expense claims and extension of time claims; and giving claims support in arbitrations/adjudications and acting as an expert witness in arbitration and court proceedings. John represents parties in adjudications and mediates settlement of disputes between parties. John is an articulate speaker in construction claims in Malaysia. Apart from Malaysia, John has experience in preparing construction claims for projects in Brunei, Singapore, Indonesia, Thailand, Philippines, Shanghai, Mexico, Algeria and the Middle East.

## Sector Experience (Detailed Sector Sheets Available Upon Request)

- Oil & Gas
- Commercial and Residential
- Utilities
- Infrastructure
- Power
- Transportation

## Employment

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<b>2013</b>	<b>Charlton Martin Consultants Sdn Bhd</b> Director
<b>2008 - 2013</b>	<b>Charlton Martin Consultants Sdn Bhd</b> Associate Director
<b>2007</b>	<b>James R Knowles (Malaysia) Sdn Bhd</b> Associate Director
<b>2006 - 2007</b>	<b>James R Knowles (Malaysia) Sdn Bhd</b> Senior Consultant
<b>1999 - 2005</b>	<b>James R Knowles (Malaysia) Sdn Bhd</b> Consultant
<b>1996 - 1999</b>	<b>David Langdon &amp; Seah Malaysia</b> Project Executive

## Arbitration Experience

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### As Expert Witness Quantum/Delay

\* Testified in court/arbitration proceedings

Year	2007
Project	Construction of 1 block apartments, Kuala Lumpur
Client	Developer
Other Party	Contractor
Role	Quantum Expert Witness*
Arb. Rules	PAM Arbitration Rules
Dispute Amount	RM5m
Dispute	Wrongful Termination

Year	2012
Project	Construction and Completion of Courtyard Terraces and Apartments and Swimming Pool, Kuala Lumpur
Client	Developer
Other Party	Contractor
Role	Delay and Quantum Expert Witness*
Dispute Amount	RM3m
Dispute	Delay (EOT) and Liquidated Damages (LADs)

## Arbitration Experience (Cont'd)

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### As Expert Witness (Cont'd)

#### Quantum/Delay

\* Testified in court/arbitration proceedings

Year	2012
Project	Proposed Construction and Completion of 58 units Bungalow, Mukim Damansara Selangor
Client	Developer
Other Party	Contractor
Role	Delay and Quantum Expert Witness*
Arb. Rules	Court Proceeding
Dispute Amount	RM16m
Dispute	Wrongful Termination, Delay (EOT), Defect, Rectification, Loss & Expense and Liquidated Damages (LADs)
Year	2015
Project	Construction and Completion of a bungalow in Shah Alam Selangor
Client	Respondent Employer (Malaysian)
Other Party	Claimant Purchaser (Malaysian)
Role	Quantum Expert Witness*
Dispute Amount	RM1.5m
Dispute	Defect Rectification Costs
Year	2015
Project	Construction and Completion of a "loji sterilisasi" factory at Bandar Baru Salak Tinggi
Client	Respondent Employer (Malaysian)
Other Party	Claimant Contractor (Malaysian)
Role	Quantum Expert Witness
Arb. Rules	Court Proceeding
Dispute Amount	RM 6m
Dispute	Variation, Defects, LAD and Final Account
Year	2015
Project	EPCC of an oil tank terminal at Tanjung Langsat Port, Johor
Client	Claimant Employer (Malaysian)
Other Party	Respondent Contractor (Malaysian)
Role	Quantum Expert Witness
Arb. Rules	Arbitration Act 2005
Dispute Amount	RM 1.09 billion and USD 140m
Dispute	Defects and Consequential Loss of Profit
Year	2016
Project	Proposed Design and Construction of 2 blocks Office Towers comprising of Basement and Lower Ground Car parks, Putrajaya
Client	Contractor
Other Party	Developer
Role	Delay and Quantum Expert Witness*
Arb. Rules	Arbitration Act 2005
Dispute Amount	RM1.5M
Dispute	Delay (EOT), Delay Damages and Loss and Expense

## Arbitration Experience (Cont'd)

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### As Expert Witness (Cont'd)

#### Quantum/Delay

\* Testified in court/arbitration proceedings

Year	2015
Project	EPCC of Fertilizer Plant, Bontang, Indonesia
Client	Claimant Contractor (Japanese)
Other Party	Respondent Owner (Indonesian)
Role	Delay and Quantum Expert Witness
Arb. Rules	BANI Arbitration
Dispute Amount	USD 10m
Dispute	Delay, Loss and Expense and Acceleration Costs
Year	2016
Project	Construction and Completion of 3 blocks of 10 storey apartments with club house facilities, Bukit Tunku, Kuala Lumpur.
Client	Claimant Contractor (Malaysian)
Other Party	Respondent Owner (Malaysian)
Role	Delay Expert Witness
Arb. Rules	PAM Arbitration Rules
Dispute Amount	RM5m
Dispute	Delay (EOT)
Year	2017
Project	Resort, Nusajaya Johor Bahru Project
Client	Claimant Contractor (Malaysian)
Other Party	Respondent Owner (Malaysian)
Role	Delay and Quantum Expert Witness
Arb. Rules	PAM Arbitration Rules
Dispute Amount	RM132m
Dispute	Variations, EOTs, LADs, Loss & Expense, Wrongful Termination, Value of Work Done
Year	2017
Project	51 units Double Storey Shop Offices, Nusajaya Johor Bahru Project
Client	Claimant Owner (Malaysian)
Other Party	Respondent Piling Contractor (Malaysian)
Role	Quantum Expert Witness
Arb. Rules	Arbitration Act 2005
Dispute Amount	RM100,000
Dispute	LADs
Year	2017
Project	Pedestrian Bridge, Jalan Bangsar, Kuala Lumpur
Client	Claimant Owner (Malaysian)
Other Party	Respondent Contractor (Malaysian)
Role	Delay and Quantum Expert Witness
Dispute Amount	RM1m
Dispute	EOTs, LADs, Loss & Expense

## Arbitration Experience (Cont'd)

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### As Expert Witness (Cont'd)

#### Quantum/Delay

\* Testified in court/arbitration proceedings

Year 2017  
 Project Airport Academy, Sepang  
 Client Respondent Owner (Malaysian)  
 Other Party Claimant Contractor (Malaysian)  
 Role Quantum Expert Witness  
 Dispute Amount RM9.2m  
 Dispute Valuation of Work done

Year 2017  
 Project 132 units of 3 and 4 storey shop offices, Bandar Nusajaya, Johor  
 Client Claimant Contractor (Malaysian)  
 Other Party Respondent Owner (Malaysian)  
 Role Delay Expert Witness  
 Dispute Amount RM9.2m  
 Dispute EOTs, LADs

Year 2018  
 Project 32 storey commercial building with 2 blocks of 25 storey service apartments, Jalan Inderaputra, Johor Bahru, Johor  
 Client Claimant Contractor (Chinese)  
 Other Party Respondent Owner (Malaysian)  
 Role Delay Expert Witness  
 Dispute Amount RM24m  
 Dispute EOTs, LADs

### As Technical Assistant to Counsel

Year 1999  
 Project Sewerage Pipe laying for township  
 Client Claimant Contractor (Malaysian)  
 Other Party Employer (Local Authority)  
 Role Claims assistant to Counsel  
 Arb. Rules Malaysian Arbitration Act 1952  
 Dispute Amount RM7m  
 Dispute Variations; EOTs; LADs; Loss & Expense

Year 2000  
 Project Road and Drainage Works  
 Client Claimant Contractor (Malaysian)  
 Other Party Employer (Malaysian)  
 Role Claims assistant to Counsel  
 Arb. Rules Institution of Engineers Malaysia Rules for Arbitration (IEM Rules)  
 Dispute Amount RM1m  
 Dispute Loss & Expense, E.O.T., Variation, under-certification

## Arbitration Experience (Cont'd)

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### As Technical Assistant to Counsel (Cont'd)

Year 2000  
 Project Factory  
 Client Respondent Employer (German)  
 Other Party Contractor (Malaysian)  
 Role Claims assistant to Counsel  
 Arb. Rules Kuala Lumpur Regional Centre for Arbitration Rules  
 Dispute Amount RM12m  
 Dispute Payment; Variations; EOTs; LADs; wrongful termination; Loss & Expense

Year 2001  
 Project Sale and Purchase of a commercial development  
 Client Claimant Purchaser (Malaysian)  
 Other Party Vendor (Malaysian)  
 Role Claims assistant to Counsel  
 Arb. Rules Kuala Lumpur Regional Centre for Arbitration Rules  
 Dispute Amount RM12.5m  
 Dispute Termination; damages arising from wrongful termination; LADs

### As Claims Assistant to Counsel

Year 2006  
 Project Hotel Project  
 Client Respondent Contractor (Malaysian)  
 Other Party Sub-Contractor (Malaysian)  
 Role Claims assistant to Counsel  
 Arb. Rules Malaysian Arbitration Act 1952  
 Dispute Amount RM0.7m  
 Dispute Variations, under-certification

Year 2007  
 Project Hospital Project  
 Client Respondent Employer (Malaysian)  
 Other Party Contractor (Malaysian)  
 Role Claims assistant to Counsel  
 Arb. Rules Malaysian Arbitration Act 1952  
 Dispute Amount RM14m  
 Dispute Payment; Variations; Damages

Year 2009  
 Project Palm Oil Mill  
 Client Claimant Contractor  
 Other Party Respondent Employer  
 Role Claims assistant to Counsel  
 Arb. Rules Arbitration Act 2005  
 Dispute Amount RM5m  
 Dispute Payment; variations

## Arbitration Experience (Cont'd)

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### As Claims Assistant to Counsel (Cont'd)

Year	2010
Project	Piling Works
Client	Claimant Contractor (German)
Other Party	Employer (Malaysian)
Role	Co-Counsel
Arb. Rules	Malaysian Arbitration Act 2005
Dispute Amount	RM3m
Dispute	Payment; Variations; Liquidated and Ascertained Damages (LAD) and Extension of Time (EOT)

### As Arbitrator

Year	2016
Project	Supply and Installation of Prefabricated Vertical Drains, Port Klang
Claimant	Sub-Contractor (Dutch)
Respondent	Main Contractor (Malaysian)
Arb. Rules / Lex Arbitri	-/ Malaysian Arbitration Act 2005
Dispute Amount	RM2,042,732.35
Dispute	non-payment of the retention sum

## Adjudication Experience

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### As Adjudicator

Year	2015 - 2016
Project	Preliminary and Feasibility Study Design Service rendered to obtain approval for a development in Johor
Claimant	Architect
Respondent	Developer
Dispute Amount	RM130,000.00
Dispute	Claim for work done
Year	2017
Project	Main Building Works for a Housing Project, Mukim Cheras, Daerah Hulu Langat, Selangor
Claimant	Contractor
Respondent	Developer
Dispute Amount	RM2.4 Million
Dispute	Claim for work done
Year	2017
Project	Extension to 11 storey Wholesale Business Centre, Mukim Klang, Selangor
Claimant	Sub-Contractor
Respondent	Contractor
Dispute Amount	RM0.23 Million
Dispute	Claim for work done

## Adjudication Experience (Cont'd)

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### As Party Representative in Adjudication

Year	2015
Project	Construction of 1 ½ storey Rubber Glove Factory, Bandar Baru Salak Tinggi
Client	Respondent
Dispute Amount	RM5,241,731.02
Dispute	Final Account claim for work done
Year	2017
Project	Supply, fabrication and installation of interior Fit-Out Works for 2 Blocks of Apartment (121 unit) at Bukit Damansara, Kuala Lumpur
Client	Claimant
Dispute Amount	RM888,545.56
Dispute	Payment certificate, Liquidated Damages & Back Charges set-off

## Seminar Speaker / Trainer

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CIPAA – Now Everyone Can Get Paid  
 Contract Administration in A Day  
 10 Important Questions Relating to Construction Claims Preparation  
 50 Classic Contractual Problems!  
 50 Common Contractual Problems!  
 50 Malaysian Questions Answered!  
 50 of Your Contractual Problems Answered!  
 52 Contractual Issues Relevant to Malaysia and Their Resolutions  
 100 Contractual Problems and Their Solutions  
 An Evening of Problem Solving on EOT and Loss & Expense Claims  
 Bullet-Proof EOTs  
 Complete Contract Administration  
 Contract Administration In A Day  
 Contract Administration under PAM 2006 Form of Contract  
 Contract Administration under PWD 203A Form of Contract (Revision 2010)  
 Construction Contracts – Essential Knowledge  
 Contractual Language in the Construction Industry  
 Design & Build Contracting  
 Extension of Time Claims with Workshop  
 Hands on EOT and Loss and Expense Claims with Workshop  
 How to Avoid Costly Claims and Disputes – a paper presented at the Royal Institution of Surveyors Malaysia Conference on 23 June 2011  
 Loss & Expense Claims with Workshop



## Seminar Speaker / Trainer (Cont'd)

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Now Everyone Can Get Paid! CIPAA 2012  
PAM 2006 – A Clause By Clause Guide  
PWD 203A Form of Contract (Revision 2007) – A User's Manual  
PWD Design & Build (Revision 2007) – A User's Manual  
Safeguarding Profit Through Better Contract Management  
Securing Extensions of Time  
Successful Loss & Expense Claims  
The FIDIC Conditions of Contract for Construction (All Key Areas Explained)  
Understanding Time under Construction Contracts with Workshop  
Variation Claims with Workshop

## Published Material

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Adjudication Decision: Mission Impossible?  
Technical Criteria of An Adjudicator  
How Avoid to Costly Claims and Disputes  
Standard Forms of Contract  
Caution Called for Letter of Award/Acceptance via Email/Letter  
Construction Dispute Resolution: Litigation or Arbitration?  
Inherent Problems in Design and Build and their Solutions  
Is the CIDB Standard Form of Contract Poised to Dominate the Construction Industry?  
Extension of Time Entitlement in Construction Contracts: Can the Employer Impose Liquidated Damages when the Contractor Fails to Comply with Notice Provisions as a Condition Precedent to Extension of Time?  
To Terminate or Not To Terminate? That is the Question  
Novation Demystified  
Challenges for the Quantity Surveying Profession in the Light of New Developments