



Matthew E. Smith

Partner

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OVERVIEW

Matthew Smith focuses on advising on UK and international transport, energy and infrastructure projects and disputes. He has more than 20 years experience in advising on construction and infrastructure projects and has acted for owners, contractors and consultants on many different disputes utilising many different forms of dispute resolution including litigation, arbitration, adjudication and mediation. He regularly advises on procurement strategy and contractual arrangements for major infrastructure projects, particularly those utilising the New Engineering Contract. He is frequently requested to lecture on the subject and holds one day workshops on the use of the NEC.

He also has extensive experience drafting bespoke contracts for owners, consultants and contractors and amending standard forms of contract, including FIDIC, JCT, ICE, IChemE, LOGIC and AIPN and the RIBA appointments, GC Works and the PSC and ACE conditions, to suit particular projects and negotiating contract terms.

He is described in Chambers as “a very hard-working guy who puts his clients’ interests above all else” with “standout infrastructure experience” and is recommended for his “enthusiasm, attention to detail and plain speaking” (Chambers 2012-2015)

PROFESSIONAL BACKGROUND

Matthew has been a lawyer with the firm since 2000. He qualified as a lawyer in 1995.

ACHIEVEMENTS

- Selected as a London Super Lawyer 2013-2015

PROFESSIONAL / CIVIC ACTIVITIES

- NEC Users Group
- MDBF Corporate Panel Member, Dispute Board Federation. Geneva

- FICACIC (Member)
- Society of Construction Law (Member)
- Technology and Construction Solicitors' Association, (Committee Member)
- Arbitration Club (Executive Committee Member)
- Building Regulations Advisory Committee 2001-2003 advising the Deputy Prime Minister on legal issues relating to Building Regulations
- Qualified Solicitor Advocate (Higher Rights of Audience)

SPEAKING ENGAGEMENTS

- 'EPC Contracts for Major LNG projects' Joint K&L Gates/Marsh Seminar on EPC Contracting in the Oil and Gas industry, Houston, 2 November 2015
- NEC: 'The Need for Change' NEC People Conference 2015
- The NEC3 Suite: Beyond the ECC K&L Gates Seminar 7th October 2015
- International Rail Summit 2015 'Procurement Strategies for Major Rail Projects' Barcelona 28 January 2015
- ISLP Workshop on 'Structuring, Negotiating and Managing LNG Projects' Arusha, United Republic of Tanzania, 13-17 October 2014
- FIDIC International Contract Users Conference 'Construction Claims and Defence Workshop' London, 4 December 2014
- NEC People Conference: 'From Adjudication to Z clauses' 17 June 2014
- Construction Law Masterclass: FIDIC in Qatar 15 May 2014
- NEC LinkedIn Conference 'Raising the bar: awareness of events giving rise to time bars for late notification of compensation events', 25 June 2013
- FIDIC Americas Conference 'Successfully Resolving International Disputes under FIDIC' New York, 4th October 2012;
- 'Construction Risk Management for Major Projects' Joint Marsh/K&L Gates Conference Dubai, 26 September 2012;
- 'Successfully Resolving International Construction Disputes' Arbitration Club, 2 October 2012
- NEC LinkedIn Conference 'When it all goes wrong: A spirit of mutual mistrust and non-cooperation?' 25 June 2012;
- 'NEC: Compensation Events and Programme' Issues K&L Gates client workshop 7 June 2012; 'NEC: Warranties and Defects' K&L Gates client workshop 24 May 2012;

- 'FIDIC Claims: Time Bars and Documentation' FIDIC Regional Conference Warsaw 26-27 April 2012;
- 'Construction Act Amendments: Payment and Adjudication' K&L Gates client workshop 22 September 2011;
- 'Limitations of Liability: Recent Case Law' K&L Gates seminar 29 March 2011;
- 'NEC: Compensation Events and Design Issues' K&L Gates client workshop 22 March 2011;
- C5 2nd Offshore Energy Insurance Forum 'Risk Allocation and Insurance Provisions in Offshore Construction and Drilling/Well Services Contracts' 15-16 June 2011;
- 'Offshore Construction All Risks Insurance: Contractual and Coverage Issues' Joint Indecs/K&L Gates Conference 19 May 2011;
- 'Construction Insurance' K&L Gates seminar 25 May 2010;
- 'NEC Contract Skills: Administration and Management of Compensation Events under the NEC' K&L Gates client workshop 15 September 2010;
- 'NEC Contracts: Commercial Items and Defects' K&L Gates client workshop 1 September 2010;
'Understanding the Balance of Risk under the NEC' K&L Gates Seminar October 2010.

EDUCATION

- LSF, College of Law, London, 1993
- CPE, College of Law, London, 1992
- B.Sc., University of Bristol, 1991 (*Hons*)

ADMISSIONS

- Solicitor of the Senior Courts of England and Wales

THOUGHT LEADERSHIP *POWERED BY HUB*

- 29 July 2020, COVID-19: The New Normal, Social Distancing on Site, and Other Pandemic Problems (*Research Surveys*)
- 6 April 2020, COVID-19: UK Public Sector Construction - Cabinet Office publishes FAQs regarding PPN02/20 (*Alerts/Updates*)
- 18 September 2019, Infrastructure Disputes: What the Future Holds For Us (*Research Surveys*)
- 16 October 2018, Presentation Available: Mega Project Management (*Research Surveys*)
- 5 July 2017, NEC4 - The Next Generation (*Presentations*)
- 3 August 2016, Brexit Q&A Conference Call (3) (*Research Surveys*)

- 1 July 2016, Brexit: Construction & Engineering (*Alerts/Updates*)
- 2 November 2015, EPC Contracting Issues in the Oil & Gas Industry (*Presentations*)
- 7 October 2015, K&L Gates Construction and Engineering Seminar Presentation Slides (*Presentations*)

OTHER PUBLICATIONS

Matthew contributed several chapters to *Construction Insurance and UK Construction Contracts* (Second Edition), published by Informa in September 2008. He has published articles in journals on a range of matters including the NEC, construction insurance and health and safety issues.

NEWS & EVENTS

- 10 July 2020, K&L Gates Energy, Infrastructure and Resources Practice Ranked by The Legal 500 United States 2020 Guide in Eight Categories with 28 Lawyers Recommended (*Rankings & Recognitions*)
- 26 May 2016, K&L Gates, Lawyers Earn Honors in Chambers Global, Regional Guides (*Press Release*)
- 6 May 2015, K&L Gates, Lawyers Recognized as Leaders in Chambers Global Guides (*Press Release*)

AREAS OF FOCUS

- Construction and Infrastructure
- Alternative Dispute Resolution
- Construction and Infrastructure Dispute Resolution
- Insurance Recovery and Counseling
- International Arbitration
- Liquefied Natural Gas
- Oil and Gas