



Sam Thyne

Associate

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Sam has experience advising contractors, subcontractors, developers, government agencies and consultants on a wide range of contentious and non-contentious construction issues. Sam's experience on contentious matters includes assisting on many forms of dispute resolution throughout the life cycle of a construction project, ranging from in-project advice, to disputes relating to historical defective building claims. He also has experience in assisting on non-contentious matters including drafting and negotiating a wide range of construction contracts for a variety of projects.

Sam is a New Zealand qualified solicitor.

Examples of Sam's expertise include:

- advising a major international contractor in an extension of time and payment dispute relating to a 6,000 Mw hydroelectric dam in North Africa, based on an amended FIDIC Contract for EPC/Turnkey Projects Works, 1999 (the Silver Book);
- assisting multiple international contractors demonstrate contractual entitlements in the COVID-19 epidemic, including advising on EPC contracts for major infrastructure projects in the UAE, Bahrain and Singapore;
- assisting an international contractor operating in the United Arab Emirates establish contractual entitlements to payment under a bespoke EPC agreement for an infrastructure project, and develop a strategy for recovery;
- assisting a head contractor defend historic defective building claims in a New Zealand High Court trial;
- assisting the joint venture head contractor of a large infrastructure project bring an adjudication claim relating to extension of time and delay and disruption costs;
- assisting the head contractor of a commercial development defend an adjudication claim brought by a subcontractor which related to entitlement to variations and defective workmanship;
- assisting an engineering and prefabrication contractor defend against claims of defective workmanship in a large multi-party litigation relating to a residential apartment building;
- assisting an Australasian engineering firm defend litigation relating to alleged weathertightness issues in a residential apartment building;
- assisting a New Zealand contractor negotiate an EPC agreement with an international contractor for a renewable energy project;

- assisting a New Zealand contractor, as part of a desktop secondment, by reviewing contracts for prospective projects and working closely with the clients commercial team to prepare tags and clarification requests;
- advising a government department in relation to a memorial project, including drafting and negotiating the architectural services agreement and construction contract;
- assisting a property developer continue an apartment building project in the wake of the insolvency of the head contractor and advising on issues that arose throughout the completion of the project;
- drafting updates to a property developer's standard form construction contracts and assisting the developer negotiate the new terms on upcoming projects.
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Sam's memberships/positions include:

- Member of the Society of Construction Law.