

ENG. ODHIAMBO ALUOCH

*MSc. Construction Law & Dispute Resolution (LBU) UK, BSc Civil Eng. Hons (Uon), CEng, MIEK,
FCI Arb, NEMA EIA/EA Expert, MEIK, Project Manager.*

Civil/Structural Engineer, Arbitrator, Contract Administrator & Environmental Expert.

P.O. Box 9423-00200,
Shankardass Offices Moi Av.
New Wing Office no 302
Nairobi, **KENYA**

Email: eng.aluoch2012@gmail.com
info@fountainhcl.com

Date: 29th May, 2024.

REF: ARB/2024/004

To Chief Executive,
Aluochier Dispute Resolution,
Box 436-40404,
Rongo, KENYA.
Tel: +254 14 712 433

Email: info@aluchier.co.ke

To, Isaac Aluochier

APPOINTMENT AS AN ARBITRATOR:

**CASE NUMBER 002 OF 2024: LEMPAA VINCENT SUYIANKA vs KENYAN LEGISLATORS IN THE
2013-2017 AND 2017-2022 TERMS OF OFFICE:**

Your letter dated 28th May 2024 is well received and content well noted.

As required by the Rules and as requested please find the attached my resume for your perusal.

I confirm that I agree with the rate of fees in accordance with the First Schedule, of the ADR Arbitration Rules, as per rule 8.3.2.

I again declare that there is no circumstances known to me that are likely to give rise to any justifiable doubts as to my impartiality or independence on this matter as per Rule no 8.3.3.

Please proceed and process the appointment letters for our records and the terms of engagement for our signing.

Otherwise thanks once again and I am looking forward.

Yours Sincerely,



Eng. ODHIAMBO Aluoch, CEng, MIEK, FCI Arb.
ARBITRATOR.

CURRICULUM VITAE

FOUNTAINHEAD CONSULTANCY LIMITED



- 1.0 FULL NAME:** Eng. FREDRICK ODHIAMBO ALUOCH
- 2.0 PROFESSION:** CIVIL ENG/ADJUDICATOR/ARBITRATOR
- 3.0 YEARS OF EXPERIENCE:** 16 YEARS
- 4.0 DATE OF BIRTH:** 1980
- 5.0 NATIONALITY:** KENYAN
- 6.0 MARITAL STATUS:** MARRIED
- 7.0 CONTACTS:** P.O. Box 9423 – 00200 Nairobi, Kenya.
- i. Phone: 0720948281 or 0735252390
- ii. Email: engfaday2007@gmail.com or eng.aluoch2012@gmail.com

Membership in Professional Societies (all in good standing):

- i. A Corporate Member of Institution of Engineers of Kenya (MIEK). (M3904)
 - ii. Registered Consulting Engineer, with Engineers Board of Kenya (EBK) (Reg no. E475)
 - iii. A Fellow of the Chartered Institute of Arbitrator – UK (FCIArb 33420)
 - iv. A member of Project Management Institute – USA (ID no 4661877)
 - v. A member of Dispute Review Board Foundation in the category of Emerging Market Licensed Prof and DB Practitioners.
 - vi. Member of Africa Association of Arbitrators (AfAA)
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Key Qualifications:

MSc. Structural Engineering – University of Nairobi (Ongoing)

MSc. Construction Law and Dispute Resolution – Leeds Beckett University UK

BSc Civil Engineering (Hons.) – University of Nairobi

Postgraduate Diploma in Project Management from Kenya Institute of Management

Career aspiration:

Respect for integrity of humanity and the society, utilizing and sharing of my knowledge for a better world for all.

Education:

July 2020 – June 2022;	Leeds Beckett University (MSc. Construction law & Dispute Resolution.)
Sept 2020 – To date;	University of Nairobi (MSc. Structural Engineering – thesis)
Oct 2002 – Sept 2007:	University of Nairobi (Bsc. Civil Eng.).
Jan 2009- Dec 2010:	Kenya Institute of Management (Dip. Project Management)
Jan 1997- Nov2000:	Boro Secondary School (KCSE mean grade of B+)

Employment Record:

Date	Organization/Projects worked on	Responsibility in the Assignment.	Location of Assignments
February 2015 to date	Fountainhead Consultancy Limited	Management Partner	Africa
Oct 2020 – To date	SMEC International Pty Ltd. P.O. Box 14094-00800, Nairobi, KENYA . Email: Collins.Maina@smec.com	Contract Specialist	Africa
May 2013 – To date	Kenya Tea Development Agency Ltd, (KTDA) Box 30213-00100, Nairobi Email: info@ktdatea.com	Project Engineer	Kenya
June 2011 – April 2013	Mombasa Water Supply & Sanitation Company Box 1100 – 80100, Mombasa. Email: info@mombasawater.co.ke	Civil Engineer and Project Manager	Kenya
July 2010 – May 2011	Government of Kenya (Ministry of Public Works)	Engineer II Structural	Kenya
August 2007 – June 2010	Zamconsult Consulting Engineers	Assistant Civil Engineer	East Africa

ADR/Arbitration Disputes handled as a Sole Arbitrator/Dispute Board/Adjudicator/Expert Witness:

Disputes	Parties	Projects
1	Mwangi Land Service vs Rural Electrification Authority (REA) – 2014/2016	
2	Legend Construction Co Ltd vs Kenya National Highways Authority (KENHA) -2017/2018	Routine Maintenance of Lolgorian-Kehancha Road (C13) Of Contract No. Kehancha/Rd/1279/2013, case closed
3	Janet Karani Vs PATH & Another	Employment contracts and unfair termination of the employee, case closed
4	Saroj – Lila Plantations Ltd vs Japheth Kirwa	Construction Of An Earth Dam On Land Parcel No 687 & 691, Kiseuni Adjudication Section Lower Yatta Sub County - Kitui County, case closed
5	Westbuild General Contractors Ltd vs Ministry of Transport & infrastructure for Lot 1	Lot 1 Kyeni – Kathanjire – Karurumo road and 11km, case closed.
6	Westbuild General Contractors Ltd vs Ministry of Transport & infrastructure Lot 2	Lot 2 Chuka – Kaanwa – Karen Road 30km, case closed.
7	Zhongmei Engineering Group Ltd vs Athi Water Services Board	Lot 1 Construction of the Eastern Transmission (Kiambu Embakasi) Pipeline.
8	Steg Consultant	Expert report preparation on different projects for the purpose of dispute determination. Expert witness on various construction project disputes being handled by the company.
9	Njuca Consolidate Co Ltd	Contract specialist: Kenya Towns Sustainable Water Supply & Sanitation Program (KTSWSSP) Construction of Changanwe Re-pooling Sewer Network, case closed.
10	Yaaqovs Acquifers Ltd vs Champion Engineering Co Ltd	Dispute resolution over the construction of elevated steel water tank including installation of the solar power panels for the purpose of water distribution and irrigation. Final Award pending payments.

11	Joakim Njunguna/ Alice Waceke vs Maisha Mazuri Ltd	Dispute over the sale agreement for a parcel of land within the Nairobi metropolitan. Final Award ready awaiting payment of the arbitral fee.
12	Avvy Group (Training Institution)	Offering training to various groups especially in the technical field (Engineering field) on Dispute, Conflict, claims management and ADR Mechanism in project and in Construction Industry on going.
13	Manu Holdings Limited vs Abdulahi Abdilatif/ Abdulahi Sharif Abdiwahab	Dispute arose over a Joint Venture Agreement for the Construction of Apartment On L.R No 209/8546.
14	Nyoro Construction Company vs Ps State Department Ministry of Transport Infrastructure, Housing and Urban Development and Public Works	Dispute arose over the construction of selected roads within Gikomba are in Nairobi County. Final Award picked by the parties, case closed.
15	DAB on the matter Karen Infrastructure Developers and Ps State Department Ministry of Transport Infrastructure, Housing and Urban Development and Public Works	
16	Henpoint Kenya Limited vs Rooking Kenya Limited in Mombasa	Breach of contract of the construction of drainage system and other related civil works within the county of Mombasa
17	Wotech Kenya Limited Vs the Judiciary of Kenya	Dispute arose in the construction for the drilling and equipping of boreholes in different law courts in Kenya.
18	Unispan Limited vs Kenya Utalii College	Construction and refurbishment of the hotel rooms in Utalii College in Nairobi.
19	Ongata Works limited vs Kenya Airports Authority (KAA)	

Notable assignments in the field of Civil & Structural Engineering and Project Management:

Name of Project	Degree of responsibility	Period undertaken		Location
		Start date	Completion date	
Kingdom Precast	Consultancy Services: materials quality control, analysis and interpretation of the laboratory test result for aggregate, concrete and finished product in conformity with the set standards. Advising the client on all matters pertaining to the quality control of the production process of the wall panels and other associated materials by the Client. Liason with the testing laboratory and the client to ensure that the materials sample are picked as agreed and tested and the result remitted as expected to ensure acceptance of the product in the market.	April 2023	On-going	Kenya
Kayanza Tea Factory - Burundi	Consultancy Services: preparation of the detailed civil and structural Engineering designs including project supervision of proposed tea factory. Project management, coordination of other consultants and contract administration. Working as the Lead Consultant. Preparation of the payment certificates, project control and directing the delivery of other services. In charge of project documentation and communication management within the project. Evaluation of the claims, extension of time and delay analysis of the project, including advising the client on contractual obligations.	Dec 2021	On-going	Burundi

SMEC Consultants	<p>Consultancy Services for Comparison of Water Supply options, Preparation of Detailed Designs, Tender Documents, Environmental and Social Impact Assessment and Resettlement Action Plan; and Supervision of Construction Works for Wajir Long-term Water Supply.</p> <p>Specific Assignment: tender documents preparation and involvement in tendering process and award of contracts. Preparation of contracts and eventual implementation including claims, conflicts and dispute management. Working as the Contract Specialist.</p> <p>Leading negotiation of high value contract before contract signing and project implementation in cross border projects.</p>	2020	ongoing	Eastern Africa
Residential, apartments and commercial Building	<p>Geotechnical profiling, analysis and processing for the purpose of foundation sizing and overall design of the building.</p> <p>Preliminary and detailed design of the structures and to ensure compliance to all statutory regulations.</p> <p>Project supervision, management of project quality, time and risk and to ensure that the project is implemented within budget.</p> <p>Scope management and to ensure that the objective of the investment is met.</p> <p>Lais with other consultants, through communication collaboration to enhance smooth flow of the information to avoid conflicts and disputes within the project.</p> <p>Work as principal advisor of the client on matters of the structure and project quality.</p>			

KTDA – Managed Tea Factories	<p>Feasibility study for new factories and need for expansions data processing for the purpose of decision making by the Directors.</p> <p>Carryout preliminary designs for the purpose of project costing and approvals by the relevant authorities including NEMA.</p> <p>Detailed design of the facilities ensures statutory compliances and approval, Supervision of the construction work to ensure that the project is implemented as design as per the quality specified and within time. Carryout project risk assessment, propose and implement risk mitigation measures to avert losses and damages within the project. Project management and contract Administration of factory properties and other infrastructures.</p> <p>Assists in tender document preparation, claims assessment and evaluation of the extension of time, cause, effect and entitlement analysis for consideration and dispute management.</p>	2013	On-going	Western Part of Kenya.
Design of water Distribution pipelines projects funded by water trust fund	<p>Data collection to assess water and sanitation need for the community to justify the need for the services.</p> <p>Carryout preliminary and detailed design of water pipelines and supervision of construction of the system including preparation of the tender document to assist in selection/nomination of a suitable contractor for the implementation of the project.</p> <p>Supervision of water and sanitation projects within the coastal region</p>	2011	2013	Coast Province

Upgrading of Gatundu District Hospital	Structural Design, drafting of the structural components of the facility and Reinforcement Detailing and supervision of the construction project to ensure compliance with the design, quality and within time.	Nov 2010	Jan 2011	Central Province
Community Water Project Quality Control	Community water Project performance assessment and reporting on their performance and sustainability	April 2010	July 2010	Nyanza Province, Kenya
Long Term Intervention on Water and Sanitation in Bondo Town	Data collection and analysis for the purpose of water and sanitation facility designs. Design of Water Treatment works, Distribution network, preparation of the bidding/tender document including management of other consultants.	November 2009	April 2010	Nyanza Province, Kenya
Long Term Intervention on Water and Sanitation in Kisii Town	Data collection, Design of sewerage system and water Distribution network and preparation of the tender document.	November 2009	April 2010	Nyanza Province, Kenya
Kenya Power and Lighting Company	Civil work supervision for the construction of the pad foundation for the distribution towers, Contract management, Civil work quantities measurement for payment and project appraisal	May 2008	Feb 2009	Coast Province, Kenya.
Safaricom Towers for Votex and Comtec companies	Geotechnical Investigation to establish soil bearing pressure and Reporting for tower foundation designs	Feb 2009	June 2009	Kenya

Sameer Africa Building along Mombasa road	Preliminary and detailed Structural Design of the building and Reinforcement Detailing including production of construction drawings for the purpose of project implementation and project costing.	Nov. 2007	April 2008	Nairobi, Kenya
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Articles Published in International Journals:

1. *Claims, Conflict and Disputes in the Construction Industry, where is the Engineer?* Published by Chartered Institute of Arbitrators Alternative Dispute Resolution Journal Vol 8(2) of 2020.
 2. Alternative/Appropriate Dispute Resolution & Arbitration (ADR), Construction Industry which is the way to go, Published in THE ACEK NEWSLETTER ISSUE 06 | **JULY 2021**
 3. Mediation as an Alternative Dispute Resolution (ADR) Mechanism for Construction disputes in Kenya, Published by Chartered Institute of Arbitrators Alternative Dispute Resolution Journal Vol 12(1) of 2023.
 4. Alternative Dispute Resolution (ADR) Mechanism for Engineering Contracts, Opportunities and Challenges for Engineers, Published by Chartered Institute of Arbitrators Alternative Dispute Resolution Journal Vol 12(1) of 2023.
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Languages:

LANGUAGE	PROFICIENCY:		
	Speaking	Reading	Writing.
English	Excellent	Excellent	Excellent
Kiswahili	Excellent	Good	Good

Conferences and Seminar Attended:

1. Presented a paper at the 30th IEK Convention held in Pride inn Hotel in Mombasa from 14th to 17th November, 2023. The title of the papers; *Alternative Dispute Resolution (ADR) Mechanism for Engineering Contracts, Opportunities and Challenges for Engineers*
2. The 28th IEK Annual International Conference at the Pride Inn Paradise Mombasa from 9th November to 12 November, 2021: Theme: *Engineers Accelerating Sustainable Economic Recovery.*
3. The 2nd NCIA International Arbitration & ADR Conference between 4th – 6th March, 2020 Pride Inn Paradise, Mombasa Kenya. *Theme: Tracking Africa's Arbitration and Alternative Dispute Resolution Mechanism: it's business unusual.*
4. The 7th Annual East Africa International Arbitration Conference (EAIAC) 2019 held on 29th & 30th August 2019 at Hotel Radisson blue in Nairobi KENYA.
5. African Arbitration Association: 1st International Arbitration conference held in Kigali Convention Centre in Rwanda held on 3rd to 4th April 2019. *Theme: The coming of age of International Arbitration in Africa.*
6. Chartered Institute of Arbitrators (Kenya Branch) International Conference 2018 held on 8-9th November 2018: At the Leisure Lodge Hotel, Diani- Mombasa. *Theme: ADR Trends in A Dynamic Legal Environment*
7. The 6th Annual East Africa International Arbitration Conference (EAIAC) 2018 held on 30th & 31st August 2018 at ADDIS ABABA, ETHIOPIA

Other Trainings Attended:

-  Enterprise Risk managements training from 18th to 22nd March 2019 at Hilton Hotel organised by KPMG.
 -  International Course on the practical use of the 1999 FIDIC Condition of Contracts organized by FIDIC and ACEK on 26th and 27th June 2017 in Nairobi.
 -  NEMA approved course on Environmental Impact Assessment/Audit at Africa Nazarene University June/July 2014.
 -  Trained on Arbitration and ADR organized by the Chartered Institute of Arbitrators – Kenya Branch – Heading to Module 3.
 -  Attended a training of **FIDIC conditions of contract** organized by the Chartered Institute of Arbitrators at Nairobi Club on 29th and 30th November 2012.
 -  Seminar on **Project Monitoring and Evaluation with MS Project** at Desmond Tutu Conference hall in Nairobi facilitate by the Kenya Institute of Project Management in July 2012
 -  **Contract Management** Training seminar organized by the Institution of Engineers of Kenya at Multi-Media University Mbagathi Nairobi in October 2011.
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Leadership/Board appointments and Other Responsibilities

1. Chairman/Member of Ad Hoc committees constituted by the Board of Engineers of Kenya (EBK) through the Registrar/CEO under the Engineers Act 2011 to investigate the role of the Engineers in the causes of the collapse of buildings in Kenya.
2. A member of Alternative Dispute Resolution (ADR) Committee of Institution of Engineers of Kenya (IEK) for the year 2022/2024.
3. A Member of the Board of Directors of Chartered Institute of Arbitrators (K) (2021/2023), a premier institution for dispute resolution.
4. A member of the Professional Integrity and Ethics Committee (PIEC) at the Association of Professional Societies of East Africa (APSEA). (2019 to 2023)
5. A member of Journal Editorial Board at the Nairobi Centre for International Arbitration (NCIA) (2019 – to date)
6. A member of the Board of Directors of Chai SACCO (Chairman – Supervisory Committee) - a deposit taking Cooperate Society regulated by SASRA (2020 – to date)

7. A member of the Board of Directors: **Salifo International Company LTD** an Engineering and Project Management Consulting firm based in Nairobi, Kenya. (2012)
 8. **Feb 2006-March 2007: Main Campus Christian Union in the University of Nairobi** served in the Executive Committee in-charge of the finances and resources: Responsible for preparation of long term and short-term budgets for the Christian Union. (2006/7)
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Other Relevant skills:

1. Excellent Report writing & presentation skills
 2. Project proposal writing, valuation and project financial appraisal
 3. Analytical & good communication skills
 4. Computer literate trained and experienced in the use of MS office 2007 software.
 5. Experienced on AutoCAD 2014, Ms Project, Prokon, Civil 3D and other design software.
 6. Team player with leadership skills interpersonal skills and public relation,
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Referees:

1. Chebet Koskei
The CEO, Chartered Institute of Arbitrators (Kenya)
Flamingo Towers, Mara Road
P.O Box 50163-00200, Nairobi
Mobile 0734-652205 or 0722-561755
Email: ceo@ciarbkenya.org

2. Eng (Dr.) S. Mumanya
Senior Lecturer at the University of Nairobi
P.O. Box....
Phone. +254722 705191
Email: wsiphila@gmail.com

3. Eng. Muchemi Kariuki
P. O. Box
NAIROBI, KENYA
Cell: +254 722511359
Email: muchemi@iel.co.ke

Certification:

I certify that, first to the best of my knowledge and belief, this CV correctly describes me, my qualifications, and my experience; second that I am available for the assignment for which I am proposed; and I understand that any wilful misstatement described herein may lead to disqualification, challenged or dismissal, if engaged.

Date: 23 April 2024

[Signature]:  _____

Full name : Eng. Fredrick Odhiambo Aluoch *CE, MIEK, FCI Arb.*
