

## **Victorian Building Authority Curriculum Vitae – Richard Hapgood**

*“a qualified civil engineer and construction lawyer experienced in all facets of building construction and maintenance, facilities management, commercial negotiation, construction law, contracts and litigation including adjudication”*

### **Adjudicator, Rialto Adjudications Principal Construction Lawyer, Hapgood Legal**

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#### **Technical and Professional Training and Qualifications**

Apprentice electrician (**Wollongong Tafe College**)- I still hold an electrical licence.

Bachelor of Engineering (**The University of Wollongong**) 1978.

Graduate of Officer Training with Royal Australian Army as Lieutenant

- posted to **Royal Australian Engineers**

Graduate Diploma in Structural Engineering (**Monash University**) 1991

MBA (**Association of Professional Engineers, Scientists and Managers, Australia**) 1997

- studied through **Deakin University**

Bachelor of Laws (**La Trobe University**) 2008

- studied law fulltime while working fulltime

Graduate Diploma of Legal Practice (**College of Law**) 2008

#### **Member**

Law Institute of Victoria

Building Dispute Practitioner Society

Society of Construction Law Australia

## **Legal Work History**

### ***Principal Lawyer – Hapgood Legal***

October 2013 to present

Sole practitioner and construction lawyer in a commercial and construction boutique law firm.

### ***Lawyer - Moores Legal***

May 2011 to October 2013

Pilley McKellar merged into Moores Legal in May 2011

Specialising in constructions law front and back end work, predominantly in litigation.

### ***Lawyer - Pilley McKellar***

October 2009 to April 2011

Specialising in constructions law front and back end work, predominantly in litigation.

### ***Lawyer - Brennan Georgio Eaton***

June 2008 to September 2009

Specialising in commercial transactional and litigation.

### ***College of Law student for Graduate Diploma of Legal Practice***

January 2008 to June 2008

Prescribed legal training including work experience with John McMullen Lawyers

## **Technical and Engineering Work History**

### ***Project Manager and Director***

#### ***Longboard International Pty Ltd and Adbooth Pty Ltd***

March 2006 to June 2008

Roll out the manufacturing and infrastructure requirements for advertising panels attached to public telephones across Australia and commence the maintenance business to support them.

- Established a network of companies capable of installing infrastructure without reliance on Telstra contractors.
- Established a maintenance and operations business (Longboard International Pty Ltd) to deliver installed and advertising targets on time and on budget.
- Approved all production and supplier designs in accordance with Telstra standards.

### ***Business Development Manager***

#### ***Urban Maintenance Systems Pty Ltd***

July 2003 to March 2006

Business development outside traditional local government markets where UMS expertise and business is concentrated.

- Won a major \$10M 3 year facilities management and essential service compliance contract with the Victorian Department of Justice for nine public prisons including high security facilities and 60 magistrates courts across Victoria.
- Completed all business planning for new joint venture start up business Adbooth Pty Ltd.

- Won a ten year \$80M contract with Telstra for Adbooth and \$11M subcontracts for UMS.
- Commenced facilities maintenance contract for Victorian nursing home group.
- Successfully negotiated a national call centre maintenance service with a private retail group with 80 outlets.
- Successful in a five year maintenance agreement with the multi-site Kangan Batman TAFE College in Melbourne.

### ***Managing Director***

#### ***Hapgood Holdings Pty Ltd***

July 2001 to June 2003

General management of a consulting operation specializing in business, facilities management and consulting in tender services and resource planning.

- Consulting to Transfield Services for:
  - Western Australian business development in the power and minerals industries
  - Tendering for the Woodside 4<sup>th</sup> Train construction project at Karatha (\$60M)
  - Developing business plan for strategic facility management opportunities
  - Reviewing Call Centre rationalisation potential within Transfield
  - Identifying Ansett fallout opportunities with different bid teams
- Consulting to Integrated Defence Logistics
  - Project Managing Leighton Contractors in delivery of property rationalisation program for Department of Defence submission on national warehousing
  - Preparing draft quality plan for operations

### ***General Manager - Visionstream Operations and Maintenance***

***within Visionstream Pty Ltd, wholly owned by Leighton Contractors***

July 1998 to July 2001

Developed a broad facilities management business for both Visionstream and Leighton Contractors by generating business growth in new markets and contract opportunities outside the current activities of both the building and telecommunications construction activities of both companies.

- Commenced the business of Visionstream Operations and Maintenance and built the Managed Services contract portfolio from a zero value to almost \$600 million with ten year operations and maintenance contracts for fibre optic cable networks and data centre operations.
- Provided full contract and proposal development for the operations and maintenance of Nextgen Network's new optical fibre network from Brisbane to Perth via Sydney, Canberra, Melbourne and Adelaide incorporating regional services. This involved the concept development, pricing, contract preparation, service level agreement preparation, comprehensive financial and legal due diligence processes and exhaustive interaction with technology partners to fully scope the project.
- Set up full business maintenance and operations processes for Reef Networks to deliver services to Optus on the Brisbane to Cairns optical fibre network utilising SDH technology.

- Developed the business plan and marketing proposal for the new telehousing or colocation business for Vytel. A consulting expertise in the total delivery of these facilities has been created in this process.
- Worked within the highly competitive industrial scenarios between the CEPU and the ETU in Victoria on a staff acquisition project with the Public Transport Corporation. Integrated the work group into Visionstream's activities in new technology transport communications areas, providing Visionstream with a broader skills base and experience set which has given Visionstream national credibility in the rail support market.

***Managing Director - Kirwan Group Holdings Pty Ltd  
trading as Kirwan Facilities Management***

August 1996 to July 1998

Generate business growth in new markets and contract opportunities outside the existing experience level of the Kirwan Group of Companies. Trading as Kirwan Facilities Management the task was to generate new business within existing Kirwan Group Holding accounts and networks while pursuing the much larger government tender market in direct competition with the major multi-nationals competing in the market.

- Created the business Kirwan Facilities Management and coordinating the contracting functions of seven independently owned service companies within the administrative network of Kirwan Group Services.
- Winning a major regional parks and reserve maintenance account for a large shire council within six months of business commencement of Kirwan Facilities Management. This effectively increased the size of Kirwan Ground Maintenance by over fifty per cent.
- Took annualised revenue in the first year from zero to \$1.2 million utilizing the services of Kirwan Ground Maintenance, Kirwan Industrial Services and Kirwan Cleaning Services.

***National Business Development Manager - Spotless Services Limited***

September 1993 to August 1996

Provided administrative, marketing, operational and engineering expertise to several business arms of Spotless Services Limited in Australia and New Zealand. My last position as National Business Development Manager with SSL Nationwide Facilities Management was to provide a marketing arm specialising in the government and defence sector.

- Undertook consulting activities for the education and health markets to respond to the market's needs for operational expertise in their restructuring activities.
- Worked with aggressive industrial scenarios in New South Wales on staff restructuring projects. This included the Miscellaneous Workers Union (ALHMWU) in the South Coast Labour Council and resulted in no lost time through disputation even though staff numbers were significantly reduced. The work done with the unions resulted in a consultancy for the Health Services Union of Australia to prepare a tender for them against contractors in a major Sydney hospital.
- Acted as the lead consultant to several universities and independent schools to assess the service requirements of their operations and provide implementation plans. One example of the tertiary sector work was my consultancy for an efficiency review of buildings, grounds and cleaning operations at the University of New England. This was a joint appointment from the University and the

Health Services Union of Australia to enable in-house staff to compete with contracting organisations. This in-house approach was adopted and savings of several million dollars per year identified.

- Management of tendering responses up to \$26 million in value, particularly to the Compulsory Competitive Tendering environment in Victoria and to the Contractor Support Program for Defence work, nationally.
- Assisted with the negotiations for several successful bids for new work in both Australia and New Zealand. This included detailed investigations of the engineering and in some cases the clinical engineering operations at the following hospitals:
  - Royal Prince Alfred Hospital, Sydney
  - St Vincents Hospital, Melbourne (and preliminary work in Sydney)
  - Mt Olivett, Brisbane
  - Wagga Base Hospital
  - Ashford Community Hospital, Adelaide
  - Preston and Northcote Community Hospital
  - Modbury Hospital, Adelaide
  - Tauranga Hospital, New Zealand
  - Middlemore Hospital, Auckland
  - New Plymouth, New Zealand
  - Palmerston North, New Zealand
  - Healthlink South, Christchurch, New Zealand

#### ***Maintenance Manager - Monash University - Clayton***

June 1990 to September 1993

Management of a large maintenance and minor works department in the Building and Development Branch of the University.

- Liaison responsibilities for the statutory authorities, energy utilities and client departments for universities and hospitals.
- Responsible for the master planning of services and infra-structure for Monash University development.
- Project management responsibilities for Monash University's fire risk project. Participate in the departmental review of the Occupational Health and Safety Branch.
- Replacement of an out-dated building automation system with a modern automation package providing enhanced programmable control and energy management features.
- Introduction of a computerised maintenance management system into the operation of the maintenance department for work programming and issue, stores control and purchasing, financial management and other asset management features.
- Design of labour saving programmes through the building automation package for the remote operation of control features including monitoring of pH levels in neutraliser pits, energy usage, access to restricted areas and lighting control.
- Project manager for the design and construction of the \$6.5M Technology Building at the Frankston Campus of Monash University.

#### ***Engineering and Building Services Manager - Austin Hospital***

October 1988 to June 1990

Management of a large maintenance and construction department that included complex architectural and engineering design work among its activities. I managed over one hundred staff with nine administrative engineers.

- Completion of all the detailed financial analyses for a very complex and innovative co-generation project valued at over \$5 million. I forged negotiations and liaison with government departments, particularly on the aspects relating to Global Borrowing Approvals.
- Project management of a major building program for the Austin Hospital consisting of a \$20 million Spinal Facility and a Prosthetic and Orthotic Department valued at over \$1.5 million. There were several other projects costing in the vicinity of \$3 million, including the construction of the Austin Hospital Research Institute based on the fast track construction and design method.
- Master planning for the future development of the hospital including the preparation of concept plans for a small retail centre. Further planning took place on a \$6 million nuclear medicine facility for the introduction of new medical technology into Australia, known as a positron emission tomography camera. This required liaison with the Public Works Department of NSW acting in consultation and tendering for overseas equipment purchases.
- Negotiation with solicitors on major contract preparation for the sale of hospital generated electricity; on termination of an unsatisfactory \$5 million purchase contract and; land dealings with Vic Roads and the then Heidelberg City Council over resumption of land by them and the consequential acquisition of alternative property by the hospital.

***Institute Engineer - Royal Melbourne Institute of Technology***

**January 1988 to October 1988**

I was the most senior engineer in the facility's management team at the Institute. I had a department of fifty staff including seven senior work supervisors to carry out routine maintenance and installations.

- Member of the design team for the \$6 million Plumbing School of Excellence, with particular responsibilities for the services engineering.

***Engineering and Building Services Manager - Goulburn Valley Base Hospital***

**April 1983 to January 1988**

Technical and financial management of the building assets of the hospital, which is located on two major sites eight kilometres apart with other smaller hospitals annexed to it.

- Supervision of the construction of a stores building and workshops with offices in Shepparton.
- Project management of a boarding house construction and administration extensions.
- Construction of CAT Scanner building at the Goulburn Valley Base Hospital.