

ROELF NEL

MANAGING DIRECTOR

ACADEMIC & PROFESSIONAL QUALIFICATIONS AND MEMBERSHIPS

- 2023: Arbitration Foundation of South Africa (AFSA) Panel member
- 2021: Fellow of the Association of Arbitrators (AoA)
- 2020: Associate Member the South African Institute of Civil Engineers
- 2017: Member of Chartered Institute of Arbitrators (MCI Arb)
- 2016: Friend of the Pretoria Institute of Architecture (PIA)
- 2016: Appointed to RICS president's panel of Mediators
- 2016: Appointed to the South African Institute of Civil Engineers' (SAICE) Presidents List of Mediators
- 2015: Completed Royal Institute of Chartered Surveyors (RICS) Mediation Course
- 2006: Conferred right of appearance in the High Court
- 2006: Admitted as attorney – Law Society of the Northern Provinces
- 2003: LLB (cum laude) – University of Pretoria
- 2001: Certificate in Income Tax – CE at University of Pretoria

CAREER HISTORY AND EXPERIENCE

Director

Roelf Nel Inc t/a RN Incorporated, Pretoria, Gauteng

2014–Present

Construction and Engineering law

- Commercial law, Civil law, Administrative law, Property law, Structuring of property transactions
- Mediation, Adjudication, Arbitration, Litigation
- Presenting CPD validated workshops on JBCC, NEC, FIDIC & GCC

Director

Ngogodo Nel Inc t/a NNI, Pretoria, Gauteng

2020 – present

- BEE level 2 law firm with 60% black female ownership
- Conveyancing, town planning and construction law specialists

Business development | Risk Management

Independent Actuaries & Consultants (Pty) Ltd, Johannesburg, Gauteng

August 2008 to September 2017

Attorney liaison

Presentation of workshops on legal developments;

Business Development;

Internal / External Risk Management for the organization

Drafting & vetting commercial agreements

Attending to Pension Fund Adjudicator matters

Associate

Markram Inc., Pretoria, Gauteng

August 2007 to August 2008

Drafting of complex policy responses and legal opinions

relating to professional indemnity issues in the construction sector;

Drafting of building contracts and advice on contractual disputes

PROFILE

Roelf Nel is the director of Roelf Nel Incorporated and Ngogodo Nel Incorporated. He specialises in construction and engineering law. Roelf acts for all role players in the construction industry including contractors, subcontractors, employers, consultants and suppliers in all stages of construction projects from feasibility to close out. He is a RICS-accredited civil commercial mediator and serves on the RICS President's Panel of Mediators and on the SA Institute of Civil Engineers (SAICE) President's Panel of Mediators; he is a member of the Chartered Institute of Arbitrators (MCI Arb). Roelf regularly presents CPD accredited workshops for the Institutes for Architecture, the Architects Assoc. of Botswana, Master Builders SA North (MBSA), the Electrical Contractors' Assoc. and the Royal Institute of Chartered Surveyors (RICS) on the JBCC, GCC, FIDIC and NEC suite of contracts.

CONTACT

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LECTURES\WORKSHOP TOPICS PRESENTED

- PRETORIA INSTITUTE OF ARCHITECTURE (PIA) – BUILDING CONTRACT MANAGEMENT WORKSHOP – CPD ACCREDITED
- PRETORIA INSTITUTE OF ARCHITECTURE (PIA) – JBCC PRINCIPAL BUILDING AGREEMENT WORKSHOP – CPD ACCREDITED
- PRETORIA INSTITUTE OF ARCHITECTURE (PIA) – JBCC NSSA AGREEMENT WORKSHOP – CPD ACCREDITED
- PRETORIA INSTITUTE OF ARCHITECTURE (PIA) – CONTRACT COMPARISONS (JBCC, FIDIC, GCC, NEC) – CPD ACCREDITED
- PRETORIA INSTITUTE OF ARCHITECTURE (PIA) – ALTERNATIVE DISPUTE RESOLUTION UNDER (JBCC, FIDIC, NEC, GCC) – CPD ACCREDITED
- GAUTENG INSTITUTE OF ARCHITECTURE (GIFA) – JBCC PRINCIPAL BUILDING AGREEMENT WORKSHOP – CPD ACCREDITED
- GAUTENG INSTITUTE OF ARCHITECTURE (GIFA) – JBCC NSSA AGREEMENT WORKSHOP – CPD ACCREDITED
- GAUTENG INSTITUTE OF ARCHITECTURE (GIFA) – FIDIC RED & YELLOW BOOK – CPD ACCREDITED
- GAUTENG INSTITUTE OF ARCHITECTURE (GIFA) – BUILDING CONTRACT MANAGEMENT WORKSHOP – CPD ACCREDITED
- I-SIZEZE - FIDIC RED & YELLOW BOOK – CPD ACCREDITED
- MASTER BUILDERS SOUTH AFRICA NORTH (MBSA NORTH) - JBCC PBA & NSA (MBSA) WORKSHOP – CPD ACCREDITED
- THE ROYAL INSTITUTE OF CHARTERED SURVEYORS (RICS) – CPD PRESENTATION ON THE APPLICATION OF THE JBCC IN THE SOUTH AFRICAN CONSTRUCTION INDUSTRY
- FREE STATE INSTITUTE OF ARCHITECTURE (SAIA FS) – JBCC PRINCIPAL BUILDING AGREEMENT WORKSHOP – CPD ACCREDITED
- FREE STATE INSTITUTE OF ARCHITECTURE (SAIA FS) – JBCC NSSA WORKSHOP – CPD ACCREDITED
- KWAZULU-NATAL INSTITUTE OF ARCHITECTURE (KZNIA) – JBCC NSSA WORKSHOP – CPD ACCREDITED
- ARCHITECTS ASSOCIATION OF BOTSWANA (AAB) – CONTRACT COMPARISONS (JBCC, FIDIC, GCC, NEC) – CPD ACCREDITED
- NATIONAL DEPARTMENT OF ENVIRONMENTAL AFFAIRS (DEA) – JBCC PBA, GCC 2015 & NEC ECC ¾
- MPUMALANGA DEPARTMENT OF HUMAN SETTLEMENTS (MDOHS) – JBCC PBA

LIST OF CLIENTS

- CALIBER PROPERTIES – PROPERTY DEVELOPERS
- TWIN CITY
- BOOGERTMAN + PARTNERS – ARCHITECTS
- CITI LODGE GROUP – HOTEL OWNER AND OPERATOR
- EKURHULENI WEST TVET COLLEGE
- VEOLIA WATER TECHNOLOGIES SOUTH AFRICA
- NATIONAL DEPARTMENT OF ENVIRONMENTAL AFFAIRS
- MPUMALANGA DEPARTMENT OF HUMAN SETTLEMENTS

PUBLICATIONS

- IS THE RAF CAP APPLICABLE ONLY TO A DECEASED BREADWINNER'S INCOME OR TO THE INCOME OF THE HOUSEHOLD? – De Rebus Magazine, January 2011
- SERIOUS INJURIES – THE INTERRELATIONSHIP BETWEEN THE AMA AND NARRATIVE TESTS – Risk Alert Bulletin, August 2011 – No 4/2011, Glenrand MIB
- IS YOUR WARRANTY VALID? – Electrical Contractors' Association Magazine, March/April 2018 – Page 20-21
- A SUBCONTRACTOR'S EXTENSION OF TIME - Electrical Contractors' Association Magazine, May/June 2018 – Page 36-37
- THE RESERVATION OF OWNERSHIP CLAUSE - Electrical Contractors' Association Magazine, July-August 2018 – Page 12-13
- ELECTRONIC SIGNATURES AND THE LAW - Electrical Contractors' Association Magazine, Sep/Oct 2018 – Page 14-15
- CLAIMING EXTENSION OF TIME UNDER THE NEW JBCC 6.2 - Electrical Contractors' Association Magazine, Jan/Feb 2019 – Page 20-21
- DOES SOCIAL MEDIA HAVE A ROLE IN THE WORK PLACE? - Electrical Contractors' Association Magazine, March/April 2019 – Page 10-11
- OBTAINING JUDGMENT FOR THE PAYMENT OF A 'PAYMENT CERTIFICATE' OR 'PAYMENT ADVICE' - Electrical Contractors' Association Magazine, May/June 2019 – Page 8-9

LIST OF PROJECTS/MATTERS

FRONT-END

(obtaining land use rights, legal compliance (PFMA, MFMA, BBBEE, PPPFA), compiling tender documents, preparing professional consultant agreements, preparing construction contract, advising on insurance and guarantee requirements)

1.	Project Name: Project Description: Project Value: Contract Type:	Lillyfield Sectional Title Complex Phase 1 & 2 Construction of 177 sectional title units for Lillyfield R 52 312 320,00 (Fifty Two Million Three Hundred and Twelve Thousand Three Hundred and Twenty Rand) JBCC
2.	Project Name: Project Description: Project Value: Contract Type: Employer:	Campus Central, Hillcrest 723 beds student accommodation R 101 000 000,00 JBCC Caliber Properties
3.	Project Name: Project Description: Project Value: Contract Type: Employer:	Campus Central, St Davids 720 beds student accommodation R 100 000 000,00 JBCC Caliber Properties
4.	Project Name: Project Description: Project Value: Contract Type: Employer:	Setlhabotja Primary School Design, Construct and furnishing of Setlhabotja Primary School R 100 000 000,00 (One Hundred Million Rand) NEC ECC3 Option A Gauteng Department of Infrastructure Development
5.	Project Name: Project Description: Project Value: Contract Type: Employer:	New Middelburg Regional Hospital Design, Construct and furnishing of Middelburg Regional Hospital R 1 097 000 000,00 (One Billion and Ninety Seven Million Rand) NEC ECC3 Option A Mpumalanga Department of Public Works
6.	Project Name: Project Description: Project Value: Contract Type: Employer:	Apartments on William Construction of 319 student apartments R 214 753 729,00 (Two Hundred and Fourteen Million Seven Hundred and Fifty Three Thousand Seven Hundred and Twenty Nine Rand) JBCC Caliber 651 (Pty) Ltd

PUBLIC PRIVATE PARTNERSHIP (PPP'S)

Project Name: Project Description: Project Value: Contract Type: Employer:	SANRAL FMS FIDIC GOLDBOOK PROJECTS X 3 Design, Build and Operation of Freeway Management Systems R 1,8 billion FIDIC Gold book SANRAL
Project Name: Project Description: Project Value: Contract Type: Employer:	NPE Construction Ngodwana Biomass Project Negotiation of Civil works packages for 25MW Biomass Power Plant R62 157 664.32 SA Treasury PPP contract ELB Engineering Services (Pty) Ltd
Project Name: Project Description: Project Value: Contract Type: Employer:	Lead Legal for Enterprises at University of Pretoria Legal Lead for Enterprises at University of Pretoria project as part of their PPP Unit University of Pretoria

CONTRACT AND CLAIMS MANAGEMENT (DURING PROJECT)

7.	Project Name: Project Description: Project Value: Contract Type: Employer:	CONSTRUCTION OF ROAD K46 PHASE 2 Construction of a new road and related infrastructure R 550 000 000,00 (Five Hundred and Fifty Million Rand) General Conditions of Contract for Construction (GCC 2010) Department of Roads & Transport (Gauteng)
8.	Project Name: Project Description: Project Value: Contract Type: Employer:	EARTHWORKS, PIPELAYING AND ASSOCIATED CIVIL WORKS – PALMIET PUMP STATION TO SIGNAL HILL RESERVOIR Construction of a new water pipeline R 440 000 000,00 (Four Hundred and Forty Million Rand) FIDIC RED BOOK Rand Water
9.	Project Name: Project Description: Project Value: Contract Type: Employer:	New City Lodge Hotel at Two Rivers, Nairobi, Kenya Construction of a new Hotel R 160 000 000,00 (One Hundred and Sixty Million Rand) FIDIC RED BOOK City Lodge Hotel Group
10.	Project Name: Project Description: Project Value: Contract Type: Employer:	Giyani Regional Mall Upgrade Facilities R330 000 000.00 JBCC PBA ed 5 Masingita property Investment Holdings (PTY) LTD
11.	Project Name: Project Description: Project Value: Contract Type: Employer:	Makhado Crossing Upgrade and expansion of facilities R180 000 000.00 JBCC PBA ed 5 Masingita property Investment Holdings (PTY) LTD

DISPUTE RESOLUTION

12.	Project Name: Dispute Description: Project Value: Dispute Value: Dispute Resolution Forum: Contract Type:	Refurbishment of Queenstown Magistrates Court Unlawful termination of contract, we act for the claimant R 24 000 000,00 (Twenty-Four Million Rand) R 8 000 000,00 (Eight Million Rand) Litigation JBCC
13.	Project Name: Dispute Description: Project Value: Dispute Value: Dispute Resolution Forum: Contract Type:	Die Hoewes 218, Centurion - Supply and delivery of civil, earthworks, services reticulation, and road works. Unlawful termination of contract, we act for the defendant R 24 000 000,00 (Twenty-Four Million Rand) R 3 500 000,00 – claim R 5 300 000,00 – counterclaim Arbitration JBCC
14.	Project Name: Dispute Description: Project Value: Dispute Value: Dispute Resolution Forum: Contract Type:	De Aar Hospital, Phase 2 Unlawful imposition of damages by main contractor on subcontractor, we act for claimant. R 42 000 000,00 (Forty-Two Million Rand) R 7 735 000,00 (Seven Million Seven Hundred and Thirty-Five Thousand Rand) Adjudication JBCC

Further projects will be made available on request.