


PROFESSIONAL CURRICULUM VITAE

First Name	DAVID TAK WAI	
Family Name/ Last Name	YEK	
Address	A0909 Blk A, Tropicana Avenue Office Suite, No 12 Persiaran Tropicana, Tropicana Golf & Country Resort, PJU3. 47410, Petaling Jaya, Selangor, Malaysia	
Nationality/ Nationalities	Malaysian	
Country of residence	Malaysia	

Education, Professional Qualifications, Training and/or Memberships:

Education:

1. **B.Sc.HBP (Hons), School of Housing Building and Planning, University Science Malaysia USM.**
2. **B.Arch. (USM), School of Housing Building and Planning, University Science Malaysia USM.**
3. **B.Arch.Study (NUS), partial credit from the Architectural School of the National University of Singapore NUS.**
4. **LLM (Construction Law and Arbitration), Robert Gordon University (RGU), Scotland UK.**
5. **Diploma in FengShui, Mastery Academy of Chinese Metaphysics, Kuala Lumpur.**
6. **Certificate in Adjudication CIPAA 2012, Asian International Arbitration Centre AIAC, Kuala Lumpur**
7. **Certificate of Completion of Adjudication Accreditation Training, HongKong Institute of Construction Adjudicators HKICAdj, Hong Kong SAR**

8. **Certificate of Facilitative Mediation Module 1 and 2, Malaysia Mediation Centre, Bar Council, Kuala Lumpur**
9. **Certificate in Evaluative Mediation Level 1 and 2, Royal Institution of Chartered Surveyors (RICS)**
10. **Chartered Institute of Arbitrator (CI Arb.) Module 3: Award Writing in International Arbitration.**

Professional Qualification:





1. **Green RE Accredited Professional (GREAP).**
2. **Green Building Index Facilitator (GBIF).**
3. **Certified Data Centre Professional (CDCP).**
4. **Level 1 Certified Thermographer with the Infrasppection Institute of Infrared Thermographer USA**




Membership:

1. **Corporate Member and Associate of the Malaysia Institute of Architect PAM Kuala Lumpur**
2. **Professional Architect registered and Associate with the Board of Architect Malaysia LAM Kuala Lumpur**
3. **Corporate Member and Associate of the Malaysia Institute of Interior Designer IPDM Kuala Lumpur**
4. **Certified Assessor for CONQUAS 21 issued by the Building and Construction Authority of Singapore**
5. **Member of the Institution of Fire Engineers IFireE(UK)**
6. **Corporate Member of Malaysian Institute of Interior Design MIID, formerly IPDM**
7. **Chartered Member of the Royal Institute of British Architect RIBA(UK)**
8. **Royal Institution of Chartered Surveyors (RICS) Accredited Civil-Commercial Mediator**
9. **Fellow of the Chartered Institute of Arbitrators (FCI Arb)**

10. **Fellow of the Asian Institute of Alternative Dispute Resolution (AIADR)**
11. **Fellow of the Malaysian Institute of Arbitrators Kuala Lumpur FMIArb**
12. **Fellow of the HongKong Institute of Construction Adjudicators FHKICAdj**
13. **Fellow of the Chartered Association of Building Engineers FCABE(UK)**

Summary of Professional Experience

1.  Proposed 3 Storey of Commercial Building Xin Building, Jalan Kapten Tendean No.52, Hegarmanah, Cidadap, Kota Bandung, Jawa Barat 40141 Indonesia for Mssr. Budhianto Widjaja. Estimated Construction Cost USD 2,000,000.00. Status completed
2.  Proposed 3 Storey of Institutional Building, Prep School, Jalan Marlborough, Puteri Harbour, 79200 Malaysia, Johor Baru, Johor for Mssr. Marlborough College Malaysia. Estimated Construction Cost RM 20,000,000.00. Status completed
3.  Proposed 2 Storey of Institutional Building, Estate House, Jalan Marlborough, Puteri Harbour, 79200 Malaysia, Johor Baru, Johor for Mssr. Marlborough College Malaysia. Estimated Construction Cost RM 2,000,000.00. Status completed
4.  Proposed 2 Storey of Institutional Building, Sixth Form Center, Jalan Marlborough, Puteri Harbour, 79200 Malaysia, Johor Baru, Johor for Mssr. Marlborough College Malaysia. Estimated Construction Cost RM 3,000,000.00. Status completed
5.  Proposed 2 Storey of Institutional Building, Uniform Annex, Jalan Marlborough, Puteri Harbour, 79200 Malaysia, Johor Baru, Johor for Mssr. Marlborough College Malaysia. Estimated Construction Cost RM 2,000,000.00. Status completed
6.  Proposed 1 Storey of Institutional Building, Kitchen Extension, Jalan Marlborough, Puteri Harbour, 79200 Malaysia, Johor Baru, Johor for Mssr. Marlborough College Malaysia. Estimated Construction Cost RM 1,000,000.00. Status completed
7.  Proposed Phase 1 Shettuck St.Mary Forest City International School at Jalan Forest City, Lebuhraya Tanjung Pelepas, 8, Jalan Pulau 1, 81550 Gelang Patah, Johor for Mssr. Shettuck St.Mary. Estimated Construction Cost RM 300,000,000.00. Status completed.

8.  Proposed Phase 2 Shettuck St.Mary Forest City Student Campus at Jalan Forest City, Lebuhraya Tanjung Pelepas, 8, Jalan Pulau 1, 81550 Gelang Patah, Johor for Mssr. Shettuck St.Mary. Estimated Construction Cost RM 200,000,000.00. Status completed.
9.  Proposed VADS Iskandar Puteri Core Data Centre, No 2, Lingkaran Teknologi 1, Taman Teknologi Nusajaya, 79250 Nusajaya, Johor for Mssr. TM Malaysia. Estimated Construction Cost RM 600,000,000.00. Status completed
10.  Proposed 3 Storey of Individual Detached House, Jalan Semarak Api, Sierramas, Sungai Buloh, Selangor for Mssr. Mr. Wong. Estimated Construction Cost RM 2,000,000.00. Status completed
11.  Proposed 3 Storey of Individual Detached House, Jalan Desa Bestari, Desa Parkcity, Kuala Lumpur for Mssr. Mdm. Mok PuiMun. Estimated Construction Cost RM 4,000,000.00. Status completed
12.  Proposed 2 Storey of Individual Detached House, Taman Sri Batu, Jalan Ipoh, Kuala Lumpur for Mssr. Mr. Ng Kim Leong. Estimated Construction Cost RM 1,000,000.00. Status completed
13.  Proposed 3 Storey of Individual Detached House, Putrajaya, for Mssr. Datuk Seri Rahadian Mahnud. Estimated Construction Cost RM 6,000,000.00. Status unbuilt
14.  Proposed 5 Storey of Shop Office, Rembau Negeri Sembilan, for Mssr. Ng Chek Chiam. Estimated Construction Cost RM 2,000,000.00. Status unbuilt
15.  Proposed 6 Blocks of Apartment Palmspring @ Damansara, Kota Damansara Jalan PJU3/29 Petaling Jaya Selangor for Mssr. PKNS. Estimated Construction Cost RM 300,000,000.00. Status completed.

16



Competition MBAM HQ for Master Builder. The brief called for a HQ in compliance to GBI and practicality. A one stage competition organised by PAM and Master Builder Malaysia. Status unpremiated.

17



Proposed Mixed Development at Section 15 Auto City Shah Alam for Mssr. Magna Prima Bhd. Estimated Construction Cost RM 600,000,000.00. Status in construction

18



Competition entry for a mixed development in Medini. Comprising of SOHO, Office Tower and Apartment block above a Commercial Podium. Having the Green Lung linking the SOHO with the Apartment Block thus creating a seamless connection.

19



Competition entry for JPN teacher training quarters in Desaru Johor. This is an attempt to design and propose a neighbourhood of communities for students and teaching staffs for institution of higher learning in Desaru. The initial attempt is to orientate the blocks to avoid the East and West Axis.

20



Proposed 5 Storey Clubhouse at Kingsley Hill Development for Mssr. B&G Development S/B. Estimated Construction Cost RM 5,000,000.00. Status unbuilt

21



Proposed Mixed Development at Bangi for Mssr. B&G Development S/B. Estimated Construction Cost RM 100,000,000.00. Status unbuilt

22



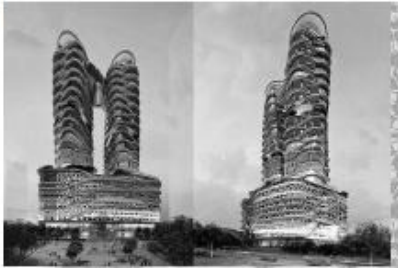
Proposed Terrace Houses Development at Puteri Harbour for Mssr. Sunrise Development S/B. Estimated Construction Cost RM 100,000,000.00. Status unbuilt

23



Proposed Shop Office Development at JBio Tech for Mssr. UM Land Development S/B. Estimated Construction Cost RM 50,000,000.00. Status unbuilt

24



Competition entry for a mixed development in Medini. The briefs calls for an iconic tower in Medini to house its HQ and to lease out the others. Status unbuilt

25



Proposed Mixed Development at Gasing Height for Mssr. Magna Prima Bhd. Estimated Construction Cost RM 300,000,000.00. Status unbuilt

26



Proposed 56 Unit of Terrace House at Hillcourt Precinct, Valencia, Sungai Buloh for Mssr. Gamuda Development S/B. Estimated Construction Cost RM 200,000,000.00. Status completed.

27



Interior Design for Mssr. Kelvin. Estimated Construction Cost SGD 200,000.00. Status completed.

28



Interior Design for Hillcourt Showhouse for Mssr. Gamuda Development S/B. Estimated Construction Cost RM 200,000.00. Status completed.

29



Proposed Dover Clubhouse at JBio Tech for Mssr. UM Land Development S/B. Estimated Construction Cost RM 30,000,000.00. Status under construction

30



Proposed 5 Blocks of Residential Apartment at Plot 72B Jalan Forest City, Lebuhraya Tanjung Pelepas, 8, Jalan Pulau 1, 81550 Gelang Patah, Johor for Country Garden Pacific View S/B. Estimated Construction Cost RM 500,000,000.00. Status under construction

Experience in arbitration and mediation/ ADR

Arbitration:

1. In a Matter of an Ad-Hoc Arbitration between Main Contractor and its Employer, I acted as a Sole Arbitrator under the AIAC Rules for disputed sum RM30,000,000.00. [ongoing]
2. In a Matter of an Ad-Hoc Arbitration between Main Contractor and its Employer, I acted as a Sole Arbitrator under the AIAC Rules for disputed sum RM50,000,000.00. [ongoing]
3. In a Matter of an Ad-Hoc Arbitration between Main Contractor and its Employer, I acted as a Sole Arbitrator under the AIAC Rules for disputed sum RM78,000,000.00. [ongoing]

Adjudication:

1. In CIPAA 2012 Adjudication with Disputed Claim of RM 558,453.00 on issues of the validity of payment claim relate to 2 separate construction contract to be consolidated into one, delay in incomplete work of the Subcontract, omission of part of the work on Subcontract, determination of Final Account, Right to Refuse Payment and Entitlement for set-off. I took the role as the Adjudicator.
2. In CIPAA 2012 Adjudication with Disputed Claim of RM 366,132.00 on issues of default payment on VO claim due to set-off, LAD and back-charge involving direct payment to others, engagement of 3rd parties and liabilities due to negligence and theft. I presided over the case as an Adjudicator.
3. In CIPAA 2012 Adjudication with Disputed Claim of RM 156,000.00 on issues of default payment on unpaid professional fee and COW's fee. I presided over the case as an Adjudicator.
4. In CIPAA 2012 Adjudication with Disputed Claim of RM 250,000.00 on issues of default payment on unpaid subcontract sum for M&E Works. I presided over the case as an Adjudicator.
5. In CIPAA 2012 Adjudication with Disputed Claim of RM 5,558,453.00 on issues of the validity of payment claim relate to construction contract, delay in incomplete work of the Subcontract, omission of part of the work on Subcontract, determination of Final Account, Right to Refuse Payment and Entitlement for set-off. I took the role as the Adjudicator.

6. In CIPAA 2012 Adjudication with Disputed Claim of RM 760,453.00 on issues of the validity of payment claim relate to construction contract, delay in incomplete work of the Subcontract, omission of part of the work on Subcontract, determination of Final Account, Right to Refuse Payment and Entitlement for set-off. I took the role as the Adjudicator.

7. In CIPAA 2012 Adjudication with Disputed Claim of RM 2,000,000.00 on issues of the validity of payment claim relate to construction contract, delay in incomplete work of the Subcontract, omission of part of the work on Subcontract, determination of Final Account, Right to Refuse Payment and Entitlement for set-off. I took the role as the Adjudicator.

8. In CIPAA 2012 Adjudication with Disputed Claim of RM 1,800,000.00 on issues of the validity of payment claim relate to construction contract, delay in incomplete work of the Subcontract, omission of part of the work on Subcontract, determination of Final Account, Right to Refuse Payment and Entitlement for set-off. I took the role as the Adjudicator.

9. In CIPAA 2012 Adjudication with Disputed Claim of RM 850,000.00 on issues of the validity of payment claim relate to construction contract, delay in incomplete work of the Subcontract, omission of part of the work on Subcontract, determination of Final Account, Right to Refuse Payment and Entitlement for set-off. I took the role as the Adjudicator.

Mediation:

1. In Ad-Hoc Mediation with Disputed Claim of RM50 mil on issues on Defects and Negligence between a Contractor with a Building Owner. I presided over the case as a Mediator.
2. In Ad-Hoc Mediation with Disputed Claim of RM20 mil on issues on Delay and Loss and Expenses between a Contractor with an Employer arising due to MCO. I presided over the case as a Mediator.
3. In Ad-Hoc Mediation on Family issues between Husband and Wife arising from the impact of Circuit Breaker (Singapore) to the Aviation Industry. I presided over the case as a Mediator.
4. In Ad-Hoc Mediation with Disputed Claim of RM2 mil on issues on separation of a partner in an architectural practice. I presided over the case as a Mediator.

Expert:

1. In a Matter of Litigation between an ID Consultant with their Client, I acted as an **Expert Witness** in area of Building Defects Forensic and Professional Negligence.
2. In a Matter of Arbitration between an Employer and the Contractor, I acted as an **Expert Witness** in area of Building Defects Forensic.
3. In a Matter of Housing Tribunal between the JMB with the Developer, I acted as an **Expert Witness** in area of Building Defects Forensic.

In a Matter of Arbitration between Architect and its Client, I acted as an **Expert Witness** in area of Professional Negligence.

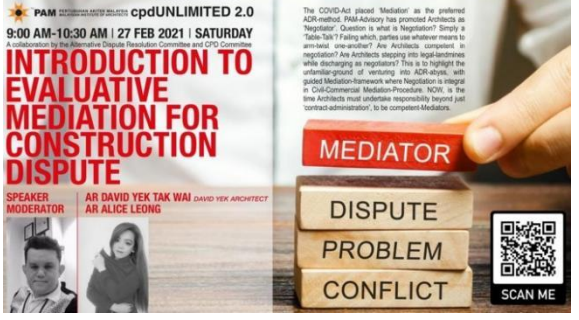



Key Publications and Presentations



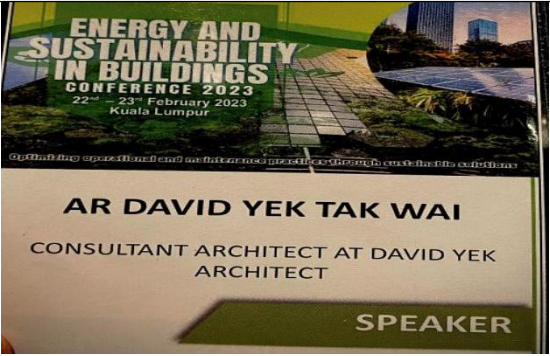
1. 'Investigation into the Legal Framework Governing Arbitration and Constitution of the Arbitral Appointing Body, Dispute-Clause, Arbitration Rules and Administration of Construction Dispute Arbitration in Malaysia Taking The Malaysia Institute of Architects ('PAM') as A Study' (LLM Dissertation Robert Gordon University 2022).
2. 'THE DRAFT CIDB STANDARD FORM OF BUILDING CONTRACT 2022 ('CIDB 2022') CRITICALLY COMPARED TO THE NEW ENGINEERING CONTRACT ('NEC') AND OTHER STANDARD FORMS OF BUILDING CONTRACT ('SFC')', [2023] 1 LNS(A) xxix.
3. 'CRITICAL OBSERVATION IN THE INCEPTION; GROWTH; AND RECENT DEVELOPMENT OF THE ROLE OF ADJUDICATION IN THE MALAYSIAN CONSTRUCTION INDUSTRY, FROM A PERSPECTIVE OF AN ADJUDICATOR' [2022] v.2, i.10 AIADR IJADR, p.4-25.
4. 'CAN THE PROFESSIONAL SOLE PROPRIETORS STAND TALL ON THEIR PRACTICE NAMES IN COURT AND IN CIPAA ADJUDICATION?' [2023], 1 LNS(A) xli.
5. 'Aftershock of the Arbitrator gone Rogue in the Sultan of Sulu V Government of Malaysia Saga: The Immunity of the Appointing Bodies or its Arbitrators, Critically Reviewed in the Context of Malaysia' [2023] 4 MLJ I.
6. 'Aftershock of the Sulu Case: The Validity of the Arbitration Clause Such as the PAM2006/18, Critically Compared When the Institution Lacked the Locus Standi as an

Arbitral Appointing Authority in the Context of Malaysia’, [2024] 1 MLJ xxiv.

7. ‘Aftershock of the Sulu Case: What is There in the Rules that will ‘Plug’ the Lacuna in the Arbitral Legal Framework to Curb the Party, Tribunal or the Institution from Going Rogue, Critically Compared to the Arbitration ‘Lifecycle’ in Malaysia’, [2024] 2 MLJ ccxx.

Presentations:

<p>1.</p>	<p>PAM CPD Unlimited 2.0: Introduction to Evaluative Mediation for Construction Disputes</p>	
<p>2.</p>	<p>LAP DCP Expert Talk series 06: Roadmap to Navigating Through International Forms of Building Contracts</p>	
<p>3.</p>	<p>An Interview with Dr Naseem On Post-Grad Learning on Construction Law for SCL International Conference</p>	
<p>4.</p>	<p>CIOB MENA –Region Webinar: Navigating Through International Construction Contract Landmines - An Architect’s Perspective</p>	

5.	Construction Technology: Attracting or Avoiding Disputes?	 <p>CONSTRUCTION TECHNOLOGY: ATTRACTING OR AVOIDING DISPUTES?</p> <p>DATE: 10 June 2022 (Friday) TIME: 11am – 12pm</p> <p>MODERATOR: Dawn Wong Partner, Steven Thiru & Sudhar Partnership</p> <p>PANELLISTS:</p> <ol style="list-style-type: none"> Ronan Collins Director, Digital Delivery (BIM for Design & Construction), The Red Sea Development Company Teoh Pui Mun Founder, Speedbrick Construction Management App Ar David Yek Tak Wai Principal Consultant, DYA Architect 
6.	Standard Form of Building Contracts Forum 2022	
7.	Comfori's Energy and Sustainability in Buildings Conference 2023	
8.	Mega Jati's Luncheon Webinar: Theme 2 Construction Contracts – CIDB 2022	

<p>9.</p>	<p>Institution of Building Engineers (IEM) Webinar Talk: The CIDB 2022 'Boon or Bane' Critically Compared, for the Engineers</p>	
<p>10.</p>	<p>Housing Development & Real Property Conference 2023</p>	
<p>11.</p>	<p>AIADR Mediation Competition 2023 - Judge</p>	
<p>12.</p>	<p>IR 2023: Webinar for Engineering & Construction Industry Personnel – Lecture on Construction Industry Payment & Adjudication Act 2012</p>	

13.	AIADR-JP Selangor Community Mediation Training Course - Tutor	 <p>CERTIFICATE OF APPRECIATION</p> <p>Proudly presented to</p> <p>David Yek Tak Wai</p> <p>This certificate is given in recognition of your invaluable contribution as the Tutor for the AIADR-JP Selangor Community Mediation Training Course</p> <p><i>[Signature]</i> Datuk Suresha Rajoo President Asian Institute of Alternative Dispute Resolution (AIADR)</p>
14.	The Amended UBL and its Obligations for Construction Professionals	 <p>BOOK: LAW AND PRACTICE OF CONSTRUCTION LAW IN MALAYSIA</p> <p>THE AMENDED UBL AND ITS OBLIGATIONS FOR CONSTRUCTION PROFESSIONALS</p> <p>25 NOV 2023 SATURDAY 8.30 AM - 1.00 PM AUDITORIUM 1, KOMPLEKS EUREKA, USM, PENANG ZOOM WEBINAR</p> <p>INTRODUCTION A book titled "Law and Practice of Construction Law in Malaysia" was released, covering various important topics relating to the Malaysian construction industry. As the industry progresses post-pandemic, one critical issue involving industry stakeholders on matters about compliance to Building Permits and its implication to Professional Liabilities. Construction involves various stakeholders and one in particular, is the compliance to the Uniform Building By-law (UBBL) and its implication to consultants such as Architects, Engineers and other Submitting Persons (SPs). It is also a subject less understood by Construction Lawyers. This is a talk on UBL and Professional Liabilities, jointly organised by the Construction Industry Law Centre (CILC) and Royal Institution of Surveyors Malaysia (RISM) Northern Branch.</p> <p>OBJECTIVE</p> <ul style="list-style-type: none"> To expose to the stakeholders the position of Malaysian laws to legal obligations on Professional Liabilities and further liabilities implied from the amended UBL. To discuss the current development of the law relating to the amended UBL and Professional Liabilities. Best practices to be observed by parties in dealing with compliance and professional indemnities. <p>SIGNIFICANCE This event will significantly impact the industry practitioners, mainly in understanding and managing the issues relating to statutory compliance and liabilities to professionals.</p> <p>INTENDED AUDIENCE Construction Industry members in the country and all interested parties.</p> <p>FEES RISM Northern Branch Members/CILC Committee Members: FREE (30 pax) RISM/CILC/Supporting Institution Members: RM100 (physical) / RM50 (Virtual)</p> <p>SPEAKERS</p> <p>Ir. Leon Weng Seng LLB (Hons)(London), CLP (Hons), B.Sc. (Hons), DISAB, (UK), MUEM, PEng, FCIAB, CAIB</p> <p>Topic: Professional Liabilities</p> <p>Ar. David Yek Tak Wai BSC HSP (Hons), BArch (USM), LL.M, APAM, BSB, FCIAB, RMBAD, FAWOR, P. Arch, MEd, MFINA, FCAIE, CBUIE, FRIICAS, GREAP, CIBF</p> <p>Topic: Liabilities under the Amended UBL</p> <p>MODERATOR Sr Dr Wan Maimun Wan Abdullah RHN, CQJ, PRISM</p>

Languages (Indicate levels of proficiency)

1. English [Spoken and Written] – Excellent;
2. Malay – (Bahasa Malaysia/Indonesia) [Spoken and Written] – Excellent; and
3. Chinese [Spoken: Mandarin/Cantonese - Excellent], [Written – Fair].

Notable accolades and accomplishments

- 1. Appointed Adjunct Professor to the University Science Malaysia (USM) School of Housing Building and Planning, Penang.**
- 2. Elected Director to the Board of Directors Chartered Institute of Arbitrators (CIArb) Malaysian Branch.**
- 3. Member of the Taskforce under Construction Industry Law Centre (CILC) to the University Science Malaysia (USM) School of Housing Building and Planning for the setting up of MSc Construction Law and ADR.**
- 4. Former Elected Council Member to the Malaysian Institute of Architects (PAM).**
- 5. Former Chair of Constitution Review Committee and Co-Chair of ADR for PAM.**
- 6. Appointed Committee Member to the Disciplinary Committee for Solicitors and Advocates Malaysia, under the Bar Council of Malaysia.**
- 7. Appointed External Industry Examiners for Architectural Programme for various local universities – UTAR, UTM, USM and UCSI.**



亞太國際仲裁院
Asia Pacific International
Arbitration Chamber

公平高效 服務亞太
Fair and efficient to
serve the Asia Pacific

