



# CAPABILITY STATEMENT

*Strategic commercial & contract support for mining, energy and infrastructure projects*

|                                                            |                                                                    |                                                               |                                                     |
|------------------------------------------------------------|--------------------------------------------------------------------|---------------------------------------------------------------|-----------------------------------------------------|
| <b>14+</b><br>Years across owner and contractor-side roles | <b>\$65M</b><br>Claims value mitigated through negotiated outcomes | <b>\$50B+</b><br>Combined capital value of projects supported | <b>2</b><br>Regions — Australia and the Middle East |
|------------------------------------------------------------|--------------------------------------------------------------------|---------------------------------------------------------------|-----------------------------------------------------|

## 01 ABOUT KPS

Kubie Project Solutions Australia Pty Ltd (KPS) is a Brisbane-based consultancy providing specialist commercial and contract management support to owners, delivery partners and contractors across the mining, energy and infrastructure sectors.

KPS was founded by **Dean Kubie**, a contracts and procurement professional with more than 14 years of experience formed on both sides of the contract — in owner's teams and with tier-one contractors. That dual perspective is the core of the offering: KPS reads a contract the way the other party will read it, and shapes positions accordingly.

KPS is deliberately lean. Engagements are scoped to the commercial problem at hand, mobilised quickly, and delivered either remotely or on site. There is no layered pricing structure and no handover to junior staff — the person who scopes the work is the person who does it.

## 02 SERVICE OFFERING

|          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>A</b> | <b>PRE-CONTRACT &amp; TENDERING</b> <ul style="list-style-type: none"> <li>Independent pre-tender contract review and drafting of departure schedules;</li> <li>Procurement strategy development and execution for complex packages;</li> <li>Scope definition, tenderer identification and preparation of tender documentation;</li> <li>Tender evaluation, negotiation and award recommendation; and</li> <li>Contract formation aligned to technical, delivery and risk objectives.</li> </ul>                                                                                                                |
| <b>B</b> | <b>CONTRACT &amp; COMMERCIAL ADMINISTRATION</b> <ul style="list-style-type: none"> <li>Post-award administration of head contracts and subcontracts;</li> <li>Assessment and certification of progress claims in accordance with applicable security of payment legislation;</li> <li>Preparation of change orders, contract amendments and commercial correspondence;</li> <li>Contract performance reporting, obligations tracking and liquidated damages exposure monitoring; and</li> <li>Commercial interface management across engineering, project controls, legal, finance and site delivery.</li> </ul> |
| <b>C</b> | <b>CLAIMS, CHANGE &amp; DISPUTE RESOLUTION</b> <ul style="list-style-type: none"> <li>Preparation, substantiation and negotiation of cost and time claims;</li> <li>Assessment and defence of contractor claims on behalf of owners;</li> <li>Management of variations, extensions of time (EOTs) and delay or disruption events;</li> <li>Evidence-based negotiation strategies aimed at resolution before legal escalation; and</li> <li>Contemporaneous record and correspondence review to establish entitlement position.</li> </ul>                                                                        |
| <b>D</b> | <b>COMMERCIAL GOVERNANCE &amp; CAPABILITY UPLIFT</b> <ul style="list-style-type: none"> <li>Refinement of commercial templates, correspondence libraries and claim protocols;</li> <li>Establishment of contract-performance dashboards with project controls teams;</li> <li>Contract health-checks on live packages to surface unmanaged risk early;</li> <li>Mentoring and capability uplift for in-house commercial and engineering teams; and</li> <li>Second-opinion commercial advice on contentious or high-exposure positions.</li> </ul>                                                               |

### 03 ENGAGEMENT MODELS

KPS is structured for rapid, low-overhead engagement. The four models below can be combined or converted as a project's commercial workload changes.

| MODEL                              | WHAT IT LOOKS LIKE                                                                                                                                                                       | BEST SUITED TO                                                                   |
|------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|
| <b>Embedded Support</b>            | Hands-on commercial resource working inside the project team, on site or in office. Available remote with other options available for discussion (FIFO or DIDO, full-time or part-time). | <i>Projects in delivery needing day-to-day contract administration capacity.</i> |
| <b>Retained Advisory</b>           | An agreed block of hours each month, drawn down as needed, with on-call access for urgent commercial questions.                                                                          | <i>Owners and small contractors without a full-time commercial function.</i>     |
| <b>Fixed-Scope Assignment</b>      | A defined deliverable priced up front — for example a pre-tender contract review, a departures schedule, or a prepared and substantiated claim.                                          | <i>Discrete pieces of work with a clear start and finish.</i>                    |
| <b>Surge &amp; Dispute Support</b> | Short-notice capacity for tender peaks, claim windows, EOT assessments or a dispute that has escalated beyond in-house capability.                                                       | <i>Time-critical commercial pressure points.</i>                                 |

**Commercial terms:** day rate, hourly time-and-materials or fixed fee, agreed in writing before mobilisation. Rates on application.

### 04 CORE CAPABILITIES

- Procurement strategy and execution planning;
- Tender management, evaluation and award recommendation;
- Contract formation across LS, SOR, target-cost and D&C models;
- Head contract and subcontract administration;
- Progress claim assessment and certification;
- Variation, EOT and contract amendment management;
- High-value claim preparation, defence and negotiation;
- Delay, disruption and prolongation cost assessment;
- Collaborative dispute resolution and escalation avoidance;
- Pre-tender contract review and departure drafting;
- Commercial governance, reporting and assurance; and
- Long-lead and bespoke equipment procurement.

### 05 WHY ENGAGE KPS

|                                       |                                                                                                                                                 |
|---------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Dual perspective</b>               | Substantial delivery experience in owner's teams and with tier-one contractors — positions are built knowing how the other side will test them. |
| <b>Proven claims outcomes</b>         | AUD \$65M in claim value mitigated to date through negotiated, relationship-preserving outcomes rather than legal escalation.                   |
| <b>Rapid, low-overhead engagement</b> | A single accountable principal, no bench to carry, and mobilisation measured in days.                                                           |
| <b>Embedded, not detached</b>         | Site-based and in-team commercial support that works the contract daily, rather than advice delivered at arm's length.                          |
| <b>Breadth of asset class</b>         | Coal, LNG, battery storage, renewables, rail, aviation and marine terminal projects across Australia and the Middle East.                       |

## 06 PRINCIPAL CONSULTANT — DEAN KUBIE

Dean Kubie is a senior contracts and procurement professional with more than 14 years of experience across energy, resources and major infrastructure in Australia and the Middle East. His background spans end-to-end contract formation and administration, complex claims management and commercial governance on EPC and EPCM contracts for major CAPEX projects.

Most recently he held head-contract management responsibility across a Queensland battery energy storage portfolio of 300MW / 600MWh and 300MW / 1,200MWh — comprising approximately 500 Tesla Megapacks across two sites, five HV power transformers and two substations connecting into the state grid. He now delivers commercial and contract support to several clients concurrently through KPS, with capacity for additional engagements.

Dean is recognised for pragmatic risk management, disciplined correspondence and the ability to resolve contentious commercial positions without damaging the working relationship between the parties. He works methodically from the contract and the contemporaneous record and is comfortable holding a position under pressure where the evidence supports it.

### QUALIFICATIONS

| QUALIFICATION  | INSTITUTION                         | SUBJECT / MAJOR                     | YEAR |
|----------------|-------------------------------------|-------------------------------------|------|
| <b>PgCert</b>  | Edinburgh Napier University         | Project Management                  | 2019 |
| <b>Diploma</b> | Transformed Pty Ltd                 | Civil Construction Management       | 2015 |
| <b>Diploma</b> | Transformed Pty Ltd                 | Project Management                  | 2013 |
| <b>BBus</b>    | Queensland University of Technology | Economics & International Logistics | 2012 |

## 07 PROJECT EXPERIENCE

### Battery Energy Storage Portfolio

#### Owner's Team · Energy generator

Energy storage · QLD, Australia  
 300MW/600MWh + 300MW/1,200MWh

- Contract administration and commercial governance across OEM and Balance of Plant packages, including the target-cost BoP prime contracts;
- Assessment of contractor cost and time claims, payment claims, change orders and contract amendments;
- Established structured contract-performance dashboards with project controls, giving early visibility of cost, schedule and LD exposure; and
- Implemented a strengthened claims protocol that shortened assessment cycle times.

### Metallurgical Coal & Export Portfolio

#### Owner's Team · Major mining owner

Mining & export terminals · QLD, Australia  
 ~AUD \$800M annual CAPEX portfolio

- Central portfolio lead across three Bowen Basin mine sites and the non-process infrastructure group;
- Formation strategy, evaluation leadership and post-award support on packages from \$1M to \$50M;
- Led a claims management program delivering approximately AUD \$50M in mitigated benefit; and
- Negotiated time-critical commercial arrangements for a coal export terminal berth remediation, mitigating significant potential lost revenue.

### Greenfield Airport Development

#### Owner's Delivery Partner · Tier-one EPC contractor

Civil & aviation infrastructure · NSW, Australia  
 AUD \$5.3B

- Administration of multiple complex lump sum design and construct contracts;
- Oversight of contract progress and cost control, advising management on financial, legal and technical risks to the works;
- Preparation of correspondence, change orders and contract amendments, and negotiation with client and contractor representatives; and
- Implemented early site mobilisation procurement and administered the D&C works for the project visitor centre.

## International Metro Rail Project

**Contractor · Tier-one EPC contractor**  
Urban rail infrastructure · Middle East  
USD \$10.5B

- Led the tender, evaluation and award process for construct-only and D&C subcontracts across civil, MEP and finishes packages;
- Primary commercial contact for invitation-to-tender formation, bid analysis, shortlisting, negotiation and award recommendation;
- Formation and administration of long-form purchase orders for long-lead MEPP equipment; and
- Implemented the Oracle E-Business Suite as the project's online tendering platform, delivering significant cost avoidance through reverse-auction BAFO solicitation.

## LNG Megaprojects

**Contractor · Tier-one EPC contractor**  
Oil & gas · QLD, Australia  
AUD \$35B across three concurrent facilities

- In-field procurement supporting construction and commissioning of three concurrent LNG facilities on a single island site;
- Coordination of critical procurement against project schedules, targeting tender, evaluation and award milestones;
- Material coordination for design revisions, rework and contingency plans, with min-max inventory control; and
- Supported testing and commissioning requirements across all three projects, including long-lead engineered items and bespoke local manufacture.

## Coal Export Terminal Expansion

**Contractor · Tier-one EPC contractor**  
Marine export terminal · QLD, Australia  
AUD \$4.5B

- Material management for receipt, storage, custody and issuance of temporary and permanent materials across multiple jobsites;
- Administration of commercial invoices, packing lists, bills of lading, shipping documents and surplus material disposal; and
- Led material management for critical marine fender systems, conveyor weighing and cleaning systems, and structural steel coatings remediation.

## Passenger Rail Fleet Overhaul Program

**Owner's Team · Passenger rail operator**  
Rolling stock · QLD, Australia  
~AUD \$125M program

- Tender evaluation and contract award for overhaul contracts across multiple rolling stock classes;
- Sourcing of local and international goods and services packages with a focus on long-lead engineered items; and
- Post-award commercial support across a program of approximately AUD \$125M, including but not limited to two major rolling stock overhaul projects of AUD \$80M and AUD \$25M.

## 08 SECTOR & CONTRACT EXPERIENCE

### SECTORS

- Metallurgical coal & bulk export;
- Battery energy storage (BESS);
- Renewable energy generation;
- LNG and oil & gas;
- Marine export terminals;
- Aviation & civil infrastructure; and
- Passenger and metro rail.

### CONTRACT TYPES

- Lump sum and schedule of rates;
- Target cost / pain-gain;
- Design & construct (D&C);
- Construct only;
- EPC and EPCM; and
- Long-form purchase orders.

### CONTRACT FORMS & SYSTEMS

- Bespoke megaproject contract suites;
- Major-owner standard commercial suites;
- Tier-one contractor subcontract suites; AS 4000 family contracts; and
- Oracle E-Business Suite (e-tendering, reverse auction).

*Client and project identities are withheld in this document. Detailed references and project specifics are available on request, subject to any applicable confidentiality obligations.*

## 09 BUSINESS & COMPLIANCE DETAILS

|                                  |                                                                                         |
|----------------------------------|-----------------------------------------------------------------------------------------|
| Registered entity                | Kubie Project Solutions Australia Pty Ltd                                               |
| ABN                              | 92 678 471 666                                                                          |
| ACN                              | 678 471 666                                                                             |
| Principal                        | Dean Kubie                                                                              |
| Base location                    | Brisbane, Queensland, Australia                                                         |
| Work coverage                    | Australia-wide — remote, FIFO and DIDO capable                                          |
| Professional liability insurance | AUD \$4,000,000 aggregate (all sections combined); AUD \$2,000,000 each and every claim |
| Public liability insurance       | AUD \$20,000,000 each and every claim                                                   |
| Certificate of currency          | Available to clients on request                                                         |

## 10 CONTACT



**Dean Kubie**

**PRINCIPAL CONSULTANT**

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**W** Brisbane, Queensland · Australia-wide engagement