



Tumisang Mongae

Director

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Tumisang Mongae is a director in the Litigation & Regulatory practice at DLA Piper in South Africa. He specialises in construction litigation focussing on infrastructure projects. He acts for public and private sector employers on disputes based on a variety of standard form contracts including FIDIC (Yellow and Red Books), NEC3 (ECC, PSC, TSC), NEC4 ECC, JBCC Principal Building Agreement, JBC (Kenya) and various bespoke contracts.

Tumisang regularly acts in disputes relating to earthworks, building works, road infrastructure, rail infrastructure, coal-fired power stations, a nuclear power stations, a hydro-pumped storage schemes, sub-stations and mines.

LANGUAGES SPOKEN

- English
- Setswana

- Litigation, Arbitration and Investigations
- Regulatory and Government Affairs

- Infrastructure, Construction and Transport

English Setswana

- Advising a power generating company in defending various referrals by civils, turbine and boiler contractors to Dispute Adjudication Boards and arbitral tribunals relating to the construction of the Medupi Power Station, the Kusile Power Station and the Ingula Pumped Storage Scheme. *
- Advising a rail operating public entity in defending various referrals by a contractor to adjudicators and tribunals relating to rail grinding and sleeper replacement contracts pertaining to the maintenance of the national rail network. *
- Advising a major brewery in a potential referral of a dispute by a contractor arising from expansions to the client's production plant. *
- Advising a crane manufacturing company in defending a claim brought by an employer arising from an accident on Site involving a crane supplied by the client. *
- Advising an employer in defending a claim by a contractor for expense and loss claims arising out of the construction of an office block in Johannesburg, Gauteng Province. *

- Advising a contractor on its recourse against an employer relating to the imposition of penalties, the reduction of the scope of work, modifications to the scope of work and the reduction in the contract value for the construction of a Water Treatment System. *
- Advising an employer in defending various claims by a contractor relating to the construction of various residential properties in Rustenburg, North West Province. *
- Advising an employer on its position under construction contracts at its mill outside Durban, Kwa-Zulu Natal following the Regulations promulgated by the Government imposing a lockdown to combat the spread of the Covid-19 pandemic. *
- Advising a mining company on its position under construction contracts at its mining operation following the regulations promulgated by the Government imposing a lockdown to combat the spread of the Covid-19 pandemic. Following termination of the Contract, advising the client in a dispute before an independent expert regarding termination costs. *
- Advising a development bank in defending various referrals to adjudication by contractors relating to housing projects in Gauteng Province. *

**Denotes experience from a previous firm.*

CREDENTIALS

Professional Qualifications

- Attorney and Conveyancer of the High Court of South Africa

Recognitions

- Tumisang is ranked in Band 4 in Chambers & Partners (2021), and recognised as up-and-coming (2018-2020)

Education

- University of Pretoria, LLB, 2005
- University of Pretoria, LLM, 2006
- Fundamental FIDIC, BCA Training, 2011

INSIGHTS

Events

Upcoming

Day 1: EMEA Conference

13 October 2022

DLA Piper Global Construction, Engineering and Infrastructure Conference 2022

Dubai

NEWS

DLA Piper appoints two new directors to Johannesburg office

1 September 2021

DLA Piper today announces the appointment of two Directors to its Johannesburg office, Tumisang Mongae, who joins our Litigation &

Regulatory practice from today and Sibonelo Mdluli, who joined our Corporate practice on 1 August.
