

# AFRICA CONSTRUCTION LAW WEEK

## Lusophone Africa Sub-Regional Session

### DEMYSTIFYING CONSTRUCTION LAW IN AFRICA



VIRTUAL CONFERENCE  
15 APRIL 2021 13:00 – 16:00 GMT

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## Agenda

15 April 2021, 2pm – 5pm BST (1pm – 4pm GMT)

TIME	TOPIC
2:00 p.m. – 2:10 p.m.	<b>Opening Remarks</b> <b>Ngo-Martins Okonmah</b> Founder/Executive Director, Africa Construction Law, Lagos, Nigeria
2:10 p.m. – 2:20 p.m.	<b>Keynote Address</b> <b>Kwadwo Sarkodie</b> Advisory Board Member, Africa Construction Law, London, United Kingdom
2:20 p.m. – 2:25 p.m.	<b>Introduction to Angola</b> <b>Jose Chinjamba</b> Executive Director, Investment and Export Promotion Agency of Angola (AIPEX), Luanda, Angola
2:25 p.m. – 2:30 p.m.	<b>Introduction to Mozambique</b> <b>Bruno Miguel Cardoso Vedor</b> President, Association of Mozambican Consulting Companies (AEMC) and Chair, Land and Environment sector, Confederation of Mozambican Economic Associations (CTA), Maputo, Mozambique

TIME	TOPIC
2:30 p.m. – 2:50 p.m.	<p data-bbox="431 191 1284 260"><b>Disputes resolution/avoidance in relation to construction projects in Lusophone Africa</b></p> <p data-bbox="431 281 1211 350"><b>Gustavo Scheffer</b> Counsel, Mayer Brown, São Paulo, Brazil <b>Sekai Nyambo</b>, Associate Director, HKA, London, United Kingdom</p>
2:50 p.m. – 3:50 p.m.	<p data-bbox="431 386 748 422"><b>Panel 1: Focus on Angola</b></p> <p data-bbox="431 443 1289 478"><b>Moderator: Gonçalo Falcão</b>, Partner, Mayer Brown, Rio de Janeiro, Brazil</p> <p data-bbox="431 499 542 535"><i>Panelists:</i></p> <p data-bbox="431 535 1333 571"><b>Miguel Raposo Alves</b>, Managing Director and CEO, Hemera Capital Partners</p> <p data-bbox="431 571 976 606"><b>Tiago Almeida</b>, Senior Investment Officer, IFC</p> <p data-bbox="431 606 1317 642"><b>Gideon Kamy-Lukoda</b>, Associate Director, HKA, London, United Kingdom</p> <p data-bbox="431 642 1114 678"><b>Itweva Nogueira</b>, Partner, Dentons LEAD, Luanda, Angola</p>
3:50 p.m. – 4:50 p.m.	<p data-bbox="431 709 821 745"><b>Panel 2: Focus on Mozambique</b></p> <p data-bbox="431 766 1240 802"><b>Moderator: Paulo Rage</b>, Partner, Mayer Brown, Rio de Janeiro, Brazil</p> <p data-bbox="431 823 542 858"><i>Panelists:</i></p> <p data-bbox="431 858 1289 928"><b>Hugo Gaspar</b>, Projects Controls Coordinator, Andrade Gutierrez/Zagope, Maputo, Mozambique</p> <p data-bbox="431 928 1151 963"><b>Michael Halliday</b>, Director, HKA, Worcester, United Kingdom</p> <p data-bbox="431 963 1179 999"><b>Jorge Salomao</b>, Associate Lawyer, FL&amp;A, Maputo, Mozambique</p>
4:50 p.m. – 5:00 p.m.	<p data-bbox="431 1033 643 1068"><b>Closing Remarks</b></p> <p data-bbox="431 1089 1414 1199"><b>Itweva Nogueira</b> Global Steering Committee Member, Lusophone Countries, Africa Construction Law, Luanda, Angola</p>

## Speaker Biographies



### **Ngo-Martins Okonman**

*Founder/Executive Director, Africa Construction Law, Lagos, Nigeria*

Ngo-Martins is a senior associate in the top-ranking Dispute Resolution practice at Nigeria's largest and leading full-service firm Aluko & Oyebo. He currently coordinates the firm's construction and engineering practice with focus on oil & gas, power and infrastructure sectors. He is a key member of the firm's arbitration team. He holds an MSc. Construction Law and Dispute Resolution from the prestigious King's College London and has built specific expertise in construction law and arbitration.

He has expertise in major standard forms of construction and engineering contract including the JCT, FIDIC, and bespoke forms involving funder led EPC and EPCM. He advises clients (project owners and contractors) on a range of issues on project development and the resolution of disputes arising during projects, including dispute boards, adjudication and arbitration.

He has acted as arbitrator and arbitration counsel in both domestic and international arbitration pursuant to the ICC Rules, with seats in Switzerland, London, Miami Florida, and Nigeria. Ngo-Martins' practice has a strong international focus, having worked on projects in the Caribbean and Africa.

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### **Kwadwo Sarkodie**

*Advisory Board Member, Africa Construction Law, London, United Kingdom*

Kwadwo Sarkodie is a partner in the Construction & Engineering group of the London office. He has substantial experience across a broad range of dispute resolution. He regularly advises employers, insurers, contractors, subcontractors and consultants in relation to disputes concerning such matters as defective works, final accounts, extension of time and loss and expense under a variety of forms of construction contract (both standard form and bespoke). He has extensive experience with regard to litigation, mediation and adjudication.

Kwadwo has wide-ranging international experience, having advised in relation to projects and disputes in Sub-Saharan Africa, South America, India, Russia and the Middle East. He regularly advises in relation to international arbitrations, including under the ICC, UNCITRAL and LCIA rules. Kwadwo has written extensively regarding dispute resolution and arbitration in Sub-Saharan Africa.

Kwadwo joined Mayer Brown in 2004 and was made partner in 2012.

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**José Chinjamba**

*Executive Director, Investment and Export Promotion Agency of Angola (AIPEX), Luanda, Angola*

José Chinjamba is a Lawyer and Founding Member of the Angolan Bar Association. He is currently Administrator of the Legal Area at AIPEX - Private Investment Agency and Export Promotion. He was a permanent Director and Deputy Coordinator of the Private Investment Contract Negotiation Committees from 1994 to 2010; meanwhile, he was a member of the SADC Finance and Investment Sub- Unit from 1997 to 1998, and in 2011 he was a member of SADC Technical Group for the elaboration of the Type Model of Reciprocal Investment Promotion and Protection Agreement, assisted by the International Institute for Sustainable Development. Born on October 25, 1960, Dr. José Chinjamba holds a Master's degree in Law, specialized in international law from Bacchus State University, former Soviet Union, since 1993. He speaks fluently the following languages: Portuguese, English, Russian and Spanish.

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**Bruno Miguel Cardoso Vedor**

*President, Association of Mozambican Consulting Companies (AEMC) and Chair, Land and Environment sector, Confederation of Mozambican Economic Associations (CTA), Maputo, Mozambique*

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**Gustavo Scheffer**

*Counsel, Mayer Brown, São Paulo, Brazil*

Gustavo Scheffer da Silveira is a counsel in the Arbitration practice of Tauil & Chequer Advogados, at the São Paulo office.

Gustavo has a doctor's degree in private international law and international commercial law from the University of Paris II Panthéon-Assas. Prior to joining Tauil & Chequer Advogados in association with Mayer Brown, Gustavo worked for the Secretariat of the International Court of Arbitration of the ICC, where he worked as Deputy Counsel in the Latin-American team, based in Paris, and as Counsel responsible for the São Paulo office of the ICC's Secretariat of the Court. Over the course of his activity with the ICC, Gustavo managed hundreds of cases and reviewed a great number of arbitration awards relating to various jurisdictions and economic sectors. These activities provide Gustavo with a singular experience in the domestic and international arbitration sector.

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**Sekai Nyambo**

*Associate Director, HKA, London, United Kingdom*

Sekai Nyambo is an Associate Director at HKA, one of the leading expert and dispute resolution specialist companies in the world.

Sekai has commercial and contracts capability in the engineering and construction industries and has experience in domestic and international arbitration, adjudication, litigation, expert determination. She is a Chartered Quantity Surveyor and a consulting expert in the various forms of dispute resolution in areas relating to quantum on matters such as valuations of prolongation, disruption, acceleration, cost to completion and variation claims.

Her portfolio includes major complex projects across a wide range of market sectors in Africa, Europe, Middle East, Caribbean and Oceania. These include process and energy (hydroelectric, nuclear, wind farms, oil and gas), infrastructure (highways, railways, airports), and buildings (commercial facilities, education, housing).

Sekai holds a BSc Hons in Quantity Surveying and MSc in Construction Law and Dispute Resolution. She is a member of the Royal Institute of Chartered Surveyors and a Fellow of the Chartered Institute of Arbitrators.



**Gonçalo Falcão**

*Partner, Mayer Brown, Rio de Janeiro, Brazil*

Gonçalo Falcão is a partner in the Rio de Janeiro office of Tauil & Chequer Advogados' International Tax Matters and Corporate & Securities practices. He represents clients around the globe and particularly throughout Africa, including Angola, Mozambique, Cape Verde, Equatorial Guinea, and São Tomé & Príncipe. Much of his work in these countries involves representing oil and gas exploration and production companies and service providers. Gonçalo also has substantial experience in oil and gas, corporate, foreign investment, labor and immigration, and foreign exchange matters. He is licensed to practice law in both Brazil and Portugal.

Before joining that firm, he practiced law for five years at offices in Portugal and Brazil as a member of the Miranda Law Firm. He also practiced in Portugal from 1998 to 2004 with several other firms, including KPMG (as Tax Manager), Castro Silva & Associados and Arthur Andersen. Gonçalo is fluent in English and Spanish as well as Portuguese.

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**Miguel Raposo Alves**

*Managing Director and CEO, Hemera Capital Partners*

Miguel spent many years of his professional life as at KPMG Corporate Finance & KPMG Restructuring in Lisbon and in London, where he became an associate director. He was latter a junior partner at TIIC, an international private equity fund focused on infrastructure, with a geographical investment focus in Europe and the Americas.

More recently, Miguel held several senior roles in the Angolan market, first as Head of Investment Banking at Banco Millennium Atlântico, a leading financial institution in Angola and Africa, and later as the founder, CEO and shareholder of the first Angolan asset management firm incorporated under the country's new legal framework: Odell Global Investors.

Miguel holds a Post-graduate Diploma in Global Business (with distinction) from the Said Business School – University of Oxford (United Kingdom), a Masters in Finance from ISCTE Business School (Portugal) and a Bachelor Degree in Management from ISEG – University of Lisbon (Portugal). He has also completed the Advanced Management Program (AMP) at Wharton Business School – University of Pennsylvania (USA).

Miguel is fluent in Portuguese, English, French, and Spanish.

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**Tiago Almeida**

*Senior Investment Officer, IFC*

Tiago is a Senior Investment Officer at IFC, responsible for Angola & Mozambique for infrastructure investments.

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**Gideon Kamy-Lukoda**

*Associate Director, HKA, London, United Kingdom*

Gideon Kamy-Lukoda is a chartered engineer with experience in the project and programme management and delivery of capital projects, considering the application and implementation of health and safety regulations, including the evolving status of the CDM regulations. Gideon currently helps engineering, technology and construction industry sector clients with projects in distress or already in claim/dispute situations, focussing on the design and operation of governance and planning controls. Drawing on earlier experience in research, design and standards compliance, Gideon can also assist in the evaluation of the design and operation of control frameworks, such as standards development and implementation framework in project organisations.

Gideon has on several occasions provided support during oral hearings at both international and domestic arbitrations, as well as at the Technology and Construction Court in the UK.

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**Itewa Nogueira**

*Partner, Dentons LEAD, Luanda, Angola*

*Global Steering Committee Member, Lusophone Countries, Africa Construction Law*

Itewa joined the firm in January 2021 as a Partner.

Itewa has more than 10 years of experience working for clients in the oil and gas industry in corporate, tax, labor and regulatory and compliance matters. She also works regularly in IP and arbitration.

Itewa is one of the Executive Director of the UK-Angola Chamber of Commerce since September 2018.

Itewa is also a CIPE certified ToT in compliance and anti-corruption and is often called to speak and train clients in matters of compliance and anti-corruption.

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**Paulo Rage**

*Partner, Mayer Brown, Rio de Janeiro, Brazil*

Paulo Rage is a Partner of Taul & Chequer Advogados in association with Mayer Brown based in the Rio de Janeiro office and member of the Corporate and M&A, International Tax, International Trade and Africa practice groups.

He has significant practical experience in complex cross-border projects and M&A, from the planning and structuring phase (finance, tax, corporate, regulatory and labor planning), as well as providing constant legal advice during the implementation, mainly in the sectors of: infrastructure, construction & engineering, energy and oil & gas, mining, industrial, pharmaceuticals & life sciences and agribusiness. He has established a prominent practice with projects in emerging LATAM (Latin America) and MEA (Middle East and Africa) markets, especially Sub-Saharan and Lusophone Africa. He represented several multinational companies in transactions through different jurisdictions, such as: Mozambique, Angola, South Africa, Malawi, Nigeria, Kenya, Botswana, Brazil, Argentina, Uruguay, Chile, Peru, Mexico, Panama, Colombia, Bolivia, Dominican Republic, United States, United Kingdom, Portugal, Netherlands, Albania, UAE, China, India, among others.

Paulo is a Lawyer and Advisor in cross-border transactions, with Master of Laws (LL.M.) and Bachelor of Laws (LL.B. - JD) degrees from the Law School of the Federal University of Minas Gerais – UFMG, and an Analyst in International Trade for Tariffs. He is qualified to practice law in Brazil and Portugal and is fluent in Portuguese, English, Spanish and French. Paulo's practice involves Cross-border Projects and Transactions (such as M&As); Tax & International Tax; International Economic Law; and, Governmental and International Relations. In addition, he is currently Director of the Chamber of Commerce, Industry and Agriculture Brazil-Mozambique – CCIABM (since 2008). His previous experience includes: Partner of Bernardes & Advogados Associados (2012-2014); General Counsel of Investor Consulting Partners (2010-2014); Lawyer in the Trade Policy Program at the Embassy of Brazil in Washington, USA (2009-2010); Institutional Relations Manager of Manucci Advogados (2008-2009); Coordinator of Government and International Relations of the American Chamber of Commerce – AMCHAM (2006-2008); and, Coordinator of several academic activities in International Economic Law.

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**Hugo Gaspar**

*Projects Controls Coordinator, Andrade Gutierrez/Zagope, Maputo, Mozambique*

Hugo is a Mozambican Civil Engineer, who spent several years in Malaysia and Portugal before returning to Mozambique. Currently, as a Project Controls Manager in the Operations Field of the Multinational Construction Firm Zagope. Zagope is where Hugo quickly developed an appreciation of and became well-versed in the art of cost control and planning as well as with various market dynamics. His focus in the company has always been in the Oil and Gas Field, and he is dedicated to Early Works and SMP Projects.

**Michael Halliday**

*Director, HKA, Worcester, United Kingdom*

Michael Halliday is a qualified quantity surveyor with over 25 years' construction and engineering industry experience as a commercial manager, quantity surveyor and contracts administrator, delivering a broad range of contracts for a varied UK and international client base spanning oil and gas, power and utilities, infrastructure, MEICA, industrial, Civil and buildings sectors. He has strong commercial and contractual knowledge having worked with a range of standard forms of contract, and various bespoke forms of FIDIC-based contract for international power, oil and gas, and water/waste water projects.

He has been appointed Expert Advisor on quantum matters and has experience of dispute resolution including DAB and arbitration hearings, statements of claim and defence for arbitration (domestic and international), referral notices and responses for DAB and adjudication process, the preparation of claims, counterclaims and defence submissions and resolution via negotiation.

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### **Jorge Salomao**

*Associate Lawyer, FL&A, Maputo, Mozambique*

Was born in Maputo on April 1, 1973. He graduated in Law from the Instituto Superior de Ciências e Tecnologias de Moçambique - ISCTEM in 2007. He is an assistant professor at ISCTEM from 2008 to 2021 in the discipline of Obligations Law.

It has certificates of participation:

- Administrative Litigation Course (2007), taught by Prof. Doctor Sérvulo Correia,;
- Arbitration Course (2017), at the Arbitration, Conciliation and Mediation Center - CACM;
- Insolvency Practitioner (2019), organized by the World Bank in collaboration with the Ministry of Justice of Mozambique.

He is a Lawyer, with a Professional License registered with the Bar Association of Mozambique. He worked as an associate lawyer at Mbachir & Advogados, Lda. Coordinated the practice area of litigation. Currently, he is an associate lawyer at FL&A Associados, LDA, in the areas of Contract and Litigation practice.

He has participated as a jury member in the oral examinations of the Bar Association of Mozambique since 2017.

In addition to the area of law, he has a degree in Graphic Design, especially in the area of security documents (bank checks, passports, driving licences, Identity Cards, etc.). He's a musician, composer and setup. He has participated in several international music festivals around the world, among others, France, Spain, Portugal, Belgium, Holland, Czech Republic, Germany, Austria, South Africa, Eswatini, Zimbabwe. He has collaborated with several national and international artists, such as Jimmy Dlodlu, Judith Sepuma, George Lee, Chude Mondlane, Stewart, Mingas, Moreira Chonguiça, Ivan Mazuze, etc.

He is a speaker of Portuguese, English, Xitswa, Xironga, Xichangana.

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