

# Introduction to Construction Law & Dispute Resolution

One of the key objectives of ACL is to encourage and foster construction law expertise among practitioners in Africa through capacity building and training. To achieve this goal, ACL is excited to be launching the ACL Training Academy this September. This initiative is a close partnership between ACL, the Centre of Construction Law & Dispute Resolution at King's College London and HKA, with each member of this partnership being a global industry leader in their respective field.



## Course Details

# Introduction to Construction Law & Dispute Resolution



8 Modules



20th September - 8th November 2023



3 Months / 8 Weeks



An Interactive Virtual Training

**» EARLY BIRD ENROLMENT ENDS 30TH AUGUST 2023**



## **Modules 1:- Application of FIDIC contracts (Part 1)**

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### **Date:**

**20 September 2023**

12:00 – 14:00 (BST & WAT) 13:00 – 15:00 (CAT & SAST), 14:00 – 16:00 (EAT)

### **Content (Provisional):**

- Introduction to the FIDIC Suite,
- Variation/ Change Control,
- Quality - Design Responsibility, specification, warranties, defect liability,
- Performance guarantees,
- Termination,
- Notices

## **Modules 2: Application of FIDIC contracts (Part 2)**

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### **Date:**

**27 September 2023**

12:00 – 14:00 (BST & WAT) 13:00 – 15:00 (CAT & SAST), 14:00 – 16:00 (EAT)

### **Content (Provisional):**

- The Payment Process,
- Time - Completion, extension of time, delay liquidated damages and time at large,
- Suspension and Termination,
- Africa Law Perspectives – Adopting FIDIC in African Infrastructure Projects

## Modules 3: Claim

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### Date:

**04 October 2023**

12:00 – 14:00 (BST & WAT) 13:00 – 15:00 (CAT & SAST), 14:00 – 16:00 (EAT)

### Content (Provisional):

- Types of Claims,
- Successful Claims,
- Recovery of Cost & Loss,
- Delays, EOT & Liquidated Damages

## Module 4 – Risk Management

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### Date:

**11 October 2023**

12:00 – 14:00 (BST & WAT) 13:00 – 15:00 (CAT & SAST), 14:00 – 16:00 (EAT)

### Content (Provisional):

- What is Risk?
- The Negative Impact of Risk,
- Importance and Principles of Risk Management,
- Application of Effective Risk Management,
- An African Law Perspectives – Notices

## Modules 5: Delay & Disruption

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### Date:

**18 October 2023**

12:00 – 14:00 (BST & WAT) 13:00 – 15:00 (CAT & SAST), 14:00 – 16:00 (EAT)

### Content (Provisional):

- Time Risk Management,
- Time (Delay) Analysis,
- Concurrent Delay,
- Cost and Value Analysis,
- Event Identification – Cause and effect,
- Africa Law Perspectives – Dealing with delay under South African law

## Modules 6: Evaluation of Quantum Issues

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### Date:

**25 October 2023**

12:00 – 14:00 (BST & WAT) 13:00 – 15:00 (CAT & SAST), 14:00 – 16:00 (EAT)

### Content (Provisional):

- Quantum Evaluation Goals,
- Types of Evidence – common problems,
- Common Complaints,
- How to Improve Quantum Evaluation

## **Modules 7:** Dispute Resolution (Part 1)

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### **Date:**

**01 November 2023**

11:00 – 13:00 (GMT) 12:00 – 14:00 (WAT) 13:00 – 15:00 (CAT & SAST), 14:00 – 16:00 (EAT)

### **Content (Provisional):**

- Pitfalls in drafting dispute resolution procedures,
- Adjudication,
- Mediation,
- DABs

## **Modules 8:** Dispute Resolution (Part 2)

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### **Date:**

**08 November 2023**

11:00 – 13:00 (GMT) 12:00 – 14:00 (WAT) 13:00 – 15:00 (CAT & SAST), 14:00 – 16:00 (EAT)

### **Content (Provisional):**

- Pre-arbitration Process,
- Arbitration Process,
- Jurisdictional challenges in arbitration,
- An insight into the arbitral tribunal,
- Arbitral institutions,
- Enforcement

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To register, please

visit [www.africaconstructionlaw.org/  
acl-training-academy](http://www.africaconstructionlaw.org/acl-training-academy)

Email all enquiries to:  
[aclacademy@africaconstructionlaw.org](mailto:aclacademy@africaconstructionlaw.org)





## Meet The Faculty



**Ngo-Martins  
Okonmah**  
*Aluko Oyebo*



**Prof. Renato  
Nazzini**  
*Kings College London*



**Tim Harwin**  
*HKA*



**Rob Wilkins**  
*Pinsent Mason*



**Michelle Porter  
Wright**  
*Pinsent Mason*



**Yolanda Walker**  
*DWF*



**Tom Smith**  
*Hogan Lovells*



**Igor Corelj**  
*HKA*



**Jarrod Gutsa**  
*Vinson & Elkin*



**Virginie Colaiuta**  
*LMS*



**Dr Yue Zhao**  
*SIAC*



**Dawson Jenner**  
*HKA*



**Martin Campbell**  
*HKA*



**Thomas King**  
*Pinsent Mason*



**Stefan Brill**  
*HKA*



**David Kaggwa**  
*Senior Partner, Kaggwa  
& Kaggwa Advocates*



## **Ngo-Martins Okonmah**

Partner at Aluko and Oyebode/ Founder and Chair of Africa Construction Law

Ngo-Martins is a partner in the top-ranking Dispute Resolution practice at Nigeria's largest and leading full-service firm Aluko & Oyebode. He currently oversees 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 prior work experience with global construction law firm Pinsent Masons London and leading set of construction barristers' chambers Keating Chambers London as a foreign qualified lawyer handling project claims and construction related disputes.

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, expert determination, 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.

In 2019, Ngo-Martins was shortlisted for the Nigerian Rising Star Award 2019 (40 under 40 category) by Esq Nigerian Legal Awards and recognized as one of the 2020 Africa Rising Star by Africa Arbitration. He is published in several journals, including IBA-Construction Law International.

Ngo-Martins regularly presents in conferences and seminars. He is a member of the construction law technical sub-committee of the Lagos Chambers of Commerce International Arbitration Centre; member of the Dispute Resolution Board Federation UK; member of the Chartered Institute of Arbitrators UK (Nigerian branch) and a Director at the Africa Arbitration Academy.



## **Prof. Renato Nazzini**

Partner LMS Legal LLP & Director, Centre for Construction Law,  
King's College, London, United Kingdom

Renato is a partner at LMS Legal LLP, London and Professor of Law at King's College London, where he is also the Director of the Centre of Construction Law and Dispute Resolution.

An experienced arbitrator and counsel in international arbitration, he has a wide industry knowledge, from construction, oil and gas and infrastructure to IT and digital, from pharmaceuticals to consumer goods. A dually qualified English Solicitor and Italian Advocate, he understands and navigates the different approaches across common law and civil law jurisdictions and is able to resolve effectively and pragmatically complex substantive and procedural problems. Aware of the multi-cultural dimension of many international disputes, he has worked across Europe, Africa, Asia and America as counsel, arbitrator (both as president of the tribunal and co-arbitrator) and expert witness.

He is a member of the ICC Arbitration and ADR Commission, Italy, a member of the ICC Task Force on Dealing with Corruption Issues in International Arbitration and a Fellow of the Chartered Institute of Arbitrators. Renato has also substantial experience in EU law, regulation and competition law, having served for seven years as a lawyer and then Deputy Director of the Legal and Policy Department at the UK competition authority and as a member of the ICC Task Force on Arbitrating Competition Law Issues. In his academic capacity, Renato published six books and more than eighty articles and book chapters on international arbitration or competition law and is General Co-editor or member of the editorial board of four leading international journals. He has been Visiting Professor at the University of Turin, the University of Zurich, and FGV of San Paulo, Brazil.

He holds two PhDs, one from the University of London and another from the University of Milan.





**Tim Harwin**

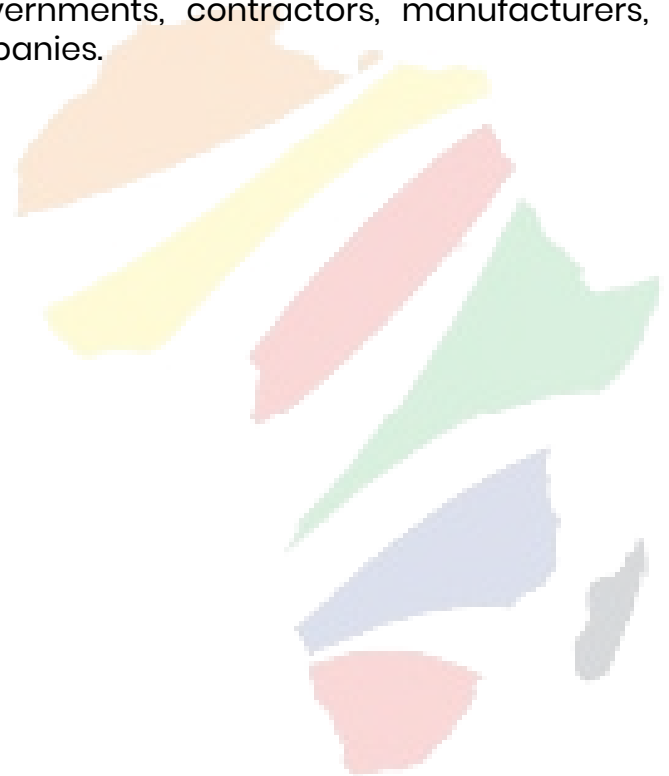
Partner and Delay Expert at HKA

Tim Harwin is a Civil Engineer with 20 years of construction industry experience.

He has testified and been cross examined as an expert witness in arbitration proceedings and specialises in the analysis of delay, disruption and programming on construction, mechanical and infrastructure projects; and the preparation of expert reports for adjudication, arbitration and litigation.

Tim is recognised in Who's Who Legal as an Arbitration Expert Witness, and has been engaged on projects in Africa, Australia, Asia, Europe and the Middle East and has recently prepared expert reports for disputes arising on production and processing facilities, building, road, rail, bridge, power stations, solar projects, oil pipelines, water treatment plants, LNG and mining facilities, infrastructure projects and industrial facility upgrades.

Tim provides his clients with clear an independent advice based on his strong project delivery experience on large building, civil and infrastructure projects and his commercial experience working with governments, contractors, manufacturers, developers, energy, mining, oil and gas companies.





**Rob Wilkins**

Partner at Pinsent Masons

Rob is a partner based in Pinsent Masons' London office, specialising in the management and resolution of complex, high value disputes arising on major international infrastructure and energy projects. He has over twenty years' experience of conducting all forms of dispute resolution, particularly arbitration, representing clients in UNCITRAL, ICC and LCIA arbitrations. Rob also conducts investor-state arbitrations and led the teams that secured recent successes for a north African state on two high value investment treaty arbitrations concerning major civils engineering projects that were affected by the Arab Spring. Rob also acts as project counsel and spent two years seconded to the operator of a major oil export facility in Sudan.

Rob's practice has a particular focus on Africa, being described in one directory as 'an absolute guru of Africa-related arbitrations'. Rob leads the firm's North Africa Group and sits on the firm's Africa Steering Group. He regularly lectures and appears on panels at international arbitration and Africa related seminars. He is a Fellow of the Chartered Institute of Arbitrators is proud to sit on the Advisory Board of Africa Construction Law.





**Stefan Brill**  
Partner, HKA

Stefan Brill is a legal professional with a career spanning over 20 years, commanding a wealth of experience within the international construction and engineering domains. His proficiency encompasses an array of disciplines including claims and contract management, dispute resolution, and strategic advisory consultancy.

His niche lies in power generation, and Stefan has been instrumental throughout the lifecycle of projects—spanning pre-construction, design, procurement, construction, commissioning, and final handover phases.

Stefan's portfolio spans numerous continents, encompassing notable mega-projects across the globe. His counsel is sought-after by project owners, contractors, and contract administrators alike, underpinned by practical insight.

Marrying his deep comprehension of quantum and delay-related intricacies with his legal background, Stefan is able to illuminate the intricate nexus of cost, time, and contractual facets of construction projects and claims.

He is dedicated to applying his extensive experience to help navigate the complex world of construction and engineering, offering practical solutions and guidance every step of the way.

Stefan holds a 'Licenciado en Derecho' (BSc MSc Law) degree from the Universitat Pompeu Fabra in Barcelona, Spain, and is a member of the Barcelona Bar Association (Ilustre Colegio de Abogados de Barcelona).



## **Yolanda Walker**

Partner, DWF Law LLP, London, United Kingdom/Director, Africa Construction Law

Yolanda is a partner in DWF's Construction & Infrastructure team. Yolanda is a specialist construction and engineering lawyer, providing project advice in relation to buildings and large-scale infrastructure projects in the UK and internationally, particularly in Africa.

Yolanda advises clients on the operation of contracts and the resolution of disputes through negotiation, adjudication, mediation, arbitration and litigation and has experience of working with clients throughout the lifecycle of a project to assist in the management of risk, the avoidance of disputes and to help achieve the best result commercially. Yolanda has expertise in all major standard forms of contract, including JCT, NEC and FIDIC. Yolanda has advised owners and contractors and employers on a variety of civil engineering and infrastructure projects. These have included buildings, road projects, tunnels, LNG plants, mining plants and pipelines. Yolanda regularly presents to various institutions at seminars and training workshops internationally and the UK.

Yolanda is a director of Africa Construction Law, a pan-African thought-leadership initiative operating across Africa and in the diaspora to promote construction law and practice in Africa.

Yolanda is recognised by Who's Who Legal and has been ranked as a "Future Leader in Construction" in 2020, 2021 and 2022. She is also a committee member of the Commercial Litigators Forum in London.





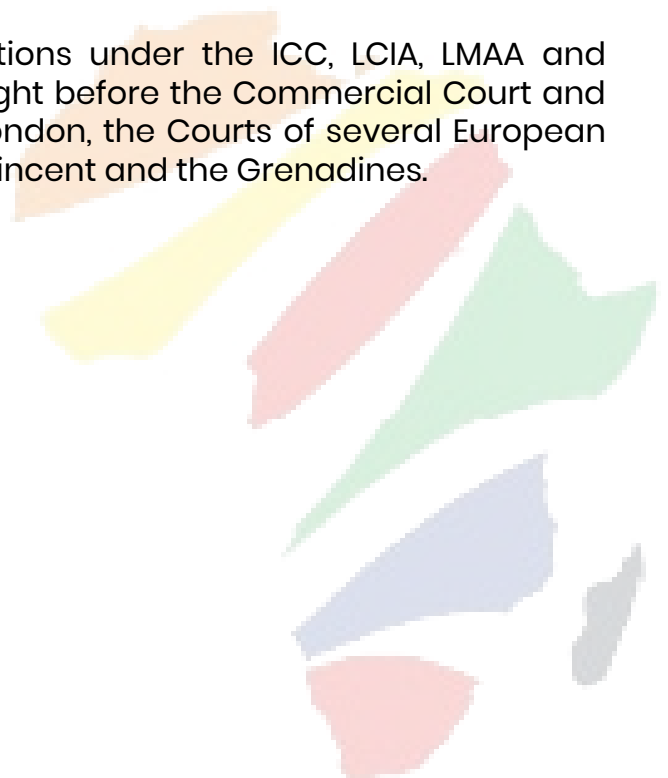
## **Tom Smith**

Partner, Hogan Lovells, London,  
United Kingdom

As a partner in the International Arbitration team in London, Tom advises clients on contentious issues arising out of their operations across the world. Tom has particular expertise in the resolution of disputes associated with complex engineering and infrastructure projects, and brings experience and knowledge of arbitration, mediation and court proceedings in the Commercial Court and the Technology and Construction Court.

Tom is experienced in advising clients in relation to projects based in Europe, Africa and Asia in the conventional and nuclear power, offshore wind, oil and gas, commercial space flight, defence, and transport industries. He has also acted in a number of commercial disputes in the pharmaceutical and telecommunications sectors. In 2015 Tom returned from a three-year overseas secondment to a major Japanese heavy industries company, during which he advised them on all aspects of their business.

Tom has experience of conducting arbitrations under the ICC, LCIA, LMAA and UNCITRAL rules, and has acted in cases brought before the Commercial Court and the Technology and Construction Court in London, the Courts of several European jurisdictions and before the High Court of St Vincent and the Grenadines.







## **Igor Corelj**

Director & Quantum Expert, HKA,  
DUBAI, UAE

Igor Corelj is a Structural Engineer and a Chartered Quantity Surveyor with over 16 years of experience in the international construction industry. He has acted as a quantum Expert on eight occasions and has assisted on more than 20 complex engineering and construction arbitration matters, including power and oil & gas projects in several African countries.

Igor's experience includes on-site contracting experience, commercial management of large infrastructure projects at head office level and consultancy services at all stages and aspects of the project lifecycle. By combining detailed technical knowledge, international commercial management experience and awareness of legal issues, Igor can articulate clear and methodical explanations of the key issues relating to the quantification and valuation of various claims.

Igor has been recognized in WWL directories and the most recent testimonials applauded him as "quite simply a true expert" who receives praise for his "ability to process vast amount of data" and present it in a concise manner.





## **Virginie Colaiuta**

Partner at LMS LEGAL LLP

Virginie Colaiuta is a Visiting Fellow at The Dickson Poon School of Law and a member of the Centre of Construction Law and Dispute Resolution at King's College London.

She also regularly lectures for the Master of Business Engineering of the University of Stuttgart in Germany.

Virginie is a partner of the London office of the boutique law firm LMS Legal LLP and acts as counsel, advocate and arbitrator in international arbitration proceedings deriving from construction and energy projects, also based on bilateral or multilateral investment treaties. She is admitted to practise as a Solicitor in England & Wales, as an Attorney at Law in New York (USA) and as Avocat à la Cour in France. She also practised in Italy for a few years and has obtained a law degree from the University of Rome La Sapienza.

Since January 2022, Virginie has been acting as the Vice Co-Chair of the International Construction Projects Committee of the International Bar Association ("IBA"). She can be contacted at [virginie.colaiuta@lmslex.com](mailto:virginie.colaiuta@lmslex.com)





## **Michelle Porter-Wright**

Counsel at Allen & Overy/ Director, Africa Construction Law

Michelle is counsel in Allen & Overy's global disputes practice group. She advises owners, contractors and consultants in the administration of contracts and the resolution of disputes on major infrastructure projects.

She focuses her practice on the resolution of complex disputes, both through adjudication and arbitration. She has experience in the civil, mechanical, electrical and process engineering disciplines across EPC, EPCM, remeasurable, turnkey, and consultancy agreements, both standard form and bespoke. Her practice has a strong international focus, having worked on projects in Chile, Australia, Russia, Mozambique, Zambia, Zimbabwe, the UK and Nigeria.

Michelle has a masters degree in Construction Law and Dispute Resolution from King's College, University of London. She is published in several peer reviewed academic journals, including the South African Law Journal and the Stellenbosch Law Review.

Michelle is one of Africa's top 50 young arbitration lawyers, as awarded by the Association of Young Arbitrators for 2020. She has been ranked both by Chambers Global and the Legal 500 during 2016, 2017 and 2019 for her work in South Africa's construction sector. She is a 2020 Acritas Legal Star, awarded annually to client nominated, stand out lawyers across the globe.





## **Dr Yue Zhao**

Deputy Counsel at the Secretariat  
of the Singapore International  
Arbitration Centre

Dr Yue ZHAO is currently serving as a Deputy Counsel at the Secretariat of the Singapore International Arbitration Centre (SIAC). In this role, she administers international arbitration conducted under the SIAC Rules and UNCITRAL Arbitration Rules on construction, maritime disputes and international trade. She has assisted in SIAC's participation in UNCITRAL Working Group III (ISDS) and has spoken and lectured on investor-State arbitration.

Yue holds a PhD summa cum laude from University of Geneva, Switzerland, where she conducted research on investor-State arbitration. Additionally, she works as an assistant editor for East and Central Asia at Kluwer Arbitration Blog and is a regular contributor to ICCA Yearbook Commercial Arbitration.





## **Jarrod Gutsa**

Senior Associate at Vinson  
& Elkins

Jarrod Gutsa is a senior associate in Vinson & Elkins' London office and a member of its International Construction Disputes group. The group won International Arbitration Team of the Year for 2022 in the Legal Business Awards. The team is ranked by Legal 500 UK as a Tier 1 firm for Contentious Construction. Jarrod is noted as a key lawyer in the team and his clients have said: "Jarrod Gutsa is one of the best and brightest, driven by a desire to win and calm under pressure. He's a natural leader."

Jarrod advises on issues arising out of large-scale construction and engineering projects. He has experience in all forms of dispute resolution including: arbitration, expert determination, mediation, adjudication and litigation.

In addition to his disputes experience, Jarrod also frequently supports clients in risk identification and management and provides project advice to clients across the globe. Jarrod has significant experience in complex construction disputes including:

- Acting for the EPCM contractor in a London-seated ICC arbitration relating to the construction of a petrochemical facility in the Middle East
- Advising an EPC contractor in relation to various disputes, including time, variation and defect claims, arising from the design and construction of an offshore gas processing platform
- Advising an EPC Contractor in respect of claims arising out of an oil refinery in the middle east
- Advising an EPC Contractor in respect of claims arising on an FPSO





## **Martin Campbell**

Associate Director, HKA

Martin Campbell is an Associate Director with HKA. He is a Chartered Quantity Surveyor with 14 years experience whilst working in the UK, Asia, and the Middle East. Martin's experience has been gained through working on a wide range of global projects across several industry sectors. He is a Member of the Royal Institute of Chartered Surveyors, as well as the Chartered Institute of Arbitrators and holds an LLM in Construction Law from the University of Strathclyde, Glasgow.

Martin is currently involved in multiple international arbitrations, providing quantum expert services on significant infrastructure and power generation disputes in Asia and the Middle East.





## **Dawson Jenner**

Associate Director, HKA

Dawson Jenner is an Associate Director with HKA. He is a claims consultant with 13 years experience working in the Africa and Canada. Dawson's experience has been gained through working on a wide range of global projects across several industry sectors. He is a Fellow of the Chartered Institute of Arbitrators and holds an LLM in Construction Law from Aberdeen's Robert Gordon University as well as a MSc from the University of Salford.





## **Thomas King**

Partner at Pinsent Masons

Thomas is a Partner at Pinsent Masons based in Johannesburg. He has 14 years' experience in advising developers and contractors in arbitrations, Court proceedings, dispute adjudication boards and other ADR proceedings arising out of major energy and infrastructure projects in Africa, Europe and Asia, including most recently South Africa's largest conventional and renewable energy facilities.

He sits on the AFSA International Committee, was shortlisted as a "future leader (non partner)" in Who's Who Legal Arbitration 2022, and publishes regularly on topical issues affecting arbitration and dispute board proceedings.





## **David Kaggwa**

Senior Partner, Kaggwa & Kaggwa Advocates

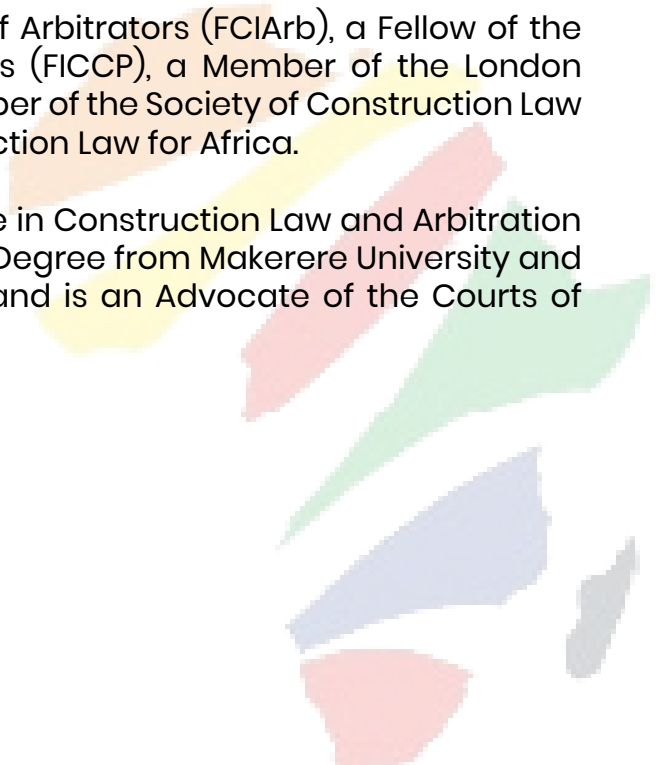
David Kaggwa is an International Arbitrator and Construction lawyer with over 18 years' experience in representing clients in resolving complex disputes involving major Infrastructure and Construction projects.

David is the Chairman of the Chartered Institute of Arbitrators – Uganda, a Senior Partner at Kaggwa & Kaggwa Advocates, a law firm specializing in International Construction Law and International Arbitration.

David has acted as Counsel and Arbitrator in several construction related arbitral disputes brought under the major arbitration rules including; the United Nations Commission on International Trade Law (UNCITRAL Rules), International Chamber of Commerce (ICC), London Court of International Arbitration (LCIA) and the Chartered Institute of Arbitrators (CI Arb). David has delivered Arbitral awards which have all been enforced by the Court.

David is a Fellow of the Chartered Institute of Arbitrators (FCI Arb), a Fellow of the Institute of Construction Claims Practitioners (FICCP), a Member of the London Court of International Arbitration (LCIA), member of the Society of Construction Law (UK) and a member of the Society of Construction Law for Africa.

David Kaggwa holds a Master of Laws Degree in Construction Law and Arbitration from Aberdeen Scotland, a Bachelor of Laws Degree from Makerere University and a Post Graduate Diploma in Legal Practice and is an Advocate of the Courts of Judicature of Uganda





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