

Recent Construction Dispute Locations:

India
Colombia
Oman
Saudi Arabia
UAE
USA
China
Brazil
Iraq
Panama
Russia
Turkey

International Dispute Resolution: Construction Overview

The International Dispute Resolution (IDR) lawyers at Vinson & Elkins, the “World’s Leading Energy Law Firm”, have deep experience in representing project owners, developers, contractors, architects, engineers, subcontractors and vendors in construction-related disputes in projects around the world in arbitrations in most major seats and in court proceedings.

Our construction experience includes: onshore and offshore oil and gas facilities; refining, desalination facilities; industrial gas production; chemical, petrochemical, and other manufacturing plants; pipelines; nuclear and fossil fuel power plants; medical towers; commercial projects; residential projects; government contracts; and municipal projects, including convention centers and roads.

In the course of such representations our teams (which include lawyers also qualified as engineers) have developed extensive experience in claims involving delay, variation, price adjustments, breach of contract, breach of warranty, tortious interference with contract, design and construction defects, fraudulent inducement; negligent misrepresentation, conspiracy, deceptive trade practices, and personal injury (including fatalities). In addition, they also have significant experience in advising on various damage models related to construction cases. These models include: increased construction costs, critical path analysis, disruption, delay, lost profits, and consequential and exemplary damages.

As with all our litigation practices, we pride ourselves in both understanding the complexities of the construction arena, and also in understanding that what is important is not simply fighting the case, but in getting as favourable an outcome (whether arbitral award, court judgment or negotiated settlement) for our clients in as efficient and cost-effective a manner as is possible. In this regard, we make it a point of regularly assessing cases with a view to preliminary issue determination, alternative dispute resolution techniques and the expedited hearing of issues. ►

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- **“Highly recommended, especially for energy and construction disputes”** – *Legal 500*, 2008
 - **“Awesome opponents”** – *Law360*, 2010
 - **“Has a very strong track record in energy and infrastructure disputes”** – *Legal 500*, 2009
 - **“V&E is well-equipped to handle a wide variety of construction projects and provides a comprehensive service to its construction industry clients”** – *Chambers USA*, 2009
 - **“Prowess in domestic and international dispute resolution”** – *Legal 500*, 2008
 - **Ranked as one of the top firms in International Arbitration** – *Chambers Global*, 2009
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Representative Experience:

- Representing the Panama Canal Authority in relation to construction and engineering aspects of the US\$5.25 billion Panama Canal Expansion Program
- Represented the contractor in relation to claims (in excess of a hundred million dollars) for variations and delay arising out of the construction of an industrial feedstock production facility in the Middle East
- Represented the owner in defending claims brought by a fabrication contractor in relation to one of the world's largest greenfield aluminium smelters being developed in the UAE
- Represented an Omani venture in an ICC arbitration brought by an Asian contractor under the terms of a turn-key EPC contract for construction of a power generation and saltwater desalination plant in Oman; the claims concerned the delayed completion of the plant, the status of a large quantity of variation orders, the amount of liquidated damages payable, and alleged "acts of prevention" by the client; the sums in dispute exceeded US\$80 million
- Advised the developers in two disputes with contractors over offshore marine upstream facilities procurement and installation contracts in the KG-D6 field offshore India and with two direct providers on related procurement contracts
- Acted for a second Omani venture in connection with a separate power and water facility in claims (valued in excess of US\$100 million) brought by the contractor for extension and price increase and by the off-taker for delay liquidated damages
- Secured a favorable award in an ad hoc arbitration in London under the UNCITRAL Rules on behalf of an Ecuadorian engineering company and a Cayman Island oil trading company against a Russian refinery for breach of an engineering, procurement, and construction contract for installation of a process for the production of high-octane, unleaded gasoline which involved counterclaims of fraud and non-compliance with Russian currency laws
- Represented a major E&P company in connection with a deepwater drilling incident; our client asked us to analyze, value, and negotiate resolution of potential claims in excess of US\$30 million against parties responsible for subsea equipment and drilling operation; claims arose from failure of riser assembly in over 6000' of water and involved competing expert theories regarding mechanism of failure and industry state of the art, warranty of seaworthiness and construction of indemnification/damage provisions in chartering agreement with drillship, applicable MMS and Coast Guard regulations, numerous choice-of-law issues presented by work on outer continental shelf, and categories of damages available
- Represented a port authority in connection with a complex multi-party construction defect and delay and breach of contract and warranty case involving general, completion, and remediation contractors, subcontractors, suppliers, sureties, and insurance carriers in a case involving a container terminal and alleged damages in excess of US\$30 million

- Acted for a client in an LCIA arbitration involving claims of breach of contract and fraud arising from a contract for the fabrication of large pressure vessels to be incorporated in the construction of a massive offshore production platform

Prior results do not guarantee a similar outcome.

For more information, please contact:



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