

CONSTRUCTION CLAIMS AND DISPUTES SERVICES

GKW Consult offer highly specialised and dedicated 'Construction Claims and Disputes' services to employer organisations.

GKW and its partners have accrued significant experience in the field of construction claims and disputes in the international arena, having operated globally providing such support and services to clients for over 70 years. For the past 25 years FIDIC and FIDIC-based forms of contract have been, and continue to be, the dominant form of contract used on the construction projects GKW are involved in.

Unfortunately, when it comes to construction claims and disputes, it is the reality of modern international construction that contractors are bringing in legal expertise from a very early stage in the claims and dispute process and increasingly doing so in relatively straightforward and lower value contracts.

One of the main reasons they do this is to try and take advantage of the fact that many employer organisations* do not have much experience of international contracts and/or of managing the claims and dispute requirements, processes and procedures they include.

This is not a criticism of employers, and neither is it surprising when one considers that an employer's business is not usually international construction – an airport operator's normal business is not the construction of a new terminal, a water utility's normal business is not the construction of a new treatment facility, and so on.

It is entirely unrealistic to expect such employers to have the necessary in-house expertise to properly defend claims and disputes or, indeed, to properly prepare and submit their own claims.

GKW's 'Construction Claims and Disputes' division is fairly unique in that it only works with and represents employer organisations.

GKW and its partners have built a solid and successful track record providing these dedicated services to clients around the world, ensuring that they are not overpowered by the wealth of resources that a contractor can bring to bear on the project when it comes to construction claims and disputes.

Our team includes highly experienced engineers and construction lawyers, contract experts from engineering and legal backgrounds, programme and delay analysis experts, quantum experts, and technical experts in various fields.



THE SERVICES WE PROVIDE INCLUDE:

- Advising and assisting the employer and their Project Implementation/Management Unit (PIU/PMU) in the preparation and submission of employer's claims.
- Advising and assisting the employer and their PIU/PMU (and the employer's construction supervisor) with the analysis of contractor's claims and the development of an early response/defence strategy.
- Advising, assisting and representing the employer during adjudication proceedings, the preparation of submissions to the dispute adjudication board (DAB), and the coordination and management of the team and any requirements for experts.
- Assisting and advising the employer during amicable settlement discussions and/or settlement negotiations.
- Advising, assisting and acting as counsel/co-counsel for the employer and representing the employer throughout the arbitration process, the preparation of submissions to the arbitral tribunal, and the coordination and management of the team and external/independent experts.



Contractors are increasingly bringing in legal expertise from a very early stage in the claims and dispute process

OUR EXPERIENCE

Over the years, GKW and its partners have advised and defended many employers, helping them save hundreds-of-millions of Euros/Dollars. We have also advised, supported and acted for employers pursuing claims against contractors, including claims for delay damages and wrongful termination, as well as calls on performance securities, performance bonds and retention money (and other) guarantees.

GKW and its partners 'construction claims and disputes' experience cover many sectors, including:

- Water and wastewater
- Ports and harbours
- Roads
- Airports
- Buildings and infrastructure
- Solid waste

For confidentiality reasons, we do not publish lists of clients we have provided construction claims and disputes services for or details of the contracts we have worked on. However, our clients include:

- Governments, government ministries and agencies
- National organisations
- Public utility companies
- Private-sector organisations
- International Financing Institutions (IFIs) and Multi-lateral Development Banks (MDBs)

Contracts we have worked on span [Africa](#), [Asia](#), [Europe](#), [South America](#) and [the Caribbean](#).

Our teams are available to discuss any construction claims and disputes services that may be required or may be under consideration.

CONTACT

GKW Consult GmbH
Augustaanlage 67
68165 Mannheim
Germany

Simon Worley
Phone: +49 621 410 77 0
E-mail: simon.worley@gkw-consult.com

Simon Jovkov
Phone: +49 621 410 77 324
E-mail: simon.jovkov@gkw-consult.com



www.gkw-consult.com