

International construction disputes

Osborne Clarke's construction disputes team specialise in the avoidance and resolution of disputes in the construction, infrastructure, transport, engineering and energy sectors. The team has an excellent track record of advising clients from contractors to developers and engineers, working on complex cross-border projects around the world and on the resolution of disputes including through arbitration under the LCIA, ICC, SCC, NAI and SIAC rules.

Our experience

- **Energy generation:** Acting for an engineering company domiciled in Germany in respect of an anti-suit injunction against a party who commenced court proceedings in Oman where an English arbitration clause existed. Sums in dispute were c.\$12m.
- **Energy generation:** Advising a contractor on a dispute re: the procurement of a heating, ventilation and air conditioning system at a gas-to-liquids plant in Central Asia including advising on defects and delay claims. Sums in dispute were c.\$1m.
- **Energy generation:** Acting for the developer and constructor of one of the 25 largest solar farms in the world. Advising on claims against the Chinese manufacturer of solar panels manufactured in Hong Kong, under a contract signed by a Swiss entity, delivered to Australia under a US parent with the panel supply agreement and warranties subject to English law and the development contract being subject to German law. ICC Rules; London seat of arbitration. Sums in dispute exceeded \$200m.
- **Infrastructure:** Acting for the SPV which also wholly owned the construction and facilities management companies for a new landmark hospital in Australia.
- **Aerospace & defence:** Advising a manufacturer in a confidential aviation dispute subject to LCIA arbitral rules. Sums in dispute between the parties were around \$45m.
- **Infrastructure:** acting on behalf of a government employer in relation to four roads, and the maintenance of thousands of kilometres of track roads, in the Middle East. Total sum in dispute: US\$250m
- **Built environment:** Advising a facilities management contractor on disputes arising under a contract for facilities management services to be provided across numerous European jurisdictions.
- **Energy generation:** Advising a German renewable energy asset owner on disputes concerning the asset management of its solar portfolio.
- **Energy generation:** Advising one of UK's largest green energy investment companies in respect of solar projects being developed in India, involving co-ordinated claims in both India and the UK in relation to valuation of land, construction of solar facilities and operation and maintenance.
- **Logistics:** Advising leading German product and systems manufacturer on disputes re: the construction and operation of a distribution warehouse.
- **Built environment:** Advising Eastern European modular construction company on disputes concerning the construction of modular residential homes.
- **Infrastructure:** Acting for a specialist contractor in relation to the construction of a new terminal at a major airport in the Middle East.
- **Built environment:** Acting for a joint venture between an international contractor and a local entity carrying out the build of an iconic office building in the Middle East.
- **Energy generation:** Advising contractor in respect of a dispute regarding the non payment of invoices for design, engineering and construction services, subject to a binding arbitration agreement with arbitration in Rotterdam, The Netherlands under the NAI Rules.



Key Contacts



Rob Horne

Partner

T: +44 207 105 7671

rob.horne@osborneclarke.com



Daniel Cashmore

Partner

T: +44 20 7105 7668

daniel.cashmore@osborneclarke.com



Tom Andrews

Associate Director

T: +44 20 7105 7464

tom.andrews@osborneclarke.com



Danielle Griffiths

Senior Associate

T: +44 20 7105 7120

danielle.griffiths@osborneclarke.com

What issues should you consider on your cross border construction and engineering projects when making or faced with a claim?

Our International Construction Disputes toolkit is aimed at parties working on international projects and is designed to guide you through the processes and to help you manage the risks on projects with an international element, including:

- Issues that can impact international projects and what can be done to help protect positions
- Applicable law and jurisdiction: what they mean and why they are important
- Commentary on key provisions of the popular standard form construction contracts
- Overview on the methods of dispute resolution for projects with an international element

You can [access the toolkit here](#) using the password: IntCon22

"The team is dynamic, responsive, commercial and has the essence of what distinguishes professionals from one another – quality. They are a quality operation. The team is results rather than process driven, with deep knowledge of how construction disputes can materialise, what to do to prevent it and what to do when it can't be avoided. True professionals who offer a quality service and excellent representation, and are well respected."

Legal 500, Construction: Contentious

