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INTERNATIONAL BAR ASSOCIATION CONFERENCE 2025

A conference presented by the IBA International Construction Projects Committee

9th Biennial Conference on Construction Projects from Conception to Completion

27–29 March 2025 Excelsior Hotel Gallia, Milan, Italy

Working programme and list of participants

Headline conference sponsors



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All speaker materials and biographies can be found at www.ibanet.org/conference-details/conf2531

Committee Co-Chairs

Julio Bueno *Pinheiro Neto Advogados, São Paulo; Co-Chair, IBA International Construction Projects Committee*

Virginie Colaiuta *LMS Legal, London; Co-Chair, IBA International Construction Projects Committee*

Thursday 27 March

1830 – 2030 **Welcome reception**

Gallia Restaurant, Excelsior Hotel Gallia
Piazza Duca d'Aosta, 9, 20124 Milan, Italy

The reception is open to all registered delegates

Friday 28 March

**Registration, coffee/tea breaks and lunch will be held in the Galleria Foyer Duomo
All working sessions will be held in the Duomo room**

0830 – 1800 **Registration**

0830 – 0900 **Welcome coffee/tea**

0900 – 0905 **Introduction from the Committee Co-Chairs**

0905 – 0910 **Welcome address from the IBA**

Shane Freitag *Borden Ladner Gervais, Toronto, Ontario; LPD Assistant Treasurer / IBA Assistant Treasurer*

Project establishment sessions

0910 – 1020 **SESSION ONE**

Contract risk shifting provisions

Recommendations on addressing differing site conditions, adverse versus unusually severe weather, third party risks and limitation of liability clauses.

Session Chair

Andrea Forabosco *Shell, The Hague; Chair, IBA Oil and Gas Law Committee*

Panellists

Lorenzo Cristanelli *Head of Legal for the International Operations, Itinera, Copenhagen*

Tomasz Darowski *Domanski Zakrzewski Palinka, Warsaw*

Vincent Leloup *Exequatur, Nantes*

Melis Mani *Vienna Group Manager for International Legal and PPP Department, STRABAG, Vienna*

1020 – 1040 **Coffee/tea break**

MOBILE TELEPHONES

Delegates are requested to ensure that mobile telephones and any other portable devices are switched to silent in working sessions.

Associate conference sponsors



Friday continued

1040 – 1140 **SESSION TWO**

Design versus performance specifications

Conflicts between mandating a specific standard to follow while making a performance specification in design-build and delegated design.

Session Chair

Shona Frame *CMS Cameron McKenna Nabarro Olswang, Glasgow; Membership Officer, IBA Energy, Environment, Natural Resources and Infrastructure Law Section (SEERIL)*

Panellists

Gabriel Ganot *Principal Engineer, Exponent, Menlo Park, California*

Michele Ius *Group Head of Contracts, Danieli & C SpA, Buttrio*

Evelien Van Espen *Crowell & Moring, Brussels*

1140 – 1240 **SESSION THREE**

Delayed and how much: what guidance is out there and is there a best method to agree upfront?

What guidance is out there (SCL Protocol, ASCE 67, RP52R-06, RP29R-03) and is there a best method to agree upfront? How does that comport with recent case decisions including Thomas Barnes & Sons Plc v Black-burn (UK), Balfour Beatty Constr, LLC v GSA (US) and Walsh Constr v TTC (Canada)?

Session Chair

Robert D'Onofrio *President, Capital Project Management, New York; Junior Events Officer, IBA International Construction Projects Committee*

Panellists

Mehmet Karakoc *Managing Director, Secretariat, London*

Wendy MacLaughlin *Senior Partner, GBSQD, London*

Tayo Okunade *Partner, Accuracy, London*

Sunu Pillai *Saul Ewing, Pittsburgh, Pennsylvania*

1240 – 1340 **Lunch**

Project execution sessions

1340 – 1500 **SESSION FOUR**

The new technologies in construction projects

Which are the new technologies available in the market and how can they be helpful in the management and execution of construction projects as well as in the preparation and/or avoidance of claims and disputes?

Session Chair

Thais Chebatt *Pinheiro Neto Advogados, São Paulo*

Panellists

Hassan Albalawi *CEO, WakeCap, Riyadh*

Michelangelo Blasi *General Manager, Laurini Officine Meccaniche Srl, Busseto*

Dariusz Cieśla *VP of Product and Strategy, AI Clearing, Warsaw*

Pierre-Yves Hanson *Site Manager, Denys, Ghent*

1500 – 1520 **Coffee/tea break**

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Conference dinner sponsors



Friday continued

1520 – 1700 **SESSION FIVE**

Construction law differences between civil law and common law

How far do lawyers from civil law and common law backgrounds view the same construction law issues differently?

Session Chair

Professor Franco Ferrari *Professor of Law and Director, Center for Transnational Litigation, Arbitration, and Commercial Law, NYU School of Law, New York*

Panellist

James Bremen *Quinn Emanuel Urquhart & Sullivan, London*

Zelda Hunter *White & Case, Geneva; Newsletter Editor, Arbitration Committee*

Tarek Labban *United Counsels, Beirut*

Spring Tan *Withers KhattarWong, Singapore*

1700 – 1800 **SESSION SIX**

How cultures and site locations influence the success of a project

A soft aspect which has hard impact: how cultures and site locations influence the success of a project and what we can learn from diverse cultures.

Session Chair

Robert Schulz *PMO Construction Director, Parsons Corporation, Riyadh*

Panellists

Professor Anthony Lavers *King's College London, London*

Simon Leimbacher *Vice President – Head of Legal EMEA, Jet Aviation, Basel*

Ana Luković *Karanovic & Partners, Belgrade*

1930 – 2200 **Conference dinner**

Palazzo Parigi, C.so di Porta Nuova , 1, Milan, 20121

Ticket price: €120

Entry is by pre-purchase ticket only. Transport will not be provided.

Black tie dress is requested by the committee, however is optional.

MOBILE TELEPHONES

Delegates are requested to ensure that mobile telephones and any other portable devices are switched to silent in working sessions.

Registration, coffee/tea breaks and lunch will be held in the Galleria Foyer Duomo
All working sessions will be held in the Duomo room

0830 – 1240 **Registration**

0830 – 0900 **Welcome coffee/tea**

Dispute resolution sessions

0900 – 1020 **SESSION ONE**

Quantum issues in prolongation claims: lost opportunities and counting the cost

Are equipment costs time related or scope driven? Which time period should delay costs be assessed (during the project or after the expiration of the planned performance period)? And should preliminary costs or just site overhead costs be used?

Keynote speaker

Justice David Waksman *Judge in Charge, Technology and Construction Court, London*

Panellists

Mustafa Gun *International Operations Director, Diales, Doha*

Anamaria Popescu *Senior Managing Director, Ankura, Denver, Colorado*

Rohit Singhal *Founder/CEO, Masin, Dubai*

1020 – 1040 **Coffee/tea break**

1040 – 1150 **SESSION TWO**

Use of experts

Panel session covering topics including joint expert conferencing, joint expert reports and whether a consulting expert can be an independent expert.

Keynote speaker

Justice Philip Jeyaretnam *President, Singapore International Commercial Court, Singapore*

Panellists

Cecilia Carrara *Legance, Rome*

Saad Hegazy *Partner, Resolve International Consultancy, Doha*

Nasir Khan *Managing Director, Rimkus, London*

1150 – 1310 **SESSION THREE**

Arbitrator/mediator viewpoint in different jurisdictions

Panel session in question and answer (Q&A) format, covering questions about how best to present complex issues to arbitrators, including when they want to hear from technical experts, delay experts, disruption experts and quantum experts; ideal length of time per witness; what types of demonstrative graphics are persuasive; and the helpfulness of pre-hearing and post-hearing briefs.

Session Chair

Professor Renato Nazzini KC *Director, Centre of Construction Law and Dispute Resolution, King's College London*

Panellists

Christian Alberti *General Counsel, Saudi Centre for Commercial Arbitration, Riyadh*

Stefano Azzali *Director General, Milan Chamber of Arbitration, Milan, Italy*

Professor Barbara de Donno *Professor of Comparative Law, LUISS Guido Carli University, Rome*

Maude Lebois *GBS Disputes, Paris*

1310 – 1315 **Closing remarks**

Julio Bueno *Pinheiro Neto Advogados, São Paulo; Co-Chair, IBA International Construction Projects Committee*

Virginie Colaiuta *LMS Legal, London; Co-Chair, IBA International Construction Projects Committee*

1315 – 1430 **Lunch**

The IBA, its officers and staff accept no responsibility for any views expressed, presentations or materials produced by delegates or speakers at the Conference.

MOBILE TELEPHONES

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**TOP
10****GLOBAL ARBITRATION REVIEW
EXPERT WITNESSES****GAR 100**

Expert Witness Power Index, 2024

28**EXPERT WITNESSES RECOGNISED
BY LEXOLOGY IN ARBITRATION**

THE ACCURACY WAY WHAT SETS US APART?



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Our experts regularly advise companies, investors, institutions and government bodies in a variety of non-contentious situations, which adds to the credibility of their evidence.



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We have the capacity to combine expertise across a variety of fields, sectors, and situations, providing both breadth and depth of evidence in the most complex cases.



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The care we have taken in developing our practice across 18 offices allows us to provide the same quality of services throughout our global network, often combining teams from different countries.



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- Realization of international projects
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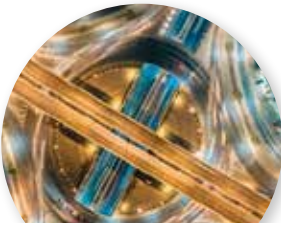
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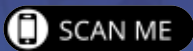


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Our identity

LMS is a boutique law firm with offices in Italy (Milan, Rome, and Turin) and in England (London), which offers highly specialised legal services in the following areas:



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Services offered in Italy:

- Corporate and M&A
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- Litigation & Arbitration
- Industrial & Intellectual Property Law
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- Environmental & Administrative Law



OUR OFFICES IN LONDON

Services offered in London:

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- Construction & Energy Law

For more information, visit our website: www.lmslex.com or contact us at:

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ARBITRATION EXPERTS WITNESS

With over 13 years of expertise, the team at Masin is specialised in handling various claims in construction and associated industries. It has pioneered cost-effective and time-efficient ways of handling claims in relation to extension of time, prolongation cost, acceleration and disruption related matters.

The team at Masin continues to innovate and adapt its practices to accommodate the diverse needs of the market. To cater to the requirements of its client, Masin offers the following consultancy services relevant to the most commonly prevalent issues in the construction industry:

DISPUTE CRYSTALLIZATION

Review the contract scope and completion status.

Reviewing the invoices, certifications, payments and the relevant supporting documents.

Reviewing the variation orders and unapproved Variations.

Reviewing the project timelines, studying the delay issues, contractual provisions, extension of time (EoT) requests and determinations thereof.

Preparation, evaluation and quantification of claims such as but not limited to EoT, prolongation, disruption, and acceleration costs and last but not least unapproved variations, final account etc., which includes consolidation and updates.

Preparation and evaluation of contract charges or back charges and counterclaims.

DISPUTE RESOLUTION

Review, prepare and assess position of the Parties as an Independent third-party during mediation.

Providing and assisting the local law firms with necessary technical inputs for preparation of pleading documents to present matter in local courts during the process of Litigation.

Acting as Expert witness (Delay, Quantum and Technical) on international arbitration matters under several institutions.

Masin in collaboration with law firm provides a Case management services model to its clients to offer "One-stop solution" for Arbitration. This includes legal and technical deliverables from filing Request for Arbitration until the final award.

Masin provides its services by:

- **Thorough review of the contractual provisions and mechanisms**
- **Analysis in accordance with the standard industry practices**
- **Evaluation of actual impact on the performance of obligations under the contract**

The team at Masin provides sound advice on claim related matters to assist its clients in receiving compensation as per the rightful entitlement. We set out any prevailing claims with a thorough understanding of the parties' positions, the issues at hand, knowledge of the industry as well as the region.

DISPUTE AVOIDANCE

Supporting preparation and submission of the final account along with the relevant supporting information.

Supporting the consolidation of outstanding and unsettled claims under several claim headings.

Presenting the claims to the opposing party and providing necessary clarification as requested.

Initiate proceedings for amicable settlement between the two parties to avoid cost extensive dispute resolution procedures.

Advise on potential alternative dispute resolution mechanisms namely, Expert determination, mediations, conciliation etc.

Assisting and attending negotiation and settlement meetings.


ARBITRATION EXPERT SERVICES

Masin acts as an expert appointed by a party or tribunal or court to prepare expert reports and testify as the expert witness in the dispute related to delay, quantum and technical matters related to construction and engineering projects.

Masin's expert along with an assistant expert prepares the key submission during the arbitration process. Expert is involved in preparation of independent main expert report, independent reply expert report and Joint expert report in coordination with the opponent's expert on the matter.

Testifying before a tribunal or a judge, being cross examined by the opposite party's counsel. Expert is also required for hot-tubbing with the opposite party's expert in front of the tribunal or judge.

Providing technical inputs to legal team on several pleadings/submissions like statement of claim (SOC), statement of defence (SOD), rejoinder and reply, if instructed.



Delay, Quantum, and Engineering Expert Witnesses

Rimkus expert witnesses are experienced in arbitration, litigation, and other alternative dispute resolution forums and have been trained and tested under cross-examination. Our team is composed of quantum, delay, engineering, technical, and life sciences experts who support our clients throughout the dispute resolution process.

We bring years of valuable construction and insurance experience to help our clients limit long and costly formal proceedings. With offices in 110+ locations worldwide, our experts can operate individually or collaboratively to provide clients with unbiased assessments of construction defects and delays, contract dispute assistance, or interpretation of forensic and scientific data.

Backed by evidence and research, Rimkus experts serve as impartial voices, presenting compelling arguments and providing professional testimony that sheds light on the critical intricacies of complex, global issues.



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WHEN IT'S ALL ON THE LINE.

In the world of complex construction disputes, Secretariat experts are trusted for their strategic insights, authoritative analysis, and objective testimony.

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