



Duane Morris & Selvam's Construction Practice is reputable in the construction disputes field, acting for numerous Korean, Japanese and Chinese construction firms based in Singapore. Our construction lawyers offer extensive skills and experience in virtually all construction matters, both contentious and noncontentious.

With strong technical know-how and decades of experience working on complex, high-visibility projects, we are well positioned to assist clients in addressing the legal challenges of engaging in the design, development, financing, performance and management of major construction and government procurement contracts. We represent public and private owners and developers, prime contractors and subcontractors, construction managers, equipment suppliers, architects/engineers and other design professionals, and sureties. This breadth of experience enables us to handle the complete spectrum of issues arising before, during and after project completion.

Our team of construction lawyers frequently act as counsel in major arbitrations and court cases internationally and domestically. We work with other lawyers from various practice areas to address the numerous issues associated with any particular project such as tax, finance, real estate, environmental, energy and, when necessary, white-collar criminal defense, corporate investigations and regulatory compliance. Our firm's full range of capabilities enables us to offer clients sophisticated legal services that are coordinated and streamlined both locally and internationally.

RANGE OF SERVICES

Our team provides the full scope of legal services to clients in all aspects of construction and government contracting, including:

- ▶ Contracting with public and private entities
- ▶ Public/private partnership (PPP) projects
- ▶ Bid protests and award disputes
- ▶ Owner/developer project management representation
- ▶ Construction administration services and risk management
- ▶ Arbitration
- ▶ Contract defaults and terminations
- ▶ Delay and inefficiency claims
- ▶ Government procurement issues/stimulus
- ▶ BIM (Building Information Modelling)
- ▶ Sustainable design and engineering
- ▶ Bid, payment and performance surety bonds
- ▶ Insurance coverage and claim disputes

- ▶ Alternative dispute resolution
- ▶ Contract interpretation, complex contract claims and surety litigation
- ▶ Claims preparation and negotiation
- ▶ Interference and installation/specification issues
- ▶ Mechanic's liens
- ▶ Contractor licensing matters
- ▶ Property damage claims
- ▶ Labour and employment counselling
- ▶ Compliance and workplace safety issues

REPRESENTATIVE MATTERS

- ▶ Advised Sembcorp Utilities Limited as lead sponsors on the development, construction and project financing of a **US\$300 MILLION** 225MW gas-fired power plant on BOT basis in Myingyan, Myanmar, the first internationally tendered power project in the country and its biggest gas-fired power station to date. This project is named Project Finance Deal of the Year 2018 by IFLR Asia Awards and Asia Pacific Power Deal of the Year 2017 by Project Finance International, Thomson Reuters.
- ▶ Represented PT Trans-Pacific Petrochemical Indotama and its founders on various restructuring transactions relating to the construction and operation of a **US\$1.5 BILLION** aromatics facility at Tuban, East Java, Indonesia, including a **US \$400 MILLION** structured finance completed in cooperation with PT Pertamina (Persero), the government of Indonesia, SMBC, Mitsui, JBIC and NEXI.
- ▶ Acted as leading counsel in advising one of biggest German construction companies on its global restructuring and rebranding plan.
- ▶ Advised Damco Logistics Myanmar Limited on the various legal issues in terms of the land lease for its multimillion dollar development and construction of a warehouse in Myanmar for logistics business.
- ▶ Advised CITIC Construction on a consortium bid for the design, build, finance, operation and transfer of a deep sea port and an industrial part at a Special Economic Zone in the Union of the Republic of Myanmar.
- ▶ Advised a Japanese engineering, procurement and construction (EPC) company on the bidding laws with respect to a **US\$200 MILLION** water treatment project in the south of Vietnam.
- ▶ Advised State Grid Corporation of China on creating a consortium with a Spanish civil engineering and construction company, for the consortium to bid to own, construct, operate and maintain power transmission grids in Chile.



- ▶ Advised PRC property developer Qingjian Group Co., Ltd. on the setting up of a joint venture for the construction, development and management of a mixed-use development project in Yangon, Myanmar.
- ▶ Advised a subsidiary of one of Malaysia's largest property groups on a **US\$15 MILLION** construction completion loan for a five star hotel in Hanoi.
- ▶ Advising a multinational bank on the Land Transport Authority's use of heavy machinery in the construction of the Downtown Mass Rapid Transit Line.
- ▶ Acted for a Singapore-based private equity fund in the real estate and hospitality sector in the establishment of a hotel development company in Myanmar, including advising and acting as coordinating counsel in relation to the purchase of land in Shan State, Myanmar, for the development of a hotel.
- ▶ Advised a Vietnamese infrastructure developer on its **US\$250 MILLION** real estate housing and apartment project in Yangon involving extensive due diligence for the client and advice on its proposed joint collaboration to undertake a commercial development of the land.
- ▶ Represented a renowned architectural firm with regard to a claim brought by a condominium's MCST for defective design.
- ▶ Advised on issues relating to a **US\$20 MILLION** engineering, procurement and construction (EPC) contract for a hydro scheme in Laos for power off-take in Vietnam.
- ▶ Acted for technical services supplier to **US\$400 MILLION** power plant construction project.
- ▶ Represented a specialist mechanical and electrical contractor in a claim commenced for the sum of **S\$11 MILLION** by a global IT company under the building and construction industry Security of Payment Act (SOP Act) involving a mixed development consisting of a hospital, a hotel and medical clinics in Singapore.
- ▶ Advised a construction conglomerate in their claim against a multinational kitchen appliance maker following a product recall that led to the contractor sustaining loss and expense, including delay to the completion of the project.
- ▶ Represented the main contractors for an industrial waste project situated on Jurong Island, Singapore, for a claim of **S\$155 MILLION** against the owner of the project. The claim was commenced under the Singapore's Building and Construction Industry Security of Payment Act (SOP Act) and is by far one of the largest claims brought under the SOP Act to date.
- ▶ Acting for a prominent insurance company in a SIAC arbitration defending a **US\$30 MILLION** claim under a Construction All Risk insurance policy concerning a major infrastructure project.
- ▶ Acted for a local statutory body in an arbitration in relation to the construction of a mass transit line in Singapore.
- ▶ Represented a local construction company with regard to the construction of HDB blocks and its dispute with its specialist subcontractor.
- ▶ Defended one of Singapore's largest property magnates in two suits brought by former investors involving the construction and sale of the Park Regis Hotel.
- ▶ Represented a Korean construction major in a claim commenced by its subcontractor for the sum of **S\$5 MILLION** under the SOP Act involving a mixed development consisting of a condominium, and shopping centre integrated with a bus interchange and mass rapid transit in Singapore.
- ▶ Acted for a developer in a construction claim against the main contractor for monies paid out under the SOP Act for variation works and defects involving the construction of a bioscience research and development centre.
- ▶ Advising a multinational oil and gas company in an arbitration under UNCITRAL rules concerning the design and construction of a semisubmersible drilling rig.
- ▶ Acted for a statutory body in an arbitration against a main contractor in relation to the construction of a major highway in Singapore.
- ▶ Advising a major Mongolian conglomerate in relation to disputes with a contractor arising out of the design and construction of power plant.
- ▶ Acted in an arbitration for a Myanmar company and a Singapore company, relating to the construction of a pipeline for gas in Myanmar, in resisting claims by a joint venture partner.
- ▶ Acted for an Austrian company against a noted engineering company in relation to the construction of sewage tank covers for a sewage plant in Singapore.
- ▶ Advised a governmental entity in relation to an arbitration involving alleged breaches of a real estate development agreement. The quantum in issue was **US\$1 BILLION**.
- ▶ Advised a foreign subcontractor on a dispute over payments under construction subcontract for a complex consistent of a trade-center and apartment, in Hanoi.
- ▶ Advised Vietnam Steel corporation on the liquidation of various construction contracts.

KEY CONTACT

For more information on the support we can offer in construction work, please contact:



SARBJIT SINGH CHOPRA

Managing Director

Duane Morris & Selvam LLP

+65.6311.0041

ssingh@duanemorrisselvam.com

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Duane Morris & Selvam LLP is the joint law venture consisting of international law firm Duane Morris LLP and Singapore-based Selvam LLC, with headquarters in Singapore. Supported by a network of more than 800 attorneys in multiple offices around the world, it offers innovative solutions to the legal and business challenges presented by today's evolving global markets.