



Business Information
In A Global Context

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31 October 2014
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C5's 2nd Forum on

Major Projects & Infrastructure Qatar

Up to
14.5 CPD

Contract Management & Dispute Resolution

27 - 28 January 2015 • InterContinental Doha - the City Hotel, Qatar

Expert Led Panel Sessions Addressing Critical Issues in Contract Management and Dispute Resolution, Including:

- How to implement successful project management techniques
- Successfully resolving disputes with minimum risk and cost
- Understanding the fundamentals of doing business in Qatar
- Devising optimum procurement processes and risk allocation strategies
- Implementing effective strategies to curtail delays and claims
- Effective tactics to achieve robust and enforceable contracts
- How Qatar's National Vision is being realised and how you can be part of it

Top Reasons to Attend:

- Meet and learn from experienced Contractors, Government representatives and In-House Counsel
- Enhance your understanding of effective dispute resolution tactics
- Determine strategies for success when conducting business in Qatar
- Capitalise on business opportunities through effective and workable contracts

Leading Industry Experts Include:

Stephen Hibbert, Qatar Rail
Olivier Sulik, QDVC
Tarek Bou Hassoun, UrbaCon General Contracting
Dr John Fletcher, RICS
Youssef Merjaneh, Siemens WLL Mobility
Stephen Lines, Qatar Rail
Sadique Mohd, China State Construction
James Anderson, Samsung C&T Corporation
Anthony Distin, Public Works Authority
Imad Chemaly, International Bank of Qatar
Brian Ray, Aecom
*Argyris Hadjimiltis, J&P (O) Ltd**
*Nadim Mallat-Lopez, OHL International**
*Arbi Hussain, Jefferson Contracting WLL**

Insights from Judges & Dispute Resolution Centres Including:

Faisal Rashid Al Sahouti, Qatar International Court and Dispute Resolution Centre
Dr. Ehab Elsonbaty, Amiri Diwan
Chris Grout, Qatar International Court and Dispute Resolution Centre
*Dr. Minas Khatchadourian, Qatar International Centre for Conciliation and Arbitration**

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Ensuring Success in Qatar's Multibillion-Dollar Construction Industry

Qatar is one of the fastest growing economies with an estimated \$200 billion worth of projects still to be awarded. With mega-projects including the Sharq Crossing, Barwa City, Lusail Development, the World Cup and new initiatives such as the bid for the 2024 Olympics on the horizon, Qatar is one of the most exciting places in the world to do business.

However the scale and complexity of these mega-projects, allied with the nuances of local business culture, mean that companies lacking sufficient knowledge of how to do business, manage contracts and resolve disputes, risk jeopardising millions of dollars worth of profit.

C5's 2nd Forum on Major Projects & Infrastructure will provide Contractors, Developers and In-House Counsel with the 'know-how' to overcome the commercial and legal challenges they face when doing business in the region. Whether it is payment delays, risk allocation in contracts or the complexity of the procurement process, the forum will provide practical solutions and proven tactics to overcome these issues and succeed in Qatar. Benefit from take away strategies which you can implement in your own company to ensure risks are minimised and profits maximised.

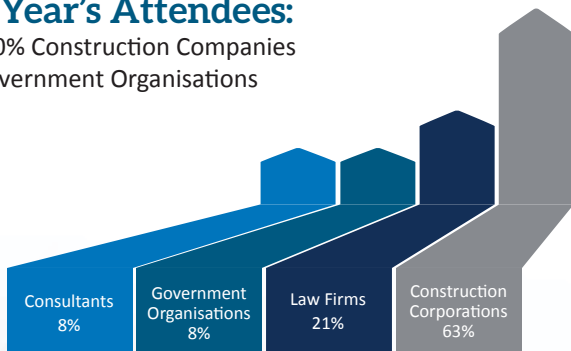
This is the ONLY forum specifically designed to address the key challenges facing the construction industry in relation to contract management and dispute resolution in Qatar.

Plus enhance and enrich your experience by engaging in our practical Master Class on Monday 26th January: Understanding the Complexities of Qatari Construction Contracts

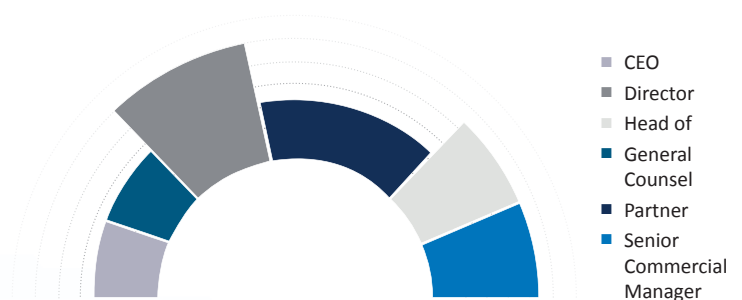
Designed to address the specific needs facing your organisation when doing business in Qatar. Featuring a world class speaker faculty, this is the most comprehensive event of its kind on the market. Guarantee your seat today by registering at www.c5-online.com/MajorProjectsQatar, calling **+44 (0) 20 7878 6888** or faxing your registration form to **+44 (0) 20 7878 6885**.

Last Year's Attendees:

Over 70% Construction Companies and Government Organisations



Meet Senior Decision Makers:



Projects represented at the Forum include:



2.00 p.m. – 5.00 p.m.

Understanding the Complexities of Qatari Construction Contracts

Ed Spencer

Associate, **EC Harris**

This session will equip you with everything you need to know on the advanced complexities and pitfalls of Qatari Contracts. Leading Counsel and Consultants will guide you through the practical strategies to implement in your business when dealing with billion-dollar contracts to ensure you get it right at the outset. The in-depth analysis of practical considerations and the wider considerations will cover:

- In essence what is a FIDIC contract?
- Avoiding the ambiguities around FIDIC contracts — why does your contract say it's FIDIC when it isn't?
- An in-depth guide to FIDIC and associated risk allocation
- Understanding and avoiding the pitfalls when running FIDIC Contracts
- Unravelling the common misconceptions about Qatari Law
- Strategies for dealing with the inherent difficulties in valuing and payment of claims
- Understanding your options with regard to adjudication — can you suspend or start adjudication — and if not, what can you do?
- An examination of the pros and cons of arbitration over the local courts

Main Conference Day One: Tuesday 27th January 2015

8.15 **Opening Remarks from the Co-Chairs**

Stephen Hibbert

General Counsel, **Qatar Rail**

Stephen Lines

Senior Commercial Manager & Chartered Construction Manager, **Qatar Rail**

8:30 **Qatar's National Vision – How it is Being Realised and How to be Part of it**

Youssef Merjaneh

General Manager, **Siemens WLL Mobility**

Nadim Mallat-Lopez

Head of Regional Legal Department – Middle-East & Africa, **OHL International***

The Current Landscape for Major Projects in Qatar

- Qatar's current and planned major developments including: Lusail, the New Port, Manateq, Msheireb, Education City, QMA, Sidra Hospital and the Doha Metro & Long Distance Rail Project
- Anticipated major developments including: Sharq Crossing, Qatar-Bahrain Causeway, Doha Ring Road, Idiris and Qatar University
- Opportunities for project managers, developers, contractors and subcontractors

Strategies for Success When Doing Business in Qatar

- Understanding the business culture in Qatar and how to create successful working practices
- How the differing jurisdictions adopt their existing strategies to conform with doing business in Qatar
- Forming and nurturing sustainable relationships with your clients and stakeholders
- Tactics in finding the right sponsor, project manager, senior management and staff

- Understanding the Qatari legal system and its integration with best practices

- Establishing a presence in Qatar, in particular:
 - o Setting up a company or branch office
 - o Appointing a commercial agent/distributor
 - o Appointing a commercial representative

9.30 **Grasp the Fundamental Differences Between the Civil Code and Common Law Legal Systems which Govern your Business Relationships**

Hamish Lal

Partner, **Jones Day**

With a diverse range of both local and multi-national companies involved in major projects, it is imperative that you understand the differing legal systems and how these work in practice. Understand how to implement effective procedures to overcome these challenges. With a particular focus on:

- Defects correction and liability
- Delay damages
- Termination rights
- Damages and remedial works
- Third Party Rights and collateral agreements

10.00 **Procurement Strategies and Financing Major Projects**

Imad Chemaly

Chief Legal Counsel, **International Bank of Qatar**

Anthony Distin

Senior Contracts Specialist, **Public Works Authority**

- Procurement strategies for different projects and clients
- Understanding the import regulations and how these affect your strategies
- Understanding the nature of the procurement process — timing and risk allocation

- Common forms of project contracts in Qatar — determining what is right for you
- How will the new government contracts affect the procurement process?
- How will the procurement process directly affect tendering strategies?
- Evaluation of the local and international project finance market:
 - What requirements and restrictions are placed on contractors?
 - How to curtail the complex and onerous conditions
- Retaining a sufficient cash-flow throughout the term of the project
- Regulating your finance to secure your capacity to tender for new contracts
- How are banks adapting to the demands of contractors?

10.35 Morning Refreshments

10.55 Tactics to Negotiate Effective and Workable Contracts

Olivier Sulik

General Counsel, **QDVC**

Brian Ray

Corporate Counsel, **AECOM**

- A critical review of the common contract types used in Qatar projects
- Establishing successful pre-contract negotiations:
 - Creating business relationships to facilitate negotiations
 - Curtailing the unequal bargaining position
 - How to respond to a complete breakdown of agreement
- Tactics to successfully navigate the Government agencies
- Identifying and evaluating fundamental contract terms:
 - Consideration of design, performance, indemnities & collateral warranties, limitations of liability, delays, extension of time and third party relations
 - Complex notice provisions and implications
 - Clarifying or removing specification ambiguities
 - The practicalities with international procurement contracts and enforcement
 - What are the unique contracting requirements in mega-projects and regionally
- Assessing Alternative Dispute Resolution clauses:
 - Forms of ADR methods analysed
 - The importance of ADR clauses explored
 - The inclusion in mainline and sub-contracts and consequential implications

11.50 Successful Project and Contract Management Techniques

Sadique Mohd

General Counsel, **China State Construction**

Arbi Hussain

Chief Operating Officer, **Jefferson Contracting WLL***

James Anderson

Director of Legal and Contracts (MENA)

Samsung C&T

Tarek Bou Hassoun

Senior Project Manager

UrbaCon General Contracting

An interactive session delivered by the principal professionals involved in resolving contractual disputes. Experts will share proven strategies and unique insights on how common and complex challenges and issues are dealt with from on-site to Head Office.

- The Project Manager and Project Management Agreement:
 - What do clients expect of the professional PM?
 - Identifying the key elements in an effective PM agreement
 - Reviewing the first 3 months in a client PM relationship
 - What has to be achieved and by who?
 - How best to do it?
 - Establishing the relationship, systems and procedures
- Delegation of authority and risk allocation — what are the modern practices and do they work?
- Common issues in contracts and effective solutions:
 - Delays: root causes, avoidance tactics and implications
 - Effective compliance with complex notice provisions
 - The PM's strategies to effective claims management
- Effective budget techniques
- How to manage the labour force, minimise risks and deal sensitively with employment issues
- How to ensure the terms of the contract are adhered to
- Analysing primary logistic and capacity challenges with the major-projects:
 - Are the challenges reflected in the contract?
 - How to manage the challenges to ensure minimum departure from the contract terms
 - How to communicate the difficulties and/or proposed solutions to stakeholders

12.50 Networking Lunch

14.00 Resolving Issues of Payment & Payment Delays in Projects

Sam Barakat

Director, **Rider Levett Bucknall Middle East**

Argyris Hadjimiltis

Head of Contracts and Commercial Dept. — Qatar **J&P(O) International Contractors***

- Understanding the vital issues around late payments and the reasons behind it
- Available solutions and how these can be implemented
- What clauses are being used in contracts to try and mitigate these issues?
- The role of the PM/CM in the certification and payment chain
- Strategies to resolve payment delays under the contract

14.30 Strategies to Avoid Delay and Minimise Claims at the Construction Phase

Tim Haynes

Senior Managing Director, **FTI Consulting**

- Problematic and common delays:
 - What are the common causes of delays and how can they be avoided?



- o The practical and contractual implications and how to minimise the associated risks
- Precarious claims:
 - o Practicalities of how the claims are managed
 - o Examination of claims generally and identifying the trends
 - o Best practice in claim preparation and response
 - o Negotiation techniques

15.10 Afternoon Refreshments

15.30 Practical Tips for Establishing Workable Joint Ventures in Qatar

Tom Bower

Managing Director – Middle East, **WSP**

Georges Racine

Partner, **LALIVE**

- Important considerations for Joint Ventures
- Incorporating a Joint Venture under Qatari law
- Regulating an unincorporated Joint Venture — internal and external procedures that work
- What are the liabilities and the rights of the parties?
- Incorporated v unincorporated Joint Ventures
- An examination of foreign investments/conditions that must be satisfied — how to regulate a Joint Venture between international companies
- Recent high profile Joint Ventures and where the opportunities exist

16.30 Co-Chairs Closing Remarks and Conference Adjourns

Day Two: Wednesday 28th January 2015

8.15 Opening Remarks from Chair

8.30 Successfully Managing and Settling Disputes in Qatar

Dr John Fletcher

ADR Products Director, **RICS**

Matthias Scherer

Partner, **LALIVE**

The forums for resolving disputes continue to evolve and diversify on the basis that Qatari disputes will be resolved in Qatar. But international standards and dispute resolution by specialists are essential in keeping Qatar's ambitions on track. A diverse panel will critically examine the options and best solutions.

- The importance of a proper ADR system in creating and maintaining business investment
- Challenges in managing the risks of disputes
- Understanding the importance of a cost benefit analysis
- Amicable settlements:
 - o Encouraging fruitful negotiations in endeavouring to agree settlement terms
 - o Affirming your rights while maintaining a good working relationship
 - o Agreeing and enforcing the agreed terms
- Mediation in Qatar:
 - o How has mediation developed in Qatar?

- o What are the challenges faced by mediation?
- o Does mediation work? Examples of construction/engineering disputes examined
- Renegotiating the terms of the contract to resolve disputes
- Dealing with disputes when there is no contract or properly agreed terms
- A critical analysis of the RICS Dispute Resolution Procedure

9.30 The Evolving Role of Arbitration in Qatar in Resolving Disputes

Dr. Minas Khatchadourian

Executive Director, **Qatar International Centre for Conciliation and Arbitration (QICCA)**

Faisal Rashid Al Sahouti

CEO, **Qatar International Court and Dispute Resolution Centre (QICDRC)**

Dr. Ehab Elsonbaty

Senior Legal Counsel, **Amiri Diwan**

Dr. Mosleh Tarawneh

General Counsel & Head of ASTAD Legal Department **ASTAD**

Arbitration is now recognised as one of the leading forms of dispute resolution in Qatar. Arbitration has continued to evolve culminating in a new Arbitration law which is due to be enacted. This session will lead you through the important decisions in Qatar over the past year and guide you through the new proposed regime of Arbitration.

- Examining the authority from the April 2014 Court of Cassations decisions and understanding the legislative backdrop behind the decisions — the Qatari Civil Procedural Law and New York Convention
- Where should you arbitrate and why?
- An analysis of Qatar's draft arbitration law:
 - o Timing implications
 - o Considering the provisions in line with UNCITRAL
 - o How will it work in practice in particular, alongside Qatari laws
 - o Rules on confidentiality
- The Qatar International Centre for Conciliation and Arbitration and Qatar International Court and Dispute Resolution Centre — its key role in the construction market
 - o The frequency of use as a form of settlement
 - o What are their objectives and have they been fulfilled?
 - o Enforceability of their decisions
 - o Analysing the Arbitrators role and how they are shaping the legal framework
 - o How can decisions of arbitrators be challenged?

10.30 Morning Refreshments

11.00 Successfully Enforcing International Arbitration Awards

Victor Leginsky

Chartered Arbitrator, **Arbitralis**

Matthew Walker

Partner, **K & L Gates**

Chris Grout

Registrar, **Qatar International Court and Dispute Resolution Centre (QICDRC)**

- Enforcing an arbitration award in Qatar
- How foreign awards are enforced in Qatar under the Qatari courts
- Examining regional reciprocal enforcement of judgments and awards in the Gulf
- An insight into the decisions made by the Qatar Financial Centre
- Recovering arbitration costs including interest in multi-jurisdictional disputes
- Common pitfalls to avoid when enforcing the arbitration award and remedies available for failure to comply

12.00 Networking Lunch

13.15 Strategies for Resolving Disputes Using the Local Courts

Alaa Hamad

Partner, [Arab Law Bureau](#)

- When and why should a party resolve their dispute at Court?
- Court v Arbitration — examining the pros and cons
- Analysing issues with the selection and appointment of Court experts
- How your expert interfaces with the Court's expert and how to manage this process
- Ensuring transparency and open channels of communication throughout the process
- Assessing the costs position

14.00 The 2022 FIFA World Cup — The Infrastructure and Stadia

Speaker to be announced

This session will scrutinize the development of projects in respect of the 2022 World Cup; the stage of development, the main players, where the opportunities lie and what practical objections developers have had to overcome. Experts will also analyse the legal issues, challenges and implications that have arisen from the projects. The experts will then assess the value of the World Cup to Qatar's continued economic development and reputation.

14.45 How to Overcome Performance Bond Challenges

Claudia El Hage

Managing Partner, [Rashed Raja Al Marri Law Office](#)

David Greenhalgh

Divisional Director and Country Manager

Mott MacDonald

- In what circumstances is a bond required and what are the practical difficulties that contractors must overcome?
- Reviewing the technical wording such as 'deemed to be performed' and associated implications
- Commercial implications for contractors and their ability to tender for further projects
- The effectiveness of bonds and other incentives explored
- Releasing Bonds:
 - o Recovery
 - o Remedies available to the contractor
 - o Pre-emptive and after-the-call injunctions analysed
 - o Case law examples

15.30 Chairs' Closing Remarks and Conference Ends

** Speakers subject to confirmation*

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A MUST-ATTEND EVENT FOR:

▪ Contractors/Developers

- General Counsel
- Head of Contracts
- Head of Legal
- Corporate Counsel
- Contracts Specialists
- Project Managers
- Commercial Consultants

▪ Construction/Claims Consultants:

- Contract(s) Specialist
- Planning and Contracts Managers
- Cost Engineers
- Project Directors
- Risk and Claims Consultants

▪ Private Practice

- Construction Lawyers
- Dispute Resolution Lawyers

IN-HOUSE TRAINING

C5 is focused on providing the most relevant training experience for companies across the world. Our world class executive learning & development programmes cover the latest regulatory and finance related challenges being faced in business today.

However, we recognise that your needs may require a bespoke programme written just for you that is the best fit for your organisation.

With this in mind C5 introduces In-house training to our portfolio of events which will allow you and your organisation to tailor your training needs.

Contact **Nathan Denham** with your training needs N.Denham@C5-Online.com

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LALIVE is an international law firm, with offices in Switzerland and Qatar (**LALIVE IN QATAR LLC**). The firm regularly advises clients from around the world on large and complex transactions relating to a broad range of construction and infrastructure projects, and is a leading specialist in construction disputes, especially in international arbitration and other ADR proceedings. Several Partners of the firm are ranked among the world's best construction and arbitration lawyers.

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Contract Management & Dispute Resolution

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FEE PER DELEGATE	Register & Pay by 31 October 2014	Register & Pay by 19 December 2014	Register & Pay after 19 December 2014
<input type="checkbox"/> ELITEPASS*: Conference & Master Class	\$2695	\$2895	\$3095
<input type="checkbox"/> Conference	\$1995	\$2195	\$2395

TEAM DISCOUNTS: Booking 2 or more delegates? Call +44 (0) 20 7878 6888 or email Marketing@C5-Online.com for details.

*ELITEPASS is recommended for maximum learning and networking value.

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ADMINISTRATIVE DETAILS

Date: 27 – 28 January 2015

Time: (Day 1) 8:15 – 16:30 (Day 2) 8:15 – 15.30

Venue: InterContinental Doha – the City Hotel

Address: Off Al Wahda Road, West Bay, Doha, Qatar

Telephone: +974 4015 8888

An allocation of bedrooms is being held for delegates at a negotiated rate until 12 December 2014. To book your accommodation please call Venue Search on tel: +44 (0) 20 8541 5656 or e-mail beds@venuesearch.co.uk. Please note, lower rates may be available when booking via the internet or direct with the hotel, but different cancellation policies will apply.

DOCUMENTATION IS PROVIDED BY WEBLINK

The documentation provided at the event will be available on weblink only. If you are not able to attend, you can purchase an electronic copy of the presentations provided to delegates on the day of the event. Please send us this completed booking form together with payment of \$595 per copy requested. For further information please call +44 (0) 207 878 6888 or email enquiries@C5-Online.com.

CONTINUING EDUCATION

11 hours and 30 minutes for main conference only plus 3 hours for Pre-Forum Master Class towards Continuing Professional Developments hours (Solicitors Regulation Authority). Please contact C5 for further information on claiming your CPD points.

PAYMENT POLICY

Payment is due in full upon your registration. Full payment must be received prior to the event otherwise entry will be denied. All discounts will be applied to the Main Conference Only fee (excluding add-ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to individuals employed by the same organisation.

TERMS AND CONDITIONS

You must notify us by email at least 48 hours in advance if you wish to send a substitute participant. Delegates may not "share" a pass between multiple attendees without prior authorisation. If you are unable to find a substitute, please notify C5 in writing no later than 10 days prior to the conference date and a credit voucher will be issued to you for the full amount paid, redeemable against any other C5 conference. If you prefer, you may request a refund of fees paid less a 25% service charge. No credits or refunds will be given for cancellations received after 10 days prior to the conference date. C5 reserves the right to cancel any conference for any reason and will not be responsible for airfare, hotel or any other costs incurred by attendees. No liability is assumed by C5 for changes in programme date, content, speakers or venue.

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