

SEPTEMBER 26-28, 2018 · CHICAGO, ILLINOIS



THE 8TH INTERNATIONAL
SOCIETY OF CONSTRUCTION LAW
CONFERENCE

*Construction Law:
Local Issues- Global Perspectives*

PRESENTED BY
THE SOCIETY OF CONSTRUCTION LAW NORTH AMERICA,
THE AMERICAN COLLEGE OF CONSTRUCTION LAWYERS, AND
THE CANADIAN COLLEGE OF CONSTRUCTION LAWYERS





PROGRAM SUMMARY

The Society of Construction Law, North America, is delighted to host the 8th International Society of Construction Law Conference, a first in many ways: a cutting edge conference that will focus on the global practice of construction law; insights into the legal, business, and economic challenges and opportunities in construction today, and the exchange of best practices from experts carefully selected from all corners of the globe. In a rapidly evolving industry with projects becoming increasingly complex, the necessity of developing a suitable and dynamic legal framework to address the challenges created by today's construction industry is readily apparent. The conference will provide the optimal platform to discuss these challenges and thus is aptly themed.

Participants will include Owners, Senior Construction Executives, General Counsel, Construction Attorneys, Design Professionals, and Consultants. Speakers will include a number of leaders and professionals from various jurisdictions who will share their invaluable knowledge and experience and highlight various issues, opportunities and emerging trends.

To offer an unforgettable experience to all delegates, a well rounded social program is in place to explore and experience Chicago's attractions, from its world class restaurants, architecture, museums, and shopping.

ABOUT THE SOCIETY OF CONSTRUCTION LAW

Since its foundation in 1983, the **Society of Construction Law** has worked to promote for the public benefit education, study and research in the field of construction law and related subjects (including ADR, arbitration and adjudication), both in the UK and overseas. The Society has over 3,000 members from all sectors of the construction industry. While originally from the UK, the SCL now has sections around the world. In 2017 a major milestone was achieved, and the final gap in the global SCL network was closed, with the founding of the North American Society of Construction Law. *The Society holds events and has access to global thought leadership in the construction industry, and it is easy to sign up [here](#).*

REGISTRATION FOR SCL 2018

Pre-registration is highly recommended for the SCL 2018 Conference. Early registration begins on March 1, 2018 and runs through July 27, 2018. Individuals will still have the opportunity to register through September 17. Onsite registration will not be allowed.

	<u>Early Registration</u>	<u>Registration</u>
SCL Member	\$850	\$900
Non-SCL Member	\$950	\$1,000
SCL NA Membership Conference Special– 50% Off	\$100	\$100
Guest Ticket for Gala Dinner & Cocktail Reception	\$150	\$150
Law Rocks Event Charity Donation	\$40	\$40
Chicago Architecture Boat Tour	\$32	\$32

To register, please click [here](#).

Payment will be accepted via PayPal (which accepts payment via PayPal account or credit card).

ACCOMMODATIONS

The Conference will be taking place at the Palmer House, a Hilton hotel. Rooms have been blocked specifically for individuals attending the program for a discounted rate. (\$249 a night).

To book your reservation, please utilize this URL which will take you to the booking website dedicated to the 8th International SCL Conference:

<https://aws.passkey.com/e/49525715>

Note: We urge all attendees to stay at the Palmer House to help us cover the costs for the Conference.





KEYNOTE SPEAKERS



Justice Vickery studied law at the University of Melbourne, graduating in 1972. He subsequently graduated from the University of London with a Master of Laws degree.

Justice Vickery signed the role of Counsel of the Victorian Bar in 1978, having read in the chambers of Mr. M.E.J. Black (formerly Chief Justice, Federal Court of Australia). He was in continuous practice as a barrister from 1978 and was appointed Queen's Counsel in December 1995.

In 30 years at the Victorian Bar, His Honour developed a wide ranging commercial trial and appellate practice, and as a QC he specialised in engineering and construction cases. His Honour was appointed as a Justice of the Supreme Court of Victoria in 2008 where he established and managed the Technology, Engineering and Construction list.

His Honour was appointed as a Justice of the Supreme Court of Victoria in 2008. In 2009 he was appointed as the founding patron of the Society of Construction Law (Australia), and remains a patron to this day.

Justice Vickery will be speaking during the Thursday, September 27, 2018 Opening Ceremony and Friday, September 28, 2018 on track A11.



Rashda Rana SC is a widely recognized and respected international arbitrator. She is a commercial & construction/infrastructure lawyer with over 20 years' experience in the legal profession and has worked as counsel and arbitrator in a number of international jurisdictions including London, Australia, Hong Kong, Singapore, Malaysia and China. She also held the role of General Counsel for Lend Lease Project Management & Construction (formerly known as Bovis Lend Lease), one of the world's leading project management, design and construction companies operating in more than 30 countries worldwide.

She has advised on and conducted major commercial, banking, maritime, insurance, tax, regulatory and construction & infrastructure litigation, arbitration and mediation involving wide ranging issues. She was an Adjunct Professor of Law at Sydney University Law School teaching the undergraduate course in international commercial arbitration which she devised and which was the first of its kind in Australia. She is an active member of a number of significant industry associations, including as Co-Founder of the Alliance for Equality in Dispute Resolution, Immediate Past President of ArbitralWomen and the Past President of the Australian Branch of the Chartered Institute of Arbitrators (CIArb). In September 2017, she was appointed to the ICSID Panel of Conciliators. She is an experienced CEDR accredited mediator and has been appointed as arbitrator in a large number of international commercial arbitrations, both institutional and ad hoc.

Rashda will be the keynote speaker during the conference lunch on September 27.

KEYNOTE SPEAKERS (Continued)



Doug Jones AO is a leading independent international commercial and investor-state arbitrator with over 40 years' prior experience as an international transactional and disputes projects lawyer. Doug has advised extensively on major projects in the areas of project structuring and financing, telecommunications, buildings, airports, ports, road and rail infrastructure, power, potable and waste water, mining infrastructure and processing, and on offshore oil and gas. He has had significant experience in PPP and PFI projects, and has advised on projects globally.

The arbitrations in which he has sat include infrastructure, energy, commodities, intellectual property, commercial and joint venture, and investor-state disputes spanning over 30 jurisdictions around the world.

Doug is the incoming president of the International Academy of Construction Lawyers. In 2017, *Who's Who Legal: Construction* described Doug as "one of the best construction lawyers and arbitrators in the world". This follows Doug's recognition by *Best Lawyers* (2015-2017) in the areas of construction and infrastructure law, and transportation law.

Doug Jones will be speaking during the Friday, September 28, 2018 Plenary Session.



George Jergeas is a Professor of Project Management within the Schulich School of Engineering at the University of Calgary. George holds a B.Sc. degree in Civil Engineering and M.Sc. and PhD in Construction Management. He is involved in teaching, research and training in team building, dispute resolution, cost overrun, construction productivity, and benchmarking.

Dr. George Jergeas will be the keynote speaker during lunch on Friday, September 28, 2018.

SCL CONFERENCE COMMITTEE

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PROGRAM SCHEDULE

Wednesday, September 26, 2018

- 12:00 - 14:00 | The Chicago Architecture Foundation River Cruise
- 15:00 - 17:30 | Registration | Red Lacquer Room's Lobby
- 15:30 - 16:30 | SCL International Officer's Meeting | Adams Room
- 17:30 - 19:30 | Welcome Reception | Empire Room – *Sponsored by Stein Ray LLP*

Thursday, September 27, 2018

- 07:00 - 08:00 | Continental Breakfast | Red Lacquer Room
- 08:00 - 09:15 | Opening Ceremony | Red Lacquer Room
- Introduction and Welcome
Dr. Anamaria Popescu—SCL NACHairman
Keynote Speaker: Honorable Justice Vickery of the Supreme Court of Victoria, Australia
SCL Benefits of Joining
- 09:15 - 09:30 | Coffee Break | Red Lacquer Room
- 09:30 - 10:20 | Working Sessions | Adams and Monroe Rooms
- Track A1 | *Doing Deals And Avoiding Squeals & The Set Up To Dispute Syndrome And How To Avoid It: An Australian And Canadian Perspective*
• Panelists: Walied Abdeldayem & Laina Chan
- Track B1 | *Bringing Order To The Delay Melee: Understanding the SCL Delay & Disruption Protocol and AACE RP 29R-03*
• Panelists: John Livengood, Kim Rosenberg, Paul Battrick, Kenji Hoshino & Marianne Ramey
- 10:30 - 11:20 | Working Sessions | Adams and Monroe Rooms
- Track A2 | *Groundhog Day: Why You Get A Feeling You've Been Here Before With Your Contractor's Bid Qualifications*
• Panelists: James Masters & Natalie Regoli
- Track B2 | *The Proposed ASCE Standard For Identifying, Measuring, And Proving Loss Of Productivity*
• Panelists: Dr. William Ibbs & Dr. David Halligan
- 11:20 - 11:35 | Coffee Break | Adams and Monroe Rooms' Lobby

11:40 - 12:30 | Working Sessions | Adams and Monroe Rooms

Track A3 | *The Accepted & Acceptable Role of Experts- An Assessment Across Jurisdictions*

- Panelists: Sean Brady, Janine Stewart, Stephen Price & Simon Braithwaite

Track B3 | *Roundtable: Are Protocols Poseidon's Trident Or An Achilles Heel?*

- Panelists: Dr. Anamaria Popescu, Keith Bergeron, John Livengood, Dr. William Ibbs, Marianne Ramey, Bill Andrews & Kim Rosenberg

12:45 - 13:45 | Lunch | Adams and Monroe Rooms

Keynote Speaker: Rashda Rana SC (QC)

Guerrilla Warfare In Arbitration

14:00 - 14:50 | Working Sessions | Adams and Monroe Rooms

Track A4 | *What Have We Learned From Mega-Projects by Now?*

- Panelists: Jeremy Chenoweth, Bruce Hallock, Jim Zack, & Ron Shumway

Track B4 | *Trends In Various Jurisdictions On Construction Law*

- Panelists: Basil Georgiou, Stoffel Ackerman, Nicolas Bouchardie, Theresa Mohammed, Kim Rosenberg

15:00 - 15:50 | Working Sessions | Adams and Monroe Rooms

Track A5 | *After The Dispute Dust Settles: Exploring Common Causes And Cures Of Mega - Projects*

- Panelists: John Hinchey, Patricia Galloway, Albert Bates, Phil Bruner, & Paul Bruno

Track B5 | *Construction Arbitration: Booming Market Or Market Failure?*

- Panelist: Melissa Yeo

15:50 - 16:05 | Coffee Break | Adams and Monroe Rooms' Lobby

16:05 - 16:55 | Working Sessions | Adams and Monroe Rooms

Track A6 | *Dispute Resolution: A Global Perspective*

- Panelists: Richard Bailey, Roberto Hernandez, Jaime Gray, Ricardo Barreiro & Chris Burke

Track B6 | *Legal Aspects That Effect Claims Management*

- Panelists: Flávio Spaccaquerche Barbosa, Francisco Rivero, Christina Mejia, Tony Marshall & Andres Alva

18:30 - 20:15 | Gala Dinner | Red Lacquer Room – *Sponsored by COMAD*

A lively audiovisual lecture will be given by the Chicago Architecture Foundation on the history of the buildings in the windy city!

20:30 - 22:30 | Law Rocks | Lincoln Hall





Friday, September 28, 2018

07:15 - 08:15 | Continental Breakfast | Red Lacquer Room

08:15 - 09:00 | Keynote | Red Lacquer Room

Keynote Speaker: Doug Jones AO

09:00 - 09:15 | Coffee Break | Red Lacquer Room

09:15 - 10:20 | Working Sessions | Adams and Monroe Rooms

Track A7 | *Introduction To The ACCL/CCCL Program*

- Panelist: Douglas Oles

Damage Concepts And Procedures Unique To Construction

- Panelist: Phil Bruner

Interactive ADR

- Panelist: John Heisse

ADR Topic

- Panelist: Josh Leavitt & Stan Sklar

Track B7 | *What Do The Words Mean? Different Approaches To Interpreting Contracts*

- Panelists: Shy Jackson, Júlio César Bueno, Wolfgang Breyer & Brian Gaudet

10:20 - 11:20 | Working Sessions | Adams and Monroe Rooms

Track A8 | *Mitigating Subsurface Risk and Disputes in EPC/ Design–Build Projects*

- Panelist: Helmut Johannsen

Comparing Dispute Boards In Three Countries

- Panelists: Doug Jones, Deb Mastin & Bruce Reynolds

Track B8 | *Global Advisory On Capital Projects- How To Help Your Clients Mitigate Risk For A Competitive Advantage*

- Panelists: Janet Rieksts–Alderman, Ben Westcott, & Jean-Marie Van der Elst

11:20 - 11:35 | Coffee Break | Adams and Monroe Rooms' Lobby

11:35 - 12:35 | Working Sessions | Adams and Monroe Rooms

Track A9 | *Mediation/ Arbitration: Mixed Mode Dispute Resolution*

- Panelist: Duncan Glaholt

Comparing “Good Faith” In Civil/Common Law

- Panelists: Yvan Houle & Julian Bailey

Consolidated Contractors Group v. Ambatovy Minerals SA

- Panelist: John Margie

Track B9 | *Differing Approaches To The Interpretation Of Exclusion Of Consequential Loss*

- Panelists: Andrew Stephenson, Tony Dymond, Júlio César Bueno, Prof. Stefan Leupertz & Steven Stein

12:45 - 13:50 | Lunch | Adams and Monroe Rooms

Keynote Speaker: Dr. George Jergeas

Embracing Project Uncertainty/ Thinking Outside The Box On Why Projects Fail

14:00 - 14:50 | Working Sessions | Adams and Monroe Rooms

Track A10 | *Security Of Payment In The Construction Industry: Does International Experience Provide A Crystal Ball For North America?*

- Panelist: Matthew Bell, Sharon Vogel, Anil Changaroth, Bruce Reynolds, Christopher Ennis & Anand Juddoo

Track B10 | *Penalty Clauses Around The Globe*

- Panelist: Thiago Moreira, Roberto Aguirre Luzi, Erin Miller Rankin, Dr. Hamish Lal & Claus Lenz

15:00 - 15:50 | Working Sessions | Adams and Monroe Rooms

Track A11 | *Disputes Avoidance And Managing Projects- With The Advent Of Technology*

- Panelists: Anil Changaroth, Olfa Hamdi, Keith Kirkwood, & The Honorable Justice Vickery

Track B11 | *Preventing And De-escalating Disputes: Strategies For Keeping The Peace In Jobsite Relationships*

- Panelist: Jim Groton

15:50 - 16:05 | Coffee Break | Adams and Monroe Rooms' Lobby

16:05 - 16:55 | Working Sessions | Adams and Monroe Rooms

Track A12 | *International Comparative Law On Common But Also Really Great EPC Contract Provisions- Same Contract, Same Issue, Choice of Law- Different Results?*

- Panelists: Shelly Ewald, Friet Marc, Wolfgang Breyer & Júlio César Bueno

Track B12 | *International Perspectives On Unforeseen Site Conditions*

- Panelists: Julian Bailey & Johan Beyers

17:00 - 17:15 | Closing Remarks | Red Lacquer Room

Note: *We will be seeking CLE credit in Illinois. Comparable MCLE accreditation processes are found in all 50 U.S. states except: Arizona, Connecticut, Maryland, Massachusetts, Michigan, New Hampshire, South Dakota, and the District of Columbia. Individuals may seek out-of-state credit.*





SOCIAL PROGRAM

The Chicago Architecture Foundation River Cruise

Wednesday, September 26, 2018

12:00 pm - 2:00 pm

Highly trained and passionate volunteer docents provide a detailed narrative of Chicago's various architectural styles and the stories of the people who designed and built Chicago.



Welcome Cocktails

To be held on Wednesday evening at the conference venue, the Palmer, in the Empire Room.



Gala Dinner

To be held on Thursday evening at the conference venue, the Palmer, in the Red Lacquer Room. A lively audiovisual lecture will be given by the Chicago Architecture Foundation on the history of the buildings in the windy city!

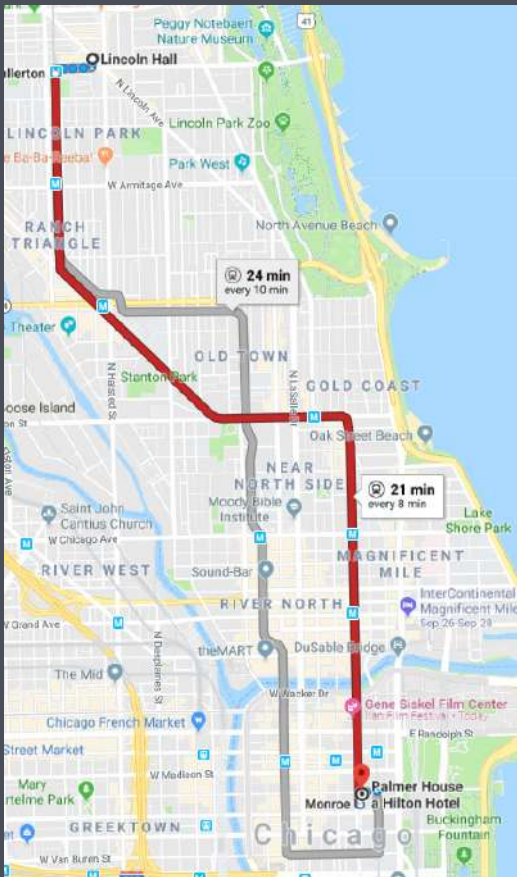


Law Rocks!

Immediately following the Gala Dinner, at Lincoln Hall, the Inaugural Law Rocks Chicago will take place. Legal professionals will take the stage with their bands to battle it out and raise money for local charities. For more information about Law Rocks, please click [here](#).



CHICAGO ATTRACTIONS



Law Rocks will be taking place at Lincoln Hall, a music venue located in the Lincoln Park Neighborhood of Chicago.

Lincoln Hall is easily accessible from the Palmer House via the Redline Subway. Individuals will just need to take the Redline from the Monroe Stop (which is just outside of the Palmer on State street) to the Fullerton Stop. Once off the Fullerton Stop, the venue is only a 0.2 mile walk. It is near the intersection of Fullerton Avenue and Lincoln Avenue. The commute between the venue and the hotel is only 18 minutes.

Individuals may also take a taxi or Uber from the Palmer House to the venue, which will take about 15 minutes.

Lincoln Hall
2424 N. Lincoln Ave.
Chicago, IL 60614

Conference Hotel:

Palmer House
17 E Monroe St,
Chicago, IL 60603

Chicago Style Pizza

Giordano's
130 E. Randolph St.
Chicago, IL 60601

Giordano's
223 W Jackson Blvd.
Chicago, IL 60606

Pizzeria Uno
29 E Ohio St.
Chicago, IL 60611

Lou Malnati's Pizzeria
439 N. Wells St.
Chicago, IL 60654

Attractions:

Willis Tower Skydeck
233 S Wacker Dr.
Chicago, IL 60606

Millennium Park
201 E. Randolph St.
Chicago, IL 60602

Navy Pier
600 E. Grand Ave
Chicago, IL 60611

Museum Campus
(Adler Planetarium, Field Museum, Shedd
Aquarium, Soldier Field)
337 East Randolph St.
Chicago, IL 60601

The Art Institute of Chicago
111 S. Michigan Ave.
Chicago, IL 60603

Recommended Bars:

The Gage
24 S. Michigan Ave.
Chicago, IL 60603

Miller's Pub
134 S. Wabash Ave.
Chicago, IL 60603

Shopping:

Magnificent Mile
North Michigan Avenue
Chicago, IL 60611

State Street Shopping
State Street
Chicago, IL 60603



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