

LLM DELIVERED BY PARIS PANTHÉON-ASSAS UNIVERSITY

COVERS BOTH
CIVIL AND
COMMON LAW
JURISDICTIONS

LLM International Construction Contracts (I2C)

Specialist legal and practical training for construction professionals
working in international markets

Delivered in the heart of Paris, the most popular international
arbitration seat, in the Quartier Latin and the Pantheon area

A unique LLM aimed at construction professionals seeking
knowledge of sound contracts management practices in
relation to international construction contracts in both
civil law and common law environments.

THE COURSE WILL BE DELIVERED IN ENGLISH BY HIGH PROFILE INTERNATIONAL EXPERTS IN THE CONSTRUCTION INDUSTRY

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What is the objective of the Course?

The IC2 LLM is aimed at providing professionals working internationally with the required combination of legal, management and practical skills to ensure good and efficient contracts management.

The course is based on an optimal blend of academic and practical knowledge, combining lectures, case studies and tutorials with group work.

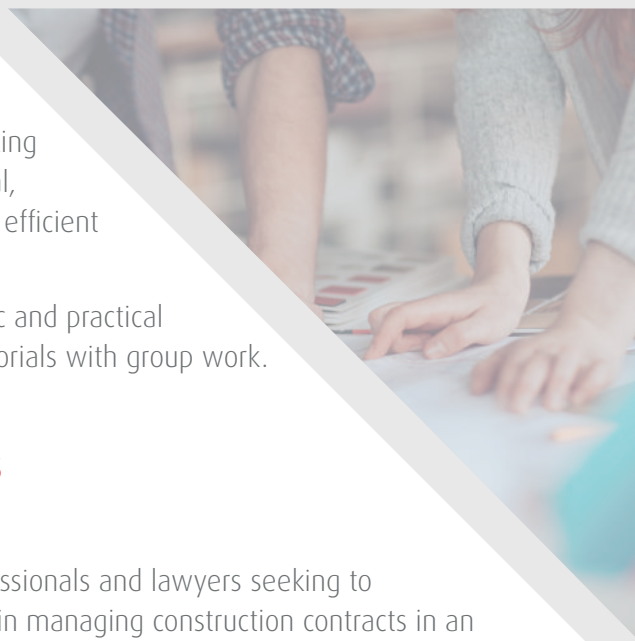
What are the entry requirements and the main selection criteria?

The course is open to experienced construction professionals and lawyers seeking to increase their knowledge and strengthen their skills in managing construction contracts in an international environment.

Candidates will be expected to:

- Demonstrate significant experience at executive positions on construction projects or in dealing with international construction contracts, claims or disputes.
- Submit a letter of motivation together with a CV, evidence of qualifications and references.

A limited number of places is available in order to maximise the opportunities for group exchanges and discussion.



Who will benefit from this Course?

Whether professional engineers, QS, project managers, lawyers, architects, procurement officers, admin & finance personnel, or from other disciplines, all participants will benefit from the experience of highly recognized international practitioners from a range of positions within the construction team, and with diversified and complementary roles (project managers, professional engineers, in-house counsels, lawyers).

The course is specifically tailored for professionals willing to become efficient Contract Managers on international construction operations, and requiring skills in:

- Preparation, drafting and negotiation of construction contracts
- Construction contracts administration and management
- Claim management and dispute resolution

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Programme

Module/ Session ID	PROGRAMME
1	MODULE 1 : GETTING THE BASICS RIGHT
1.1	Main jurisdictions across the world (focus on civil law and common law), and different operation of legal systems (statutes/acts, regulations, bye-laws, role & organization of the judiciary)
1.2	The construction team – roles & responsibilities (Employer, Contractor, Subcontractors, Architect / Engineer + others imposed by law – control bodies, etc)
1.3	Private law on international projects – Choice & effects of the applicable law to a contract, conflicts in between laws and in between jurisdictions / Effects of the mandatory provisions of the law
1.4	Specificities of public / administrative law
2	MODULE 2 : LAW OF OBLIGATIONS (CONTRACT, TORT/DELICT)
2.1	Introduction to the main international forms of construction contracts FIDIC, NEC, JCT, ICC, I Chem E, LOGIC
2.2	Law of obligations – contractual and tortious liabilities, standards of performance (skill & care, fitness for purpose), time-bars & limitations / Interpretation of contract terms – rules & doctrines at law
3	MODULE 3 : PROJECT FEASIBILITY & CONTRACT FORMATION
3.1	Project feasibility, development and design stages
3.2	Identification & registration of project risks
3.3	Risk allocation & contracting strategy with impact of project financing, choice of contract vehicles (standard forms, bespoke), innovations in contracting (target price, alliances, etc), compliance matters
3.4	Procurement options & rules
3.5	Contract formation – legal rules / Intention, Offer & acceptance, consideration, priority of contract documents
3.6	Contract negotiations – main salient points
3.7	Bonds & warranties

Module/ Session ID	PROGRAMME
4	MODULE 4 : PROJECT IMPLEMENTATION, CONTRACT EXECUTION
4.1	Association modes – JV, subcontracting – and related liabilities (joint, several)
4.2	Access to and possession of the Site, boundaries
4.3	Project information, site Data / physical conditions
4.4	Communication management in between the Parties / Interface management / BIM
4.4a	Negotiation skills in inter-cultural environment
4.4b	Workshop – Soft skills in international negotiation
4.5	Works programme, progress monitoring procedures, acceleration
4.6	Works quality – monitoring, inspection, tests, Quality Assurance
4.7	Health, Safety and Environment – during & after construction
4.8	Variations management
4.9	Payment – estimation & valuation during works execution, payment procedures & monitoring
5	MODULE 5 : PROJECT & CONTRACT CLOSURE, LIABILITIES
5.1	Frustration (e.g. Force Majeure), Suspension & termination
5.2	Taking-over, defect notification period and liabilities (defects, delay – liquidated damages vs penalties)
5.3	Insurances – types & operation
6	MODULE 6 : CLAIM MANAGEMENT & DISPUTE RESOLUTION
6.1	Non-contentious – claim causes and procedures
6.2	Valuation of delays, losses and damages suffered : Quantum, Delay analysis techniques
6.3	Contentious – dispute resolution procedures – ADR (mediation, adjudication and arbitration) & judiciary / enforcement of decisions



Who will teach?



Charles Gijsbers
Director

Charles Gijsbers is professor of private law at Panthéon-Assas University.

He is the director of the Master of Real Estate and Construction Law, and of the Center for Studies and

Research on Construction and Housing. He has published articles and textbooks on financing, securities and real estate law. He delivers and speaks at many conferences, in France and abroad, in particular towards notaries, lawyers and companies.



Vincent Leloup
Co-founder and Director of Studies

Vincent Leloup is the chairman of the FIDIC Contracts Committee, a FIDIC Certified Trainer and Adjudicator, and an arbitrator (FCIArb).

Founder and Managing Partner of Exequatur, specialized in training, consulting and dispute resolution services for the construction industry, Vincent is a professional engineer by trade (EUR ING, MSc Water Management), with postgraduate legal qualifications (MSc Construction Law & Dispute Resolution, King's College, London).

He holds a Contractor then consulting engineering background with 25 years of experience on international building and infrastructure projects across the world.



Sophie Deis-Beauquesne
General Counsel
Vinci Energies

Sophie Deis-Beauquesne is general counsel within VINCI, world leader in the concessions and construction businesses.

Sophie's work is predominantly international, with construction projects for VINCI Energies across the world. Her practice focuses mainly on construction projects and international arbitration, and she is also experienced in acquisitions of construction companies.

Prior to joining VINCI, Sophie worked for law firms in France and in Asia, where she had the opportunity to open the Hong Kong office of Gide Loyrette Nouel. She holds a PhD in French law.



Guillaume Sauvaget
Partner
PS Consulting

Guillaume is a partner in the consultancy and dispute resolution firm in the field of construction - PS Consulting - where he acts as mediator, member of Dispute Boards (member of the FIDIC President's List

of Approved Dispute Adjudicators) and assists Employers and Contractors in the management of their contracts.

Before joining PS Consulting in 2016, Guillaume Sauvaget was for more than 25 years senior in house legal counsel and legal manager for major companies in the construction industry in France and internationally, and was based in the United States, Russian Federation, South Africa and Central Europe.

Guillaume holds a Maîtrise en Droit from Université Paris II and a postgraduate degree in international trade law from Université Paris I Panthéon-Sorbonne.



Diana Bowman
Legal Manager
Vinci Energies

Diana is Legal Manager (Responsable Juridique) at VINCI Energies, a subsidiary of VINCI, world leader in the concessions and construction sectors, where she is in charge of pre-disputes, litigation and arbitration.

Prior to joining VINCI, Diana was an Associate in the International Arbitration Department at White & Case LLP in Paris, where she gained extensive experience in commercial arbitration and construction law.

Diana holds a Bachelor of Laws (Hons) and Bachelor of Arts (French major) from the University of Melbourne (Australia), along with an LLM in French & European Law from the Université Paris I, Panthéon-Sorbonne. She is a dual Australian-French citizen and is qualified as a lawyer in both jurisdictions.



Yasmine El Achkar
Associate
White & Case law firm

Yasmine El Achkar is an associate in the International Arbitration practice of White & Case, based in the firm's Paris office. She is also a member of the Paris Bar.

Yasmine's practice focuses on commercial, investment and construction arbitration, as well as enforcement proceedings before French courts. Prior to joining White & Case, Yasmine acquired experience with several major international law firms in Paris. Yasmine holds a Master in Global Business Law and Governance from Université Paris I - Panthéon Sorbonne, as well as a Master in Litigation, Arbitration, and ADR from Université Paris II Panthéon-Assas.



Who will teach?



Frédéric Gillion

Partner
Pinsent Masons Law Firm

Frédéric Gillion is a partner in the Paris office of Pinsent Masons where he heads its Construction Advisory & Disputes department. He advises on all aspects of construction projects, from initial tendering and project support to dispute resolution (including Dispute Board and arbitration) in a wide range of sectors (transport infrastructure, water and wastewater, and energy). Dual-qualified (English/French law), he has particular experience of the FIDIC forms of contract and their use in civil law jurisdictions. He is listed in Who's Who Legal as a leading construction lawyer in France and is on the French list of FIDIC adjudicators.



Stéphane Giraud

Managing Partner
Plan J Consulting

Coming from an Engineer background, Stéphane Giraud acts as trainer, consultant and dispute practitioner in the construction industry. Stéphane initially graduated from the engineering school "Arts & Métiers" and holds a Master of Business at HEC (Paris, 1995). He is a Water specialist, mainly in construction supervision with more than 25 years' experience, on projects funded by international Banks. He has been acting as project manager and project director for many major projects in emerging countries. He is FIDIC Certified Trainer, and FIDIC Adjudicator (Dispute Adjudication Board exam in Paris, 2012 and Dubai, 2015).



Bruno Magnin

Health and Safety Director
Bouygues Bâtiment International

Bruno Magnin areas of expertise are:

- Health & Safety Management: Deploying a durable safety culture, Getting all actors to take their share of responsibility for risks control and performance improvement, Promoting ergonomics as an improvement driver (productivity and health & safety).
- Management Systems Proficient in ISO standards related to QSE issues, providing support to managers in taking ownership of processes.

Bruno Magnin is President of the ASEBTP (Building Civil Work Companies Safety Coaches association).



Louis Meunier

Insurance Manager
Vinci Energies

Louis Meunier is the Insurance Manager of VINCI Energies, subsidiary of VINCI, world leader in the concessions and construction sectors. Louis's work is predominantly international, handling insurance issues for the business units of VINCI Energies all around the world. His practice focuses mainly on implementing insurance programs and handling critical losses. Prior to joining VINCI Energies, Louis worked as Insurance Manager within the Insurance Department of VINCI, dealing with insurance issues of large construction and concession projects worldwide. He holds a Master's degree in Insurance law from Paris 1 Panthéon-Sorbonne and graduated from the Institut des Assurances de Paris.



François Muller

Partner
Altana Law Firm

Admitted to the Paris Bar in 1999 after postgraduate in Public Law litigation from University Paris I Panthéon Sorbonne and graduate of the Public Business Law Institute, François focused preliminary on public projects, before spreading its practice to commercial arbitration mainly focused on the construction-engineering sector. François is a member of the Association Française de l'Arbitrage and the Comité français de l'Arbitrage, involved in the International Construction Projects committee of the International Bar Association, and member of the Dispute Resolution Board Foundation.



Charles Nairac

Partner
White & Case law firm

Charles Nairac is a Partner in the International Arbitration Practice of White & Case, based in the firm's Paris office. Charles is recognized in leading legal directories such as Chambers, the Legal 500, Who's Who Legal, the International Who's Who of Construction Lawyers and the GAR 100. Charles graduated with an LLB from King's College, London. He holds a Maîtrise en Droit from Université de Paris I Panthéon-Sorbonne and a postgraduate degree in international law from Université de Paris II. He is a member of the Paris Bar. Prior to joining White & Case in 2001, Charles worked as in-house legal adviser for a French bank in Singapore.



Who will teach?



Jim Perry
Partner
PS Consulting

Jim Perry is a member of the District of Columbia Bar and holds a JD degree in law and a BsCE in civil engineering and works from Paris as an arbitrator and dispute board member specialising in construction matters. Jim has served on numerous dispute boards and Arbitration Tribunals in Central Europe, Central Asia and Latin America, Africa, SE Asia and the Middle East and is on the FIDIC President's list and the Syntec-Ingénierie list of adjudicators (France). Jim has also been appointed as delay and/or quantum expert witness and co-counsel for technical and damages matters on many construction arbitrations.



Erwan Robert
Senior Associate / Avocat
Reed Smith law firm

Erwan Robert is a Senior Associate / Avocat with Reed Smith LLP in Paris.

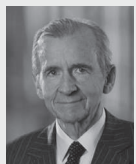
Erwan advises French and foreign clients undertaking construction projects in the field of Energy and Natural Resources. He assists clients with pre-contentious work – contract management, claim advice, DAB and adjudications during live projects – and with contentious work by representing clients in arbitration proceedings.



Peter Roshier
Partner
Reed Smith law firm

Peter Roshier is a Partner at Reed Smith specialising in international arbitration. Peter focusses on energy, construction and infrastructure disputes worldwide, but with a particular focus on Africa, Asia and the Middle East.

Peter is an experienced advocate. He also sits as arbitrator. Peter is recognised in leading legal directories such as Chambers, Legal 500 and GAR. He is on the board of the French Arbitration Association. He has published widely and teaches at Sciences Po and Versailles University. Peter is dual qualified (Avocat / Solicitor). Peter holds a Master's Degree in Construction Law and Arbitration from King's College, London.



Christopher Seppälä
Partner of Counsel
White & Case law firm

Christopher Seppälä is Partner of Counsel in the International Arbitration Group of White & Case LLP, Paris. He is the Legal Advisor to the FIDIC Contracts Committee, former Vice-President Emeritus of the ICC

International Court of Arbitration and was Legal Advisor (and Member) of FIDIC's Update Task Group which prepared the three FIDIC conditions of contract for major works (the "Red", "Yellow" and "Silver" Books), published in 1999.

He is a member of the New York and Paris Bars and holds a BA from Harvard University and a JD from Columbia Law School.



Christophe Sergeant
Head of Legal Unit, Legal Division
EDF SA

Christophe Sergeant is an experienced transactional in-house legal advisor with a dual education in English law and French law. He possesses a strong background on industrial and financing contracts for complex

structured project finance transactions, mainly on power projects. Christophe joined Electricité de France in 1994. Christophe is currently head of a legal unit in this company advising on numerous business law matters including construction issues for operations of EDF in France and abroad. Christophe holds a LLM from University of London, a Certificate in English Law from Warwick University and a Maitrise en Droit from Lille II University.



Geoffrey Smith
Partner
PS Consulting

Geoffrey Smith is a partner in PS Consulting in Paris. He is a Chartered Civil Engineer and a Barrister, an accredited Mediator, a Fellow of the Institution of Civil Engineers, a Fellow of the Chartered Institute

of Arbitrators and holds a post-graduate diploma in accounting and finance. He is a member of the FIDIC President's List of Approved Disputes Adjudicators and of the French National List of FIDIC Adjudicators. He has almost 40 years' international experience on major projects throughout Asia, Africa and Europe as Contracts Manager, Legal Advisor, Arbitrator, Mediator, Dispute Board member, counsel or expert witness.



What is the programme structure?

The programme will be carried out over 1 year, from September to June, for a total of 161 study hours.

Teaching days will be held in Paris over 3 days once per month.

Exams will be held in February and June.

The first 2 modules will be wholly dedicated to the fundamental legal principles which govern construction contracts in the main jurisdictions across the globe. Thereafter, the modules will follow the contract life cycle in a very hands-on/practical manner, from the project preparation and procurement phases through the execution phase to close-out. Under each module current international trends will be addressed. Extensive reference to international forms of contracts, such as FIDIC, will give participants a complete picture of the best world-wide practice.



Online Distance Learning

In case you cannot attend our courses in Paris, our supported distance learning mode of delivery allows you to study online from any location and is designed to fit in around your work commitments.

Our virtual learning environment offers students flexibility of where and when they can study, offering full and open access to tutors and other class members. The online campus provides students with lectures and materials. Students can access video recorded lectures in case their time zone makes them unable to attend a live lecture. Those attending live lectures can easily interact with the class and the tutors through their computer.

Distant students can either sit the exams in Paris, or in the premises of French institutions in their home country (Consulate, French Council, etc. – subject to conditions – please contact us for further information).

Where can I get more information & register?

contact-ae@assas-universite.fr - +33 (0)1 44 41 59 20

Mr. Vincent Leloup – Director of Studies - vincent.leloup@exequatur.pro

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