



NAME James Perry, C USA

DATE OF BIRTH 17 August 1960

TITLE Partner

EDUCATION Colorado State University, USA (Bachelor of Science, Civil Engineering)

Case Western Reserve University, USA (Juris Doctor)

QUALIFICATIONS AND MEMBERSHIPS

Admitted to the District of Columbia Bar in 1984 (Washington DC)

B.S. Civil Engineering, 1981

J.D. (Juris Doctor), 1984

FIDIC President's List of Adjudicators

FIDIC Accredited Trainer

FIDIC Affiliate Member

DRBF (President-elect/President/Past President, 2018-2021)

Syntec-Ingénierie, Member French list of FIDIC Adjudicators

DRBF's Al Mathews Award winner for Dispute Board Excellence (2016)

DRBF (Past President, Region 2, 2013-2014)

Supporting Member of the Society of Construction Arbitrators

Member of the International Bar Association

PS Consulting is a member of the French and US National Committees of the ICC

Past Director Region 9 (Europe/ Central Asia/ Russia and Africa)– Association for the Advancement of Cost Engineering International (2012-2014)

EXPERIENCE: Arbitration/ Dispute Boards/ or Non-contentious work

- Co-arbitrator in an ICC Hong Kong matter concerning a LNG terminal in the Middle East.
- Co-arbitrator in an ICC Paris matter concerning road construction in East Africa under a FIDIC form of Contract.
- Co-arbitrator in an ICC Hong Kong matter concerning road construction in East Africa under a FIDIC form of Contract.
- Co-Arbitrator in a DIAC matter concerning oil field development works in the Middle East under a bespoke contract governed by the laws of England and Wales.
- Co-arbitrator in a CEPANI matter concerning engine design issues in connection with a mergers and acquisitions based dispute governed by Belgian law.

EXPERIENCE: Arbitration/ Dispute Boards/ or Non-contentious work

- Co-arbitrator in an ICC Paris matter concerning railway construction work in Eastern Europe performed under a FIDIC form of Contract.
- Co-arbitrator in an ICC Hong Kong matter concerning offshore drilling work in the South Pacific.
- Co-arbitrator in an ICC Paris matter concerning dredging works in Central America.
- Co-arbitrator in an ICC Paris matter involving road construction in Eastern Europe.
- Party appointed Dispute Board Member in a standing DAB in connection with the construction of a rolled - compacted concrete dam in Lebanon under a FIDIC Construction 1999 (Red Book) form of contract.
- Appointed chairman by party agreement on a standing dispute board under a FIDIC Construction 1999 (Red Book) in regard to civil and hydro-mechanical works for a major hydropower project in East Africa (DAB activity currently suspended).
- Appointed chairman by party agreement on a standing dispute board under a FIDIC Construction 1999 (Red Book) in regard to civil and hydro-mechanical works for a major hydropower project in South East Asia.
- Appointed sole DB Member by party agreement on an *ad hoc* dispute board under a FIDIC Plant and Design Build 1999 (Yellow Book) in regard to major hydro-mechanical upgrade works for a hydropower project in Central Asia.
- Party appointed Dispute Board Member in an *ad hoc* DAB in connection with the construction of a 400MW combined cycle power plant in Bangladesh.
- Appointed chairman by party agreement on two different standing dispute boards, with different contractors and the same employer, both under the FIDIC Construction 1999 (Red Book) in regard to road construction of a strategic commercial corridor in the Balkans.
- ICC appointed Sole Dispute Board Member for a highway rehabilitation project in East Africa. The contract was a FIDIC MDB version, but with an *ad hoc* Dispute Boards under World Bank financing.
- FIDIC appointed DAB Member and selected chairman on a standing dispute board Construction 1999 (Red Book) in regard to a dredging and port extension project in Eastern Europe.
- Party appointed Sole Dispute Board Member for a road construction project in Central Asia. The contract was a FIDIC MDB [2010] version with a standing Dispute Boards under ADB financing.
- Appointed chairman by party agreement on a standing dispute board under a FIDIC MDB [2010] in regard to the construction of a drinking water mains in Uganda.
- Appointed chairman by party agreement on an *ad hoc* dispute board under a FIDIC Construction 1999 (Red Book) in regard to the construction of sewer lines in Uganda.
- Appointed chairman by party agreement on two different standing dispute boards, with different contractors and the same employer, both under the FIDIC MDB [2010] form in regard to road construction in Georgia.
- Party appointed Dispute Board Member in a standing DAB in the connection with a design build contract for a major bridge in Gambia under a FIDIC Plant & Design Build 1999 (Yellow Book) form of Contract.
- Party appointed Dispute Board Member in an *ad hoc* DAB in the connection with a design build contract for a five star resort in French West Africa under a FIDIC EPC Turnkey 1999 (Silver Book) form of Contract.

EXPERIENCE: Arbitration/ Dispute Boards/ or Non-contentious work

- Jointly appointed Sole Dispute Board Member in an *ad hoc* DAB in connection with motorway construction under a FIDIC Red Book contract in Eastern Europe with EIB financing.
- ICC appointed Sole Dispute Board Member in two motorway construction projects in Central Asia. The contracts were FIDIC MDB version with standing Dispute Boards under World Bank financing.
- Appointed chairman by party agreement on a standing dispute board under a FIDIC Construction 1999 (Red Book) in regard to a maritime and container port construction project on the North Pacific coast of South America.
- MCA-Sénégal and Contractor appointed Sole Dispute Board Member in two Highway construction projects in West Africa. The contracts are FIDIC Red Book version with standing Dispute Boards under Millennium Challenge Corporation financing. One project related to road rehabilitation, the other to irrigation civil works. (French language case)
- Party appointed Dispute Board Member in an *ad hoc* DAB in connection with the construction of a hydroelectric dam in Central America.
- Sole Dispute Board Member under a FIDIC Yellow Book *ad hoc* DAB in connection with a ten million Euro dispute in regard to a water treatment plant in Eastern Europe.
- Co-Counsel under a FIDIC Yellow Book *ad hoc* DAB in connection with a twenty million Euro dispute regarding the design and construction of a 25km section of motorway in Eastern Europe.
- Co-Counsel under a FIDIC Red Book *ad hoc* DAB in connection with a fifteen million Euro dispute regarding the design and construction of a 50km section of national roadway in Eastern Europe.
- Dispute board proceedings, co-counsel in connection with a dispute board procedure in Bucharest in a dispute over non payment and defects related to the construction of a luxury housing scheme.
- ICC Paris, 40M € dispute regarding the electrification, signalling and controls on a major urban commuter line serving 26 million passengers per year in North Africa capital city. Acting as party appointed delay and quantum expert. (French language case).
- ICC Paris, 100M € dispute regarding the M&E installations for the construction of a billion Dollar cultural facility in North Africa design to receive up to 120,000 members of the general public at a single event. Acting as party appointed delay expert (French language case).
- ICC, Bucharest, and commercial court Istanbul, dispute related to the replacement of a concrete structure subcontractor for the construction of a high-rise building complex for delays in the subcontract works. (Acting as in-house counsel/ technical advisor and coordinator over litigation in Turkey, mediation and arbitration in Romania.)
- ICC Hong Kong, provided an expert legal opinion on the interpretation of the Contractor's liability imposed by certain clauses under the FIDIC EPC Turnkey model form of Contract 1999 (Silver Book) and the impact of certain Particular Conditions in connection with the design and construction of a cement factory in Central Asia.
- ICC Geneva, 100M € arbitration between general contractor joint venture partners in connection with a 100M € dispute over scope of work and delay and disruption in relation to the construction of a coal fired power plant in Europe. Co-counsel.

EXPERIENCE: Arbitration/ Dispute Boards/ or Non-contentious work

- ICC Geneva, arbitration between general contractor and mechanical erection subcontractor in connection with a dispute over scope of work and delay and disruption in relation to the construction of a coal fired power plant in New Caledonia. Quantum expert witness.
- ICC Paris, 550M € arbitration between employer and general contractor for a major LNG handling and storage facility in Europe under an EPC contract. Serving as party appointed delay expert in dispute of several hundred million Euros. (French language case)
- Tribunal de Commerce de Paris, technical advisor in litigation with regard to additional costs and non-payment, in connection with the construction of water distribution works in Morocco. (French language case)
- ICC, Paris, preparation of damages case as co-legal counsel to client related to a hundred million Euro arbitration between joint venture partners for the implementation of a complex mechanical system destined for use by a major European airport operator. (French language case)
- ICC, Geneva, arbitration related to delay and disruption between joint venture partners contracted for the construction of a 500Mkw power plant in Greece (delay expert witness).
- ICC, Stockholm, arbitration related to the implementation of a Franco-Russian government backed program to develop mass production of pre-fabricated housing (Acting as co-counsel).
- ICC, Geneva, arbitration related to the default of a major equipment supplier for a gas injection facility in the Middle East (delay expert witness).
- ICC, London, arbitration related to the construction of a shopping center located in Warsaw, Poland (Technical/ legal advisor to client.)
- ICC, Paris, multiple arbitrations related to the construction of leisure facilities located in France (Technical/ legal advisor to client).
- Co-drafter of Sample Bidding Tender Particular Conditions and Supervising Engineer Terms of Reference for FIDIC contracts for the European Delegation to Turkey.
- Litigation, Kuala Lumpur, related to construction of deep foundations for ultra high-rise buildings. (Technical/ legal advisor to client).
- Litigation, Denver USA, related to expansive soils damage to a residential development. (Technical/ legal advisor to client).

Industrial, Power and Petrochemical

- Advice and drafting standard particular conditions to go with FIDIC RB contracts for international tire factory projects.
- Coal fired power plant, Europe (Expert witness)
- Hydroelectric Power Station, Guatemala (Dispute Board Member)
- Hydroelectric Power Station, SE Asia (Dispute Board Chairman)
- M&E upgrade of a Hydroelectric Power Station, Central Asia (Sole DB Member)
- Gas injection facility, Middle East (Expert witness)
- Gas cogeneration power plant, Komotini, Greece (Expert witness)

- Gas cogeneration power plant, South Asia (DAB Member)
- LNG terminal (8.25 Bn m3 capacity) green field project, Europe (Expert witness)
- LNG terminal (13 Bn m3 capacity) green field project, Europe (Claims)
- Gas gathering and treatment facility, North Africa (Claims)
- Coal fired power plant, Noumea, New Caledonia (Expert witness)
- Dry lining production facility, Vaujour France (Watching brief)
- Silicium production facility, Saint Antin France, EPC contract negotiation.
- Complex baggage handling system – (Co-counsel, specialist for quantum and delay issues)
- Project manager Campbell's Soup – Extension of a soup factory in Maxton, NC

Heavy civil, transportation and infrastructure

- Standing Dispute Board Member for the construction of a rolled compacted concrete dam in the Middle East.
- Standing Dispute Board Chair for the construction of a hydroelectric dam in South East Asia.
- Standing Dispute Board Chair for the construction of a hydroelectric dam in East Africa.
- Standing Dispute Board Chair for a road construction project in the Balkans.
- Standing Dispute Board sole member for a road construction project in the Caucasus.
- Standing Dispute Board sole member for a drinking water mains in Uganda.
- Sole *ad hoc* Dispute Board Member for a hydroelectric dam in Central Asia.
- Standing Dispute Board Chair for the construction of breakwater for a major Black Sea port.
- Standing Dispute Board Chair for a major rehabilitation of a principal container port in South America.
- Co-arbitrator in a case involving railway construction in Eastern Europe.
- Co-arbitrator in a case involving road construction in East Africa.
- Delay and quantum expert in an urban commuter rail line electrification, signalling and controls upgrade in North Africa.
- Standing Dispute Board Member for a major bridge construction project linked to a transcontinental highway in West Africa.
- Sole *ad hoc* Dispute Board Member appointed by the ICC for a road rehabilitation project in East Africa
- Advice and drafting standard particular conditions to go with FIDIC RB contracts for international container ports operator.
- Advisor to the Minister of development in an East Asian country in the matter of the termination of a contractor for delay in the performance of a contract related to motorway construction. (FIDIC MDB and IFI financing)
- Central Asia, sole dispute board member for the construction of 50km of motorway.
- Central Asia, sole dispute board member for the construction of 20km of roadway.

- French West Africa, sole dispute board member for the reconstruction of a national highway and principle bridge works.
- Eastern Europe, watching brief for the construction of a 43Km section of motorway.
- Eastern Europe, advising in litigation for the rehabilitation of 50km of national highway.
- Offshore drilling works in Southeast Asia (Arbitrator)
- Dredging works for shipping lane in Central America (Arbitrator)
- Water treatment facility in rural Romania (FIDIC Sole Adjudicator).
- Major bridge structure for a high speed rail line in Morocco (Legal advisor)
- Water distribution and treatment works Oujda Morocco. (Technical assistance in French court).
- Co-drafter standard contract Particular Conditions for the EU Delegation to Turkey for water treatment, WWTP, railroad and roads works financed by the EU.
- Civil construction for a nuclear reactor test facility (advisor to government agency)
- Kuala Lumpur City Centre heavy foundations including barrette piles, raft foundations, slurry walls and cut and cover tunnels. (Contract Administrator)
- Prague International Airport – tripled terminal capacity of existing airport and added taxiways, aprons and equipment – Prague CR. (Contracts Director 1995-1998 for the D&B general contractor)
- Strontia Springs Dam - double curve thin arch concrete dam – Colorado, USA. (Cost engineer and labourer).

Leisure and tourism

- Peninsula Hotel Paris, providing procurement strategy advice, and watching brief.
- Accor Hotel group, providing claim strategy and watching brief, Paris, France
- Villages Nature (JV of Euro Disney SCA and Pierre & Vacances), providing advice on development of project contracting documents – Marne la Vallée, France
- EuroDisney Magic Kingdom theme park – Marne la Vallée, France. (Contracts Manager.)
- EuroDisney Walt Disney Studios theme park – Marne la Vallée, France (Contracts Director – Managing Director)
- Luxury resort development in French West Africa (DAB Member).

Education and Culture

- Kuala Lumpur City Centre including Opera House - Kuala Lumpur, Malaysia. Contracts Manager.
- Kings College London School of Medicine teaching facilities – London. Contracts Manager.
- Grande Mosquée in North Africa for congregations up to 120,000 people (Expert).
- Implementation of an industrial base to mass-produce 2,500 prefabricated houses per year - Russia (Arbitration counsel)
- EPC contract for the construction of 10,000 housing Units – Venezuela (Transaction and oversight)

Urban development

- 300 million Euro urban development project in Minsk, Belarussia, including luxury hotel, office and commercial complex. (Construction contract drafting)
- EPC contract for the construction of 10,000 housing Units – Venezuela (Transaction and watching brief)
- EPC contract for the construction of 17,000 housing Units – Venezuela (Transaction and watching brief)
- London West End top end luxury apartment development – Stone fit out works (Claim defense on quality issues)
- Residential complex (6x13 storey towers + 4x6 storey towers). Luxury residential complex in Bucharest – Romania.
- Residential complex. Luxury residential complex in Bucharest – Romania.
- Kuala Lumpur City Centre including 92 storey Petronas Twin Towers - Kuala Lumpur, Malaysia. (Contracts Manager)
- Exxon headquarters Malaysia – 50 storey tower at Kuala Lumpur City Centre site – Malaysia. (Contracts Manager)
- Project manager new office building - Greensboro NC
- Project manager new office building - Charlotte NC
- Project Manager new office building - Raleigh, NC

Retail

- Kuala Lumpur City Centre including shopping Mall - Kuala Lumpur, Malaysia. (Contracts Manager)
- Project manager shopping mall - Lynchburg, VA
- Project manager shopping mall - Charlotte, NC
- Shopping mall - Warsaw, Poland (Technical assistance to arbitration)

Hospitals

- Project manager Moses Cone Hospital renovation - Greensboro, NC

PROFESSIONAL CAREER

2003 – Present	Partner, PS Consulting, www.ps-consulting.fr
2012 - Present	Founding Partner Global Construction & Infrastructure Legal Alliance (Gcila) www.gcila.org
2005 – Present	Of Counsel, François & Associés, Paris
2002 – 2003	Managing Director - EuroDisneyland Imagineering – Marne la Vallée France
1999 – 2002	Director Contract Administration - EuroDisneyland Imagineering – Marne la Vallée France
1995 – 1999	Directeur Adjoint – Bouygues Bâtiment International – Czech republic & UK
1993 – 1995	Senior Contracts Manager – Lehrer McGovern Bovis – Malaysia

PROFESSIONAL CAREER

1988 – 1993	Senior Contracts Manager – Lehrer McGovern Bovis – Marne la Vallée France
1985 – 1988	Project Manager – McDevitt & Street Bovis – NC, USA

UNIVERSITY LECTURER POSITIONS

Date	Course
Since March 2016	Visiting lecturer at University of Stuttgart for the Module on FIDIC contracts within a Practice and Law Masters of Business Engineering (MBE) program.
Since November 2015	One of four invited lecturers at l'Ecole Nationale des Ponts et Chaussées for a two day annual continuing education course on international contract forms.
Since September 2016	Visiting lecturer at l'Université Paris II Assas. Diplôme Universitaire: International Construction Contracts.

PUBLICATIONS

“Dispute Boards”, Chapter 10, Dispute Prevention and Settlement through Expert Determination and Dispute Boards, ICC Publication No. 792E [2017], ISBN 978-92-842-0427-4

“FIDIC Contracts 200 Frequently Asked Questions and Answers”, Bloomsbury India [2016], ISBN 978-92-925-7607-0

“The Evolution of Global Claims and *John Doyle Construction Ltd v. Laing Management (Scotland) Limited*”, The International Construction Law Review, Volume. 22, Part 2, April 2005, ISBN 0265 1416.

TRAINING EXPERIENCE

Date	Course
April 2018	Accredited FIDIC, Module 1 (Introduction to FIDIC) and Special Advanced FIDIC Module in-house training and team coaching organized by the Asian Development Bank, Tbilisi, Georgia.
April 2017	Accredited FIDIC, Module 1 (Introduction to FIDIC) in-house training and team coaching organized by the Asian Development Bank, Tbilisi, Georgia.
October 2016	Accredited FIDIC, Module 1 (Introduction to FIDIC) in-house training and team coaching organized by the Asian Development Bank, Yerevan, Armenia.
August 2016	Accredited FIDIC, Module 2 and 2A (Claims and claims administration) in-house training and team coaching organized by the Asian Development Bank, Hyderabad.
May 2016	Accredited FIDIC, Modules 1 and (Introduction to FIDIC and Claims Management) Five day in-house training and team coaching for Employer’s staff of Gibe III hydroelectric dam project, Ethiopia. Organized by the Engineer.
April 2016	Accredited FIDIC, Module 1 (Introduction to FIDIC) in-house training and team coaching organized by the Asian Development Bank, Tbilisi, Georgia.
October 2015	Accredited FIDIC, Module 1 (Introduction to FIDIC) in-house training and team coaching organized by the Asian Development Bank, Kabul, Afghanistan.
July 2015	Accredited FIDIC, Module 2 and 2A (Claims and claims administration) in-house training and team coaching for a global foods company, Curitiba, Brazil.

**TRAINING
EXPERIENCE**

June 2015	Accredited FIDIC, Module 2 and 2A (Claims and claims administration) in-house training and team coaching organized by the Asian Development Bank, New Delhi.
June 2014	Accredited FIDIC, Module 2 and 2A (Claims and claims administration) in-house training and team coaching organized by the Asian Development Bank, New Delhi, Bangalore.
April 2014	Accredited FIDIC, Module 2 (Claims administration) in-house training organized by the Institute for Consultancy & Productivity Research, for the Dedicated Freight Corridor Corporation of India Ltd., New Delhi.
March 2014	Accredited FIDIC Modules 1-3 plus 3a (Introduction, Claims, Dispute Boards, and Contract Administration) in-house training organized by the Ethiopian office of the World Bank, Debre Zeit, Ethiopia
February 2014	Accredited FIDIC, Module 2 (Management of Claims and the Resolution of Disputes, under FIDIC Contracts) public training course. Ankara, Turkey.
December 2013	Accredited FIDIC Modules 1-3 plus 3a (Introduction, Claims, Dispute Boards, and Contract Administration) in-house training organized by the Ethiopian office of the World Bank, Debre Zeit, Ethiopia
June 2013	Accredited FIDIC, Module 2 and 2A (Claims and claims administration) in-house training organized by the Asian Development Bank, New Delhi, Mysore, Hyderabad.
January 2013	Accredited FIDIC, Module 2 (Claims administration) in-house training organized by the Institute for Consultancy & Productivity Research, for the Dedicated Freight Corridor Corporation of India Ltd., New Delhi.
November 2012	Accredited FIDIC, Module 1 (Practical Use of FIDIC Contracts 1999) public training course. Ankara, Turkey.
September 2012	Accredited FIDIC, Module 2 and 2A (Claims and claims administration) in-house training organized by the Consulting Engineers Association India, for the Asian Development Bank, New Delhi, Mysore.
September 2012	Specially adapted FIDIC three day training course on FIDIC Red and Yellow Books for the European Union Delegation to Turkey and Project Implementation Units. Ankara Turkey.
February 2012	Accredited FIDIC, Module 2 (Claims administration) training for the Japan International Cooperation Agency (JICA), Hanoi.
December 2011	Accredited FIDIC, Module 3 (Dispute Boards) Public training organized by the Korean Engineering & Consulting Association, Seoul, Korea
August 2011	Accredited FIDIC, Module 2 (Claims administration) in-house training organized by the Consulting Engineers Association India, for the Dedicated Freight Corridor Corporation of India Ltd., New Delhi.
July 2011	Accredited FIDIC, Module 2 (Claims administration) in-house training organized by the Consulting Engineers Association India, for the Asian Development Bank, New Delhi, Bangalore, Guwahati, Bhopal.
June 2011	Accredited FIDIC, Module 2 (Claims administration) public training course sponsored by ACES and MACE, Belgrade Serbia.
March 2011	Accredited FIDIC, Module 1 (Introduction to FIDIC) public training course sponsored by ACES and MACE, Belgrade Serbia.
December 2010	Accredited FIDIC, Module 2 (Claims administration) training for the Japan International Cooperation Agency (JICA), Tokyo.

**TRAINING
EXPERIENCE**

- October 2010 2012 Accredited FIDIC, Module 2 (Claims administration) training for the Japan International Cooperation Agency (JICA), Hanoi.
- September 2010 Accredited FIDIC, Module 2 (Claims administration) in-house training organized by the Consulting Engineers Association India, for the Asian Development Bank, New Delhi.
- July 2010 Accredited FIDIC, Module 2 (Claims administration) training for the Japan International Cooperation Agency (JICA), Jakarta.
- June 2010 Accredited FIDIC, Module 2 (Claims administration) public training sponsored by the Consulting Engineers Association India, Mumbai.
- February 2010 Accredited FIDIC, Module 2 (Claims administration) training for the Japanese International Cooperation Agency (JICA), Tokyo.
- July 2009 Accredited FIDIC, Module 4 (Contract Administration) training for the Albanian Development Fund, Tirana.

**OTHER
INFORMATION**

Language: French (fluent); Spanish (notions), Czech (notions)
Computer literate (Word, Excel, Project, MS Project, Primavera etc...)