

Roberto Hernández-Garcia
Construction Lawyer and Construction Neutral

1. GENERAL PROFILE

Roberto Hernández-Garcia is an international construction lawyer, with relevant experience in construction projects (including mega projects) related to design, consulting services, energy (oil and gas facilities, power plants, transmission lines, substations), transportation (trains, highways, roads, bridges, metros and airports, etc.), water, sewage, industrial plants, and civil buildings, either on the transactional side, as well as dispute resolution mechanisms (litigation, dispute boards and arbitration) in Mexico, Central and South America.

He is a member of national and international organizations, and author and co-author of multiple publications in the areas of construction law. He is also specialized in Public procurement and anticorruption international regulations.

He is a certified FIDIC adjudicator.

He is included in the ICDR roster of arbitrators as well as other arbitration centers in Mexico and Central America.

This resume highlights the most relevant activities of Roberto Hernández-Garcia exclusively in the field of construction dispute resolution, but is not exhaustive of all his activities.

2. DATE AND PLACE OF BIRTH:

October 27, 1970. Mexico City.

3. EDUCATION:

- Lawyer and Master in Laws (Cum Laude). Universidad Panamericana, Mexico City.
- Orientation in US Law: University of California. Davis and Berkeley Campuses.
- Utilities Regulations and Strategy: Public Utility Research Center. University of Florida. Gainesville, Campus.
- Specialization Diplomas in (i) Corporate Law; (ii) Civil and Commercial Procedural Law; (iii) Commercial Law; (iv) International Trade; (iv) Administrative Law. Universidad Panamericana, Mexico City.
- IPADE Business School. D-1 Business Executive Program.

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- International Arbitration Diploma. International Chamber of Commerce (ICC) and Escuela Libre de Derecho, Mexico City.
- Negotiation for Lawyers and Executives. Harvard Business School.
- Construction Summer School. Informa and Cambridge University.
- FIDIC Contracts immersion program. Dispute Board Federation. Dublin, Ireland.
- Training Workshop “Construction of Highways and Bridges”. Cámara Nacional de Empresas de Consultoría (National Chamber of the Consultants for the Construction Industry).
- FIDIC Training Program. King’s College, London.
- Has attended lectures and training programs of the Dispute Resolution Board Foundation (DRBF), and has acted as trainer in the same ones.

4. ASSOCIATIONS:

- American Bar Association Construction Forum (ABA CF).
 - Member since 2008 approximately.
 - Member of the Steering of Division 8 of the ABA CF since 2012 approximately.
- American College of Construction Lawyers (ACCL). Fellow Inducted in 2019.
- International Academy of Construction Lawyers (IACL). Fellow inducted in 2019.
- Mexican Society of Construction Law. Current President.
- International Chamber of Commerce Mexico (ICC México).
 - Founding Chair of the Anticorruption Committee.
 - Founding Chair of the Construction Disputes Committee.
 - Member of the Board. Current.
 - Member of the Executive Committee. Current.

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- International Bar Association (IBA).
 - Former Co Vice-Chair of the International Construction Projects Committee (ICP). First Latin American to have this position.
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- National Chamber of Consulting Engineers (Cámara Nacional de Empresas de Consultoría-CNEC).
 - Vice President of Ethics and Anticorruption. Current.
 - Member of the Executive Committee.

- Interamerican Federation of Construction Chambers (Federación Interamericana de Cámaras de Construcción- FIIC).
 - Special adviser of compliance and dispute resolution matters. Current

- Confederation of International Contractors' Association (CICA).
 - Member of the Task force of best practices in international construction contracts. Current

- Mexican Civil Engineers Association (Colegio de Ingenieros Civiles de México-CICM).
 - Special Legal advisor.
 - Professor of Construction Law at the CAPIT Training Center.

- Dispute Resolution Board Foundation
 - Member

- Chartered Institute of Arbitrators.
 - Member. (in process of taking the Fellowship program)

- ICDR.
 - Included in Roaster.

5. DISPUTE RESOLUTION EXPERIENCE

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- As a counselor he has represented multiple local federal litigations of private and construction projects in Mexico.
- As a counselor he has represented multiple arbitrations under diverse national and international rules, in construction projects of Transmission Lines, substations, Airports and Railroads. The most recent arbitrations where Roberto acted as a counselor and co-counselor, were two international ICC Arbitrations in connection with a mega airport project with arbitration seat in Canada.
- Appointed by parties as Dispute Board in approximately 30 construction contracts under FIDIC and NEC Models, as well as other standard contracts in Central America, South America and Mexico including (documents that prove them available upon request):
 - Honduras (Highways and Bridges); (Sole Dispute Board)
 - El Salvador (Highways and Bridges), (Sole Dispute Board and Chair of DB)
 - Peru: Sport Facilities (Lima 2019 Panamerican and Para Panamerican games sport facilities); (Member of Dispute Board)
 - Peru: reconstruction facilities (hospitals, schools)
 - Appointed by the International Chamber of Commerce Dispute Resolution Center as Dispute Board in a government contract related to municipal Lighting Project in the North of Mexico (project cancelled)
 - Confirmed by the International Chamber of Commerce Dispute Resolution Center for two Windfarm projects in Mexico.
- Has acted as arbitrator of energy project under the London Court of International Arbitration (LCI) rules.
- Roberto is listed in the following Institutions as a Dispute Board:
 - Peru: Centro de Análisis y Resolución de Conflictos de la Pontificia Universidad Católica del Peru: <https://cdn01.pucp.education/carc/wp-content/uploads/2020/08/11234357/nomina-jrd-inertnacional1.pdf>
 - Peru: Centro de Arbitraje Cámara de Comercio de Lima : <https://www.arbitrajeccl.com.pe/wp-content/uploads/2020/12/Lista-de-Adjudicadores-internacionales-para-la-web.-1.pdf>

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- Costa Rica: Centro de Resolución de Conflictos del Colegio Federado de Ingenieros y Arquitectos de Costa Rica (CFIA)



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Constancia Adjudicada

- El Salvador:
http://mediacionyarbitraje.com.sv/index.php?option=com_content&view=article&id=21&Itemid=19

- Invited to be part of the List of Dispute Boards of Dispute Avoidance and Adjudication Board (DAAB) members for civil works contracts in high-risk project of the World Bank.
- Certified FIDIC adjudicator.

6. **SPEAKING ENGAGEMENTS.**

Roberto Hernández- García has been permanently invited as a speaker in national and international programs of national and international organizations such as: The IBA, the ABA, the ICC, the ACCL, the DRBF, Universities in Chile, Peru, Honduras, the Mexican Bar Association, the Mexican Civil Engineers Association, the National Chamber of Consulting Industry, among many others.

He has spoken in congresses, and special construction events in at least 15 countries.

7. **PUBLICATIONS.**

Roberto Hernández-García has multiple papers and publications of national and international organizations such as the IBA, the ABA and national publications.

For 12 years he had the monthly column “Construyendo Derecho” (Constructing the Law) in the Magazine Obras (out of the market today).

He is an author /co-author of the following books:

- Author: “Construction Law in Mexico: perspectives and Challenges” (2020). Published by Bosch, a Wolters Kluwer Company.

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- Author: “Construction and COVID-19: challenges and opportunities” (2020). Published by Bosch, a Wolters Kluwer Company.
- Co-Author and Consulting Editor: “Construction and Infrastructure Disputes: a global handbook”. Globe Law and Business. UK
- Co-Author and Consulting Editor: “Anticorruption Laws and Regulations: a global guide”. Globe Law and Business. UK.
- Co-Author and Consulting Editor: “International public procurement: A guide to best practice”. Globe Law and Business. UK.
- Co- Autor and Coordinator: “Dispute Boards in Latin America”. Published in Peru.
- Co-Author “International Construction Law”. American Bar Association.

7. TEACHING

- For more than 10 years he has been a lecturer at the “International Arbitration Diploma Course” of the ICC and the Escuela Libre de Derecho of “Dispute Boards”.
- He is the author and professor of the course “Introduction to Construction Law for Engineers and Architects” at the Mexican Civil Engineers Association.
- He is a lecturer at the Pontificia Universidad Católica de Peru (Catholic University of Peru) in the Dispute Boards program.
- He is a professor of “Anticorruption Law” at the Universidad Panamericana in University and Master Levels.
- Invited professor of the University of Miami on Construction Law in Civil Law Countries.

8. LANGUAGES

- Spanish: Mother tongue.

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- English: Completely fluent Speaking, Listening and Writing.
- Italian: Can keep a basic conversation, understands a person speaking in Italian, and can read a basic text.
- French: Knows very Basic concepts. Can keep a very basic conversation and can understand and read very basic texts.

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Signature: