



**HEPHER ASSOCIATES LIMITED**  
CONTRACTS ADMINISTRATION | CLAIMS & DISPUTE RESOLUTION CONSULTANT

# COMPANY PROFILE

**Since 1988, Hepher Associates Ltd. has specialised in resolving commercial and contractual issues for Clients, Contractors and Specialists in the construction, building, civil engineering, mechanical, electrical, energy and oil & gas industries.**



As one of the longest established claims and dispute resolution consultants in the United Arab Emirates and wider GCC region, Hepher Associates Ltd (HAL) offers professional consultancy and technical support services to Clients, Contractors and Specialists in the construction, building, civil engineering, mechanical, electrical, energy and oil and gas industries.

Combining the considerable experience of its Partners Nick Hepher FRICS ACI Arb, Richard Macartney MRICS, Trevor Anscombe ICIOB and Sunil Sukumaran MCIOB MRICS, Christopher Rigney MCI Arb MIET MCIOB and Kieran Chauhan FRICS FCI Arb and supported by professionally qualified consultants, HAL offers project support from feasibility, through procurement, design, construction and up to final account.

***HAL services include:***

- Contract set up support
- Establishment of project systems
- Commercial Management
- Contract Administration
- Claims Management
- Forensic Planning
- Arbitration Management & Support
- Adjudication & Arbitration
- Expert Witness services
- Mediation & Conciliation
- Negotiation
- Quantity Surveying

**HAL has a proven track record of achieving effective results in resolving commercial and contractual issues for its clients. Whether assisting in resolving disputes, negotiating key contract terms, preparing claim submissions or providing objective expert advice on contractual, quantum and planning issues, HAL's focus is always on protecting its clients interests.**



## WHY CHOOSE HEPHER ASSOCIATES LTD

As leading specialists in the field of construction dispute resolution and contractual advice, the services provided by HAL are expertly delivered by high calibre, professionally qualified quantity surveyors, construction managers, claims managers and forensic planning specialists.

HAL believes that many construction disputes can be avoided by the hands-on management of issues as and when they arise. HAL has the experience to ensure contractual entitlements are identified and recovered at the earliest opportunity, while presenting its client's position in a manner which mitigates the risk of a dispute arising.

Where a dispute cannot be avoided, HAL's expert technical and commercial knowledge combined with its substantial experience in formal dispute resolution procedures ensures its clients position is protected in order to maximise the potential for recovery.

Clients ranging from Contractors, Subcontractors, Suppliers, Employers, Developers and Solicitors look to HAL to assist in resolving extremely complex commercial and contractual issues on some of the world's largest construction and engineering projects.



**HAL's Pre-Contract services are focused on the establishment of robust contractual terms and the identification and management of risk, to ensure effective and streamlined implementation at the post-contract stage.**



## PRE-CONTRACT SERVICES

HAL recognises that successful delivery of projects is dependent on the early identification and management of risks and the establishment of effective contractual and commercial procedures.

As experts in resolving commercial and contractual issues in construction and engineering projects, HAL has the experience to streamline procurement and contract set-up with the aim of putting its clients in the strongest possible position.

HAL offers a wide range of pre-contract services for both traditionally procured and Design-Build / EPC projects, including:

- Professional Reports & Advice on:
  - Contractual terms and conditions
  - Suitability of Contract forms
  - Amendments of onerous terms
  - Contract negotiations and agreements
- Preparation of contract documents and appendices
- Drafting of Employer's Requirements
- Drafting of Contractor's Proposals
- Risk identification and management

**HAL retains professionally qualified Claims Engineers, Contracts Administrators and Construction Managers with extensive experience in contract administration and management gained with Clients, Contractors and Specialists.**



## CONTRACT ADMINISTRATION

HAL's staff have hands-on experience in delivering a range of projects from pre-contract phase up to final account throughout Europe, Asia, Africa and the Middle East.

Having developed best-practice contractual procedures and with a detailed knowledge of rights and obligations arising under a range of contract forms, HAL is able to quickly address contractual and commercial issues as they arise through robust administration of the contract.

HAL offers a comprehensive range of contract administration services to Clients, Contractors and Specialists including:

- Acting as Employer's Representative
- Acting as Contractor's Representative
- Acting as Sub-contractor's Representative
- Contractual advisory services
- Preparation and review of contractual letters and correspondence
- Preparation and review of contractual notices and certificates
- Document approval monitoring and management
- Subcontract management
- Identification and management of Variations
- Drafting of contract amendments / addendum
- Final Account negotiations

**HAL provides a full range of claims management services including identification of delay events, forensic analysis of project documentation and correspondence, preparation of claims submissions and analysis of loss and expense.**



## CLAIMS MANAGEMENT

HAL retains specialist claims managers with professional and legal qualifications and extensive experience in preparing and defending claims for additional time and/or payment arising under complex construction, building, civil engineering, mechanical, electrical, energy and oil & gas projects.

Whether preparing submissions on behalf of clients or supporting its clients with the development and review of in-house documents, HAL is able to manage the submission of claims from preparation to defence, negotiation and agreement between parties.

HAL offers a full range of claims management services to its clients, including:

- Identification of compensable delaying events and circumstances
- Forensic analysis of project documentation and records
- Preparation of claim narrative and detailed particulars
- Preparation of claims for loss and expense:
  - Prolongation claims
  - Disruption / loss of productivity claims
  - Acceleration / constructive acceleration claims
  - Inflation and escalation claims
- Preparation of loss of opportunity claims:
  - Head Office Overhead costs
  - Loss of profit

In support of its  
Claims  
Management  
services,  
HAL offers specialist  
Planning and  
Forensic  
Planning services to  
its clients in order  
to demonstrate the  
effect of delay events  
on the progress and  
completion of the  
project.



## PLANNING SERVICES

HAL understands the complexity of delaying matters arising on projects, and the potential for several competing events to arise at any one time.

HAL's planning and forensic planning services are delivered by experienced planning professionals, and are focused on accurately forecasting the outcome of the project, and identifying the effect of specific events on the critical path of the project throughout its duration.

HAL is able to implement an appropriate delay analysis methodology to substantiate entitlements to additional time and/or payment either during the construction period or following completion, which is supported by a comprehensive report and detailed schedule analysis demonstrating the cause and the effect of delaying events and circumstances.

HAL's range of planning and forensic planning services include:

- Assessment of Time Impact of Delay Events utilising an appropriate methodology:
  - Time Impact Analysis
  - Windows Analysis
  - As planned vs. As built Analysis
  - Impacted As Planned Analysis
- Schedule preparation and management
- Analysis of impact of Variations
- Analysis of as-built critical path
- Assessment of Resource Disruption / Acceleration
- 'What-if' programmes and scenario modelling



When disputes cannot be avoided, HAL ensures its clients position is represented in a professional manner in order to maximise the potential for recovery.



## DISPUTE RESOLUTION

HAL believes that many construction disputes can be avoided by the management of issues as and when they arise.

However, where a dispute cannot be avoided, HAL's expert technical and commercial knowledge combined with its substantial experience in supporting clients through formal dispute resolution procedures means HAL is able to offer a full range of dispute resolution services.

Whether acting as Expert, Advocate, Arbitrator or Adjudicator, HAL has extensive experience of participating in formal dispute resolution proceedings.

*HAL dispute resolution support services include:*

- Party Appointed Arbitrator
- Party Appointed Adjudicator
- Expert Witness
- Party Appointed Expert
- Preparation and presentation of Expert Reports
- Litigation support
- Advocates in Negotiation, Mediation, Adjudication & Arbitration
- Dispute management
- Mediation & Negotiation support



**HAL offers a full range of professional Quantity Surveying and Commercial Management services for Clients, Contractors and Specialists in the construction, building, civil engineering, mechanical, electrical, energy and oil & gas industries.**



## QUANTITY SURVEYING

As Chartered Quantity Surveyors, we are equipped with the professional skills and experience necessary to deliver a full range of Quantity Surveying and commercial management services to its clients.

HAL's Quantity Surveying and commercial management services are available to assist Clients, Contractors and Specialists in identifying, monitoring and controlling project costs at all stages of the construction process.

HAL's range of quantity surveying and commercial management services include:

- Bills of Quantities preparation
- Detailed elemental cost estimates
- Procurement advice and management
- Budget and cash-flow forecasting
- Tender Audits
- Cost planning and management
- Cash-flow projections
- Feasibility studies and concept estimates
- Estimating and tendering support
- Monthly Cost and Value reconciliation
- Valuation of Variations
- Monthly valuation of works
- Preparation and review of final accounts



## PROJECT TYPES

HAL advises clients in resolving complex issues on a wide range of international construction and engineering projects, including:

- Airports and other public transportation terminals
- High-rise office buildings
- Hospitals and medical centres
- Hotels and leisure developments
- Industrial buildings and manufacturing facilities
- Military and government installations
- Residential and public housing
- Museums and cultural centres
- Oil and gas production / storage facilities
- Petrochemical installations
- Piers, ports and marine structures
- Power generation, energy and utilities
- Research and testing facilities
- Resource recovery facilities
- Roads, highways, bridges, tunnels and other infrastructure
- Mass transportation projects
- Water/wastewater treatment facilities



HAL has advised a range of key Clients, Contractors and Subcontractors in resolving complex commercial, contractual and planning issues, including:

## • EMPLOYERS

- Jebel Ali Free Zone Authority
- Emirates National Oil Co. (ENOC)
- Dubai Ports Authority
- Omniyat
- Al Mazroui Group
- Deyaar

## • SUBCONTRACTORS

- IEMS International
- James L Williams Middle East
- GECCO Mechanical and Electrical
- ETA Power Projects Division
- Alico
- Dar Al Rokham

## • CONTRACTORS

- China State Construction Engineering Corporation
- Arabtec Group
- Group Five Construction
- Tekfen Construction
- Daewoo E&C
- Combined Group Contracting
- Ascon-Star-ETA Group
- United Engineering and Contracting Co. (UNEC)
- Intermass Engineering and Contracting Company
- Bin Ladin Contracting Group





## **HEPHER ASSOCIATES LIMITED (HAL)**

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