

International Arbitration of Construction Contracts

Overview

Construction contracts commonly call for arbitration as the parties' dispute-resolution procedure, especially on international projects. While often a wise choice for adjudicating international construction disputes, international arbitrations can raise many complex legal questions, including determining the procedural and substantive law governing the parties' disputes and how to apply that law to the disputes.

Carlton Fields' International Arbitration lawyers possess extensive experience working on international arbitrations, including arbitrations administered by, or governed by the rules of, the International Centre for Dispute Resolution (ICDR) (the international arm of the American Arbitration Association), the International Chamber of Commerce (ICC), and the United Nations Commission on International Trade Law (UNCITRAL), as well as many ad hoc international arbitrations governed by their own set of party-created procedural rules.

We have successfully represented our clients in arbitrations arising out of a variety of project types from around the world, including the following:

- A road-building project in Afghanistan
- Hotel, resort, and hospital projects in the Bahamas
- A condominium project in Turks and Caicos
- A cellular tower installation in Puerto Rico
- A hotel in Barbados
- A resort in St. Lucia

Our experience allows us to handle any international arbitration, regardless of project location, complexity of issues, or amount in dispute. Our team includes members of the American Arbitration Association (AAA), the Institute for Conflict Prevention & Resolution (CPR), the Chartered Institute of Arbitrators (CI Arb), and the International Centre for Dispute Resolution (ICDR).

Experience

- Represented U.S. design-build contractor in Afghanistan under a USAID contract in arbitration with Indian subcontractor on 110-kilometer road-building contract.
- Represented general contractor in arbitration against a resort owner in Nassau, Bahamas.
- Represented general contractor in successfully settling arbitration in Bahamas during mediation process.
- Represented joint venture contractor in arbitration with the Bahamian government.
- Arbitrated case for the general contractor against resort developer to successful \$5 million arbitration award and through enforcement action in Turks & Caicos. The case originated in Turks and Caicos but was eventually heard before the Privy Council in London and a landmark decision rendered in favor of the firm's client.
- Mediated settlement for the government of Barbados (on the eve of arbitration) on a \$40 million dispute for a 380-room hotel project in Barbados.
- Mediated settlement for the government of Barbados in arbitration against the project architect in Barbados.
- Successfully settled a dispute against the client (owner) by the general contractor on a resort facility during the mediation process in St. Lucia.
- Appointed as sole arbitrator by the Bahamas Supreme Court in a resort development construction case stayed pending arbitration.
- Arbitrated dispute regarding cellular tower installation in Puerto Rico.
- Arbitrator for the American Arbitration Association's International Centre for Disputes Resolution (ICDR) panel for a case involving cruise line operations between Maine and Canada.

Our Team

Key Contacts



Joseph A. McManus Jr.

SHAREHOLDER

 202.965.8114



Daniel K. Felsen

SHAREHOLDER

 202.965.8115



James P. Carney

SHAREHOLDER

📞 202.965.8117



David J. Butzer

SENIOR COUNSEL

📞 202.965.8118

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