

Exequatur

48 Boulevard Van Iseghem
44000 Nantes • France
+33 6 10 49 70 37
vincent.leloup@exequatur.pro

Vincent Leloup



Senior Contract Advisor

with 20 years of international experience in the construction and engineering industry.

Member of the FIDIC Contracts Committee

FIDIC International Accredited Trainer

FIDIC Accredited Adjudicator

Fellow Member at Dispute Board Federation (DBF, Switzerland)

Member at Dispute Resolution Board Foundation (DRBF, USA)

Eur Ing, MSc. Water Management, MSc. Agronomy

MSc. Construction Law & Dispute Resolution (*on-going*)

Core skills

International construction contract training services : FIDIC International Accredited Trainer
Procurement strategy, project risk identification & allocation, choice of relevant forms of contract
Contract risk analysis
Contract drafting
Contract management & administration
Claim management and preparation/defence
Dispute avoidance
Dispute resolution : Accredited FIDIC Adjudicator (French National List)
Fluent in French and English, intermediate command of Vietnamese

Career summary

Vincent Leloup is a French professional engineer, with 20 years of experience in the building & infrastructure sectors across Europe, Africa, Asia and the Caribbean, first in the construction industry for multinational Contractors then in the consulting engineering business prior to setting up his own practice in contract training, consulting and dispute resolution services.

He holds a significant experience at all levels of the project cycle, from master planning and feasibility stages, through to design, construction & operation. Vincent is largely experienced in



Certainty of outcome
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project management, showing demonstrated skills & abilities in managing multidisciplinary and multinational teams.

Vincent is experienced in large-scale construction project management, in particular executed along FIDIC conditions of contract (including 1999 Suite of Contracts - Construction Contract, Plant & Design Build Contract, EPC/Turnkey Contract, and subsequent releases).

FIDIC International Accredited Trainer since 2007, having delivered 80+ training courses across Europe, Africa and Asia. Also a Web Class Trainer on FIDIC Conditions of Contract for the Royal Institute of Chartered Surveyors (RICS, UK).

He is a Member of the FIDIC Contracts Committee, and of the FIDIC Task Group No.4B, in charge of writing the update of the FIDIC Client/Consultant Model Services Agreement, whose latest & 4th edition dates back to 2006, and whose publication is scheduled for end 2015. He also acts for FIDIC as Assessment Workshop Panel Member for the FIDIC International Trainer Accreditation Programme.

Accredited FIDIC Adjudicator under the French National List hosted by Syntec Ingénierie, French Member Association of FIDIC

Vincent is a Fellow Member of the Dispute Board Federation (DBF, Switzerland), and a Member of the Dispute Resolution Board Foundation (DRBF, USA).

Vincent regularly works as advisor to Parties in FIDIC Contracts management, claim management and dispute resolution, benefiting from his experience as Contractor as well as Engineer, in preparing large claims and dispute referrals, and in settling disputes.

Recent project history

220KV OVERHEAD TRANSMISSION LINE (OHTL) CONSTRUCTION – MOZAMBIQUE (2015)

Advisor to a Contractor involved in the construction of a 42 km long OHTL in for a private coal mine operator. 23 MUSD project run under a bespoke form of contract integrating some FIDIC standard Clauses. Identification of contract risks and remedies, definition of a contract management strategy and action plan.

PORT CONSTRUCTION – MOROCCO (2015)

Acting as Member of a 3-Member DAB for a port construction project run under FIDIC Silver Book Conditions of Contract

PORT CONCESSION – CARIBBEAN (2014-2015)

Lender Technical Advisory Due Diligence services for the concession of a large Caribbean container terminal (2.8 M TEU). Review of & opinion on the project procurement strategy, the

conditions developed for supply and construction contracts, the construction risks identification & allocation, and the insurance policies. All in conjunction with Lenders' Legal Due Diligence advisors, and with Concessionaire's Legal advisors.

220KV OVERHEAD TRANSMISSION LINE (OHTL) CONSTRUCTION – RWANDA (2015)

Advisor to a Contractor involved in the construction of a 100km long OHTL in between Kigali and the border with Uganda. 25 MUSD project financed by the African Development Bank and run under a MDB Plant Design, Supply and Installation form of Contract. Identification of contract risks and remedies, definition of a contract management strategy and action plan.

HIGHWAY CONSTRUCTION PROJECT – ARMENIA (2015)

Works & Services Contracts audit on a 250 MUSD highway construction project financed by the Asian Development Bank, run under the FIDIC MDB Harmonized Edition (2010) of the Conditions of Contract for Construction, suffering from delays & other implementation difficulties. Identification of the contractual causes of disputes, review of priority issues and recommendations for issues & dispute resolution.

MIXED USE DEVELOPMENT PROJECT - FRANCE (2014-PRESENT)

Nominated as Arbitrator for construction disputes matters on the JV Agreement in between 2 investors forming a Special Project Vehicle acting as Employer of a mixed use development project called "Zac Bordeaux Saint Jean Belcier" (740,000 m² - office building, residential buildings, 4 & 3 star hotels, shopping mall, car park) in South-West France.

FRENCH DEVELOPMENT AGENCY (2014-2015)

Assistance for the drafting of Standard Bidding Documents (SBD) for Large Works with high environmental & social impact. Harmonizing the various parts of the SBD, and in particular with the Conditions of Contract based on the FIDIC MDB 2010 Edition (Pink Book).

PORT CONSTRUCTION – MOROCCO (2013-2015)

Advising the Employer and the Engineer as to Contractor's Claims on a 5-year contract based on amended FIDIC 1999 Silver Book Conditions of Contract, 1999 Edition. Issuing opinion papers and preparing claim defense strategy. Assistance in dispute adjudication processes.

REAL ESTATE PROJECT / DUE DILIGENCE – NORTH AFRICA (2014)

Contract & Procurement due diligence services for a mixed use real estate development project in Northern Africa – GFA 400,000 m², capital value 450 MUSD. 54 construction contracts and consultancy agreements reviewed at 30% project progress stage. Objective: assess current & projected financial liabilities incurred by the Employer under the project.

NUCLEAR POWER PROJECT – EUROPE (2014)

Training & advisory services to 2 Contractors tendering on a large-scale nuclear power project, run along NEC3 Conditions of Contract. Contract risk analysis and mitigation plan development.

NUCLEAR POWER PROJECT – EUROPE (2011-PRESENT)

Training & advisory services to the Employer and the Engineer of a large-scale international nuclear power project, run along amended FIDIC 1999 Red and Yellow Book Conditions of Contract.

FACTORIES CONSTRUCTION – INTERNATIONAL TYRE MANUFACTURER (2013-2014)

Drafting a Model Contract for the construction of factories worldwide (America, Asia, Europe) for an international tyre manufacturer, based on FIDIC 1999 Yellow Book Conditions of Contract.

PORT REHABILITATION – INTERNATIONAL FREIGHT & LOGISTICS COMPANY (2012-PRESENT)

Advisory services as to dispute resolution for a port rehabilitation contract management in Sierra Leone Training & advisory services for an international freight & logistics company operating ports worldwide as concessionaire. Training on FIDIC Conditions of Contract. Drafting a FIDIC 2006 White Book based services contract for port rehabilitation design services in India. Drafting of 2 Model Contracts based on the FIDIC 1999 Red Book and Green Book Conditions of Contract.

WATER SUPPLY & WASTEWATER INFRASTRUCTURE PROJECT – MINISTRY OF FINANCE, REPUBLIC OF CROATIA (2010-2012)

Advisory services towards the Ministry of Finance (CFCA) as to the management of several water supply & wastewater infrastructure construction contracts run under FIDIC 1999 Red & Yellow Books Conditions of Contract, in the frame of Contractors' claims & dispute referrals.

WASTEWATER TREATMENT PLANT CONSTRUCTION – PALESTINE (2012)

Advisory services towards the Engineer as to an Adjudicator's decision on a Dispute. World Bank standard form of contract for Design, Supply & installation of Plant & Equipment.

ROAD CONSTRUCTION PROJECT – MOZAMBIQUE (2012)

Advisory services towards the Engineer as to a dispute on defects notification period extension, non-remedied defective works and call upon the Performance Security. FIDIC MDB 2005 Harmonized Edition contract.

FIDIC CONTRACTS TRAINING COURSES (2007-PRESENT)

Delivered over 80 training courses to Employers, Engineers, Contractors, Lawyers, Insurers and Lenders in Europe, Asia and Africa. FIDIC International Accredited Trainer since 2007. Member of the FIDIC Trainer Accreditation Assessment Panel since 2011. Example of Clients for FIDIC training sessions :

- International Financing institutions : African Development Bank, Millenium Challenge Corporation (USA), etc
- Employers : EDF EN, Michelin, Bolloré, Hanoi Metro Railway Board (Vietnam), ITER Organization, Fusion 4 Energy, Commonwealth War Graves Commission
- Professional bodies : Syntec Ingénierie, Royal Institution of Chartered Surveyors (RICS, UK), OICM (Mali)
- Consulting Engineers : Tractebel, Egis, Engage, etc
- Contractors : Colas, Razel, Sogea Satom, Soletanche Freyssinet, Areva, STX, ONDEO IS, Vinci Energies, etc.

Conferences & seminars

SPEAKER AT THE FOLLOWING INTERNATIONAL CONFERENCES

- DRBF European Regional Conference in Brussels - November 2011
- FIDIC International Contract Users' Conference in London - December 2012
- DRBF Annual International Conference in Paris - May 2013.
- FIDIC – ICC Conference in Paris – June 2013
- FIDIC International Contract Users' Conference in London - December 2013
- FIDIC Middle East Contract Users' Conference in Abu Dhabi – February 2014
- FIDIC Asia Pacific Contract Users' Conference in Shenzhen – July 2014
- FIDIC International Contract Users' Conference in London – December 2014
- FIDIC International Contract Users' Conference in London – December 2015

Career history

INTERNATIONAL DIRECTOR, SCE, 2004-2013

International Director for SCE, French consulting engineering firm specialized in Environment Management and Land planning. Primary responsibility focused on international strategy definition, business development, and project supervision in the Water & Environment fields in North Africa, Middle East, Eastern Europe, China and India.

Main project history

- **Vietnam - Project preparation for Ho Chi Minh City Environmental Sanitation project phase II (HCMCES II) – 450 MUSD - WB financing - Project Director (2009-2013)**
 Improvement of Ho Chi Minh City sewerage capacities through the construction of a 1.3 M PE Wastewater Treatment Plant and a 8-km long DN3000 sewage interceptor. Use of the 2008 FIDIC Design-Build-Operate Contract as contracting scheme.
 Feasibility Study, EIA, RAP/SA, Financial & Economic Analysis, Institutional Analysis.
- **Vietnam - Integrated Water Resources Management (IWRM) of the Dong Nai River basin – Project Director (2009-2013)**
 Basin due diligence & diagnostic assessment, simulation of development scenarios, preparation of the River Basin Management Plan
- **Algeria – Rehabilitation & Extension of Jijel and Guelma water supply & sewerage systems – Project Director (2007-2013)**
 Diagnostic assessment, Master Planning, Feasibility Studies, Design and Tender documentation preparation on behalf of Algerienne des Eaux (ADE) and Office National de l'Assainissement (ONA).
- **China - Reconstruction and expansion project of Water Supply System of Anqing City – 40 M€- KfW financing – Project Director (2010-2012)**
 Improvement of the WTPs and water supply network in Anqing. Assistance with project implementation
- **Croatia - Consultancy & Technical Assistance for the ISPA Measure – Karlovac Water and Wastewater programme – Project Director (2008-2011)**
 Assistance in design review, tendering and contracting for water supply & sewerage

networks construction and rehabilitation (17 M€ value- 1999 Red FIDIC Book Conditions of Contract), WWTP construction (100,000 PE – 14 M€ -1999 Yellow FIDIC Book Conditions of Contract), equipment supply. Institutional strengthening & capacity building regarding ISPA project management, GIS, networks modelling, UFW remediation and Financial & Operational Performance Improvement Programme (FOPIP) implementation

- **Bulgaria - Technical Assistance for Water supply & Sewerage Projects preparation in 7 Bulgarian towns – Project Director (2007-2009)**
 Diagnostic assessment of the infrastructure, development of models, preparation of Master Plans and Long-Term Investment Programmes for each town, Financial & Operational Assessment of Municipalities and Regional Water Companies. EC financing
- **Armenia - Municipal Water & Wastewater project - Project Director (2007-2008)**
 Preparation of Feasibility Studies & Detailed Engineering Design for water supply infrastructure improvement project for 12 cities & settlements - Goris, Eghegnadzor, Echmiadzin, Ararat, Vedi, Masis, Stepanavan, Tashir, Talin, Alaverdi, Artik, Noyemberyan
- **China - Second Yunnan Urban Environment Project – 250 MUSD (World Bank financing) - Deputy Project Director (2006-2007)**
 Project preparation for water supply, sewerage (including 9 WWTP of total 122,000 m³/day capacity), river protection and waste subprojects
- **China - Chongqing small cities infrastructure improvement project – 190 MUSD (World Bank financing) – Deputy Project Director (2005-2008)**
 Design Review & Advisory Services for water supply, sewerage, flood protection and road projects. Assistance for review of Preliminary & Detailed Design, Tender Documents for FIDIC Works Contracts
- **Romania – Technical Assistance for water supply & wastewater project – 42 M€- EC ISPA financing - Project Director (2004-2007)**
 Preparation of ISPA application, design and tender documentation for the rehabilitation and extension of the water supply and sewerage systems in Drobeta Turnu Severin. Conceptual (DWTP – 50,000 m³/d & WWTP – 125,000 PE) and detailed (water supply & sewerage networks – 90 km) design works, Tender documentation preparation for 3 works contract under FIDIC Conditions 1999 (Red Book for networks, Yellow Book for plants), 1 Service Contract under PRAG conditions, and 1 Supply Contract. Procurement Support during tendering & evaluation process.
- **China - Second Shandong Urban Environment Project – 250 MUSD (World Bank financing) (2005-2006)**
 Project preparation for water supply, sewerage (including 2 WWTP of total 170,000 m³/day capacity), river protection and waste subprojects (total investment: 250MUSD).
- **Serbia - Technical assistance for the improvement of Belgrade Water Supply system (2004-2006)**
 Setting-up asset register of the water supply network within the first pressure zone (half of Belgrade, 1300km of networks, 22 water facilities. Design & calibration of new hydraulic model (with Infoworks), detailed diagnostic assessment of a network pilot area.

DEPUTY PROJECT DIRECTOR, SAUR INTERNATIONAL (BOUYGUES GROUP AT THE TIME), 1999-2004

Deputy Director of the « Halong City Water Supply Project » - 20 MUSD water supply infrastructure construction & rehabilitation project (WB financing) in Halong, Vietnam.

In charge of

- FIDIC Contract Administration (1999-2004): Claim file preparation (6 MUSD). Supervised a team of lawyers, quantity surveyors and professional engineers. Held negotiations with Client and the Engineer. Dispute amicably settled.
- Pipeline rehabilitation works supervision (2000-2002), including trenchless techniques such as slip-lining.

OPERATION ENGINEER, SAUR, FRANCE, 1998-1999

Posted at Anjou Maine Agency, France, covering water supply & sewerage services over 4 counties ("départements" in French). Performance monitoring, asset management – asset inventory, diagnosis and renewal plans. Tendering for water supply & sewerage services on industrial sites.

RESEARCH ENGINEER, ESSEX & SUFFOLK WATER (SUEZ GROUP AT THE TIME), ENGLAND, 1998

Seawater desalination project – Feasibility Study for the implementation of alternative water production through seawater desalination by reverse-osmosis in Essex county, England, at a nuclear power plant site.

WATER PLANNING ENGINEER FOR RENAULT (CAR MANUFACTURER), FRANCE, 1997

Preparation of the Water Supply Master Plan for Maubeuge factory, France.

PROJECT ENGINEER FOR COMPAGNIE GENERALE DES EAUX (VEOLIA GROUP), FRANCE, 1996

Water supply services for Paris suburbs, supplying 4 Million inhabitants. Preparation of annual pipeline rehabilitation scheme, based on the development of specific database integrating main feeders (pipelines with DN>400) data