



BİLGE MÜFTÜOĞLU

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Having started her career at Roketsan Savunma San. ve Tic. A.Ş., Bilge Müftüoğlu has gained experience on contracts and international transactions with regards to defence sector during her six years of tenure at Roketsan. She then, started to work at Yazıcı Law Office, which is restructured as an attorney partnership later and spent final four years of her twenty-five years of working life therein, as the managing partner. In 2021, she has established Müftüoğlu Law Office with the aim of pursuing her career goals.

Throughout her professional career, Bilge Müftüoğlu has specialised in construction law by mainly focusing on construction and EPC (*engineering procurement construction*) contracts including FIDIC suite of contracts for infrastructure projects in relation to investments regarding industrial plants (natural gas and crude oil transit pipeline projects, construction of industrial plants, mine site development projects, combined cycle, hydroelectric and wind power plants, energy transmission and storage facilities); as well as construction contracts for superstructure projects (such as hotels and hospitals). In this regard, she has rendered legal consultancy services in structuring, drafting, negotiating construction contracts and project documentation, as well as claim building and management of contractual obligations throughout the term of the projects to local and international investors. Additionally, for more than a decade, Bilge Müftüoğlu provides trainings to managers, engineers and in-house legal counsels responsible for project management of companies active in the construction and energy sectors on contractual obligations under FIDIC suite of contracts and other construction contracts, negotiation of these and potential problems that may arise during the course of a project's management.

Bilge Müftüoğlu is the sole FIDIC Certified Adjudicator expertized on and registered as an attorney under Turkish law.

Her recent experience concerning construction projects which include general construction projects, industrial construction projects (such as power plants, pipelines and processing facilities) and dispute resolution in construction projects is as follows:

Dispute Adjudication Board Experience

Acted as a Dispute Adjudication Board member in an international dispute between the Ministry of a European state and a Turkish construction company concerning a construction project that was being carried out in Central Africa. (2021 – 2022)

Dispute Resolution Experience List

- 1) Advised a Turkish construction company in evaluation process of pursuing investment arbitration against the Kingdom of Saudi Arabia with regards to a foreign investment under the Bilateral Investment Treaty between the Kingdom of Saudi Arabia and the Republic of Turkey and currently representing the client in investment arbitration before International Centre for Settlement of Investment Disputes (“**ICSID**”). (2022 – ongoing)

- 2) Advised a Turkish construction company in evaluation process of pursuing investment arbitration against Russia with regards to a foreign investment that has been made in the Republic of Ukraine – Crimea. (2022)
- 3) Currently representing a Turkish construction company, the main contractor in the project, in arbitration proceedings with regards to a hydro-electric power plant project being performed in east of Turkey before Istanbul Arbitration Centre. (2020 – ongoing)
- 4) Represented a Turkish company, who acted as a seller in an international energy infrastructure project being performed in Bosnia, in arbitration proceedings against the buyer in the project before ICC International Court of Arbitration (“ICC”). (2021)
- 5) Acted as a member of the team in representing of a Turkish contractor in investment arbitration before ICSID against Turkmenistan with regards to a foreign investment. The team also advised the client in relation to fundraising options, conducted meetings with the fundraisers and assisted the preparation of a comprehensive report summarizing both the factual and financial aspects of the dispute. (2021)
- 6) Represented a Turkish company, a contractor in an energy infrastructure project being performed in the North Iraq, in international arbitration proceedings against the employer of the project, Kurdistan Regional Government, Iraq, before the ICC. (2020 – 2021)
- 7) Represented a Turkish construction company, the contractor in the project for the modernization of a railway line in Turkey, by drafting submissions under Dispute Adjudication Board procedure in the context of a FIDIC Yellow book Contract, as well as attending the hearing and meeting with relevant Ministry officials. (2019)
- 8) Represented a leading Turkish construction company against its subcontractor, in the ICC arbitration proceedings arising out of a receivable claim within the framework of a public-private-partnership context throughout its partnership with a global construction company. (2019 – 2021)
- 9) Played an active role in the team representing a major leading construction company in the ICC arbitration proceedings arising out of a dispute with regards to installation and montaging of a wind farm in south-east Turkey. (2018 – 2019)
- 10) Acted as a member of the team representing a leading Turkish construction company in ICC arbitration proceedings arising out of a disputed termination of Marmaray Project (FIDIC Silver Book based). (2010 – 2014)
- 11) Supervised the team representing a Turkey based US oil and gas company before the London Court of International Arbitration (“LCIA”) against TPAO with regard to a dispute concerning liability of an operating company. (2010 – 2012)
- 12) Represented a Turkish construction company against an Italian construction company in LCIA arbitration proceedings. (2010)
- 13) Assisted the legal team representing a Turkish construction company, the construction contractor that was contracted to complete one of the three lots tendered in Baku-Tbilisi-Ceyhan (BTC) Pipeline Project on Turkish law matters in an English Law governed dispute during arbitral procedures before the ICC against the main contractor. (2008 – 2010)
- 14) Represented a Turkish oil and gas company against a German company before the ICC. (2006 – 2007)
- 15) Represented a Turkish construction company against another Turkish construction company in ICC arbitration proceedings with regard to a dispute that has arisen out of an EPC contract. (2005 – 2006)
- 16) Acted as a member of the team representing a Turkish company against its subcontractor which was a France based company, in ICC arbitration proceedings. (2005)

- 17) Represented a Turkish oil and gas company against a U.S. oil and gas company in American Arbitration Association arbitration proceedings with regard to a dispute arising out of their joint investment in Kazakhstan. (2002 – 2003)
- 18) Represented a Turkish oil and gas company against a U.S. oil and gas company in LCIA arbitration proceedings with regard to a dispute arising of rental of a rig. (2002 – 2003)
- 19) Represented a Turkish construction company against a Turkish construction company in ICC arbitration proceedings. (2001)

Construction Projects Experience List

- 20) Advised a construction company acting as one of the contractors in Akkuyu Nuclear Power Plant Project, with regard to drafting and negotiation of an EPC based construction contract (2023)
- 21) Advised a Turkish company, one of the contractors in the project, in relation to construction of overhead transmission lines between de-gassing stations and power plants in Zubair Oil Field, Iraq by conducting a legal risk analysis and claim building throughout the term of the project and continuously assisted the client in all claim items within the scope of the project and then finally settled the claims cumulatively. (2016 – 2023)
- 22) Represented a Turkish company, the contractor for a dispute that has arisen out of a FIDIC Pink Book Contract in a Project in Kyrgyzstan. (2020 – 2021)
- 23) Represented a Turkish gold-mining company (license holder and employer in the project) in relation to engineering, procurement and construction of a switchyard as part of a gold mine, by drafting and negotiating a FIDIC Silver Book-based EPC as well as drafting a FIDIC Red Book contract for access routes, and various construction and supply contracts for the development of the gold mine. (2015 – 2018)
- 24) Represented the foreign contractor and its Turkish subsidiary acting as the onshore contractor in the project in relation to Samsun-Terme Combined Gas-Fired Power Plant in Turkey with installed capacity of 870 MW, advising the EPC contractor as its Turkish counsel throughout the project and providing legal risk analysis and advising on other daily disputes concerning relations with the employer, the subcontractors and the public authorities. (2012 – 2017)
- 25) Represented the foreign contractor and its Turkish subsidiary acting as the onshore contractor in the project in relation to Denizli Combined Gas-Fired Power Plant in Turkey with installed capacity of 775 MW, advising the EPC contractor as its Turkish counsel throughout the project and providing legal risk analysis and advising on other daily disputes with concerning relations with the employer, the subcontractors and the public authorities, and a major arbitration arising from the project. (2012 – 2017)
- 26) Assisted a Turkish construction company (the EPC Contractor) in relation to engineering and construction of a road project in Republic of Cameroon, by drafting and negotiating a FIDIC Silver Book based EPC Contract. (2017)
- 27) Advised a foreign group of companies (the EPC Contractor and O&M Contractor) for a 6 billion m³ underground natural gas storage facility in Tarsus, Turkey with regards to a FIDIC Silver Book based EPC Contract. (2016 – 2017)
- 28) Represented a contractor joint venture, in relation to the construction contract concerning the construction of a refinery in Aliğa, Turkey and subsequent legal matters concerning the contract. (2016)
- 29) Represented a Turkish construction company (the license holder in the project) in relation to Alparslan II Weir and Hydroelectric Power Plant project in Turkey by advising on delay analysis matters and conducting legal risk analysis with respect to the delayed performance of the civil works and advising on claim-building matters. (2015)

- 30) Represented the Turkish subsidiary of a global electromechanics company (and the electrical and mechanical contractor in the project), in relation to Yamanlı II Weir and Hydroelectric Power Plant project in Turkey with installed capacity of 77,66MW, by advising on delay analysis and conducting legal risk analysis with respect to the delayed performance of the civil works which negatively affected the electromechanical contractor's schedule and works; and advising on related and other claim-building matters. (2015)
- 31) Represented the Turkish subsidiary of a global electromechanics company (and the electrical and mechanical contractor in the project), in relation to a Hydroelectric Power Plant Project in Denizli, Turkey with installed capacity of 124 MW in relation to various legal matters concerning the project. (2014)
- 32) Represented a Turkish construction company (the license holder in the project) in construction of Çaycuma – Zonguldak Combined Gas-Fired Power Plant in Turkey with installed capacity of 140 MW throughout the project. (2014)
- 33) Represented Turkish energy company, the employer in the project, in relation to a Doğançay hydroelectric power plant in Adana, Turkey with installed capacity of 400MW by conducting legal risk analysis and advising on disputes with the civil works contractor. (2014)
- 34) Represented a Turkish energy company (the employer in the project) in relation to Yamanlı II Regulator and Hydroelectric Power Plant in Adana, Turkey with installed capacity of 77.66MW by conducting legal risk analysis and advising on disputes with civil works contractor. (2014)

Education

Dokuz Eylül University Faculty of Law (BA, 1990)

Ankara University Faculty of Law (Certification Program on European Union Law, 1991)

Certificates

FIDIC Certified Adjudicator – *FIDIC Credentialing Limited* 2023

FIDIC Training Academy

FIDIC Contracts Module 3 – Understanding DABs 2022

FIDIC Contracts Module 2 – Management of Claims and Resolution of Disputes 2015

Career

Müftüoğlu Law Office (September 2021 – Present)

Yazıcı Attorney Partnership (1996 – September 2021)

Roketsan Roket Sanayii ve Ticaret A.Ş. (1991 – 1996)

Memberships

Dispute Resolution Board Foundation (2022)

Construction Law Society – Türkiye Branch (2022)

Ankara Bar Association (1991)

Languages

Turkish, English