

# CURRICULUM VITAE ERHAN OZTURK

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## ABOUT - CONTRACT MANAGEMENT AND DISPUTE RESOLUTION

Besides his civil engineering degree, Erhan Ozturk possesses a LLM in Construction Law & Arbitration and a MSc in construction project management. He serves as a Dispute Board Member for construction disputes. He has nearly 20 years of professional experience in contract interpretation, claims and change management, dispute avoidance and resolution for international construction projects funded by IFI's such as World Bank, EBRD, EIB, CEB, and USAID. He has involved in and gained hands on experience for a wide variety of projects such as such as railways, tunnels, highways, airports and industrial plants constructed in Asia, Africa and Europe. He is a member of several professional bodies and institutions such as Dispute Resolution Board Foundation, Chartered Institute of Arbitrators, Turkish Engineers and Architects Association and Society of Construction Law.

## ACADEMIC BACKGROUND

- Robert Gordon University (RGU), Law School, *United Kingdom* Master of Laws (LLM) in Construction Law & Arbitration
- Istanbul University, Law Faculty, *Türkiye* Associate Degree of Justice (AD)
- Middle East Technical University (METU), Ankara, *Türkiye* Master of Science (MSc.) in Construction Project Management
- Middle East Technical University (METU), Ankara, *Türkiye* Bachelor of Science (BSc) in Civil Engineering (Hons)

## **MEMBERSHIP OF PROFESSIONAL BODIES:**

- **Dispute Resolution Board Foundation (DRBF), Charlotte/ABD** *Licensed Professional & DB Practitioner* DRBF is a non-profit organization dedicated to promoting the avoidance and resolution of disputes worldwide using the unique and proven Dispute Board (DB) method.
- Chartered Institute of Arbitrators (CIArb), London/UK Member CIArb is an international center of excellence for the practice and profession of alternative dispute resolution (ADR).
- Association of Turkish Consulting Engineers & Architects (ATCEA) *Member & Listed Adjudicator* Founded in 1980, ATCEA is member of FIDIC and EFCA and the only representative body of both organizations in Turkey. ATCEA's mission is to promote consultancy services that cover fields of activity of independent consulting engineering and architecture profession at home and abroad.
- Istanbul Arbitration Centre (ISTAC), Turkey *Construction Law Committee Member* ISTAC is an independent, neutral and impartial institution providing efficient dispute resolution services for both international and domestic parties. ISTAC awards are binding and subject to enforcement anywhere in the world.
- Society of Construction Law (SCL) *Member* Endorsed by Society of Construction Law International, works to promote for the public benefit education, study and research in the field of construction law and related subjects (including ADR, arbitration and adjudication).
- Chamber of Civil Engineers *Member* TMMOB is a corporate body and a professional organization of engineers and architects in Turkey

# **PUBLICATION**

Parametric Cost Estimation System for Light Rail Transit and Metro Track works
 Published in Expert Systems with Applications, Volume 38, Issue 3, March 2011
 Authors: Erhan Öztürk; Prof.Dr.Murat Gündüz (METU)
 The main objective of this study was to develop early cost estimation models for light rail transit and metro track works using the multivariable regression and artificial neural network approaches.

#### <u>CONTRACT & CLAIMS CONSULTANCY</u> <u>DISPUTE BOARD MEMBER (ADJUDICATOR)</u>

Consultancy and dispute resolution services are provided to employers, contractors, and engineering firms in the areas of construction contract management, claim preparation, and dispute resolution & avoidance for the issues such as time extension, total cost, termination, prolongation, disruption, and acceleration.

- DAB Sole Member Intercity Railway Line, 378 km long, EuropeAid, EUR 326,7 Million (FIDIC Yellow Book)
- DAB Sole Member Construction of Wastewater Treatment Plant, EuropeAid, (FIDIC Yellow Book)
- DAB Party Representative; Railway project with undersea tunnel; JICA, US\$ 1.53 Billion (FIDIC Silver Book)
- DAB Sole Member Storm water Network Project, (AFD financed), EUR 10 Million
- DAB Party Representative; Construction of suburban rail lines; EIB, EUR 1.4 Billion (FIDIC Silver Book)
- DAB Party Representative; Provision of rolling stock; CEB, EUR 590 Million (FIDIC Silver Book)
- Claim Consultant Price adjustment, High Speed Railway Project EU fund, EUR 553 Million (FIDIC Red Book)
- Contract Consultant EOT, Prolongation Costs, City Hospital Project EU fund, EUR 67.9 Million (FIDIC)
- Contracts Expert Advisor NSPA Kandahar Airport Project, Design and Built USD 30 Mil.
- Contract Consultants NATO Jalalabad Airport Construction Project, Design and Built USD 35 Mil.
- Claim Consultant Construction of Ammunition Storage Warehouses, EOT
- Claim Consultant Construction of Gas-fired turbine and Steam turbine cogenation plant,
- Claim Consultant Design Changes & Cost evaluation, Railway Project (FIDIC Red Book)
- Seminar Force Majeure Covid 19 related risks and Contractual risks, Conditions of Contract FIDIC Red /Yellow
- Seminar Duties of the Engineer Istanbul Technical University FIDIC Red /Yellow
- Mock Case Bilgi University FIDIC Dispute Board Proceedings A virtual Site Meeting
- Speaker DRBF MENA Regional Conference, Award Writing
- Moderator International Conference of Dispute Resolution, Employer's Perspective

#### **PROFESSIONAL EXPERIENCE**

• Asst. Project Director Oriental Consultants Global – Yuksel Proje JV

The Project includes two separate EPC Turnkey FIDIC Silver Book Contracts, financed by European Investment Bank (EIB) and The Council of Europe Development Bank (CEB);

- The upgrade of 63 kilometer of suburban rail lines and construction of 38 stations, EUR 1.4 Billion
- Provision of 440 unit metro cars as rolling stock and maintence of the fleet for 5 years, EUR 590 Mil.
- Contract Manager

Oriental Consultants Global – Yuksel Proje JV

Construction of 13.6-kilometers crossing of the Bosporus located in Istanbul/Turkey via an immersed tube, and TBM tunnels and three underground and one at-grade stations including related E&M works and tracks. The Project Amount: USD 1.53 Billion - financed by Japan International Cooperation Agency (JICA)

Roles and Duties:

- Perform contract administration of contracts based on FIDIC EPC/Turnkey Contract (Silver Book),
- Examine and review the documentation, claims and procedures in accordance with the contract requirements
- Provide consultancy for determination of entitlements stem from claims based on contractual and legal grounds,
- Chair contractual meetings, and consultations with the Contractor and the Employer to resolve disputes prior to
  adjudication and arbitration,
- Preparation and submission of claims, value engineering proposals, variation orders and determination reports
- Assessment of matters claimed by the other party (cost or extension of time) in terms of contractual principles
- Provide guidance to technical departments for the studies required to be conducted for proper valuation and ensure adherence to valuation principles
- Administer preparation of supplementary agreements, claim reports, statements of case and presentations reflecting the contractual position of the party
- Participate and represent the party in Dispute Adjudication Board (DAB) Hearings
- Report status and progress of contract management activities any other matter under his/her responsibility to JV board
- Manage Contract Administration Department comprised of local and expatriate claim and contract specialists
- Coordination of regular steering committee meetings with funding agencies JICA and EIB.

May 2021 – Present

September 2015 - May 2021

## **Senior Contract Specialist**

Yuksel Proje AS

The Bosporus Crossing Contract (Marmaray Project), İstanbul - Turkey

- Review and preparation of claim and variation documentation for FIDIC EPC/Turnkey Contracts
- Calculate values of claims and variations in accordance with the contract provisions
- Provide guidance to parties and technical specialists for the studies required for contractual valuation and ensure \_ adherence to valuation principles
- Analysis of contractor's cost/ EOT applications and employers determinations
- Provide expert view about contractual notifications and documentation submitted by contractors and employer
- Prepare and present determination reports, statement of cases, presentations
- Assistance to interim assessment/valuation of Variations and Claims
- General contract administration and project management assistance
- Contract & Tender Specialist (Africa/Middle East/Asia Region) Gulsan Construction and Trade Co. Inc.

Projects involved: Merille River-Marsabit Road Project, Kenya

Almaty-Khorgos Motorway Construction, Kazakhstan

Nissibi Cable Stayed Bridge Project, Turkey

- Review client contracts for construction projects, contract analysis and risk evaluation (based on FIDIC including MDB versions and local procurement procedures)
- Assessment of contract conditions and liabilities for the projects intended to bid
- Draft subcontractor, procurement and logistic contacts, including customs agreements
- Oversee the actual implementation of contracts with subcontractors & logistics solution providers \_
- Preparation of pre-qualification and tender dossiers for local and abroad projects (such as funded by EuropeAid, \_ World Bank, JICA, EIB, EBRD, ADB, AFDB etc.) in accordance with the requirements of those authorities
- Coordinate bid preparation process with JV members/partners and subcontractors
- Participate pre-award negotiations, draft consortium/JV agreements
- Prepare market/country reports specifying country specific bottlenecks and analysis of project risks in coordination with finance, business development and legal counselors
- Prepare responses to clarification requests raised by the Employer for submitted quotations
- Follow-up submitted bids and PQ dossiers.

**Contract & Scheduling Engineer** 

Metis Construction & Trade Co. Inc.

Project involved: Construction of Al Gardabia (Sirt End) & Grand Al Gardabia (Sirt B) Pump Stations Sirte/LIBYA Client: ABB Group; Engineer: Halcrow

- Management of subcontractor contacts, preparation of claims and entitlement submissions for EOTs
- \_ Controlling schedule updates of planning engineer and conducting monthly assessments in terms of critical activities for delay analysis purposes
- Preparation of master and detail project schedules for project management, based on available resources and their productivity,
- Provide guidance to planning team for getting approvals from the Employer for updated schedules in timely manner, preparation of monthly cost and cash flow reports and reporting to the department manager,

Site Engineer / Subcontractor Management Guris Construction & Trade Co. Inc. Project: Ankara City Metro Project Phase 3 - Turkey - Construction of 15 Km of Double Track Metro Line

- General subcontractor management and participation to site inspection, quality control, site and factory tests
- Prepare letters, notices and instructions for subcontractor, prepare and update schedule for activities to monitor the subcontractor performance,
- Control construction activities in relation with railway works and determine the optimal sequence of operations to maximize the efficiency,
- Monitor purchase order program for long lead & critical material procurement such as rails, ballast, ballast mats, third rail, turnouts, sleepers,
- Perform quantification and cost analysis of railway superstructure and prepare progress reports for interim payment and project management,
- Present progress in weekly project coordination meetings including machinery, equipment and labor requirements for ongoing works at site.

# July 2007 – August 2009

#### June 2010 – August 2014

August 2014 – September 2015

July 2005 – July 2007