



# ARCHWAY

Consulting & Expert Services

## OUR PRACTICE

**ARCHWAY** is a construction claim, dispute management, expert, and consultancy practice operating out of Dubai, UAE. We focus on providing supreme professional services for stakeholders in the Construction Industry within the areas of practice.

**ARCHWAY** retains experienced and highly qualified professionals who possess well-recognized academic qualifications and years of proficiency in claims and disputes in the Middle East, Europe, and South Asia. The talent pool of **ARCHWAY** has a demonstrated history of excelling in various construction sectors with expertise in administering various forms of contracts.



## OUR EXPERIENCE

**ARCHWAY** has extensive experience in building, civil engineering, MEP, power, infrastructure, and interior fit-out projects.

The staff and partners of **ARCHWAY** have involved in the preparation, defense, and settlement of claims and disputes on many of the region's largest construction and engineering projects thus giving the practice unparalleled advantage of know-how in successful settlement claims and disputes.

**ARCHWAY** has long-standing relationships at the highest levels in many of the region's most influential developers and contractors.





## OUR RESOURCES

**ARCHWAY** employs only the very best professionals. They are recognized members or fellows of CI Arb (Chartered Institute of Arbitrators), RICS (Royal Institution of Chartered Surveyors), and AIQS (Australian Institute of Quantity Surveyors) and hold master's or bachelor's degrees related to construction. The partners of **ARCHWAY** pride themselves on being able to identify and retain the most talented construction and engineering claims and consultancy professionals in the region.



## OUR VALUES



**ARCHWAY** only takes on appointments where it believes a successful outcome can be achieved and a high standard of service can be provided.



**ARCHWAY** prides itself on the integrity at all levels and the accuracy of its advice to a supreme professional standard.



**ARCHWAY** aims to exceed client expectations on every commission.



# OUR SCOPE

## ARCHWAY provides the following services



Preparation, presentation, evaluation, and defense of construction claims



Administration of contracts on behalf of employers / developers / consultants / contractors / subcontractors



Drafting of dispute resolution procedures and arbitration agreements



Avoidance and resolution of disputes



Commercial management on behalf of contractors / subcontractors



Conducting of training - seminars/workshops/ lectures on contracts administration



Providing pre-contract services including cost planning, preparation of BOQs, preparation & compilation of tender documentation, and evaluation & recommendation of tenders



Expert services



Developing construction schedule/programme specifications





# SERVICES SPECIFIC TO CONTRACTORS / SUBCONTRACTORS

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- 01** Reporting and advising on the risks of tenders and bespoke conditions of contract to be considered in pricing at the tender stage
- 02** Advising and providing training to the site staff on the full process of commercial management, cost reporting, and cost control
- 03** Drafting/development of in-house standard subcontract agreements, supply agreements, order letters, joint venture agreements, and consortium agreements
- 04** Review of claims and providing recommendations on the claims submitted by the subcontractors
- 05** Preparation of contractual notices and correspondences
- 06** Preparation of referrals to the Engineer / DAB in case of disagreement/dispute
- 07** Review of the letters issued by the subcontractors
- 08** Preparation and management of claims
- 09** Development of standard forms, document formats, and procedures for cost reporting and cost controlling of projects
- 10** Development of standard forms and formats for submission of variations, notices, and claims (detailed particulars)
- 11** Advising on the best strategies for price proposals for variations and PC rate / PS adjustments
- 12** Advising on the best course of action in case of inaction/delay/failure/negligence/breach of contract by the other party
- 13** Preparation of interim payment applications / final accounts





# SERVICES SPECIFIC TO CONSULTANTS / ENGINEERS / PROJECT MANAGERS

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01

Administration of contracts during the construction stage including providing contractual advice & contractual interpretations, certification of payments, management of changes, controlling & reporting of costs, etc.

02

Strategizing of the procurement process (including methods of procurement, types of contract, types of tendering, forms of contract, etc.)

03

Review of / advising on the consultancy services agreements

04

Evaluation of tenders and preparation of tender evaluation reports

05

Drafting / development of LOIs / LOAs / contract agreements / MOUs / service agreements

06

Preparation of the Engineer's decision report in case of disagreement/dispute

07

Review and evaluation of contractors' claims

08

Peer review of tender documents/contract documents





# SERVICES SPECIFIC TO EMPLOYERS / DEVELOPERS

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01

Strategizing of the procurement process (including methods of procurement, types of contract, types of tendering, forms of contract, etc.)

02

Development of formats and procedures for cost reporting and cost controlling in projects

09

Advising on the best course of action in case of inaction/delay/failure/negligence/breach of contract by the other party

10

Drafting / development / review of LOIs / LOAs / contract agreements / MOUs / service agreements

03

Development of formats and procedures for claims and management of changes in projects

04

Evaluation of tenders and preparation of tender evaluation reports

11

Acting as the Employer's nominated cost consultant

12

Evaluation of contractors' claims and consultants' claims

05

Review of / advising on in-house standard forms of contract agreements, consultancy agreements, and bespoke forms of conditions of contract

06

Peer review of tender documents/contract documents prepared by consultants/project managers

13

Drafting of dispute resolution procedures and arbitration agreements

07

Contract documentation

08

Preparation of the employer's claims



# CLAIMS

Preparation, presentation, proving, and defending of claims for additional time, losses, and expenses related to:



Changes in scope



Acceleration, delay, and disruption



Delayed payments



Proving differing site conditions claims



Claims against construction managers, consultants, design professionals, general contractors, subcontractors, and design & build contractors



Construction schedule/programme and liability claims



Loss of profits and/or overheads



Termination



Tort/damages due to professional negligence

# EXPERT SERVICES



Providing independent contractual/quantum opinion on disputes



Independent review of claim documents prepared by parties



Providing preliminary advice on the entitlement / contractual position before commencing the arbitration process /litigation



Acting as arbitrator, mediator, or adjudicator



Preparation of / review of / advising on quantum submission for the arbitration process



Providing technical support for arbitration





## CASE MANAGEMENT FOR ARBITRATION PROCESS



Providing an independent opinion on the position of a party in case of dispute



Providing guidance on the arbitration process from the request to the award



Coordination with the other party and organizing the arbitration hearing



Acting as a secretary to the arbitral tribunal



Acting on behalf of / representing the party as the in-house case manager



Assisting the party / the lawyer / the experts in the preparation of pleadings, witness statements, reports, quantum submissions, and opening/closing submissions

## SEMINARS / WORKSHOPS / LECTURES

Training programmes for contractors and subcontractors to enhance the awareness of the contracts in terms of:



Obligations, rights, and liabilities of the parties



Identifying variations and submission of price proposals



Controlling project cost and enhancing profit through proper cost controlling and cost reporting mechanisms



Importance of reserving and securing contractual rights in a timely manner



Importance of maintaining contemporary records and logs



Drafting contractual notices and claims (detailed particulars)

# DEVELOPMENT OF SYSTEMS, POLICIES, AND STANDARDIZATION



Change management (variations)



Cost controlling and cost reporting



Procurement



Project controlling and performance management



Notices and claims for reserving the right for time and cost, losses, and expenses



## CONTACT US

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