

HK>A
DECODING
COMPLEXITY

International Arbitration

Who we are

HKA is the world's leading consultancy of choice for multi-disciplinary expert and specialist services in risk mitigation and dispute resolution within the capital projects and infrastructure sector. We also have extensive experience advising clients on the economic impact of commercial and investment treaty disputes and in forensic accounting matters.

We bring a proud record of excellent service and high achievement – established over more than 40 years – to bear on today's challenges.

As trusted independent consultants, experts and advisers, we deliver solutions amid uncertainty, dispute and overrun for public and private sector clients worldwide.

Our people have vast first-hand experience spanning all major industries and the world's most complex megaprojects, as well as an international track record of achieving successful outcomes. HKA's global portfolio includes some of the world's largest and most prestigious projects across a wide range of industries including aerospace and

defence, construction and engineering, energy and natural resources, financial services, life sciences and healthcare, manufacturing and industrial, marine and shipping, real estate and tourism, environment and climate change, sports and entertainment and technology, media and telecoms.

Clients have access to proven leaders and problem-solvers who decode complexity through collaborative working and innovative thinking.

Our forensic accounting and commercial damages teams specialise in areas such as valuations, economic damages, investigations, bankruptcy and intellectual property.

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—“
Clients have access to thought leaders with diverse skills and the ability to anticipate, investigate and resolve complex challenges.
”—



Renny Borhan
Partner &
Chief Executive Officer

HKA in numbers

people



1,000+
people

including

500+
consultants & advisors
(Including Project
Service Specialists)

500+
quantum, engineering,
architecture and
technical, delay,
disruption, damages,
forensic accounting and
government contracts
experts

reach



45+
offices

across

17
countries

experience in

100+
countries on all

7
continents

clients



6,500+
clients
worldwide

including government agencies,
local authorities, investors,
developers, owners, operators,
architects, engineers, project &
construction managers,
contractors, specialist
suppliers, manufacturers,
banks, lawyers and insurers

Instructed by

100%
of the world's
top 20
law firms (by revenue)

impact



100k+
project disputes
resolved

valued in excess of
\$250bn

2,000+
engagements per year

40+ years' experience

30+ of the world's most
spoken languages

250+ first-of-a-kind global
megaprojects

International Arbitration Expert Services

HKA is the world's leading expert witness firm in the engineering and construction industries. Our teams draw on hundreds of experts and vast experience in every major industry sector and discipline. They have the commercial, financial, planning, scheduling, technical and language skills to get quickly to the heart of the most complex issues.

Our experts also quantify various types of damages involving lost profits, business valuation, business interruption, bankruptcy, class action or intellectual property, as well as leading fraud and regulatory investigations; and we have a similarly strong track record supporting contractors to the federal government.

Whether providing expert advisory, expert determination or expert witness services, HKA provides the unique, multidisciplinary service that combines quantum, engineering, delay, disruption, damages, and government contracts.

HKA has hundreds of forensic technical experts who operate in many disciplines. Our engineering experts operate in many disciplines, including architectural and building services; civil and structural; geotechnical; health, safety and environmental; instrumentation and control systems; marine; mechanical and electrical; metallurgy and materials; and process and energy.

Clients have seamless access to stand-alone experts or an integrated multidisciplinary expert team of problem-solvers, who thrive on decoding complexity.

Our multidisciplinary expert service streamlines and improves the entire dispute resolution process. Expert teams with the most comprehensive experience from our global network are assembled and deployed rapidly. This approach promotes greater collaboration and provides value for money.

HKA experts help to resolve disputes in expert determination, mediation, adjudication, arbitration and litigation. Experienced as party- and tribunal-appointed experts, we are able to advise and, if needed, give evidence under cross-examination – including concurrent 'hottubbing' – in every jurisdiction.

HKA was awarded Who's Who Legal's (WWL) Construction Expert Witness Firm of the Year in 2018, 2020, and 2022. We have ranked as the top firm in WWL's Construction Expert Witnesses analysis for several years, with our leading quantum, engineering and delay experts being recognised for their skills and reputation.

Our expert witnesses also feature in WWL's Arbitration, Litigation, Quantum of Damages, Forensic Accounting, and Investigations analysis, selected for their excellence across a wide range of matters in dispute.

We share this unparalleled expert knowledge with industry stakeholders. HKA has long hosted knowledge forums, seminars and workshops in association with Senior Counsel, KCs, barristers, lawyers and trade associations around the world. Our expert witnesses have provided expertise at arbitral bodies across the world including, but not limited to, the ICC, ICSID, LCIA, UNCITRAL, ICDR, PCA, DIAC, and HKIAC.

HKA's experts have addressed valuation and damages issues, market and economic conditions, financing and project viability as well as assessing project delays, cost overruns and a vast range of technical issues. Our expertise in these arbitrations spans a wide range of industry sectors and includes some of the most high profile arbitrations in history.

Recognition and professional standing



GAR TOP 100

Ranked #2 in the GAR 100 Expert Witness Firms' 'Power Index'



WWL Construction Expert Witnesses analysis

90 Expert Witnesses listed in Who's Who Legal (WWL)



Ranked #1 in WWL Construction Expert Witnesses analysis

for seven consecutive years (2017-2023)



The Academy of Experts

HKA is the world's largest Corporate Provider

HKA employs some of the world's foremost experts in many disciplines, including:

- Architectural
- Aviation
- Forensic accounting
- Commercial damages
- Business valuation
- Business interruption
- Insurance claims
- Construction management
- Delay and disruption
- Financial quantum
- Planning and scheduling
- Project management
- Project monitoring
- Civil engineering
- Electrical engineering
- ESG
- Fire engineering
- Health, safety and environmental
- Instrumentation and control systems
- Marine engineering
- Mechanical engineering
- Metallurgy and materials
- Mining
- Power engineering
- Process engineering
- Structural engineering
- Systems engineering
- Buildings defects
- Construction failure
- Professional competence
- Standard of care

Browse our Expert Centre to find the expertise that matches your needs:

Selected Americas experience

Construction

Clients and international law practices typically select and appoint our quantum, engineering, architecture and technical, delay, disruption and damages (QED+) experts either individually or as a coordinated team in support of international arbitration cases for a wide range of industries and issues.



Jaguar Energy Power Plant
Guatemala

CPM Schedule analysis and economic damages analysis to assist with review and rebuttal of general contractor's delay and disruption claims. Testified before an ICC tribunal.



Longview Power Plant
United States

Analysing claims arising out of the design and construction of the Longview Power Plant.



Ilm Electricity Transmission Line
Canada

Delay and disruption analysis and forensic accounting analysis associated with a \$US310 million claim on the project.



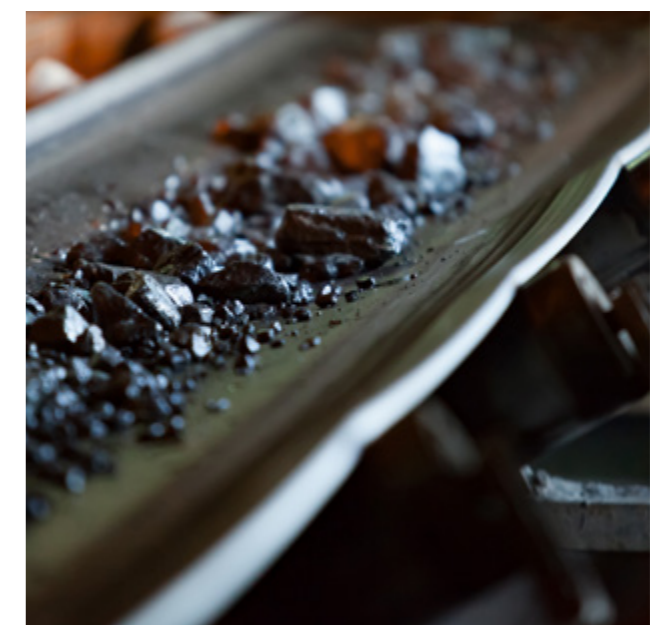
South American Oil Refinery
South America

Assessing claims for increased costs related to purported delay and disruption.



Oil Facility
Canada

Defense of a claim by a consortium of oil companies under an insurance policy for defective work.



Ore Processing Plant
Trinidad

Preparation of cost and schedule delay claims arising from delayed and deficient owner supplied structural steel, ductwork and process equipment.

Selected Asia Pacific experience

Construction



Investment Dispute

West Asia

Preparation of independent expert reports in relation to matters of delay, quantum and commercial damages and provision of expert witness services on an ICSID arbitration.



Semi-Submersible Drilling Rig

Singapore

Technical engineering and quantum expert witness testimony in a US\$400m international arbitration following termination of the building contract.



Liquefied Natural Gas (LNG) Project

Australia

Expert forensic analysis of delay events including causation, quantum and evidential requirements for use in strategic review.



Heavy Lift and Pipelay Vessel

China

Expert witness services in an international arbitration with a combined claim and counterclaim value of US\$450m following termination of the shipbuilding contract.

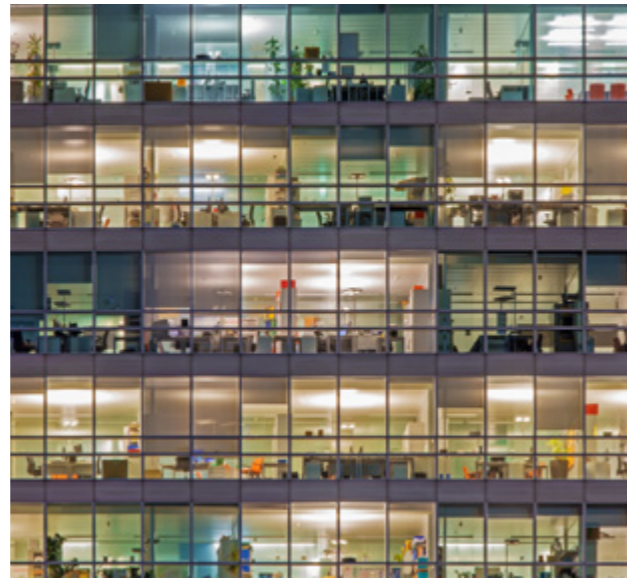
Selected Europe, Middle East, Africa experience

Construction



Nuclear Power Plant Europe

Preparing several reports including the analysis of large volumes of data to provide expert opinions in connection with the construction of this plant.



Loss of Profits Middle East

Quantification of losses arising from the delayed completion of a residential and commercial development.



Electric and Water Facility United Arab Emirates

Development of impact claims related to the construction of a combined cycle power plant and a desalination facility owned and operated by a public utility in the United Arab Emirates.



Metro System Saudi Arabia

Delay analysis with time-related costs on a billion-dollar claim.



Joint Venture Dispute Middle East

Quantification of damages relating to the construction of a strategic water storage and recovery facility.

Selected Americas experience

Commercial

Clients and international law firms select our forensic accounting, fraud, commercial damages and valuations experts either individually or as a team in support of international arbitration cases for a wide range of industries and issues.



Auto Industry Dispute

United States

Valuation of option exercise price pursuant to the joint venture agreement.



Insurance Coverage

Canada

Analysis of insurance coverage for environmental clean-up to provide a calculation over the payment.



Intellectual Property Dispute

Canada

Calculation of intellectual property damages over the Canadian Government using information for military aircraft production.



Business Interruption

South America

Quantifying business interruption claims arising from a fire at a hydroelectric powerplant

Selected Asia Pacific experience

Commercial



Claim for incurred costs

Assessing the value of additional costs incurred in the manufacture, installation and commissioning of turbines and condensers for a powerplant.



Trade Secret Dispute

Korea

Evaluation of lost profit claims over technology to make bows, arrows and tent poles to urge the stealing of information to cease.



Post-Acquisition Dispute

Asia

Valuation of broadcasting and media companies as a consequence of claims of business misappropriation.

Selected Europe, Middle East, Africa experience

Commercial



Consumer products United Arab Emirates & Iraq

Assessment of damages related to the breach of an exclusive distributor agreement in the Middle East.



War zone security Afghanistan

Assessment of loss of profit and basis for unpaid invoices for a supplier of security services to war zone countries.



Space insurance United Arab Emirates & France

Shareholder dispute regarding the manipulation of financial statements for an earn out agreement.



Engineering United Arab Emirates

A joint venture dispute in relation to a claim for loss of profit in respect of a large-scale engineering project based in the UAE.



Hotels and hospitality United Arab Emirates

Assessment of the basis of allocation of costs in relation to various hotel management agreements and guidance in the USALI for an international hotel owner.

Selected Europe, Middle East, Africa experience

Commercial



Retail and hospitality

Qatar

Assessment of loss of profits from a stalled retail and leisure facility in Qatar.



Money Laundering Dispute

Russia

Studying the impact of alleged money laundering from Russia and the impact it had on the bank and the bank's executive.



Hotels and hospitality

Kingdom of Saudi Arabia

Assessment of loss of profit on the termination of a hotel management agreement and other costs relates to a quarantine hotel located in KSA.



Accounting Investigation

Spain

Assisted the board of directors of a major manufacturing and retailing company in its investigation of the Chief Executive Officer and Chief Financial Officer. Allegations included related-party transactions, revenue recognition, expenditures on travel and entertainment expenses, the mislabeling of product (product substitution) and the bribing of customer sales personnel.



M&A Dispute

Europe

Valuation of electricity distribution and retail companies in a dispute relating to a breach of share purchase agreement.

Selected Americas experience

Investor-state

Clients and international law firms choose our global, multidisciplinary experts, either individually or as a team, in support of international investor-state arbitrations for a wide range of industries and issues. HKA's experts have acted in hundreds of investor-state arbitrations, including 125+ investor-state cases, working frequently for both claimants and respondents.



Michael Ballantine and Lisa Ballantine v. Dominican Republic



Expropriation; UNCITRAL PCA Case No. 2014-26. Testified in Washington DC in September 2018. Filed expert reports on damages in March 2018 and May 2017.. Dispute involving real estate with a resort development. Parties from US and Dominican Republic.



Infinito Gold Ltd. v. Republic of Costa Rica



Expropriation; ICSID Case No. ARB/14/5. Testified in Washington DC in July 2019. Filed expert reports on damages in May 2019 and July 2018. Dispute involving exploration/development stage in a gold mining project. Parties from Canada and Costa Rica.



GAMI Investments, Inc. v. Government of the United Mexican States



Expropriation; NAFTA. Filed expert reports in February 2004 and February 2003. Matter involving the valuation of the investment in five sugar mills and the damages related to an expropriation in Mexico. The mills were returned to Claimant just prior to the hearings. Parties from US and Mexico.

Selected Asia Pacific experience

Investor-state



Vladislav Kim et al. v. Republic of Uzbekistan



Expropriation; ICSID Case No. ARB13/6. Testified in Washington DC in July 2015. Filed expert reports relating to financial issues and damages in March 2019, October 2018 and September 2017. Filed expert reports on financial issues in March 2015 and August 2014 relating to a jurisdictional filing. Dispute involving two cement plants in Uzbekistan. Case settled in 2021. Parties from Kazakhstan and Uzbekistan.



Kingsgate Consolidated Ltd. and Kingsgate Capital Pty Ltd. v. Kingdom of Thailand

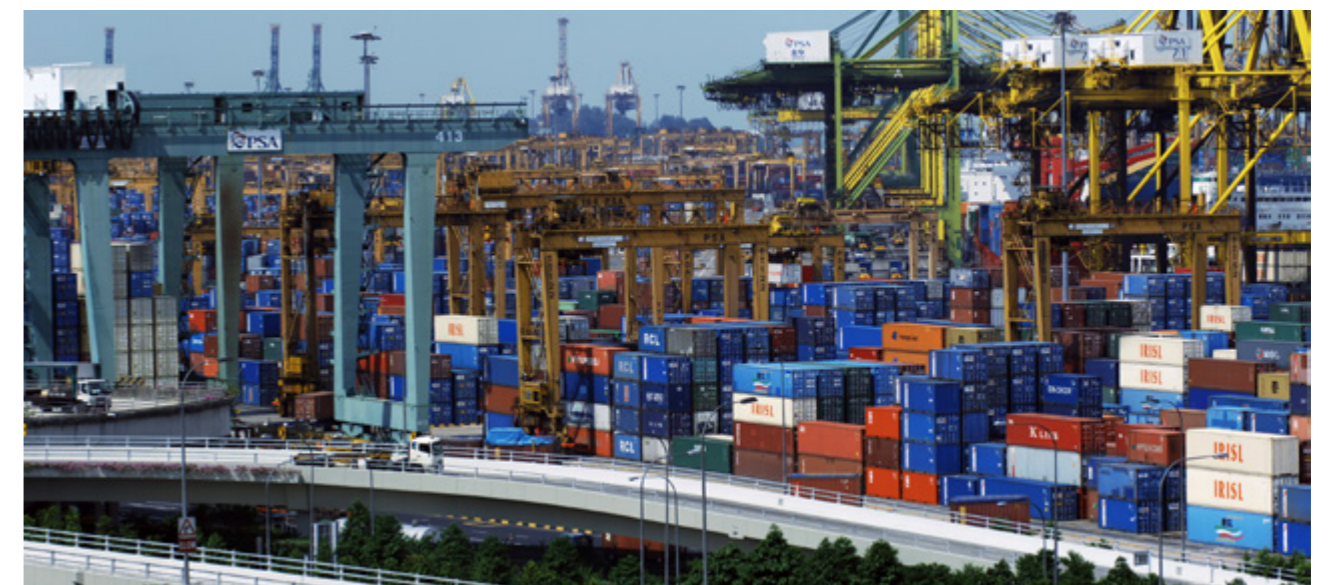


Expropriation; PCA Case No. 2017-36. Testified in Singapore in February 2020 and via video to Singapore in February 2019 regarding a gold mine dispute. Filed expert reports on damages in October 2019 and January 2019. Parties from Australia and Thailand.



Bilateral Investment Treaty, South Asia

Valuation of an LPG important terminal for a BIT case relating to alleged expropriation of the business.



Louis Dreyfus Amateurs SAS v. Republic of India



Expropriation; UNCITRAL PCA Case No. 2014-26. Testified in London in December 2017. Filed expert reports on damages in August 2017 and October 2016. Dispute involving an investment in a port in India. Parties from France and India.

Selected Europe, Middle East, Africa experience

Investor-state



B3 Croatian Courier Coöperatief U.A. v. Republic of Croatia

Expropriation; ICSID Case No. ARB/15/5. Testified in Paris in March 2017. Filed expert reports on damages in January 2017 and May 2016. Dispute involving postal industry in Croatia. Parties from Netherlands and Croatia.



ITOCHU Corporation v. Kingdom of Spain

Fair and Equitable Treatment; ICSID Case No. ARB/18/25. Testified in a virtual hearing in January 2021 for a dispute involving solar generation. Filed expert reports on damages in September 2020 and November 2019. Parties from Japan and Spain.



Oxus Gold plc v. Republic of Uzbekistan

Expropriation; UNCITRAL Arbitration. Testified in Paris in May 2014. Filed expert reports on damages in July 2014, February 2014 and February 2013. Dispute involving the valuation of investments in gold and other mineral mining interests in Uzbekistan. The award was for the exact amount presented by our expert, which was less than one percent of the \$1.3 billion claim. Parties from England and Uzbekistan.



Spentex Netherlands, B.V. v. Republic of Uzbekistan

Expropriation; ICSID Case No. ARB/13/26. Testified in Washington DC in September 2015. Filed expert reports on financial issues and damages in August 2015 and December 2014. Dispute involving textile factories in Uzbekistan. Parties from Netherlands and Uzbekistan.



Franck Charles Arif v. Republic of Moldova

Expropriation; ICSID Case No. ARB/11/23. Testified in Paris in November 2012. Filed expert reports on damages in October and May 2012. Dispute involving the investment in duty free shops at an airport in Moldova and on the Moldovan/Romanian border. Damages of less than three percent of the claim were awarded based on invested costs. Parties from France and Moldova.



Ceskoslovenska Obchodni Banka (CSOB) v. Slovak Republic

Breach of Contract; ICSID Case No. ARB/97/4. Testified in April 2003. Filed expert reports in August 2001 and November 1999. Dispute involving the money owed related to the obligations of the Slovak Republic relating to the debt of the foreign trade bank of the former Czechoslovakia. Award for Claimant of \$877 million. Parties from Czech Republic and Slovak Republic.

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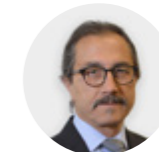
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The background features an aerial photograph of a city grid, overlaid with a semi-transparent teal color. A prominent yellow diagonal line runs from the top-left towards the bottom-right. The text 'DECODING COMPLEXITY' is centered in the middle of the image.

DECODING COMPLEXITY

HKA.COM

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