



Felipe A. Isore Gutierrez

Founder and Managing Partner

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PROFILE

Felipe is the Founder and Managing Partner of CONEXIG. He has 23 years of experience in providing risk, management and expert services. He was responsible for the successful launch of consulting practices for leading consulting firms across Latin America and the USA. Felipe has extensive experience in dispute resolution, fraud, forensic accounting, project risk management, compliance, and audit-related services. Felipe has focused his activities on risk management, commercial and acquisition services related to capital projects and programs, working in more than 16 countries, including the Americas, Europe, Africa, and Oceania.

Felipe directed several consulting projects for both owners and contractors on relevant issues in their infrastructure and construction projects and processes at any point in their life cycles: from conception, modeling, to construction, close-out and operation. His experience includes working for clients in a wide variety of industries including mostly government and infrastructure, energy / power and utilities, oil and gas, mining, metals, and real estate.

Felipe carried out and directed several reports related to consultancies and expert opinions, including matters related to risks, fraud investigations, management and dispute resolution services. Felipe advised clients on their claims / counterclaims and acted as an expert in Quantum, Damages and Fraud issuing expert opinions and testifying in internal arbitration. Felipe has testified in international arbitration under the rules of ICC, PCA (UNCITRAL), CAM-CCBC, CAM Santiago and others. He has been cross examined in Portuguese and Spanish, including through Hot Tubbing.

Recognized globally, Felipe serves as a regularly speaking leader at international events focused on infrastructure, engineering, construction, fraud and legal communities. In addition, Felipe has been recognized, annually since 2015, by the global community of construction attorneys and peers as one of the best consulting professionals and expert witnesses in the construction industry ("Who's Who Legal" and "Leaders' League" publications).

EDUCATION

LLM in Construction and Arbitration Law (United Kingdom, Scotland)

2015-2019



Postgraduate in Construction and Infrastructure Law (Brazil)	2014-2015
Bachelor of Accounting (Brazil)	2012-2014
Master of Economics (Netherlands / France)	2001-2003
Bachelor courses in Economics (Brazil)	1996-2000

CERTIFICATIONS, REGISTRATIONS, LICENSES

CPA licensed in Brazil, National Accounting Board (CRC-SP: 1SP299650)

Approved member, National Registry of Accounting Experts, Brazilian Accounting Council (6437)

CFE: Certified Fraud Examiner, Association of Certified Fraud Examiner (863039)

CIA: Certified Internal Auditor, Institute of Internal Auditors (70631)

CRMA: Certification of Risk Management Assurance, Institute of Internal Auditors (1700)

PMP: Project Management Professional Certified, Project Management Institute (1292889)

CCA: Certified Construction Auditor, National Association of Construction Auditors (A15051)

NKR: Certificate of Cost Engineering, Brazilian Institute of Cost Engineers, IBEC-ICEC (2015 00171-3)

MCI Arb: Approved Member, CI Arb (Chartered Institute of Arbitrators) (36727)

MRICS: Approved Member, UK Royal Institution of Chartered Surveyors (RICS) (6502904)

PROFESSIONAL MEMBERSHIPS

ACFE (Association of Certified Fraud Examiners)

NACA (National Association of Construction Auditors)

ALDEC (Latin American Association for Construction Law)

AACE (Association for the Advancement of Cost Engineering)

CBAr (Brazilian Committee of Arbitration)

CI Arb (Chartered Institute of Arbitrators)

CCL (Cámara de Comercio de Lima) - Adjudicator

SPEAKING ENGAGEMENTS

Multiple appearances (over 10 times) via webinar in events across the world during 2020 and 2021 for institutions such as the AACE, ALDEC, ABA, NACA and others.

“Construction Fraud Controls in JV Contracts”, and panelist on 2 panels including a Mock Mediation on a Construction Dispute, 2021 NACA (National Association of Construction Auditors) Conference, USA, 2021.



“Preventing and Managing Project Fraud Risk”, Masterclass of Day 1, 2021 Project Controls Expo virtual, 2021.

Key presenter on panel: “S29 Thinking Ahead: How You Can Use The Science Of "Risk Management" To Improve Your Dispute Resolution Processes And Outcomes”, Construction SuperConference, California, USA, 2019.

“The use of Power BI and Data Mining in the resolution of disputes in construction projects”, 7th AACEi Peru Congress, Peru, 2019.

“RP25R-03 Estimating Lost Labor Productivity in Construction Claims”, 7th AACEi Peru Congress, Peru, 2019.

Panelist on “How to select the best dispute resolution method for construction projects?”, 2nd International Congress from the Construction Law Society, Chilean branch, Chile, 2019.

“El Rol de los Especialistas en Costos de Construcción sobre Reclamos de Construcción Resueltos en el Arbitraje Internacional”, AACE 2do Congreso Latinoamericano de Ingeniería de Costos, Bolivia, 2019.

“Resolución de disputas de construcción: aspectos legales, técnicos y económicos”, CAM-AMCHAM Quito, Quito - Ecuador, 2018.

“Perspectivas de la infraestructura pública en México en comparación con infraestructura pública en Latinoamérica”, Mexican Society of Construction Law, Mexico City - Mexico, 2018.

“Disputes and Claims under FIDIC, Delay Analysis and Latin America Construction Market Conditions”, HKA Madrid office launching event, Madrid - Spain, 2018.

“Congreso Internacional de Derecho de La Construcción: Infraestructura, Conocimiento, Colaboración”, Chilean Society of Construction Law and the Universidad de Los Andes, Santiago - Chile, 2017.

“Risk allocation in construction projects – II Congreso Nacional de Derecho de La Construcción”, CONDEC 2017 and the Society of Construction Law, Lima - Perú, 2017.

“Expert Panel on Hot Tubbing at the Sixth Society of Construction Law”, International Biennial Conference (SCL 2016) in Sao Paulo - Brazil, 2016.

“Anticipating issues in Compliance and Dispute Resolution”, Backer & McKenzie: The Way Forward event, Miami - USA, 2016.

“IV Seminario Internacional de Arbitraje de Inversión (Panel: Expropiación y medida equivalentes a la expropiación en los arbitrajes de inversión)”, Instituto Peruano de Arbitraje, Lima - Peru, 2016.

“XVIII COBREAP Prevenção e Solução de Controvérsias, Are Construction Claim Inevitable?”, Centro de Convenções do Hotel Mercure, Belo Horizonte - Brazil, 2015.

“Hydroelectric Power Plants Risk Management”, IBC (International Business Communications), Energy Summit, Sao Paulo - Brazil, 2011.

“Portfolio Risk Management and Project Risk Management”, InterNews, São Paulo - Brazil, 2011.



“Program Analysis and Management of Project Risks”, PDVSA, Caracas - Venezuela, 2010.

“Capital Projects Construction Risk Management, Assurance on the Information by Construction Owners Making Decisions”, IBEF (Brazilian Institute of Finance Executives), Fortaleza - Brazil, 2010.

PUBLICATIONS

“Corporate Fraud and Good Practices for its effective treatment”, Revista Derecho & Sociedad, N° 55 / pp. 491 - 502, 2020.

“Uma visão prática ao termo Disruption em pleitos construtivos” (article), *O Direito da Construção no Ambiente Internacional: Contribuições Para a Consolidação de uma Lex Constructionis*, Ed. Almedina, ISBN-10: 858493491X, 2018.

“Lessons Learned from Brazil on Anti-Corruption Matters: The Construction Industry Leading the Need for Change and the Way to Go, The Construction Lawyer”, Co-authored, (ABA journal) - Vol 36, Nr 4, 2016.

“Administração Contratual e Claim: Coexistência Pacífica dos Aspectos Jurídicos e de Engenharia em Obras”, Co-authored, PINI (ISBN: 978-85-7266-456-1), 2015.

“The Role of Construction Costs Specialists on Construction Claims Resolved in International Arbitration”, International Cost Engineering Council (ICEC), IX World Congress, Re-Engineering Total Cost Management, 2014.

“Construction Claims Resolved in International Arbitration”, Construction Advisory Report, Edition No. 20, 2014.

"A Construction Expert's Role in the Substantiation of Costs in Arbitration", co-authored, Lex Arbitri, 2014.

“Cultural Awareness Minimizes Chance of Disputes/Delays”, ENR Magazine, Construction Law, Claims and Dispute Resolution Section, 2013

DETAILED FRAUD & DISPUTE RESOLUTION EXPERIENCE

INFRASTRUCTURE

Water treatment: Dispute resolution services, Brazil, 2019.

Felipe led the quantum evaluation of the damages claimed by a P3 operator in Brazil in relation to his supposed right to review the rates charged in his 35-year contract. The government (owner) did not accept the operators' claims and hired an independent expert to comment on the quantification and technical justification of the claims.



Shipyard: Consulting in dispute resolution, Brazil, 2013.

Felipe led the conduct of quantum evaluations of the costs associated with overtime and the loss of productivity of direct labor, as well as the excess costs of importing long lead elements that were implemented in the construction of 10 FPSOs. (5 were selected for detailed work: SUEZMAX EAS-C-001 to EAS-C-005). In this work, EAS hired Felipe to lead the Quantum evaluations, whose scope included the SUEZMAX ships EAS-C-001 to EAS-C-005 with associated costs recorded between December 2007 and September 2012 (the EAS client was Transpetro). This evaluation included the analysis of more than 10,000 transactions.

Metro and water and sewerage: risks, fraud investigations and consulting services, Panama, 2010.

He led the performance of operational, financial and contract management audits on behalf of a large contractor in the construction of a subway line and a water and sewage treatment plant. Both were multi-million-dollar CAPEX projects.

Metro and bridge: Risk, fraud and management investigations, Venezuela, 2011.

He led the performance of operational, financial and contract management audits on behalf of a large contractor in the construction of a subway line and an 11 km bridge. Both were multi-million-dollar CAPEX projects.

POWER/ENERGY**Wind energy: dispute resolution and consulting services, Brazil, (2015-2017)**

Felipe provided quality control consulting services to a group of experts (HKA team) who worked on a wind power plant dispute resolved through CAM-CCBC arbitration in Brazil. The disputed issues involved resolving the contractor's default issues that were alleged to have resulted in delays and additional costs. The HKA customer was the owner who defended himself against the construction contractor's claims (\$ 35 million total construction contract and the claim was an additional \$ 25 million).

Biofuel project plants: post-construction, risk, fraud investigations and consulting services, Brazil, 2012.

3 biofuel plants in Brazil. The services included contractual audits in which aspects of project compliance, claims and risks were identified and measured.

Wind energy: risks, fraud and management, Brazil and the Dominican Republic, 2010.

Two wind power plants, Brazil Construction projects consisting of contractual audits in which compliance issues, claims and risks of the project were identified and measured. (capital expenditures: \$ 1 billion).

Transmission line: Services related to dispute resolution, Peru, 2013.

This evaluation was for the independent review of an extension of time and related additional costs claimed by the contractor. This transmission line was attached to a large new ethanol plant.

Transmission line: Services related to dispute resolution, Uruguay, 2014.

This was an independent evaluation of a time extension and related additional costs claimed by the contractor. The claim was successfully negotiated and resolved by our client, the contractor, based on our expert report.

Hydroelectric: Dispute advisory services, Maranhão, Brazil, 2010.

Felipe led the quantum evaluation of the costs associated with the direct cost of labor, as well as the allocation of general office costs and other costs assigned to the project by the national contractor in the joint venture created to build the plant. The other company that joined the joint venture was an international contractor who abandoned the job. The project consisted of the construction of a hydroelectric power station dam with a total CAPEX of approximately BRL 1 billion. CESTE project.

Small Hydroelectric: Risk, fraud investigations and management consulting services, Brazil, 2011.

3 small (between 1 MW and 30 MW) Hydroelectric Project Plants Construction projects, Brazil. The services included contractual audits in which aspects of project compliance and risk were identified and evaluated.

Hydroelectric power station: Services for the resolution of disputes, Peru, 2013-2014.

He was part of a team of experts that evaluated a claim of USD100 million for the owner in the construction of a new plant. As a result of our report, the contractor resolved the case.

OIL AND GAS**Gas Station: services related to dispute resolution, USA, 2019-2019.**

Felipe was the party appointed Quantum expert on a dispute / claims related to cost overruns resolved through a Texas court. The amounts in dispute exceeded \$ 20 million. The parties involved the general contractor, a large Gas Pipeline Company (operator), and a national relevant owner. The project involved the rehabilitation of a compressor station that had an explosion accident and the extension of the plant. The case settled after was preliminary expert report was submitted to mediation.

Oil extraction and refining: dispute resolution, USA, 2019-2019.

Felipe was the accounting and finance party appointed expert in a \$ 1.5 billion dispute / claim related to the alleged damages suffered by a Canadian operator. The assets were several oil and gas refining and pumping stations in Libya that had been attacked by ISIS (terrorist organization).

FPSO: Quantum Services on Additional Cost Claims, 2012.

Felipe was hired by the Estaleiro Atlantico Sul (EAS) shipyard in 2012 to direct the quantum evaluation of the costs associated with overtime and the loss of productivity of direct labor, as well as the excess costs of importing articles. Lead lengths that were implemented in the assembly and construction of the lower hull of FPSO P55 (EAS 'client was PNBV). These costs were incurred between January 2008 and January 2012.

Refinery: Services related to dispute resolution, Brazil, 2016-2018.

Felipe was a party appointed Quantum expert in an EOT and cost overrun dispute resolved through local arbitration. The amounts in dispute were higher than BRL 100 million. Dispute amongst a large Brazilian owner against a Brazilian contractor in the construction of the coke plant contract, within the largest Brazilian refinery. The disputed matters were presented in an expert report and in an arbitral tribunal. Interrogations were made of the other party's lawyer and by the arbitral panel. The experts had the opportunity to discuss their technical points of view through a hot tubbing section. The hearings took place in Sao Paulo (Brazil), in Portuguese, under the CAM-CCBC rules.

Gas distribution plants: Services related to dispute resolution, Peru, 2014.

Led a party-appointed team of experts in delivering EOT and evaluating excessive costs in an arbitration court for claims worth \$ 20 million in the construction of 2 gas distribution plants: the Arbitration Center of the Lima Chamber of Commerce.

Refinery: Services related to dispute resolution, Peru, 2014.

He led a team that delivered as an expert team designated by the party an EOT review of a USD 4 million claim resolved through arbitration at the Lima Chamber of Commerce Arbitration Center.

Pipeline: Services related to dispute resolution, Chile, 2018.

He was a leader designated by Quantum Expert and Team, who worked for the owner, in a claim related to a water pipe resolved through arbitration at CAM Santiago. Total claims exceed USD 50 million (Chile). The hearings were held in Spanish.

RELEVANT TESTIMONIES

Party A vs. Party B, The Hague, Holland. 2021

Seat / Rules: The Hague, Holland / PCA (UNCITRAL)

Client: Party A

Project: Transportation project dispute

Activity: Felipe served as a Quantum expert, designated by Party A, on several cost and damages related matters. The conclusions of Felipe's quantification presented in an expert report and in a hearing in an arbitral tribunal included matters such as direct cost, indirect cost, interest, lost profit and reputational damage. The lawyer for the other party and the court were questioned. The testimony was provided in Spanish.

Party A vs. Party B, Arequipa, Peru. 2018

Seat / Rules: Arequipa, Peru / CA-CCI Arequipa

Client: Party A (Lawyers: CMS Grau)

Project: textile industry operations and management

Activity: Felipe served as a fraud expert, designated by Party A, on many fraud-related matters. The conclusions of Felipe's investigation were presented in an expert report and in a hearing in an arbitral tribunal. Felipe was cross examined by the counterpart lawyer and the court. The testimony was provided in Spanish.

Party A vs. Party B, Sao Paulo, Brazil. 2017. 42/2014 / SEC4

Seat / Rules: Sao Paulo, Brazil / CAM-CCBC

Client: Party A

Project: Refinery project (230,000 bpd facility)

Activity: Felipe served as a quantum expert, designated by Party A, on many EOT impacts and costs of disputes / claims on the coke package contract. The controversial issues were presented in an expert report and in an arbitral tribunal. Felipe was cross examined by the counterpart lawyer and the court. There was a concurrent evidence session (hot tubbing). The testimony was provided in Portuguese.

Party A vs. Party B, Monte Video, Uruguay. 2017. ICC N ° 21517 / ASM

Seat / Rules: Monte Video, Uruguay / ICC

Client: ICC Tribunal



Project: Green field project

Activity: Felipe served as the quantum expert appointed by the Court (3 arbitrators) in many impacts and costs of EOT in disputes / claims on the 3 packages of EPC contracts for the construction of 3 water treatment plants (Plant treatment of raw water, sewage treatment plant and boiler feed water treatment plant). The conclusions and observations were presented in an expert report and in an arbitration hearing. Felipe was cross examined by the counterpart lawyer and the court. The testimony was provided in Spanish.

Party A vs. Party B, Santiago, Chile. 2017. ROL CAM 2536-15

Seat / Rules: Santiago, Chile / CAM Santiago

Client: Party B

Project: Water Pipeline project (166 km 26" steel pipeline)

Activity: Felipe served as a Quantum Expert, designated by Party A, in disputes or claims for excessive costs that resulted in an early termination of the contract. The controversial issues were presented in an expert report and in an arbitral tribunal (sole arbitrator). Felipe was cross examined by the counterpart lawyer and the court. Evidence was provided in Spanish.

LANGUAGES

Portuguese (native)

English (fluid)

Spanish (fluid)

French (advanced).

