



Offshore Wind Dispute Resolution

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Have you ever had a material offshore wind dispute and lawyers struggling with getting to grips with your case? Have you ever been dissatisfied with the outcome?

Then you might wish to get in contact with us. Our specialised core team members are spearheading legal advice exclusively on offshore wind projects and related dispute resolution. We understand the complexities of your whole project, including funding, insurance, and regulations. We are practical and to the point. And if there is a silver bullet, we will find it.

Why is familiarity with the industry more important in offshore wind than usually?

- Offshore wind disputes tend to burn money more quickly than other disputes, and divert resources from future projects, if not managed well.
- The already high risks - offshore logistics, installation and weather windows, feed-in revenues - are increasing with the growth in the size of wind turbines, associated infrastructure and projects generally, new and complex equipment, a handful of players dominating the market with new ones trying to break in, and everexpanding maritime areas and regulatory regimes.
- Parties with massive liabilities now regularly dishonour their contractual obligations, hold other parties hostage, and force them into deals.
- Project participants from various cultural backgrounds handle disagreements differently and may not be communicating in their mother tongue.
- You need somebody with the overall picture to help you navigate through this modern Babylon.

Our offshore wind dispute resolution team is here to partner with you in this environment. Having developed, negotiated, mediated, adjudicated, litigated, and arbitrated well over 50 offshore wind projects worldwide, we know all the technical, legal, commercial, and logistical aspects of offshore wind. Wherever you are in the dispute process, you are invited to get in touch with our common and civil law lawyers working together in Europe and Asia. Their details can be found at the end of this document.

“They’ve been part of the construction and engineering landscape for years and it really shows, having done all manner of construction disputes in every sector under the sun for an impressive client base of contractors, consultants, manufacturers and employers. This experience is passed down to the next generation, meaning you get excellent service, whoever you’re dealing with on matters.”

Legal 500, 2021

Our experience

Representative experience includes advising:

- An international BoP contractor in DIS arbitration proceedings against the employer relating to various alleged defects in the foundations of a German offshore wind farm
- An international BoP contractor on up- and downstream disputes regarding the quality of the welding of foundations for a major offshore wind farm in the UK, issues with the offshore substations, and the design and manufacture of a meteorological mast
- An international BoP contractor in ICC arbitration proceedings against a manufacturer of offshore wind foundations on additional costs for delays and disruptions, including costs based on COVID-19, and defect-related claims
- An international BoP contractor on claims for additional costs for delays and disruptions, including claims based on COVID-19 against the owner of a large UK offshore wind farm
- An international BoP contractor in a dispute with a manufacturer of offshore wind foundations on additional costs for delays and disruptions
- An international offshore EPC contractor on its defence of claims for damages and defects, and on its own claims for additional cost and compensation, in three different significant offshore grid connection projects in Germany, relating particularly to the offshore converter stations
- A turbine supplier on dispute adjudication board and subsequent mediation proceedings related to various claims and counterclaims, totalling more than EUR 1bn, in connection with delays, disruptions and some 10,000 alleged defects in the wind turbines for a German 400 MW offshore wind farm
- A turbine supplier on expert determination proceedings relating to the conditions for an extension of the service and maintenance agreement
- A turbine supplier on expert determination proceedings relating to the interpretation of various availability guarantee-related clauses in a service and maintenance agreement
- A turbine supplier on dispute adjudication board proceedings relating to the conditions for an extension of the service and maintenance agreement
- An employer in defending remuneration and bonus claims from the project manager of an offshore wind farm in Germany
- An employer on the negotiations and settlement of claims for the additional cost and rebaselining of the construction programme by the BoP and wind turbine generator contractors because of a 12-month delay in the installation of an offshore wind farm in Taiwan
- An employer on claims for the additional cost and rebaselining of the construction programme caused by a 12-month delay in the installation of an offshore wind farm in Taiwan
- An offshore installation contractor on defending a claim for damages caused when installing an offshore substation, including representing the contractor before German state courts
- An offshore installation contractor on claims for additional cost and time due to deviations in soil conditions and COVID-19 in the context of the installation of an underwater pipeline in Vietnam
- A contractor on alleged serial defects in the grouted connection of an offshore wind farm in Germany
- Two different sea cable manufacturers on defending claims based on alleged serial defects in certain cables and accessories
- Two different contractors in two different proceedings as third party interveners before the German courts, in each case relating to delayed onshore grid connections
- An international cable manufacturer in ICC arbitration proceedings relating to alleged serial defects in subsea cables





- A wind turbine manufacturer on substantial serial defects affecting various offshore projects in Germany
- A sea cable contractor on claims management caused by quality issues during sea cable manufacturing
- An employer on a dispute with a contractor on the failed/attempted installation of offshore wind foundations, including on the enforcement of claims against construction all risks and professional indemnity insurances, and certification agencies
- A foundation subcontractor on a dispute with the owner of an offshore wind farm relating to the delayed supply of the foundations
- A foundation subcontractor on a dispute with the owner of another onshore wind farm relating to the delayed supply of the foundations
- An owner of an offshore wind farm on pursuing claims for damages because of the delayed connection of its offshore wind farm in the German North Sea to the grid
- Another owner an offshore wind farm on pursuing claims for damages because of the delayed connection of its offshore wind farm in the German North Sea to the grid
- The owner of a 300 MW offshore wind farm on all kinds of project-related disputes, with an aggregate value of EUR 500m, against the transformer platform contractor as well as the transmission system operator, covering issues such as concurrent delay, piercing the contractual limitation of liability, and preparation and execution of a termination for cause
- The owner of a 250 MW offshore wind farm on a dispute with its EPC contractor regarding the alleged delay of the wind farm's hot commissioning and related wind turbine generator issues with an amount in dispute of more than EUR 75m
- A monopile foundations and transition pieces contractor in its dispute regarding a 280 MW offshore wind farm, covering issues such as liquidated damages, extensions of time and disputed variation order requests under a contract worth more than EUR 120m
- An owner of an offshore wind farm on its claims for damages against a turbine supplier who provided the owner with wrong design data
- A contractor in a number of disputes arising from a major subsea interconnector project (an electricity cable link between Norway and England), including advice on incentivising an underperforming subcontractor and in High Court proceedings arising out of the contractor's termination of the subcontract and efforts to take over the supply chain, which resulted in the contractor successfully obtaining an order from the TCC in emergency
- A contractor involved in a major subsea interconnector project in two adjudications to recover, respectively, the additional costs of completion, and an interim payment for the additional costs, losses and damages incurred by the contractor in completing the works
- A contractor in upstream and downstream disputes arising from the engineering, procurement, construction and installation of a major offshore windfarm in Scotland, to be resolved in an ICC arbitration, seated in London, with the contracts governed by English law
- A contractor on a dispute with a Chinese counterparty involving a specialist crane vessel in a SIAC arbitration, seated in Singapore, with the contract governed by English law.
- A contractor and European offshore cable supplier in successfully resolving a warranty claim
- A contractor on delay claims from its subcontractor and drafting a settlement which included amending the subcontractor terms
- A state-owned energy company on mechanisms relating to variations in on offshore wind contract
- A contractor on dealing with local law content requirements in an offshore wind farm located off Taiwan
- A contractor carrying out turbine installation and maintenance at a European offshore wind farm in relation to its maintenance obligations of the leading edge of turbine blades in light of contractual design life obligations
- An international BoP contractor on a dispute relating to errors in the rely upon information and consequences for the installation of an OSS of an offshore wind farm in France

Our Team



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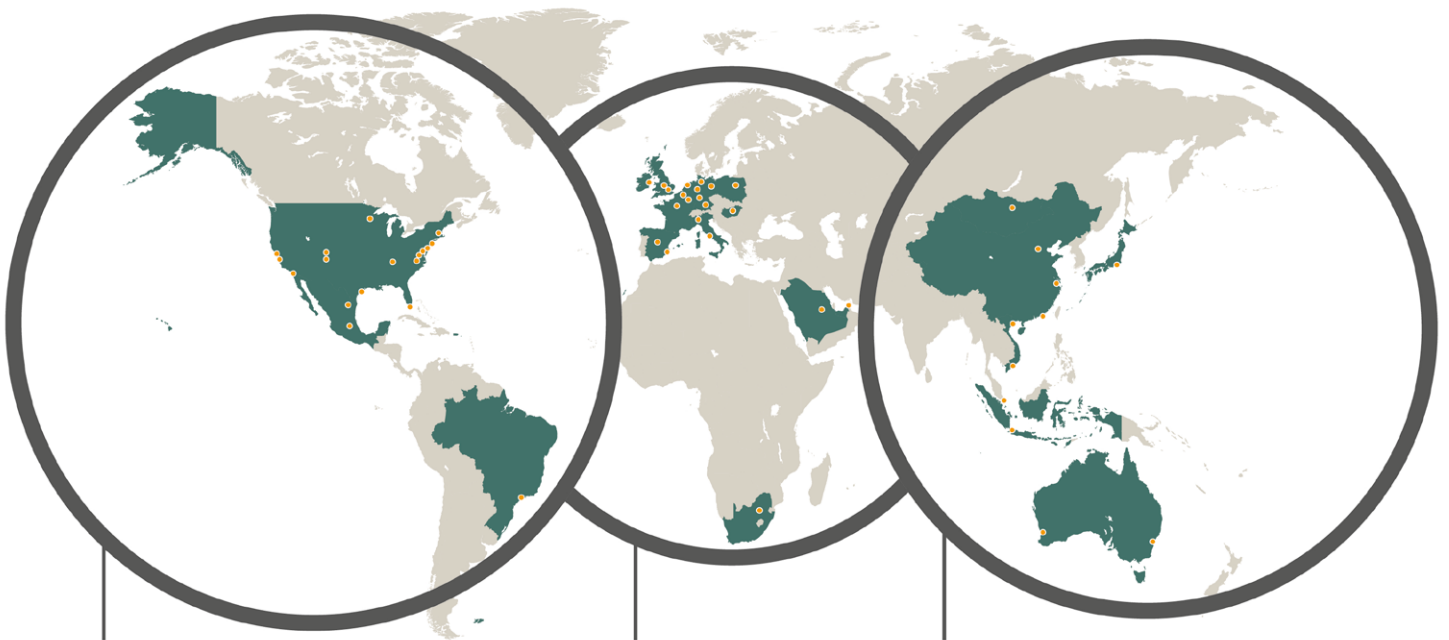


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