
Airport Major Projects

Construction and Engineering Transactional and Disputes Capabilities

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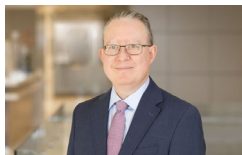
Years of Legal Experience

700+

Attorneys and professionals
worldwide



Robert Hager
Partner
Washington, D.C., Doha



Michael Guiffre
Partner
Washington, D.C.



Meagan Bachman
Partner
Washington, D.C.



Josh Lindsay
Partner
Washington, D.C.

About Crowell & Moring

Founded in 1979, Crowell & Moring LLP is an international law firm with offices in Washington D.C., New York, Los Angeles, San Francisco, Orange County, Chicago, Denver, Doha, Shanghai, London, Brussels and, through our affiliate Crowell Global Advisors, Singapore and Hong Kong. We pride ourselves on providing excellent legal service and value across a broad range of legal specialties, built on teamwork and responsiveness. With over 700 attorneys and professionals, we represent government-owned entities and major businesses—both public and private—in complex high-stakes litigation, enforcement, regulatory, administrative, and transactional matters, as well as government and internal investigations. Many of our attorneys are included in publications recognizing excellence in the law such as Chambers, Legal 500, IFLR, GIR and Best Lawyers.

About Our Airport & Aviation Practice

Through collaboration across practices, we have assisted clients in the aviation industry on the full spectrum of their needs, notably serving as lead counsel to a government entity on all aspects of an airport's design, construction and expansion—one of the largest infrastructure projects in the world—for over two decades. We have also represented other airports, airport authorities, governments, and a host of private sector clients on important issues related to construction and infrastructure, transportation, public-private partnerships, and government contracts and grants, as well as aviation regulatory matters in various jurisdictions, including the Middle East, Africa, the United Kingdom, the European Union, and the United States. Most recently, our team was recognized by Thompson Reuters as Arbitration Law Firm of the Year for our work in major infrastructure disputes in the Middle East.

Experience advising the world's highest-rated airports

Our team has provided project advice as lead outside counsel to a sovereign government in the Middle East for over 20 years supporting the development, construction, operation, maintenance and expansion of one of the highest-rated airports in the world.

For this project, we have advised the client on a broad array of legal matters, risk management, and claims analysis, from greenfield development in 2006 through airport opening and present expansion projects concerning programming, design, construction, project management, and dispute resolution, involving all major airport facilities, including:

- site reclamation;
- special systems (e.g., baggage handling);
- two passenger terminals (main and satellite);
- taxiways and runways;
- maintenance and general aviation hangars;
- cargo terminal and facilities;
- catering facilities;
- utility plants and sitewide utilities;
- control towers; and
- administrative and security facilities.



We have also advised on retail, F&B concessions, airport hotels and lounges, licensing, technology and service contracts and supported the client in its delivery of the aviation infrastructure for a recent World Cup and a major expansion completed in 2025. The contractors, consultants and companies involved include some of the largest infrastructure companies in the world, deployed via a variety of delivery methods including EPCM, Design Bid Build, Design Build and Concession structures.

In-Depth Experience at Every Step

Our construction and engineering team offers extensive industry expertise and strategic advice throughout every stage of an airport construction project—from pre-project feasibility through post-completion—and at all levels from stakeholder, owner, regulator, contractor and down through the entire supply chain.



Through our experience with major infrastructure and other complex construction projects, Crowell & Moring can provide comprehensive support, including:

1. Transaction Structuring

- Advising on optimal legal frameworks for airside and landside infrastructure packages, including traditional public procurement, joint venture, concession, design-build, design-build-finance, design-build- finance-operate-maintain, build-operate-transfer, lease and hybrid structures.
- Evaluating risk allocation and commercial terms to ensure that projects are not only bankable but also commercially viable and attractive to world-class contractors and operators.

2. Drafting and Negotiation of Key Agreements

- *Concession Agreements*: Defining scope, performance obligations, tariff structures, and termination rights.
- *Design–Bid–Build Contracts*: Full suite of traditional procurement contracts, including construction agreements, general conditions (e.g., FIDIC Red Book), and related documentation.
- *Design–Build and EPC Contracts*: Structuring of turnkey agreements to manage design and construction integration, common in DB, DBF, and DBFOM models.
- *Operations & Maintenance (O&M) Agreements*: Contracts governing long-term operation and upkeep of airside and landside assets, linked to performance benchmarks.
- *Government Support Agreements*: Legal instruments providing sovereign undertakings, guarantees, tax exemptions, and risk mitigation support.
- *Project Management and Consulting Contracts*: Agreements for Owner’s Engineers, Project Management Consultants (PMC), and Independent Engineers, defining scope of services, standards of care, deliverables, liability parameters, and reporting obligations.
- *Land Use and Access Agreements*: Structuring of leases, licenses, or rights-of-way to grant secure legal access for construction and operations.
- *Interface Agreements*: Legal coordination between separate contractors or concessionaires for systems integration (e.g., airside-terminal-rail).
- Advising on Government participation in project-related joint ventures.
- *Press Releases and Public Statements (PR Drafting)*: Legal vetting and preparation of official communications related to procurement, financial close, and public announcements.
- *Dispute Resolution Clauses*: Bespoke ICC, UNCITRAL, or local arbitration and mediation frameworks embedded in principal contract.

3. Financing Documentation

- *Financing Agreements*: Drafting of loan agreements, security packages, inter creditor rights, equity investment terms, direct agreements, and lender step-in rights.
- Navigating local and international legal regimes to ensure enforceability of finance agreements.

4. Regulatory and Compliance Advisory

- Navigating aviation regulations, environmental approvals, and zoning laws.
- Advising on procurement rules and disclosure obligations.

5. Dispute Resolution and Risk Mitigation

- Preventive legal strategies during implementation.
- Claims assessment and management.
- Representation in negotiations, mediations, arbitration and litigation.

We also address a diverse range of issues that typically feature in airport construction projects and disputes, including:

- Project development and finance, including project and public finance
- Public-private partnerships
- Acceleration claims
- Inefficiency claims
- Government relations
- Procurement and contracting
- Acquisition and disposal of assets
- Changed site conditions
- Construction defects, delay claims and schedule analysis and assessment
- COVID-19 related claims
- Scope of work changes and claims
- Fraud claims, including accounting fraud
- Change in law
- Antitrust
- Sovereign immunity
- Corrupt practices
- Force majeure
- Terminations for default and for convenience
- Liquidated damages
- Performance guarantee claims
- Valuation/variation claims
- Application of civil law and common law across multiple jurisdictions
- Cardinal changes
- Decennial liability
- Warranty
- Project hand back and expiry
- Senior debt refinancing
- Cost savings analysis

Support Throughout the Project Lifecycle



Our disputes experience can help you avoid one.

Claims are inevitable on construction projects—but costly disputes don't have to be. We help clients avoid or mitigate costly disputes through effective strategies for claims management and real-time dispute resolution.

We offer insights during project planning and contract formation to avoid common pitfalls, minimize the likelihood and impact of disputes, and ensure mechanisms are in place for efficiently resolving disputes by implementing key lessons learned.

We also counsel clients during performance to flag potential issues and properly document, manage and assess them to resolve claims in real time. Our lawyers can provide support on projects where disputes are anticipated, and are well-versed in every phase of construction, from non-conforming and/or defective design through to workmanship and quality defects, delays and extensions of time, operation and maintenance concerns, funding issues, and project management performance. We draw on our experience with dispute boards, mediation, and other alternative forms of dispute resolution to seek an efficient and fair conclusion to claims and have developed unique ways to use these methods in solving even multibillion dollar claims while avoiding litigation and arbitration.

When a formal dispute is unavoidable, we have the experience and skills to win.

We are a top-ranked international arbitration and dispute resolution practice. When disputes do arise, we will utilize our deep advocacy skills, whether to negotiate, mediate, arbitrate or litigate to achieve a successful outcome for our clients. During this process, we often work closely with recognized technical experts so our clients can fully assess claims confidentially and, in many cases, privileged from disclosure. Our experience gives us the skill and confidence to distill even the most complicated issues into a compelling position that resonates with arbitrators, judges and juries alike.

We act for clients in ad hoc and administered arbitrations around the world under the rules of most leading arbitral institutions, where we enjoy a well-earned reputation as thoroughly prepared, knowledgeable and effective advocates.

Representative Matters

- Advising on the overhaul and restructuring of design, project management and construction contracts for a major Middle Eastern airport.
- Advising on various concession structures to support various revenue generating operations at a major Middle Eastern airport.
- Advising on the design, investment, construction and development of a greenfield state-of-the-art hub airport project in Africa through a Concession model.
- Mediated resolution of contractor claims arising from a major land reclamation for a greenfield international airport. Addressed issues related to sand degradation, work methods utilized, changed conditions, and delay and disruption claims.
- Mediated resolution of contractor claims arising from the construction of one of the world's largest free standing maintenance facilities.

- Mediated resolution of contractor claims arising from the construction of a passenger terminal facility.
- Advice in connection with failure to properly procure, install and integrate special systems for a greenfield international airport.
- Advising an airport authority on major F&B and retail concessions for an international airport.
- Advice on a PPP venture for an integrated rail and metro system connected to a major airport.
- Advice in connection with a leasing dispute involving the expansion of a terminal at JFK.
- Early dismissal of litigation associated with passenger treatment by emergency personnel at an international airport.

Case Studies:

Arbitration Counsel | Major International Airport

Our team has provided disputes and project counsel to a sovereign-owned international airport for more than 20 years, entrusted with handling more than a dozen significant disputes resolved through mediation or arbitration, including acting for the client in an ICC arbitration seeking several billion dollars for claims involving aspects of every stage of the project, including planning, design, engineering and construction defects across practically all airport facilities and systems, and years of delays, disruptions and misbilling.

The scale and complexity of these matters has required our team and the experts we supervise to understand the complex technical, commercial, and political nuances impacting the disputes. Our deep experience as advocates in construction disputes together with our effective management of technical experts enable us to present a compelling case for our client.

Arbitration Counsel | Major International Airport

Our team defended a project owner in an ICC arbitration against a construction contractor's wrongful termination claim arising from disputes concerning forfeiture for engineering flaws, quality deficiencies, health and safety violations, and delayed construction progress. The arbitration involved claims across 13 different facilities that the contractor was constructing.

The dispute proceeded before both an arbitral tribunal and in the local courts, and legal issues involved FIDIC forms of contract and principles of civil substantive and procedural law, allowing our team to leverage our global construction disputes platform with experience across civil and common law jurisdictions.

Our Airport, Aviation, and Infrastructure Team



Robert Hager

Partner

Washington, D.C. | +1.202.508.8767

RHager@Crowell.com

Robert A. Hager represents clients in a wide range of infrastructure matters, including the development and construction of airports, road, rail, energy and telecommunication facilities. He has been involved in projects throughout the world and has worked in Qatar for over 20 years. Since 2006, he has served as lead outside counsel for the Hamad International Airport construction project, one of the largest infrastructure projects in the Middle East and one of the largest airport projects in the world.

Robert has served as counsel to governments, airports, airlines, public private partnerships, private companies, developers, lenders, borrowers, suppliers, and engineering and construction firms in multi-billion dollar projects and transactions supported by sovereign funding or international lending institutions, including the World Bank, International Finance Corporation, and the Export-Import Bank of the United States. He has prepared and negotiated privatizations, PPPs, joint venture agreements, financing documents, sponsor guarantees, engineering and procurement contracts, construction and consulting agreements, technical services agreements, supply agreements, operations and maintenance agreements, and host country enabling decrees.

He also advises clients in contentious matters, including multi-billion dollar construction and investment disputes.

In addition to his international experience, Robert has worked on a wide range of U.S. transactions including the private placement of equity and debt securities, mergers, acquisitions, the formation of new companies, and complex transactions involving the sales of goods and services, technology transfer, and the protection of intellectual property.

He is the founding chairman of the American Chamber of Commerce in Qatar and on the international advisory board of the National Council on U.S. Arab Relations. Robert is rated as Highly Regarded by the IFLR 1000 in 2025.



Michael Guiffre

Partner

Washington, D.C. | +1.202.624.2501

MGuiffre@Crowell.com

Michael Guiffre is a seasoned trial lawyer with over 25 years of experience in global construction and infrastructure disputes. He represents states, state-owned entities, and commercial enterprises in complex, high-stakes arbitrations and litigation involving airport and other infrastructure megaprojects. His experience includes arbitrating a multibillion-dollar dispute concerning breach of contract and negligence in an airport infrastructure project, securing dismissal of a multibillion-dollar Chapter 11 case against a government-owned construction company, and defeating claims related to labor inefficiency, extended performance, and misbilling. He regularly handles disputes involving design errors and omissions, scope of services, critical path delays, change orders, and standards of care. His deep understanding of how these disputes unfold—from discovery through resolution—makes him exceptionally positioned to drive efficient and strategic outcomes.

Michael also represents clients in a wide variety of disputes involving commercial and government contracts, aeropolitical and aviation issues, investor-state treaties, intellectual property rights, business torts, and fraud. He is adept at litigating contract disputes, bid protests, and other claims against the U.S. government, and has defended companies against procurement fraud allegations (including *qui tam* actions) and terminations for default. Michael has managed a variety of government and internal corporate investigations.



Meagan Bachman

Partner

Washington, D.C. | + 1.202.624.2722

MBachman@Crowell.com

Stakeholders at all levels of infrastructure, construction, and equipment manufacturing projects, public and private, turn to Meagan Bachman to lead them in resolving their complex, high-stakes disputes. They trust Meagan to advocate and resolve their disputes through arbitration and alternative dispute resolution proceedings because she quickly understands their objectives and needs, crafts creative and effective strategies, and is all in for her clients. She is highly knowledgeable and experienced in matters of international construction and arbitration law, including working with industry experts to analyze challenging technical, delay, and quantum issues.

Meagan is chair of the firm's International Dispute Resolution Group. Her practice focuses on construction contract disputes and other complex commercial issues in both arbitration and litigation. She has served as lead and co-lead counsel on a number of international arbitrations and mediations involving large infrastructure projects. In addition to her disputes advocacy work, Meagan regularly counsels clients on contract matters relating to major construction and infrastructure projects, including dispute avoidance and early resolution of disputes.

Meagan has substantial experience in international and domestic arbitration, mediation, and other forms of alternative dispute resolution. She represents clients in construction and other commercial matters in a variety of proceedings conducted under the auspices of the International Chamber of Commerce International Court of Arbitration, the International Centre for Dispute Resolution, the American Arbitration Association, and JAMS.



Joshua Lindsay

Partner

Washington, D.C. | +1.202.624.2809

JLindsay@Crowell.com

Joshua M. Lindsay is a partner in the firm's International Dispute Resolution Group. He represents international and domestic clients through the resolution of complex cross-border disputes and U.S. government investigations. Josh has experience practicing in state and federal courts, as well as in proceedings before domestic and international arbitration tribunals.

He has particular experience in advising clients concerning construction and engineering commercial agreements and in litigating construction disputes. Josh has served as both project counsel and high-stakes disputes counsel for some of the world's most complex and ambitious projects across industries, including transportation and other public and private infrastructure. He has detailed working knowledge of AIA, FIDIC, and other forms of construction contracts, as well as EPC and EPCM contract structures—experience that is complemented by his professional background as a nuclear engineer and years of experience working alongside leading international technical, delay, and quantum experts.

Josh's international arbitration experience includes representation of a sovereign entity in multiple complex construction disputes proceeding before International Chamber of Commerce tribunals, as well as representation of an international construction company in disputes proceeding in U.S. state and federal courts. He also is an experienced litigator at both the trial and appellate levels, acting as counsel in suits concerning commercial claims, government contract disputes, and matters involving the U.S. government or federal regulations, such as the Administrative Procedure Act, Dodd-Frank Act, or False Claims Act. Josh also has experience defending international clients against criminal and civil investigations pursued by the U.S. Department of Justice and the U.S. Securities and Exchange Commission, including allegations brought under the Foreign Corrupt Practices Act and U.S. sanctions laws.

He has served as an Adjunct Professor of Law at American University Washington College of Law, has been named a Rising Star by the *National Law Journal*, and has been recognized on the *Washington Business Journal's* Top 40 Under 40 list.

Josh completed a federal clerkship with the Honorable Irene M. Keeley of the U.S. District Court for the Northern District of West Virginia. While in law school, Josh served as managing editor of the *Boston College Law Review*.



Edmund Northcott

Counsel

London | +44.20.7413.1351

ENorthcott@crowell.com

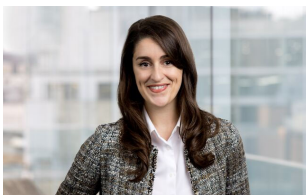
Edmund is a solicitor advocate who advises sovereign states, corporations and individuals on their most complex, high-value, disputes. Edmund delivers commercially-aware, clear advice to his clients, guiding them through all stages of their disputes. He has a proven track record of delivering success for his clients, whether that be dispute avoidance, settlement or winning at trial.

Edmund's practice covers all aspects of English civil litigation, international arbitration, off-shore litigation and alternative dispute resolution. Edmund works closely with his teammates and clients to solve complex legal problems and develop legal strategy. Edmund has represented claimants and defendants in numerous claims valued over £1 billion, regularly grappling with untested legal concepts.

Edmund prides himself on providing a business-focused service to his clients, establishing strong relationships which go well-beyond advising on the black-letter law. His experience covers a broad range of industries and construction matters: airports and airport infrastructure (including pavements), energy, finance, construction, mining, telecoms, automobile, and real estate. Edmund has handled disputes in the English High Court, Caribbean Court of Appeal and before numerous arbitral tribunals (including ICC, LCIA, ICSID, SCC, QICCA, DIAC, UNCITRAL, HKIAC).

Edmund is qualified as a Solicitor Advocate in England and Wales, and has conducted advocacy in cases he has worked on, providing his clients a full-service dispute offering. He is passionate about pro bono work, working with charities to help them solve sensitive legal questions, including researching and drafting a report addressing juvenile justice for a country in Asia.

Before joining Crowell, Edmund practiced litigation and international arbitration at another international law firm, where he undertook secondments to Dubai, Shanghai, and Nanjing.



Lauren Blanchard

Associate

London | +44.20.7382.4862

LBlanchard@Crowell.com

An associate in Dispute Resolution in Crowell & Moring's London office, Lauren Blanchard is esteemed by her clients as "an invaluable asset to any case." Her strategic and actionable legal advice, strong work ethic under pressure, and collaborative approach has led her to handle numerous high value, high profile cases involving multiple jurisdictions and complex issues.

She regularly represents multinational corporates, sovereigns, international institutions, and executives across a range of industries, including automotive,

aerospace and aviation, banking and finance, insurance, construction (including airport facilities), energy, oil and gas, mining, shipping, and transport.

In English litigation, she has acted at all stages of proceedings, often on an expedited basis, in the Commercial Court, Technology and Construction Court, Court of Appeal, Supreme Court, and Competition Appeal Tribunal.

In international arbitration, she has acted in commercial, construction, and investor state disputes under major institutional rules, including ICC, LCIA, SIAC, UNCITRA, and ICSID.

She also advises on U.S. litigation, particularly when the facts of the dispute concern events outside the United States.

In her pro bono practice, she has submitted multiple amicus curiae briefs in U.S. courts, represented individuals in English courts and the European Court of Human Rights, and mentored prospective law students from low income backgrounds.

Before joining Crowell, Lauren practiced dispute resolution in London and Washington, D.C. at another international law firm.
