

PROFILE



**Director, Dispute Resolution
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Qualifications

LL.B. (Hons), National University of Singapore (2004)
Admitted to the Singapore Bar (2005)

Language

English, Chinese

KELVIN TEO

ABOUT KELVIN

Kelvin is a specialist in resolving complex infrastructure, energy and resource disputes. He is proficient at making complicated technical, delay and quantum issues, easy to understand.

His sector experience spans infrastructure projects with a particular focus on renewable energy projects from solar farms, wind, hydropower and geothermal; to nuclear power plants, oil and gas projects and refineries; as well as conventional projects such as mines, railways and expressways; and even giant Ferris wheels.

Kelvin has advised parties and projects in Singapore, Korea, Middle East, Greater China, Mongolia, Indonesia, Thailand, Vietnam, Malaysia, Italy, Laos, Philippines, Taiwan, US, France and India, amongst others.

Kelvin carries out his own advocacy across the entire spectrum of dispute resolution mechanisms including litigation, arbitration, mediation and adjudication, held both within and out of Singapore.

Kelvin is a Fellow of the Singapore Institute of Arbitrators and sits as an arbitrator.

Kelvin is a thought-leader who regularly speaks and publishes articles on construction law and arbitration practice issues.

He heads the Thought Leadership subcommittee of the Society of Construction Law (Singapore). He previously headed a Singapore Academy of Law Promotion of Singapore Law Sub-committee (Energy and Oil and Gas), and sits on the Building and Construction Law Committee of the Law Society.

He was an assessor for COVID-19 construction cases. He also sits on a panel promoting neutral evaluation, as a mediator, and was part of an experts group commenting on e-discovery issues.

He has also been recognized in directories such as The Legal 500, Experts Guide, and SBR's list of most influential lawyers under 40 (2018), and recently in The Arbitration Power List : Southeast Asia 2022 and 2023.

EXPERIENCE

Kelvin's recent experience (*) includes:

- **Solar Farm in Singapore** – Advising the developer of one of the largest solar farms in Singapore, on contracts and on day-to-day legal matters during the construction phase and managing potential disputes. Acting for the developer in multiple litigation and adjudication proceedings.
- **Offshore greenfield wind-farm project** – Advising the Employer and his representative on day to day legal matters and managing potential disputes, during the construction phase of a billion-dollar offshore wind farm.
- **Philippines Geothermal power plant** – Acting for a multi-national conglomerate in the energy sector and its subsidiary in a multi-party ICC arbitration seated in Singapore, arising out of a project to rehabilitate a Philippines geothermal power plant.
- **Nuclear Power Plant LCIA Arbitration** – Acting for a contractor in a LCIA arbitration in a billion-dollar dispute arising in relation to the construction of a nuclear power plant.
- **Lao Hydropower ICC Arbitrations and court proceedings** – Acting for a major Italian contractor in two ICC arbitrations seated in Singapore against a Thai entity in relation to disputes over time and cost claims arising out of a Lao hydro-power plant project, and in related proceedings.
- **Soil remediation** – Advising and acting for a leading environmental and health and safety consultant, in issues arising out of a very large soil remediation project using state-of-the-art technology.
- **Stadium dispute against a litigation funded party** – Acting for the subsidiary of a global top 10 international contractor in a roofing dispute arising out of an iconic stadium project involving complex issues of delay/disruption and quantum. The counterparty is litigation-funded and as far as we know this case is the first case in Singapore where the counterparty was ordered to provide security for costs by procuring a substantial undertaking worth millions of dollars from the litigation funder. We also represent the contractor in satellite court litigation against affiliate entities of the subcontractor who provided guarantees.
- **SIAC Arbitrations and court proceedings over iconic infrastructure project** – Acting for a major Korean contractor in two SIAC arbitrations seated in Singapore arising out of an iconic infrastructure project in the Middle East and related court proceedings.
Defects and Delays – Acting in litigation and arbitration proceedings arising out of a project to construct Singapore's largest integrated multi-storey heavy vehicle aftersales centre, in relation to significant delays to completion and defects.
Advising MCST for various condominiums in Singapore on defects claims.
- **Managing disputes and advisory** – Advising the owners or main contractors on disputes arising out of various multi-million dollar infrastructure projects, such as an EPC contract to construct a refinery in Singapore, an EPCM contract for a project in Singapore, a FEED agreement on a major rail, port and

coal terminal project in Indonesia, agreements to procure a floating oil production/ processing platform off Thailand, an agreement to construct a food processing factory in Malaysia for an iconic international brand, performance bonds and injunctive relief for a hotel project in Mongolia, etc.

- **Complex and High-value Adjudications** – Acting for claimants or respondents in various construction disputes resolved by way of statutory adjudications, including in relation to prolongation cost, quantum and variations, subsoil and foundation issues.
- **Jurisdictional objections arising in Arbitration and related court proceedings** – Acting for respondents in various disputes involving challenges to the jurisdiction of tribunals due to breach of agreed procedure and/or failure to comply with arbitral preconditions and/or issues relating to breach of natural justice. Acting in related setting aside/remission proceedings in Court.

Review of Project Documentation for Construction Projects – Advising the owners or sponsors on legal issues arising out of project documents, including review of EPC contracts for the following projects: a mogas cogen plant in Singapore, a vietnamese port and terminal project, agreements to procure and construct a floating oil production/processing platform off Thailand, a processing factory in Malaysia.

Reviewing EPCM project documentation for a chemical plant in Jurong Island, a FEED agreement on a major rail, port and coal terminal project in Indonesia, design and build agreements for the construction and fit out of a hotel in Singapore, construction of a vehicle, construction of a high-tech manufacturing facility, major A&A works to a multi-storey car workshop and showroom facility, amongst others.

ACCOLADES

Chambers Asia-Pacific

Construction 2024 – Up and Coming for 3 consecutive years

- A market source tips Kelvin Teo as *"one to watch"*. – Chambers APAC 2022
- A client praises Kelvin Teo for providing *"pragmatic advice"*. – Chambers APAC 2022

The Legal 500 Asia-Pacific

International Arbitration 2024 – Next Generation Partner for 6 consecutive years

Construction 2024 – Next Generation Partner for 6 consecutive years

Dispute Resolution 2019 – Next Generation Partner

- *"Kelvin Teo is a bright up-and-coming partner in projects disputes."* – Legal 500 APAC 2024
- Clients commend Kelvin for being an *"experienced arbitration partner [who is a] key contact."* – Legal 500 APAC 2023
- *"Kelvin Teo is always focused and effective. He provides commercial and strategic advice."* – Legal 500 APAC 2022
- *"Kelvin Teo is an emerging talent in construction disputes."* – Legal 500 APAC 2022
- *"Kelvin Teo knows the construction industry extremely well. – He has strong experience in infrastructure and energy disputes and unparalleled industry knowledge."* Legal 500 APAC 2022
- *"Kelvin Teo provided excellent legal advice in a pragmatic and understandable manner, understanding his client's limited legal comprehension and explaining legal and procedural issues in a simple and straight forward way."* – Legal 500 APAC 2021

- “Kelvin Teo is also rated” – Legal 500 APAC 2020
- “Kelvin Teo is also noted” – Legal 500 APAC 2020
- “a keen ability to grasp complex technical issues and break them down into coherent and concise descriptions that can be readily understood by arbitrators” – Legal 500 APAC 2019
- “an extremely creative lawyer who thinks of solutions that no one else can” – Legal 500 APAC 2019
- “recommended” for “great in-depth industry knowledge” – Legal 500 APAC 2018
- “recommended” – Legal 500 APAC 2017
- “ably support[ing]” [the team in Clifford Chance] – Legal 500 APAC 2016

The Legal 500 Arbitration Powerlist: Southeast Asia 2023

Recognised as a leading arbitration practitioner in the Southeast Asia region for 2 consecutive years

Who’s Who Legal

Thought Leaders Guide: Construction 2023 – Thought Leader

Global Guide: Construction 2023 – Leading Lawyer

National Guide: Southeast Asia - Construction 2023 – Leading Lawyer region for 2 consecutive years

- Kelvin Teo is looked upon with enormous favour as “an insightful and formidable hand” when it comes to infrastructure, energy and resource matters. – Who’s Who Legal 2022

Asialaw Leading Lawyers

Construction 2023 – Notable Practitioner

- “Very knowledgeable about the law and the legal system. Able to provide clear guidance on the relevant issues.” – asialaw Leading Lawyers 2023
- “Accessible, positive, strategic, explains approach well. Communication is supportive and empathetic.” – asialaw Leading Lawyers 2022

Benchmark Litigation Asia-Pacific

Construction 2023 – Future Star

Singapore Business Review

Recognized as one of Singapore’s most influential lawyers under 40 in 2018

LMG Expert Guides

Construction and Real Estate 2019 – Rising Star for 3 consecutive years

APPOINTMENTS/MEMBERSHIPS

- Head of Thought Leadership, Honorary Secretary, Society of Construction Law (Singapore)
- Honorary Secretary, Society of Construction Law (Singapore)
- Building and Construction Law Committee of the Law Society of Singapore
- Environmental Sustainability Group
- Panel promoting Neutral Evaluation in Singapore

- Member, Law Society of Singapore

PUBLICATIONS

Recent publications include:

- *The SCL (Singapore) FAQs for the COVID-19 (Temporary Measures) Act (With an Emphasis on Construction and Supply Contracts)* – June 2020
- *From “Yam Seng” to Divorce: Navigating (in good faith) joint venture agreements in construction projects* – April 2020
- *A Lack of Agreement? Approaches to liquidated damages in Singapore and the UK following Seraya v. Denka and Triple Point v. PTT.* – December 2019
- *Experts’ joint statements and discussions: What role should the lawyers play?* – January 2019
- *Practical Law: Construction and Projects in Singapore: Overview* – 2017 and 2018
- *Practical Law: Governing law and jurisdiction clauses Q&A: Singapore* – 2018
- Contributor to *A Practical Guide to the SIAC Rules* – April 2018

SEMINARS AND SPEAKING ENGAGEMENTS

Recent speaking engagements include:

- Speaker at SCL(S) seminar on Mastering Infrastructure Arbitration: Navigating Complex Cases with Legal Expertise and Technical Acumen – October 2023
- Speaker at SISV seminar – (Not) Performing the Contract : Force Majeure and Frustration in a Covid-19 World – March 2023
- Speaker at Debate at SCL (Singapore) 3rd "Focus on Asia Conference" 2022 on the motion “*This House Believes that Renewables are the Beating Heart of a Sustainable Future*” – October 2022
- Lecturer for SIAC Specialist Arbitration Series Part 2: *Energy, Oil & Gas Arbitrations* – July 2022
- Speaker for “*National Conference on Construction Adjudication 2022*” – by Singapore Mediation Centre – July 2022
- Moderator for “*Hot Topics in ESG and Energy Law – The Singapore Experience*” – a webinar by the Singapore Academy of Law – February 2022
- Speaker and Moderator for “*Crossing the Currents in Clean Energy and Oil & Gas: Legal Issues and Lessons Learnt*” – a webinar by the Singapore Academy of Law – March 2021
- Speaker for “*Topical issues in the adoption of Singapore Law: Views from the Commodities and Energy sectors*” – a webinar by the Singapore Academy of Law – October 2020
- Client Seminar – “*SOP Act Update and Dispute Masterclass*”
- Chairing “*The Circuit Break – Picking Up the Pieces*” – a webinar by the SCL (Singapore) – September 2020
- “*Picking Fruit from Scorched Earth – Practical Tips for Managing Construction Arbitrations Efficiently*” – a webinar jointly supported by the ICC and the SCL (Singapore) – June 2020

- Clifford Chance Annual Construction Seminar - "*Cheaper, Faster and Better*" cross-border infrastructure project dispute resolution – *Myth or Mirth* – August 2019
- Chairing "*Cost and Time Blowouts (and Major Disputes) on Large Construction Projects*" – July 2019
- Panelist for Singapore International Energy Week – "*Key technology solutions to achieve global energy transformation*" – May 2019
- Beijing International Arbitration Centre – "东南亚和南亚工程项目合同起草中的常见风险和规避方式 *Avoiding pitfalls and mitigating risks in SEA construction and infrastructure projects*" – March 2019