

Bilfinger Berger contracts that have involved:

- significant delays
- significant cost overruns
- major disputes with the client

No	Client	Project	When	Dispute	Details /outcome
1	Metro Vancouver	Seymour- Capilano water filtration plant. \$105M contract with BB.	2008	BB sued client for \$22M (Can) for improperly cancelling contract. Also sought return of assets worth \$38M. BB halted work on January 2008, citing safety reasons. They claimed that MV did not provide full information in geotechnical report.	MV sued BB to recover extra costs for completing the project. Suit lodged with the British Columbian Supreme Court – dispute not yet resolved as at April 2009. The Seymour-Cap consortium were paid \$181M to complete the project. As a result, overall project cost rose from \$600M to as much as \$820M
2	Ashgal (Public Works Authority), Qatar	The 22 February Road construction project, part of the USD\$1billion Doha Expressway.	2009	BB claiming QR600M – dispute over how much Ashgal owed BB	Work halted in March 09 with Road on 80 per cent complete. Dispute not yet resolved. BB allegedly owe subcontractors QR47M in arrears, and had laid off 1,000 workers.
3	German Govt, Bavarian Govt, Deutsche Bahn	Munich Transrapid – the track was to be built by a consortium that included BB	2008		Financing for the project had been based on a 2002 feasibility study which concluded the maglev line could be completed for €1.85 billion (\$2.9 billion). In March 2008, the consortium in the project announced that it would cost over €3 billion to build.
4	The Thai Government	Elevated expressway from Bang Na to Chon Buri – 25b billion baht project	2002 - 2003	Consortium – led by Ch Karnchang plc, with BB as a partner – sued the Expressway and the Rapid Transit Authority of Thailand for apparently failing to hand over land in time.	The expressway was delayed by 11 months. The South Bangkok Civil Court ordered the Government to pay the consortium US\$156M, but this was later overturned by the Supreme Court.

5	Köln Verkehrs- Betriebe AG	Underground North-South line in Cologne	March 2009	A section of the underground tunnel caused a historic multi-story building to collapse, killing two people.	Legal case still to be progressed. BB claims that responsibility for constructing the tube line was shared among the members of the consortium. BB's share of the consortium's contract amounts to €130M of the €390M whole.
6	Norway	E18 Motorway	2008		BB lost €90M on this contract, saying that it had underestimated the geology and topography of the region. The whole project was costed at 3.15 billion Norwegian krona
7	The German Government / the Burden- Wurttemberg region.	The A5 Motorway expansion between Malsch and Ossenberg	2008 - 2009	BB is suing Germany for selecting French rival Vinci as the preferred bidder, arguing that the deepening financial crises undermined its ability to launch a 'fair' bid.	Complaint filed with the Burden-Wurttemberg region. Bidding dispute caused a delay of several months. Contract awarded to the Vinci consortium in April 2009. Project cost is approx €535 million [?]
8	US Agency for International Development	Wastewater treatment facilities in Cairo	2006		The US Justice Department successfully sued the 5 or 5 bidding companies, including BB, for rigging bids. The court awarded damages of over \$90M to be paid by the co-conspirators. Caused delay to project.
9	Portland City Council, Oregon	East Big Pipe sewage project, Portland	2005	Reported in local paper that Kiewit/BB won the tender by a slim margin, by offering cheaper contract, only for costs to rise rapidly from \$322million to \$390million	Rivel bidder had originally challenged the award of tender, but lost.
10	Sydney Airport Corporation	Airport Seawall	1992 - 2006	Boulderstone Hornibrook, owned by BB, sued its insurers in 2005 or 2006 for the \$65M (Aus) costs for repairs caused by poor workmanship.	The New South Wales Supreme Court found the insurers Gordian Runoff and CGU were not liable in 2006, ruling that BH's workmanship was poor.

## Sources

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- 3 - [www.forbes.com](http://www.forbes.com) March 27 2008, and [www.toytowngermany.com/wiki/transrapid](http://www.toytowngermany.com/wiki/transrapid).
- 4 – Associated Press Worldstream, December 30, 2003, and The Nation newspaper, 2 October 2002
- 6 - Borsen-Zeitung, July 29, 2008
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- 8 – US Dept of Justice.
- 9 – The Oregonian, 8 December 2005
- 10 – The Australian, 18 April 2006