

VIAC – Questionnaire for Arbitrators

1. Name: Florin NICULESCU

2. Citizenship: Romanian

3. Contact information:

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4. Current position: Company Owner, FIDIC Certified Adjudicator/ Arbitrer

5. Education: MSc Civil Engineer

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?
7 participations, as per CV References:

- *under Rules of Romanian Chamber of Commerce:*

- *Party Technical Expert: Refs 116, 100, 93, 92, 91*
- *Tribunal Appointed Technical Expert: Ref 96*

- *under Rules of International Chamber of Commerce: Party Technical Expert: Ref 58*

- How often have you acted as Chairman?

No such appointment

- How often have you acted as Sole Arbitrator?

1 time, as per CV References: 102 – appointed as Sole Adjudicator/ Arbitrator, as indicated in the Works Contract

- How often have you acted as Co-Arbitrator?

No such appointment

- How often have you acted as Counsel?

No such appointment, as I am a Civil Engineer and hence, I was appointed as Technical Expert

- How often have you acted in a different function (e.g. Administrative Secretary)?

No such appointment, except as Technical Expert, as shown above

7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):

- Training Sessions (*as trainee*):

- Several FIDIC trainings concerning Works Contract Administration, Disputes Avoidance and Resolution
- FIDIC Dispute Board pupillage mentoring scheme Feb 2006 – May 2007
- Arbitration proceedings and techniques, organised by the European Court of Arbitration (ECA) and International Association for Business & Arbitration (AIB&A) November 2023 – January 2024

- Seminars and Conferences:

- DRBF Conferences in 2006 – Budapest, Hungary, 2007 – Bucharest, Romania, 2009 – London, United Kingdom, 2010 – Istanbul, Turkey, 2015 – Genoa, Italy, 2016 – Sofia, Bulgaria, 2017 – Madrid, Spain;
- EFCA – SiDIR Conference - October 2008 – Warsaw, Poland;
- FIDIC International Contract Users Conference – December 2008 – London, United Kingdom;
- Regional DRBF Conferences, October 2009, June 2010 and October 2011, Bucharest, Romania
- Romanian Infrastructure Conference 2014 - for Romanian Statutory Contracts Users – September 2014, Bucharest, Romania: participated with two presentations on procurement and disputes resolution.
- The first FIDIC – ARIC – EFCA Regional Infrastructure Conference – March 2015 Bucharest, Romania: participated with a presentation on issues affecting disputes boards effectiveness and efficiency.
- The scientific international conferences of Romanian Society of Construction Law – March 2015, September 2016, October 2017 and October 2018 Bucharest, Romania
- The FIDIC – ACEG – EFCA Regional Infrastructure Conference – 6 - 7 March 2018 Tbilisi, Georgia: participated with a presentation on payments issues under 2017 FIDIC Books edition, from the prospective of a Procurement Expert/ Disputes Adjudicator
- Workshop “A comparison between 1999 and *2017 FIDIC Works Contracts edition*” 5 March 2018 Tbilisi, Georgia
- Workshop “DAB/ DAAB – what has changed and why?” 8 March 2018 Tbilisi, Georgia
- 2nd Annual Conference of International Court of Arbitration of the German-Romanian Chamber of Commerce and Industry, 27 September 2018, Bucharest, Romania
- “Annual Conference of the European Society of Construction Law – European Public Procurement, Current Issues and Perspectives”, 25-27 October 2017, Bucharest, Romania.
- DRBF Region 2 Conference, 15-16 November 2018, Geneva, Switzerland
- DRBF Regional Conference, 25 – 28 October 2022, Cluj, Romania
- DRBF Central & Eastern Europe Conference, March 2023, Vienna, Austria
- DRBF MENA Regional Conference 2023, October 2023, Istanbul, Turkey
- “New Horizons in Construction Arbitration” event organised by Vienna International Arbitration Court in Construction (VIAC), November 2023, Bucharest, Romania
- “How to Manage Risks in Contractual Relationships” event organised by the Asociación de Empresas Españolas en Romania (ASEMER), European Court of Arbitration (ECA) and International Association for Business & Arbitration (AIB&A), January 2024, Bucharest, Romania
- DRBF Central & Eastern Europe Conference, March 2024, Sofia, Bulgaria

○ Publications:

- Explanations and Comments on Order of Finances Minister, OMEF 915/2008, introducing in the Romanian legislation the translation of Red, Yellow and Green FIDIC Conditions of Contract. – Roads and Bridges Magazine of Romanian Professional Association of Roads and Bridges, issue of August 2008;
- Co-author of a material presented at the Road Safety Symposium of November 2008, Cluj, Romania – FIDIC Conditions of Contract in the Romanian legislation.
- Various articles on usage of FIDIC Conditions of Contract and Employer’s Requirements published in 2016 in the Roads and Bridges Magazine of Romanian Professional Association of Roads and Bridges
- „Pro FIDIC, or a plea for the innocent culprit” - article published in June 2016 in the Roads and Bridges Magazine of Romanian Professional Association of Roads and Bridges
- „Employer’s Requirements in the Transport Infrastructure Works Contracts” - article published in July 2016 in the Roads and Bridges Magazine of Romanian Professional Association of Roads and Bridges

8. Membership in arbitral institutions / functions in arbitral institutions/organizations:

9. Languages

Mother tongue: *Romanian*

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): *English*

10. In which legal systems have you trained?

- ◆ Civil Law Common Law
- Austrian Law Hungarian Law Swiss Law
- Czech Law Polish Law Ukrainian Law
- German Law Slovakian Law European Law

Other: Romanian Law

11. What is your main jurisdiction of practice?

Romania

12. In which jurisdictions are you admitted to the bar?

Not applicable as I am a Civil Engineer, not a lawyer

13. Special expertise or specializations (please list a maximum of five):

- Antitrust/Unfair competition Damages Insolvency Natural resources
- Aviation Distribution Insurance Power plants
- Banking & Finance Domain name disputes Intellectual property (IP) Private Intern. Law
- Capital markets Employment Investment arbitration Public Intern. Law
- CISG Energy ISDS/Foreign inves. Real estate
- Civil fraud disputes ◆ Engineering Joint ventures Shipping
- Commercial disp. / transactions Entertainment Licensing Sports
- Commodity market Healthcare & Pharmac. Life sciences ◆ State/Public contracts
- Company/Corporate/M&A Hotel/Gastro./Tour. Maritime arbitration Technology
- ◆ Construction Inform. technology (IT) Media Telecommunication
- ◆ Contract law ◆ Infrastructure Mining ◆ Transport
- Other _____

14. Date of birth: 12th of February 1968

VIAC offers arbitration practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate an arbitrator of their choice and so is the VIAC Board when appointing an arbitrator. These presentations do not constitute recommendations but may assist the parties in choosing an arbitrator willing to conduct proceedings according to the Vienna Rules. The fact that an arbitration practitioner appears on this list, does not authorize this person to use the title "VIAC-arbitrator".

◆ I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

◆ I hereby consent that the data provided in this questionnaire may be processed for the appointment of arbitrators and published by VIAC. This includes in particular publication on the website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information, see our privacy statement at <http://www.viac.eu>.

21st of January 2024
Date