

PROFILE



Partner

Dispute Resolution
Engineering & Construction
Arbitration & Mediation
Infrastructure & Projects
Shearn Delamore & Co., Kuala Lumpur, Malaysia
lim.wanfoong@shearndelamore.com
T +603 2027 2765

Qualifications

LL.B (Hons), University of London
Certificate in Legal Practice
Advocate & Solicitor, High Court of Malaya
Adjudicator, Asian International Arbitration Centre

Languages

English, Malay, Mandarin

MICHELLE LIM WAN FOONG

ABOUT MICHELLE

Michelle's areas of practice include litigation, arbitration, adjudication and mediation, with particular emphasis in building and construction law.

She is also regularly involved in drafting and negotiating building, engineering, development and consultancy agreements as well as providing legal advice on the implementation and enforcement of such contracts under various projects including data centers, power plant facilities (hydroelectric, coal-fired, air turbine, waste-to-energy), transmission works, concrete batching plants, water treatment plant and related facilities, manufacturing plants, railways (including electrified double-track railway, LRT, MRT and Monorail systems), residential and commercial buildings, roads and highways, airports, public utilities, and other infrastructure.

She is also a qualified adjudicator empaneled with the Asian International Arbitration Centre (AIAC).

EXPERIENCE

Dispute Resolution

- Acted for a main contractor (a foreign government link entity) in arbitration and court proceedings commenced by a subcontractor on several disputes and differences arising

out of a contract for the design, construction, completion, testing, commissioning, maintenance of the electrified double track between Seremban (KM 461234) and Gemas (KM 564000) Stations project.

- Acted for a main contractor in court proceedings to restrain the demand of performance bond by the employer / developer in relation to a contract for the construction of an iconic residential tower in Kuala Lumpur.
- Acted for an owner / developer in adjudication, arbitration and court proceedings (Court of Appeal and Federal Court) against a main contractor on several disputes and differences arising out of a contract for the construction of a high-rise mixed development in Kuala Lumpur.
- Acted for a main contractor (a subsidiary of a public listed company) in arbitration and court proceedings commenced by a subcontractor involving issues arising out of a contract for the construction of Mass Rapid Transit Laluan 2 (MRT2) project.
- Acted for a main contractor in court proceedings to restrain an injunction proceeding for the return of construction material and equipment commenced by a contractor in relation to a contract for the construction of a high technology facility.
- Acted for a main contractor in court proceedings to restrain an injunction proceeding for the return of construction material and equipment commenced by a contractor in relation to a contract for the construction of a high technology facility.

Projects, Infrastructure & Energy

- Acted for Jimah East Power Sdn Bhd in the preparation of various agreements and supplementary agreements relating to the development of 2x 1000MW coal-fired power plant in Mukim Jimah (Project 3B).
- Acted for MRCB George Kent Sdn Bhd in preparation and negotiation of the relevant agreements in respect of the design, development, and construction of the Light Rail Transit Line 3 (LRT 3) Project from Bandar Utama in Petaling Jaya to Johan Setia in Klang.
- Acted for a public listed company in the preparation and negotiation of Turnkey Contract relating to a thermal treatment facility for waste treatment and conversion of waste-to-energy, with a minimum capacity to process and treat 1,000 metric tonnes of municipal solid waste per day for a project located in Malaysia.
- Advise a global leading high technology company in relation to the development and construction of the hyperscale data centre projects in Malaysia.
- Acted for a global leading construction company in the preparation of Design Services Agreement and subcontracts and advice relating to the development of a greenfield pharmaceutical manufacturing facility in Malaysia.

APPOINTMENTS/MEMBERSHIPS

- Member, Malaysian Bar
- Member, Society of Construction Law (Malaysia)

- Panel Member for Adjudicator, Asian International
- Arbitration Centre (AIAC)

PUBLICATIONS

- Chapter 8 of Asian International Arbitration Centre, 2019 Standard Form of Building Contracts Manual (2021) [Co-author]
- “*Pay Now Talk Later*”, [2017] 1 LNS (A) ix.
- Arbitration in Malaysia: A Practical Guide [2016], Chapter 7 Commencement of Arbitration [Contributor]