EPC CONTRACTS FOR POWER & ENERGY PROJECTS

February 17-18, 2016
Hyatt Regency Orange County
Anaheim, CA
Engineering, procurement and construction contracts ("EPC Contracts") are utilized for the development of power and energy projects. An EPC Contract comprehensively addresses all aspects of the design, procurement, and construction of power and energy projects. It sets forth the duties, obligations, and responsibilities of the parties, defines the scope of work, allocates risk among the parties, and sets forth the financial obligations and entitlements of the parties. Understanding the provisions, mechanisms, and concepts regularly utilized in an EPC contract is critical to successfully developing a project from inception to commercial operation.

This course analyzes EPC Contracts and their provisions, techniques, and principles.

**OVERVIEW**

**WHO SHOULD ATTEND**

- Project development and construction executives
- Senior project managers
- Owner representatives
- Legal counsel
- EPC contractors
- Project lenders
- Project insurers

**LEARNING OUTCOMES**

Attendees will receive instruction and cover materials that will allow them to:

- Review the contents of an EPC Contract, including provisions relating to the EPC contractor’s obligations, standards of performance, price and payment, the owner’s obligations, mechanical completion, substantial completion, final completion, performance testing, performance guarantees, liability and damages, delay liquidated damages, performance liquidated damages, limitation of liability provisions, warranties, force majeure, delay, scope changes, indemnification, insurance, termination and default, confidential information, and dispute resolution
- Discuss best practices for negotiating and drafting an EPC Contract for a power and energy project
- Anticipate problem areas and potential claims and techniques for avoiding them

**INSTRUCTOR**

**Judah Lifschitz, Esq. / Principal and Co-President / Shapiro, Lifschitz & Schram**

Judah Lifschitz is Principal and Co-President of Shapiro, Lifschitz & Schram and has extensive experience representing clients in the power and energy sector with regard to EPC contracts and construction of power plants. Mr. Lifschitz’s clients include utilities, merchant energy owners, and developers. Mr. Lifschitz’s experience includes winning one of the largest liquidated damages awards in the history of the construction industry relating to the late completion of a 1,080-megawatt combined cycle power plant in NY.

Mr. Lifschitz is an extraordinarily experienced trial attorney having tried cases to verdict in virtually every type of adjudicative forum – state and federal bench and jury trials, arbitrations, and Boards of Contract Appeals.

Mr. Lifschitz received a bachelor's degree in 1974 from Yeshiva University, magna cum laude. In 1977 he received his juris doctor from George Washington University. He is regularly recognized as a Super Lawyer and a preeminent lawyer by Martindale-Hubbell. Mr. Lifschitz writes and lectures frequently on topics relating to construction law, EPC contracts, and power and energy.
AGENDA

Wednesday, February 17, 2016

8:30 – 9:00 a.m.  Registration and Continental Breakfast
9:00 a.m. – 5:00 p.m.  Course Timing
12:00 – 1:00 p.m.  Group Luncheon

EPC Contracts and Power & Energy Projects
• What are they and why are they used?
• Overview of a Typical EPC Contract

Anatomy of an EPC Contract for a Power & Energy Project
• The EPC Contractor’s obligations
• Standards of performance
• Price and payment
• The Owner’s obligations
• Mechanical completion, substantial completion, and final completion
• Performance testing and performance guarantees
• Liability and damages, delay liquidated damages, and performance liquidated damages
• Limitation of liability provisions
• Warranties
• Force majeure
• Delay
• Scope changes
• Indemnification
• Insurance
• Termination and default
• Confidential information
• Dispute resolution

Thursday, February 18, 2016

8:30 – 9:00 a.m.  Continental Breakfast
9:00 a.m. – 12:15 p.m.  Course Timing

Negotiating EPC Contracts for Power & Energy Projects
• Best practices, practical approaches

Avoiding and Managing Claims
• Common claims and their causes
• Best practices for avoiding and managing claims and disputes
• Navigating the disputes process

"Excellent introduction to the art of EPC contracting."
– Consulting Engineer, Austin Energy

"Course content was very relevant and the speaker was very engaging and knowledgeable."
– Sr. Project Manager, Iberdrola Renewables
INSTRUCTIONAL METHODS

PowerPoint presentations and case studies will be used for this course.

REQUIREMENTS FOR SUCCESSFUL COMPLETION OF PROGRAM

Participants must sign in/out each day and be in attendance for the entirety of the course to be eligible for continuing education credit.

IACET CREDITS

EUCI has been accredited as an Authorized Provider by the International Association for Continuing Education and Training (IACET). In obtaining this accreditation, EUCI has demonstrated that it complies with the ANSI/IACET Standard which is recognized internationally as a standard of good practice. As a result of their Authorized Provider status, EUCI is authorized to offer IACET CEUs for its programs that qualify under the ANSI/IACET Standard.

EUCI is authorized by IACET to offer 1.0 CEUs for the course.

EVENT LOCATION

A room block has been reserved at the Hyatt Regency Orange County, 11999 Harbor Boulevard, Garden Grove, CA 92840, for the nights of February 16-17, 2016. Room rates are $179. Call 1-714-750-1234 for reservations and mention the EUCI course to get the group rate. The cutoff date to receive the group rate is January 16, 2016, but as there are a limited number of rooms available at this rate, the room block may close sooner. Please make your reservations early.

PROCEEDINGS

The proceedings of the course will be published, and one copy will be distributed to each registrant at the course.

REGISTER 3 SEND 4TH FREE

Any organization wishing to send multiple attendees to these conferences may send 1 FREE for every 3 delegates registered. Please note that all registrations must be made at the same time to qualify.
REGISTRATION INFORMATION

Mail Directly To:
Electric Utility Consultants, Inc. (EUCI)
4601 DTC Blvd., Ste. 800
Denver, CO 80237
OR, scan and email to: conferences@euci.com

WWW.EUCI.COM
P: 303-770-8800
F: 303-741-0849

PLEASE REGISTER THE FOLLOWING

☐ EPC CONTRACTS FOR POWER & ENERGY PROJECTS

COURSE

FEBRUARY 17-18, 2016: US $1495
EARLY BIRD ON OR BEFORE JANUARY 29, 2016: US $1295

How did you hear about this event? (direct e-mail, colleague, speaker(s), etc.)

Print Name

Job Title

Company

What name do you prefer on your name badge?

Address

City

State/Province

Zip/Postal Code

Country

Telephone

Email

List any dietary or accessibility needs here

CREDIT CARD

Name on Card

Account Number

Billing Address

Billing City

Billing State

Billing Zip Code/Postal Code

Exp. Date

Security Code (last 3 digits on the back of Visa and MC or 4 digits on front of AmEx)

OR Enclosed is a check for $ __________________ to cover __________________ registrations.

All cancellations received on or before January 15, 2016 will be subject to a US $195 processing fee. Written cancellations received after this date will create a credit of the tuition (less processing fee) good toward any other EUCI event or publication. This credit will be good for six months. In case of event cancellation, EUCI’s liability is limited to refund of the event registration fee only. For more information regarding administrative policies, such as complaints and refunds, please contact our offices at 303-770-8800. EUCI reserves the right to alter this program without prior notice.

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EUCI’s Energize Weekly e-mail newsletter compiles and reports on the latest news and trends in the energy industry. Newsletter recipients also receive a different, complimentary conference presentation every week on a relevant industry topic. The presentations are selected from a massive library of more than 1,000 current presentations that EUCI has gathered during its 28 years organizing conferences.

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