



“PROJECT DEVELOPMENT AND EPC CONTRACT MANAGEMENT” – THREE DAYS TRAINING

“LEARNING” PAGE



PROJECT DEVELOPMENT AND EPC CONTRACT MANAGEMENT FOR POWER & UTILITIES

SGD - per participant for 2 or more

Ben Crossley is the author of "Rejuvenating the Contract 'Spine' Megaprojects" published March 2018



Expert Course Trainers



Ben Crossley

Director Energy Contract Solutions Pte. Ltd. (Singapore). Contracts and procurement specialist. Previously with Siemens Power, Foster Wheeler, Exxon Mobil, Chevron



Sean Hardy

Senior Associate, Pinsent Masons Pillay LLP (Singapore). Specialist in large complex projects: Contract risk allocation for project delivery; International arbitration

Recent Testimonials

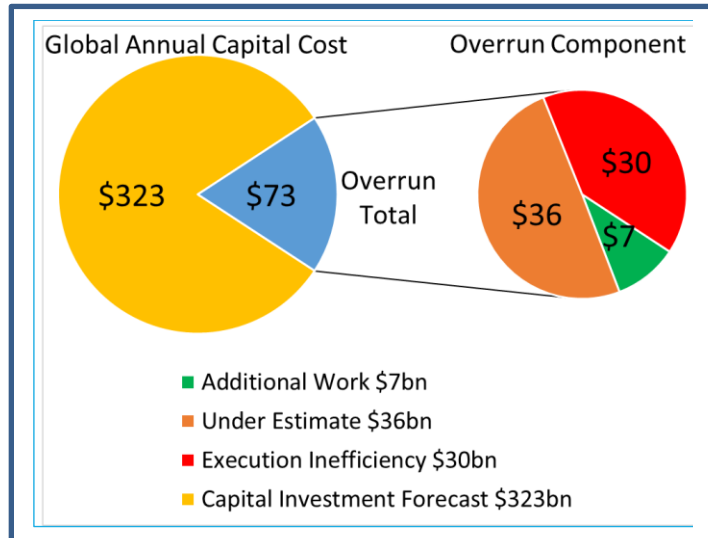
"Excellent material and content. Many tips and tricks hidden throughout the course. The breadth of topics covered in only three days is appreciated." ASST VP, ABOLITZ POWER CORPORATION, MANILA

"Very knowledgeable. Trainers made a complex subject look simple with a lot of examples and group activity throughout." PROJECT ENGINEER, TENAGA NASIONAL BERHAD, KL

"Good training which provides a complete 'walk-through' of projects and incorporates best practice workshops." PROJECT MANAGER, PETRON MALAYSIA REFINING

About this Training Course

This course is to help you **make major power projects successful**. The saying "Training costs less than having to learn the hard way" is precisely relevant here. The aim is to save project costs. The main themes that will be presented and discussed are as follows:



- Business executives and project managers are grappling with challenging business environments and **20 years legacy of overrunning projects**
- Recently reported outcome **data** on 100 of the largest power projects, showed an average of 35% cost overruns, and an average of 25 months delay - Ernst & Young Global, 2016
- The estimated annual **USD 30 billion** global capital cost inefficiency, *plus* ROI production loss, *plus* dispute cost is "absolute waste".
- Progressive management is ready to change **business cultures**. Clients need to buy-in as primary **drivers** in their supply chain.
- This course recommends currently **trending** actionable and economic **solutions** requiring some time and relatively inexpensive expertise

Learning Outcomes

- **The purpose of well-designed contracts:** is to provide the 'spine' underpinning business governance and project management disciplines. The contract and related project development work is "preventative medicine" to cure project overruns
- **Pre-Contract: Indispensable techniques**, methodologies and organizational practices for project risk management, selecting "optimized" contract strategies, and to prepare well-designed and usable contracts that support successful business outcomes
- **Post-Contract: Practical advice** on how to set up an effective contract admin organisations, which procedures to establish, how to ingrain "contract smart practice" into the project team. When to issue notices, and any extensions of time per contract entitlements. Effective claims evaluation methodologies and dispute settlement practices

Who Should Attend

Executive decision makers, project management, commercial, engineering and construction personnel from Power & Utilities industry including:

- Project Directors, Company General Managers, Chief Executive Officers
- Commercial Managers, Business Managers, Chief Financial Officers
- Project Managers and Construction Managers
- Design Managers and Project Engineers
- Contract Managers and Contract Engineers, Quantity Surveyors
- Project Controls Managers and Planning Engineers;
- Legal Professionals working in the energy construction industry

Expert Course Trainers

Ben Crossley is a practicing contracts and procurement manager with 29 years' experience in international construction projects encompassing power, water and downstream oil and gas. He has a civils chartered engineer background, a second degree in law, and a project manager qualification. He has worked for clients, EPC contractors and consulting engineers.

Sean Hardy is a practicing construction lawyer with 10 years of experience advising both pre-contract and disputes. He is a specialist in contract risk allocation and international arbitration on large complex projects for power stations, utilities, oil and gas, and civils infrastructure

PROJECT DEVELOPMENT AND EPC CONTRACT MANAGEMENT FOR POWER & UTILITIES

27 – 29 MARCH 2018, KUALA LUMPUR, MALAYSIA

3 Day Course Outline

Foundation and Context

- Capital Investment Trends
- Project Overruns, and Low Productivity
- Causes of Overruns
- The Role of Contract Management

Contract Preparation

- The Purpose of a Contract
- Contracts Today are not Working
- Rejuvenating Contracts
- Tools and Techniques
- Preparing the ITB – Invitation to Bid/ Contract

Contract Content Part I - Project Definition

- Works Scope Definition
- Performance Liquidated Damages (PLD)
- Price and Payment
- Key Schedule Milestones (KSM)
- Delay Liquidated Damages (DLD)

Risk & Opportunity

- Business Context. Risk Evaluation
- Risk Allocation in Contract
- Risk Management
- Disciplined Estimating

Contract Forms (Types, Strategies)

- Attributes of a Business Agreement
- Available Contract Forms
- Contract Form vs. Use vs. Outcomes
- Selection Methodology
- Alternatives to EPC Lump Sum; International Model Contracts

Trending Efficiency Practices

- Lean Design and Construction (LDC)
- Collaborative Contracting: Organisation, Contract, and Compensation Structures
- Building Information Modelling (BIM)

Practical Contract Law

- Why do I Need to Know Contract Law?
- Rules of Interpretation
- Breach (and Termination)
- Causation
- Damages

Contract Basics of Project Financing & Offtake Agreements

- Finance/ Lender Agreement
- Offtake/ IPP Agreement
- Fuel Supply Agreement

Case Study. Contract Development Thailand Cogen Plant. Stage 2 Workshop: Risk Analysis, Project Contracting Strategy (PCS), Contract Form; Stage 3: Contract Review, Bid and Negotiation:

- Teams decide on work packages and “optimised” contract forms for specific project risks and circumstances
- Then review/ comment contracts, justifying their choice of terms. Mock negotiation between client/ contractor teams

Productive Mindsets

- Context – the Business Case
- Mindsetting methodologies
- Negotiation
- What makes a Successful client?

Contract Content Part II - Execution, Project Management ‘Spine’

- Project Organization
- Commencement Terms; and Execution Periods
- Engineering Work Process
- Health, Safety, Environment (HSE)
- Schedule Management, Extension of Time (EOT)

Procurement and Supply-Chain Management

- Business context, opportunity
- The Supply chain process
- purchasing
- Practical Supply chain management

Contract Administration

- Objectives and Set-up
- Contract Notices
- Management of Change (MOC)
- CA Tools
- Project Records

Contract Content Part III - Close-Out, Technician and Commercial

- Taking Over Certificate (TOC)
- Defect Notification Period (DNP)
- Final Payment Application (FPA)

Claim Analysis

- Claim Types and Causes
- Managing Major Claims Settlement
- Methods for Complex Claim Analysis: Delay - Extension of Time; Disruption - Loss of Productivity

Dispute Resolution

- Options
- Mediation
- Arbitration
- FIDIC Silver book
- Adjudication

Case Histories

- Case histories and examples are interspersed within the modules to illustrate topics in practice

Case Study continued. Contract Execution and Close-Out Thailand Cogen Plant. Stage 4 Workshop: Contract Admin, Identifying Claim Events, Claim Evaluation Methodologies and Negotiation:

- Teams identify interruption and delay events occurring during construction execution. Review how to prevent these issues
- Prepare compensation claim and defence and counterclaim. Mock negotiation between client/ contractor teams