

# EPC CONTRACTS FOR POWER & ENERGY PROJECTS

July 30-31, 2019  
Springhill Suites Chicago/O'Hare  
Chicago, IL



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*“I thought this to be an excellent course with highly qualified instructors, detailed and useful.”*

Engineering Project Leader, Idaho Power Company

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

## OVERVIEW

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.

## 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

## WHO SHOULD ATTEND

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



*"This was a great course for those looking to learn the basics of EPC contracts."*

Assistant General Counsel,  
Barton Malow



*"This course will help my firm to better conduct our commercial activities related to building power plants. By giving me a broader understanding of EPC contracts and planning, I can more effectively manage my team and development resources."*

SVP, API-LLC



*"Great course! Touched base on all aspects of my interest. Especially LOD's."*

Contracting, VELCO

To Register, Call 201 871 0474 or [Click Here](#)

# AGENDA

TUESDAY, JULY 30, 2019

**8:30 – 9:00 am**                    **Registration and Continental Breakfast**

**9:00 am – 5:00 pm**                **Course Timing**

**12:00 – 1:00 pm**                  **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



*“This course helped me learn in 1 day what it took me years to learn on the job.”*

Engineer, US Dept. of Energy

WEDNESDAY, JULY 31, 2019

**8:30 – 9:00 am**                    **Continental Breakfast**

**9:00 am – 12:15 pm**                **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 insight and education of EPC contracts from experienced attorneys.”*

Project Specialist-Major Projects, SDG&E

# 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.



## Daniel A. Kapner, Esq.

**Shapiro, Lifschitz & Schram**

Daniel A. Kapner, Esq. is a member of Shapiro, Lifschitz & Schram's construction law, litigation and trial, and power and energy groups. Mr. Kapner has significant experience advising owners, contractors, and other clients to help achieve solutions to complex construction disputes. Prior to joining Shapiro, Lifschitz & Schram, Mr. Kapner was an associate at White & Case LLP where he represented foreign sovereigns and private entities in arbitrations involving EPC project disputes.



*"Judah masterfully weaves his legal knowledge & experience to present the program material."*

Project Manager I, SDG&E



*"Judah was able to deliver an abundance of information about EPC contracts using his vast experience while providing interesting examples to reinforce understanding and retention of the information."*

Engineering Manager, NV-5



*"Great overview of EPC contract issues for business, engineers and legal professionals."*

Sr. Manager, Industrial, Vericor Power Systems



*"Very detailed and comprehensive subject matter. Knowledge presented in an exceptionally interesting manner."*

Attorney, Andrews Kurth

To Register, Call 201 871 0474 or [Click Here](#)

## REQUIREMENTS FOR SUCCESSFUL COMPLETION

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

## INSTRUCTIONAL METHODS

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

## PROCEEDINGS

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

## EVENT LOCATION

A room block has been reserved at the Springhill Suites Chicago/O'Hare, 8101 W Higgins Rd, Chicago, IL 60631, for the nights of July 29-30, 2019. Room rates are \$139 plus applicable tax. Call **1-773-867-0000** or [click here](#) for reservations and mention the EUCI event to get the group rate. The cutoff date to receive the group rate is July 1, 2019 but as there are a limited number of rooms available at this rate, the room block may close sooner. **Please make your reservations early.**

## 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 this course.**

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*“Great chance to hear from an expert in this field and come away with a better understanding.”*

Construction Supervisor, SDG&E

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*“Seminar offered a great balance, not going too technical, but enough info to take back to work with me for project management/coordination.”*

Project Specialist, SDG&E

# To Register, Click Here, or


## EVENT LOCATION

**Mail Directly To:**  
[PMA Conference Management](#)  
[PO Box 2303](#)  
[Falls Church VA 22042](#)  
[register@pmaconference.com](mailto:register@pmaconference.com)

**p:201-871-0474**  
**f:253-663-7224**


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## PLEASE REGISTER

 **EPC CONTRACTS FOR POWER & ENERGY PROJECTS COURSE**  
JULY 30-31, 2019: US \$1495  
Early bird on or before July 12, 2019: US \$1295

## ENERGIZE WEEKLY

Energize Weekly is EUCI's free weekly newsletter, delivered to your inbox every Wednesday. We provide you with the latest industry news as well as in-depth analysis from our own team of experts. Subscribers also receive free downloadable presentations from our past events.

 Sign me up for Energize Weekly

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

Phone  Email

List any dietary or accessibility needs here

### CREDIT CARD INFORMATION

Name on Card  Billing Address

Account Number  Billing City  Billing State

Exp. Date  Security Code (last 3 digits on the back of Visa and MC or 4 digits on front of AmEx)  Billing Zip Code/Postal Code

**OR** Enclosed is a check for \$  to cover  registrations.

### Substitutions & Cancellations

Your registration may be transferred to a member of your organization up to 24 hours in advance of the event. Cancellations must be received on or before June 28, 2019 in order to be refunded and will be subject to a US \$195.00 processing fee per registrant. No refunds will be made after this date. Cancellations received after this date will create a credit of the tuition (less processing fee) good toward any other EUCI event. This credit will be good for six months from the cancellation date. In the event of non-attendance, all registration fees will be forfeited. In case of course 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. EUCI reserves the right to alter this program without prior notice.