



Power plant construction

The demand for energy is constantly increasing, while the energy revolution continues to pose new challenges. The “fuel switch” is imminent, and new power plants must not only perform but also fulfil strict technological and ecological requirements. The complexity of power plant projects ensures high risks for all stakeholders. All this makes power plant construction a particularly challenging legal area.

The members of our Sector Group have worked together closely for many years and bundle the relevant know-how relating to the construction of power plants. Every team member is extremely well placed to take on the various tasks involved, thanks to their experience gained on a multitude of new construction and rebuilding projects. We can therefore handle also large projects with small teams.

We want to achieve the best results for our clients in procurement procedures, contracts and negotiations. Moreover, we can offer project-related legal advice on the implementation of contracts right through to acceptance and defect tracking. Less comprehensive support can also be arranged, for example where the client carries out the negotiations by themselves and a contractual review is all that is required, or where contracts need to be operationalised in order to be implemented.

Our clients benefit from our wide-ranging practical experiences advising both the principal and the contractor. In designing procurement processes, we use tried and tested models and valuation matrices that are tailored to the individual project and specify minimum conditions. In drafting contracts, we pay close attention to the effectiveness of general terms and conditions and the feasibility of individual provisions as well as claims management. Following conclusion of contract we provide support for the implementation of contracts, e.g. in the form of

workshops with the project team.

Taking part in the professional discussions surrounding our subject is something we do as a matter of course. We work together with the Technical University of Darmstadt as well as with the association for plant engineering and industry services (VAIS or Verband für Anlagentechnik und IndustrieService e.V.). In offshore projects we cooperate with the Wind Energy Agency WAB and EEHH, the Renewable Energy Hamburg Cluster Agency.

Our services include

- Legal project management for the whole project
- Plant construction agreements – general contractor or trade-specific award
- GMP agreements and EPCM models
- Engineering contracts and project management contracts
- FIDIC contracts
- Maintenance and operating contracts
- Procurement law support including paperless processing from announcement to award, standard procurement law documents such as invitation to tender, application conditions, valuation matrices, etc.
- Project-related legal advice
- Claims management
- Designing workshops for the introduction of project teams
- Court and arbitration proceedings, if necessary

Experience includes

- EnBW AG: project-related contract drafting and advice on the construction of a gas and steam turbine power plant
- Stadtwerke Kiel AG: project-related advice on the construction of a gas engine power plant and ancillary facilities
- Major utility company: drafting of construction agreement for hydroelectric power plant
- Major infrastructure company: contract negotiations relating to new industrial power plant
- Stadtwerke Düsseldorf AG Gaskraftwerk Lausward: project-related advice on the

construction of gas and steam turbine power plant, contract drafting and negotiation

- Stadtwerke Duisburg AG: long-distance heat accumulator, project-related advice on the construction of gas and steam turbine power plant
- Regional energy supplier: contract drafting for power plant and ancillary facilities
- Trianel, Borkum West II: supporting construction of offshore wind park
- RIFFGAT Beteiligungs GmbH & Co. KG: supporting offshore wind park RIFFGAT from tender to defect liability period
- DOTI: supporting offshore wind park alpha ventus from tender to defect liability period
- Various major plant engineers: advising on contracts, legal project management with respect subcontracts and customers, forensic activity (including in international arbitration)
- Stadtwerke Duisburg: HKW III B, project related advice on the construction of gas and steam turbine power plant, contract negotiation and implementation support
- Stadtwerke Wuppertal: HKW Barmen, contract drafting and negotiation

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