

## **ENGINEERING, PROCUREMENT AND CONSTRUCTION AGREEMENT**

This Engineering, Procurement and Construction Agreement (the "Agreement") is entered into effective as of last date referenced on the signature page below (the "Effective Date") by and between \_\_\_\_\_, a \_\_\_\_\_ corporation having its corporate headquarters at \_\_\_\_\_ ("Contractor") and \_\_\_\_\_, a \_\_\_\_\_ corporation having its principal office at \_\_\_\_\_ ("Owner") with reference to facts set forth in the Recitals below. Each of Contractor and Owner shall be referred to herein as Party or collectively as the Parties.

### **Recitals**

A. Owner has entered into certain contracts for the turnkey delivery of electricity from a Solar Energy System (the "System") to \_\_\_\_\_ (the "User") at the System host location ("Site"). The Site and the System specifications (the "Specifications") are further described in the *System Description and Specification Schedule* attached hereto as *Schedule 1*.

B. Owner wishes to contract with Contractor for the turnkey delivery of the System at the Site. More specifically, Owner wishes Contractor to provide all materials, engineering, superintendence, and labor for the design, supply, construction, permitting and commissioning of the System (the "Work"). The Work is more particularly described in the *Work Description and Specification Schedule* attached hereto as *Schedule 2*.

C. In addition, Owner wishes Contractor to provide certain warranties relating to the System (the "System Warranties") as more particularly described in the *System Warranty Schedule* attached hereto as *Schedule 3*.

D. Contractor wishes to perform the Work and provide the System Warranties upon the terms and conditions of this Agreement and the Schedules and Exhibits attached hereto and thereto (collectively, the "Contract Documents") for the Contract Price set forth herein.

### **Agreement**

In consideration of the foregoing recitals, the mutual agreements, representations, warranties and covenants set forth in this Agreement and the Schedules and Exhibits hereto, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Owner and Contractor agree as follows:

#### **1. General Obligations.**

1.1 Contractor shall perform the Work, and shall deliver the turnkey System at the Site in a timely manner within the time frames provided in the *Project Schedule* attached hereto as *Schedule 4*, as may be adjusted pursuant to the terms and conditions of the Agreement. Upon delivery of the System in accordance with the terms of this Agreement, which shall occur at System interconnection to the electrical grid, approved by the local utility, and all punch-list items identified by Owner have been completed, and the System is ready for production, ("Final Delivery Date"), Contractor shall provide the System Warranties. Time is of the essence for Contractor's performance.

1.2 Owner shall pay the contract price in the amount and at the time as provided in the *Contract Price Schedule* attached hereto as *Schedule 5* and shall provide certain installation assistance to Contractor as further provided in the *Owner Installation Assistance Services Schedule* attached hereto as *Schedule 6*. Owner and Contractor each acknowledge that User shall have no obligation to pay any amounts whatsoever under the Contract Documents.

#### **1.3 Change Orders.**

a) A change order ("Change Order") is a written instrument issued after execution of this Agreement signed by Owner and Contractor, stating their agreement upon all of the following:

- (i) the scope of the change in the Work;
- (ii) the amount of the adjustment to the Contract Price; and

# Epc Engineering Procurement And Construction Agreement

**Thom Votteler**



## **Epc Engineering Procurement And Construction Agreement:**

A Practical Guide to Engineering, Procurement and Construction Contracts Eric Eggink,2020-02-20 This book is a step by step practical guide on how to achieve successful projects in EPC turnkey contracting and construction Mapping out the shape of a project the book spells out where things often go wrong where and why disputes arise and how to avoid conflicts It is a key reference point for all involved in the contract making it attractive to legal practitioners construction industry professionals and government officials involved with these projects *Understanding and Negotiating EPC Contracts, Volume 1* Howard M. Steinberg,2016-10-14 In *Understanding and Negotiating EPC Contracts Volume 1* Howard M Steinberg presents a practical and comprehensive guide to understanding virtually every aspect of engineering procurement and construction EPC contracts for infrastructure projects The 25 chapters in Volume 1 are supplemented with real life examples and court decisions and offer tactical advice for anyone who must negotiate or understand EPC contracts in connection with the implementation financing or operation of infrastructure projects Emphasizing current market practices and strategic options for risk sharing the book contains a narrative explanation of the underpinning of all of the issues involved in EPC contracting Exhaustive in scope it clarifies the fundamental commercial principles and pitfalls of turnkey contracting for all types of capital investments ranging from electrical and thermal power generation including combined heat and power nuclear wind solar natural gas and coal to refining to chemical processing to LNG liquefaction and re gasification to high speed rail bridging tunneling and road building Providing clear and thorough analyses of the issues and challenges this volume will be of great value to all those involved in complex construction projects *Megaproject Development and Decision Making* Akin Oni,2026-03-03 Why do so many billion dollar megaprojects fail and how can leaders prevent it *Megaproject Development and Decision Making* provides the answers Drawing on decades of global leadership across energy mining refining and infrastructure Akin Oni reveals that the destiny of megaprojects is shaped not in execution but long before during development evaluation governance and decision making This book dismantles the myths that delays cost overruns and underperformance are inevitable Instead it shows how weak evaluations poor risk discipline and fragmented stakeholder alignment doom projects before approval With clarity and conviction Oni equips leaders with the tools and foresight to change the narrative Inside readers will discover How to evaluate megaprojects effectively and make disciplined investment choices Strategic decision making frameworks for capital projects Proven risk management approaches to mitigate failure triggers early Best practices in project governance and accountability How to embed ethics sustainability and long term value into delivery Far more than a technical manual this is a call to action Megaprojects are not just technical or financial undertakings they are ethical commitments vehicles for long term value and legacies that shape economies and societies Whether you are a project manager executive or investor this book challenges you to lead differently anticipate wisely decide boldly and deliver results that endure The International Compendium of Construction Contracts Phillip

Greenham, Society of Construction Law Australia, 2021-05-10 This book examines how the most commonly used construction project contracts are applied in a range of countries around the world The specific situation of each of the almost 40 countries studies is dealt with in a dedicated chapter allowing for easy comparison between differing legal and commercial environments Each chapter contextualizes the relevant contracts within the legal and commercial systems prevalent in a particular country and examines a number of common issues impacting construction projects around the world This unique book will be an essential resource for construction law specialists around the world because of its focus on commonly used contracts and the contextualizing of these contracts into the legal and commercial environment of each studied country All contributions are from practicing construction project lawyers ensuring that the quality of the information and analysis is of the highest standard

Construction Project Management Kumar Neeraj Jha, 2011 Construction Project Management deals with different facets of construction management emphasizing the basic concepts that any engineering student is supposed to know The major principles of project management have been derived through real life case studies from the field Simplified examples have been used to facilitate better understanding of the concepts before going into the large and complex problems The book features computer applications Primavera and MS Project used to explain planning scheduling resource leveling monitoring and reporting it is highly illustrated with line diagrams cash flow diagrams bar diagrams line graphs to make the book interactive and easy to understand the pedagogy includes solved examples and chapter end exercises comprising both descriptive and non descriptive questions real life examples from sites of Delhi Metro construction Delhi International Airport construction and many more and case studies on preparation of documents for ISO 9001 2000 construction disputes accidents in the construction industry and preparation of estimates for live projects

International Construction Contract Law Lukas Klee, 2018-07-05 The updated second edition of the practical guide to international construction contract law The revised second edition of International Construction Contract Law is a comprehensive book that offers an understanding of the legal and managerial aspects of large international construction projects This practical resource presents an introduction to the global construction industry reviews the basics of construction projects and examines the common risks inherent in construction projects The author an expert in international construction contracts puts the focus on FIDIC standard forms and describes their use within various legal systems This important text contains also a comparison of other common standard forms such as NEC AIA and VOB and explains how they are used in a global context The revised edition of International Construction Contract Law offers additional vignettes on current subjects written by international panel of numerous contributors Designed to be an accessible resource the book includes a basic dictionary of construction contract terminology many sample letters for Claim Management and a wealth of examples and case studies that offer helpful aids for construction practitioners The second edition of the text includes Updated material in terms of new FIDIC and NEC Forms published in 2017 Many additional vignettes that clearly exemplify the concepts presented within the

text Information that is appropriate for a global market rather than oriented to any particular legal system The essential tools that were highlighted the first edition such as sample letters dictionary and more A practical approach to the principles of International Construction Contract Law and construction contract management Does not get bogged down with detailed legal jargon Written for consulting engineers lawyers clients developers contractors and construction managers worldwide the second edition of International Construction Contract Law offers an essential guide to the legal and managerial aspects of large international construction projects

**Understanding and Negotiating EPC Contracts, Volume 2** Howard M. Steinberg,2016-10-14 Any project which involves an EPC contract is also likely to involve a number of other complicated contracts The challenge of the parties to an EPC contract is not to try to eliminate risk but rather put into place a narrative structure that enables the parties to predict the contractual result that would obtain if a risk materializes If the EPC contract does not allow the parties to determine the consequences of an unanticipated situation they will have to look to an expert mediator tribunal or court to impart guidance or pass judgment The sample forms of contract contained in Volume 2 of Understanding and Negotiating EPC Contracts are intended to serve as a guide to demonstrate how risks and responsibilities can be allocated among project sponsors EPC contractors and the various other parties that may be involved in a project Collectively the sample forms in this volume offer an extraordinary resource that provides the benefit of lessons learned and priceless insight into any project being undertaken which can help assure the resilience of any EPC project

A Comprehensive Project Management Guide Philip Bauer,2024-12-31 This book chiefly focuses on the IPMA competence baseline ICB version 3 0 closely intertwined with project management standards like the PMBOK guide official ANSI Norm and DIN It explores various facets of project management including effective problem solving strategies cross disciplinary methods and the integration of modern tools and techniques Additionally it examines practical applications of the Six Sigma philosophy presenting industry relevant examples to facilitate reader comprehension and implementation Intended as a reference guide it provides a reliable foundation for both theoretical and practical work along with a comprehensive overview of the state of the art in project management and adjacent disciplines Moreover it offers a tailor made resource for master s studies in Project Management and Quality Management consolidating the insights of trusted industry experts from around the globe As such this workbook is ideally suited as supplementary self study material while also helping readers meet their daily project management requirements

Engineering, Procurement and Construction Contracts for Large Scale Projects Marton Hagner,2014

**Grid-Connected Photovoltaic Power Generation** Peter Gevorkian,2017-03-21 Covering both technical and financial aspects this professional reference work provides an overview of solar power technology

Infrastructure Development and Construction Management J. C. Edison,2020-10-12 This is a comprehensive book on infrastructure development and construction management It is written keeping in mind the curricula of construction management programmes in India and abroad It covers infrastructure development the construction industry in India

financial analysis of the real estate industry in India economic analysis of projects tendering and bidding contracts and contract management FIDIC conditions of contract construction disputes and claims arbitration conciliation and dispute resolution international construction project exports and identifying analysing and managing construction project risk Thus this book covers most of the construction management activities that are carried out at different stages of a construction project This is an essential book for students of construction management construction professionals academicians and researchers

**Major Issues in International Construction Law** Troy L. Harris, Mauro Rubino-Sammartano, 2026-02-10 Comprehensive guide to navigating the major issues that arise in international construction projects featuring contributions from leading international practitioners Major Issues in International Construction Law is an edited volume devoted to the major issues that arise in international construction covering the project from its inception and design to procurement of goods and services to execution closeout and dispute resolution As such the book enables readers around the world to identify and address the many unique issues that may arise during these various stages of the construction process Each chapter features contributions from leading practitioners around the world who regularly practice in the field allowing for the representation of diverse points of view common law civil law public private etc The text features succinct practice oriented summaries at the beginning of each chapter as well as valuable key takeaways and coverage of the UN Sustainable Development Goals throughout Major Issues in International Construction Law includes information on Project delivery methods including design bid build design build multiple prime turnkey public private partnerships alliancing and partnering Payment issues covering lump sum cost plus and unit pricing statutory holdback liens and payment security Construction contract parties covering owners contractors designers engineers subcontractors insurers guarantors and banks Insurance covering builder s risk general liability and political risk Paths to the prevention of claims including NEC early warnings and risk registers project meetings and design professional determinations Major Issues in International Construction Law is an excellent reference for construction law practitioners involved in cross border transactions or disputes Academics who teach construction law or construction management will also find the text valuable

**Advanced Materials Science and Technology, ICMST 2010** Qi Luo, Yuan Zhi Wang, 2011-01-20 Selected peer reviewed paper from 2010 International Conference on Materials Science Technology ICMST 2010 in December 27 28 in Jeju Island Korea *Project Financing*, 2000 *California. Court of Appeal (4th Appellate District). Division 2. Records and Briefs* California (State)., *Hart's E&P.*, 2007

**EPC Contracts and Major Projects** Nigel Pritchard, John Scriven, 2011 This new edition provides highly practical guidance on the components of construction contracts for major infrastructure projects **International Journal on Hydropower & Dams**, 2008 **Rocky Mountain Mineral Law Institute** Rocky Mountain Mineral Law Institute, 2009

**International Directory of Company Histories** Thom Votteler, 2002-12 Multi volume major reference work bringing together histories of companies that are a leading influence in a particular industry or geographic location For students job

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## **Table of Contents Epc Engineering Procurement And Construction Agreement**

1. Understanding the eBook Epc Engineering Procurement And Construction Agreement
  - The Rise of Digital Reading Epc Engineering Procurement And Construction Agreement
  - Advantages of eBooks Over Traditional Books
2. Identifying Epc Engineering Procurement And Construction Agreement
  - Exploring Different Genres
  - Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Epc Engineering Procurement And Construction Agreement
  - User-Friendly Interface
4. Exploring eBook Recommendations from Epc Engineering Procurement And Construction Agreement
  - Personalized Recommendations
  - Epc Engineering Procurement And Construction Agreement User Reviews and Ratings

- Epc Engineering Procurement And Construction Agreement and Bestseller Lists
- 5. Accessing Epc Engineering Procurement And Construction Agreement Free and Paid eBooks
  - Epc Engineering Procurement And Construction Agreement Public Domain eBooks
  - Epc Engineering Procurement And Construction Agreement eBook Subscription Services
  - Epc Engineering Procurement And Construction Agreement Budget-Friendly Options
- 6. Navigating Epc Engineering Procurement And Construction Agreement eBook Formats
  - ePub, PDF, MOBI, and More
  - Epc Engineering Procurement And Construction Agreement Compatibility with Devices
  - Epc Engineering Procurement And Construction Agreement Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Epc Engineering Procurement And Construction Agreement
  - Highlighting and Note-Taking Epc Engineering Procurement And Construction Agreement
  - Interactive Elements Epc Engineering Procurement And Construction Agreement
- 8. Staying Engaged with Epc Engineering Procurement And Construction Agreement
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Epc Engineering Procurement And Construction Agreement
- 9. Balancing eBooks and Physical Books Epc Engineering Procurement And Construction Agreement
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Epc Engineering Procurement And Construction Agreement
- 10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine Epc Engineering Procurement And Construction Agreement
  - Setting Reading Goals Epc Engineering Procurement And Construction Agreement
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Epc Engineering Procurement And Construction Agreement
  - Fact-Checking eBook Content of Epc Engineering Procurement And Construction Agreement
  - Distinguishing Credible Sources

13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
14. Embracing eBook Trends
  - Integration of Multimedia Elements
  - Interactive and Gamified eBooks

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