



Advanced Marine Contracts Management: Navigating EPCIC, Offshore, & Shipyard Complexities

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Johannesburg (South Africa)



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Introduction to EPCIC and Marine Contracts:

Complex onshore and offshore projects often leverage the EPCIC Engineering, Procurement, Construction, Installation, and Commissioning Contract due to its comprehensive nature in dealing with multifaceted tasks. By mastering EPCIC contracts, professionals can effectively manage the risks associated with marine contracts, leading to minimized liabilities and streamlined operations.

As marine projects grow in complexity and scale, the intricacies of contract management become pivotal. This advanced EPCIC and marine contract management course provides an in-depth understanding of managing complex contracts related to the EPCIC model, offshore ventures, and shipyard operations. With expert guidance, participants will gain the skills to navigate contract management confidently and professionally, which is essential for any marine contracts manager.

Targeted Groups:

- Commercial Contract Professionals.
- Commercial Operation Professionals.
- Contract Engineers.
- Procurement Supply Chain Professionals.
- Risk Manager / Contract Risk Professionals.

Course Objectives:

Participants of this advanced EPCIC and marine contract management course will be well-equipped to:

- Understand the current global, local, and financial environment for EPCIC contracts and assess operational, commercial, legal, and financial risks in EPCIC contracts.
- Examine and analyze the difference between EPCIC contracts and EPCM and appreciate the underlying legal principles.
- Understand and appreciate the essential elements of the different contract stages from pre to post-tender to project completion and delivery.
- Address key issues faced during the project lifecycle and how to tackle these through enforceable contractual clauses.
- Avoiding drafting pitfalls and ambiguous contractual terms.
- Have a one-stop reference on all aspects of the contracts and for dealing effectively with the problems that may arise.
- Obtain detailed guidance on the contract management techniques that will help reduce claims.
- Familiarize themselves with different contracting clauses.
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Deal with Changes to contract terms and differences in approach between standard and bespoke contracts.

Targeted Competencies:

Target competencies of this advanced EPCIC and marine contract management course will be well-equipped to:

- Apprehend EPCIC about other models of EPC Contracts.
- Evaluate the inherent risks, liabilities, and advantages of different contracting strategies within marine contract intricacies.
- Manage the challenges and cost overruns in EPCIC lump sum contracts.
- Design contracts to accommodate various party concerns, balancing pros and cons in split EPCIC forms.
- Gain insight into issues affecting EPCIC contracts, such as local content mandates and HSE regulations.

Course Content:

Unit 1: EPCIC Overview, Legal Framework and Contract Structure and Risk Allocation:

- Optimization of contracting strategies in context with marine contracts.
- Emphasis on contractor's singular responsibility in contract management.
- Investigate split contract structures, including epic offshore specifics.
- Exploration of EPCIC aspects in complex contracts for marine constructions.
- Choosing the Right Contract Structure for Your Project.
- Navigating the tender process and award from a strategic perspective.

Unit 2: Tender Process Leading to an EPCIC Contract:

- Qualifications of tenderers with an eye on legal and commercial standards.
- Tender evaluation and selection based on industry best practices.
- Emphasizing clarity in scope of work, terms, and conditions in shipyard contracts.
- Exceptions - What to accept and What to deny?
- Analyzing tender negotiations to ensure a seamless award process.
- Essential terms and legal effects of LOI and LOA.
- Exercise on the Selection Process and Main Elements to Ensure a Successful Tender Exercise.

Unit 3: Negotiating Essential Contractual Terms of EPCIC Contracts:

- Identifying Critical Issues in the Project Lifecycle.
- Managing Cost Impact Clauses like Delay and Price Fluctuations.
- Indemnities and other Liabilities, MAC Clauses, HSE.
- Changes in Law and Regulations in the Host Country and Stabilization Clauses.
- Political Risk Insurance.
- Force Majeure and Termination for Cause and Without Cause.
- Case Study and Drafting Exercise Issues Faced During Contract Life Cycle by Aligning Contractual Terms to Project Management.
- Managing Coordination Issues.
- Handling Completion Issues.
- Liquidated Damages.
- Dispute Resolution.
- Enforcing of Commencement and Completion Dates.

Unit 4: Essential Aspects of Risk Management Strategies:

- Design, Technology, and Process Risk.
- Procurement and Specification risk.
- Variations and Cost Impact.
- Payment and Multi-currency Contracts.
- Delay and Liquidated Damages.
- Completion and Testing and Effects of Acceptance.
- Using Contractual Clauses to Manage Liabilities and Risks.

Unit 5: Contract Completion - Critical Issues:

- Acceptance of Punch List of Defects - What is the effect?
- The passing of Title and Risk - Safety and Insurance.
- Warranties and Guarantees.
- Passing of Intellectual Property Rights.
- Defects - Exculpatory Clauses.
- Dealing with Disputes - considering the different options.

Conclusion:

By completing this advanced EPCIC and marine contract management course, professionals involved in managing marine contracts will enhance their skills in contract management, paving the way for the successful execution and administration of complex contracts within the marine industry.