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PRESENTED AT

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EPC Contract Considerations for Renewable Energy Projects

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GENERAL DISCUSSION OF EPC CONTRACTS

Purpose

- Intended for turnkey projects

Benefits to Owner

- Single point of contact

Challenges

- Contract price fixed before design finalized – design-build vs. design-bid-build
- Where a fixed price is agreed before design is finalized, there generally is significant pricing risk to be managed through contract's Ts and Cs
- Needs to be financeable

OWNER PRIORITIES

1. Complete the work on time for the agreed price
2. Work completed should be free of defects
3. Contractor should defend and indemnify Owner against third party claims
4. Contractor should be answerable under warranty provided by Contractor for anything that goes wrong after final completion
5. Contractor's limitation of liability should not apply across the board
6. The EPC Contract must be financeable

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