



CONSTRUCTION AND INFRASTRUCTURE FACT SHEET



Our specialist team provides comprehensive solutions across the wide spectrum of projects undertaken in the construction industry. Clients include private and public institutions, property owners, developers, funders, contractors and suppliers as well as construction/design consultants.

At Penningtons Manches we are involved with projects from the outset and work with clients to shape their procurement and contracting strategies. We negotiate and draft all types of construction documentation. Our lawyers help clients to prepare agreements that best reflect their interests and the appropriate placing of risk. These can be based upon standard form contracts or on bespoke drafting, and tailored to meet a project's requirements. They vary from project specific EPC and EPCM contracts to multi-party and collaborative working arrangements, and encompass NEC and traditional JCT contracts.

Our team has extensive experience of preventing the failure of construction projects affected by insolvency, and we advise on the recovery of project assets which have become 'distressed' either through insolvency or funding restrictions.

Most clients realise that formal disputes are to be avoided where possible. We are engaged to advise on live projects - to help avoid disputes and to shape commercial negotiations and deals. When formal disputes are unavoidable, we successfully represent clients across all dispute forums.

Much of our focus is in the UK but we also advise on a range of international projects across many jurisdictions and work with our network of trusted international law firms and consultants.



Commercially astute lawyers who know how the industry works.

[Lend Lease](#)

CONSTRUCTION AND INFRASTRUCTURE EXPERTISE AT A GLANCE

- procurement and contracting strategies
- funding and financing agreements
- partnering and collaborative working agreements
- bespoke and standard form building and engineering contracts
- contract tendering and frameworks
- security documentation
- projects and infrastructure
- O&M and FM contracts
- health, safety and environmental issues and HSE/EA prosecutions
- disputes avoidance
- litigation and enforcement proceedings



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RECENT WORK HIGHLIGHTS

- advising lenders on the construction documentation for a £36 million development of student accommodation for a leading university, including reviewing and negotiating the building contract, appointments, collateral warranties and other security documentation
- representing a multinational supplier and manufacturer of construction products in connection with a complex, multi-party claim in the Technology and Construction Court relating to alleged defects in gas pipework at a residential development
- acting for developers and investment funds on the procurement of a number of EPC and EPCM waste to energy plants. One of our clients secured the UK's first Green Investment Bank loan in relation to its 5MW plant
- advising on the draft construction contract and facilities management contracts, warranties and security arrangements on behalf of the funder of a development of a London post graduate student accommodation project with a value of £50 million
- advising a developer on the development and funding of a new build care home with a build cost of £5 million. In this case, the client, through its other professional advisers, had already prepared and agreed with the contractor the forms of construction documentation and collateral warranties. However, in a number of respects these did not satisfy the requirements either of the bank or of its appointed project monitor. Our team was instrumental in negotiating changes to the drafts which satisfied not only the lenders but were also acceptable to the contractors and consultants
- advising a bio-energy company on its contracts for the development of an anaerobic digester on leased agricultural land on a number of sites. Our work included advising on the form of process engineering contract to be used for the project
- acting for the lenders in the financing of a local authority PFI scheme for the design and construction of four new build fire stations and five refurbished fire stations in Suffolk
- advising a property owner/investor in relation to a claim for defectively designed and installed air conditioning systems in an office building in Leeds. Our role included bringing claims under collateral warranties issued by the main design and build contractor

WHAT PEOPLE SAY ABOUT US

■ ■ The team did a first class job for us on this complex and time critical project.

[Santander UK plc](#)

■ ■ Business-focused, practical advice provided in a cost effective and efficient manner.

[SPIE Matthew Hall](#)

■ ■ The firm's 'customer-focused' practice continues to impress.

[Chambers UK](#)

FIND OUT MORE

For further information on our construction and infrastructure team, visit us at www.penningtons.co.uk where you will find comprehensive contact details for all our lawyers as well as our latest news and publications. Alternatively, e-mail us at info@penningtons.co.uk