

Construction & Infrastructure Workshop Series

We aim to keep our clients informed and up to date about legal and other developments in the construction and infrastructure industry.

The workshops run for an hour and are held at your office at no cost.



Topic 1: Update on Superintendents

This workshop will include an update on superintendents and the law including:

- the QBSA licensing provisions for superintendents and project managers;
- effect of the licensing requirements on:
 - previous projects;
 - current projects; and
 - security of payment claims.
- changing role of superintendents and current case law on:
 - obligations as agents of the principal; and
 - obligations as certifier, determiner and valuer
- the power to extend time and award delay costs subsequent to the Supreme Court decision of *Hervey Bay JV v CMC*; and
- how should standard form contracts be amended as a result of the recent case law on superintendents and the decisions of *Peninsular Balmain* and *Hervey Bay JV*?



Topic 2: How to amend your contract to avoid dubious BCIPA claims

This workshop lets you understand:

- what are the latest contract clauses reviewed under the *Building and Construction Industry Payments Act*; and
- what you can do by amending your contract to maximise your protection from dubious delay claims.;
- what are the latest contract amendments dealing with conversion of security, final certificates and deeds of release?



Topic 3: Extensions of time and delay damages - How to amend your contract to avoid dubious claims

This workshop covers:

- an examination of recent EOT and delay damages cases;
- how to amend your contract to minimise dubious EOT/delay claims; and
- why EOT/delay claims are succeeding under the *Security of Payment Act*.



Topic 4: How to amend your contract to deal with flood issues.

This workshop will examine contract clauses dealing with:

- force majeure;
- excepted risks;
- qualifying causes of delay;
- compensable clauses;
- reinstatement of site; and
- EOT and delay claims related to flood issues.

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Topic 5:

ABGR/ Greenstar and Sustainability - Recent developments

This workshop deals with:

- environmental rating systems and the latest sustainability initiatives;
- an understanding of green rating systems including Greenstar and NABERS;
- looks into the future at what rating systems the market will be adopting; and
- details the management of green ratings and risk allocation under construction and infrastructure contracts.



Topic 6:

Introducing incentivisation into contractual performance and managing associated contractual risks

This workshop deals with:

- the use of bonus payments, uplifts and similar cash incentives;
- gain share and pain share mechanisms;
- take or pay arrangements; and
- Effects of these mechanisms on related contractual provisions.

Speakers:



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