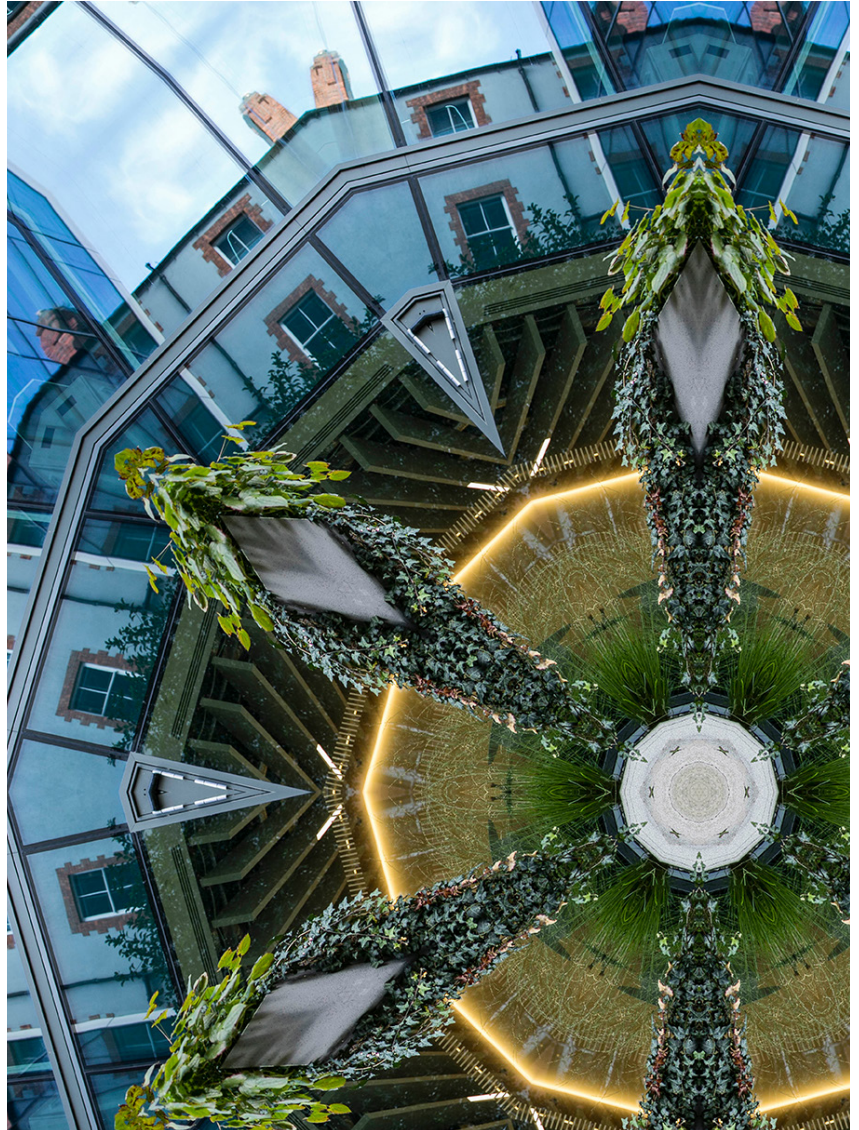
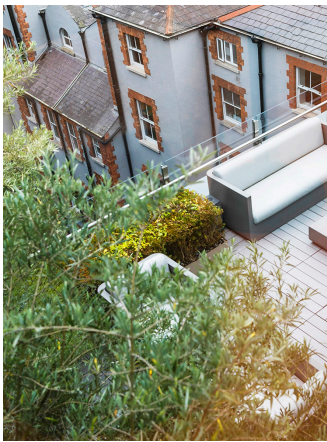


ARTHUR COX



Construction and
Engineering

Arthur Cox LLP has a leading practice in construction and engineering law, offering expert advice to all parties involved in projects in Ireland and Northern Ireland.

Our team comprises industry specialists who have a thorough knowledge of our clients' requirements and who take a practical approach to solving complex legal and commercial issues.

We advise on issues arising throughout all stages of a construction and engineering project: inception, planning, procurement, project execution and completion, and regulatory compliance.

We work seamlessly with colleagues specialised in public procurement, PPP and PFI, real estate, banking and finance, environment and planning, and utilities' regulation.

OUR EXPERTISE INCLUDES:

Contractual Structuring and Procurement

Advising on optimum contractual and security structures and arrangements in the construction and operation of major projects across a wide range of sectors including education, renewable and conventional energy, healthcare, sport, telecommunications, transport (air, mobility, road and rail), waste and water. We also provide specialist public procurement advice, including on optimum procurement models and on all aspects of the competitive process, for works undertaken by or for state and semi-state bodies.

Contractual Negotiation

Advising on domestic and international standard form contracts (including RIAI, GCCC, IEI, ICE, JCT, NEC, IChemE, MF/1 and FIDIC) and drafting bespoke construction and engineering contracts, appointments and warranties, and amendments.

We also advise on issues arising from the Public Works Contracts, Conditions of Engagement for Consultants, Model Forms and tender documents including Suitability Assessment Questionnaires to the standard forms. We advise on innovative mechanisms to maximise supply chain potential to reduce greenhouse gas emissions across the life

cycle of a project. We liaise and negotiate with relevant third parties such as tenants, purchasers, investors and funders and provide ongoing advice on effective project management and contract administration. We also advise on contract execution, assignment, novation and/or step-in, as well as on operation and maintenance contracts (and associated interface agreements), service agreements and framework/call-off agreements.

Sectoral Regulation

Advising on all regulatory requirements in the construction sector, across a range of transactional structures, including in relation to health and safety and building regulations compliance.

Dispute Avoidance

Providing strategic and commercial advice across the range of issues that can arise during construction to achieve early resolution of issues and avoid escalation to dispute resolution procedures, including advising on effective and efficient contract administration and management.

Dispute Resolution

Advising on a range of disputes relating to claims for payment, extensions of time and delay and disruption / loss & expense claims, liquidated and ascertained damages, variations, latent defects, practical completion, snagging, and rectification of defects. We have experience of all forms of dispute resolution including contractual and statutory adjudication, mediation, conciliation, arbitration, expert determination and litigation, as well as enforcement actions brought by the Health and Safety Authority.

EXAMPLES OF OUR WORK

**Data Centres**

Advising data centre developers in Ireland and across Europe. Recent mandates include advising Meta (Facebook) on design, construction and expansion of its County Meath data centre, one of the most advanced and energy efficient in the world, as well as various data centres being developed across Europe; and advising Energia on data centre development.

**Education**

Advised on construction aspects of multiple Schools PPP Projects including advising on consortia arrangements. Recent mandates include advising funders on partial refinancing of the facilities for construction and operation of the Schools Bundle 2 PPP Project.

**Energy**

Advising on all aspects of the energy transition. Recent mandates include advising Oweninny Power DAC (a joint venture between ESB and Bord na Móna) on the largest windfarm in Ireland; lenders on the 200MW Lumcloon Battery Energy Storage Project, one of the largest in Europe; Energia on the Huntstown 2 Power Plant; and all aspects of energy efficiency including ESCO arrangements and impact of "Fit for 55" on built environment.

**Forward Funding and Forward Purchase**

Advising funders, investors and developers in forward funded / purchased projects. Recent mandates include advising Bain Capital on the development and forward funding of sizeable hotel and student accommodation projects; advising Deutsche Bank on the forward purchase of Cualanor apartments; advising Union on the forward fund of Premier Inn hotel development in north Dublin; and advising Amundi Asset Management on the forward purchase of F28 from ESB.

**Health**

Advised on multiple health and social care developments. Recent mandates include advising Valley Healthcare on the development of primary care centres; and advising several hospitals on CHP/energy services concessions.

**Hotel & Office Development**

Advising funders, investors and developers in multiple commercial developments. Recent mandates include advising Archer Hotel Group BV on a significant hotel redevelopment; Meta (Facebook) on the acquisition, development and fit out of its 14 acre staff campus in Dublin; and NAMA on the commercial development at Boland's Quay.

**Logistics**

Advising in relation to the development and investment in various logistics facilities around Ireland. Recent mandates include advising Bain Capital Credit on the acquisition and development of logistic facilities in North County Dublin; advising on the development of a new logistics warehouse facility for Penneys; and advising on the construction aspects of logistics facilities in Baldonnell.

**Pharma, Manufacturing and Technology**

Advising on all aspects of construction of highly specialised facilities. Recent mandates include advising Intel Ireland on the multi-billion euro expansion of its County Kildare semi-conductor manufacturing facility; Merck on a major redevelopment of its Swords Facility; Gray Manufacturing on its first construction project in Ireland and Europe; and Dairygold on various expansion projects of their manufacturing facilities.

**PRS**

Advised on multiple Dublin PRS schemes. Recent mandates include advising Irish Life Investment Managers on real estate development investments; Bain Capital Credit on a large PRS Scheme in Dublin 8; Ardstone Capital on numerous residential and community facilities; and Irish Life in relation to schemes at Glencairn Gate and Woodward Square.

**Social and Affordable Housing**

Advising in the context of Government policy including Housing for All. Recent mandates include advising the Land Development Agency on all aspects of its programme of delivery, and social and affordable housing development programme; Irish Strategic Housing Property II S.Á.R.L on its development of a large portfolio of social housing projects across Dublin; and Ardstone Capital on the forward purchase of certain social and affordable and mixed use housing schemes.

**Statutory Adjudication**

We have advised on numerous adjudications referred under the Construction Contracts Act 2013. Recent mandates include acting for applicants and respondents on a range of disputes, including multi-million payment disputes across several sectors including commercial and residential developments, data centre development; pharma, manufacturing, transport and utilities. Niav and Karen are both adjudicators on the Ministerial Panel of Adjudicators.

**Telecoms**

Advising on all construction and interface aspects of telecoms projects. Recent mandates include advising National Broadband Ireland DAC on the build aspects of implementing the National Broadband Plan; and Phoenix Tower International on construction and maintenance of its portfolio of towers.

**Transport**

Advised on multiple PPP roads projects in Ireland including advising on consortia arrangements. Recent mandates in transport include advising daa plc on its second runway and Applegreen on the redevelopment of 27 service areas on the New York State Thruway, its first PPP in the US.

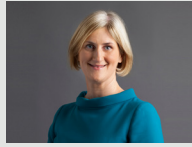
**Water**

Advising on all construction aspects in water and waste water sectors. Recent mandates include advising Irish Water on numerous projects across its network management arrangements.

Our team



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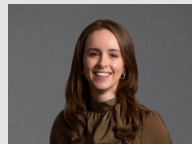
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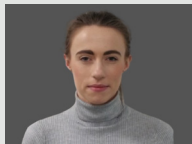
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