

5th EPC Contract & Risk Management

Maximizing Stakeholder Cohesion and Collaboration throughout Project Lifecycles to Mitigate Risk and Optimize Organizational Outcomes

September 12-14, 2017
Houston, TX

Construct Successful Projects through Lessons Learned in Drafting, Negotiating, Formulation, Insurance Coverage, and Execution

Build Robust Contracting, Procurement, and Supply Chain Strategies with Balanced Liability and Risk for the Owner, Contractor, Subcontractor, and All Stakeholders.



Current EPC Contract and Risk Management Expert Speakers Include:

Jeff Allen
Vice President,
Regional Practice Manager –
Construction, Design / Build
Burns & McDonnell

Tracy Baker
Director of Commercial
Contract Management
Duke Energy

Dan Thorsen
Contracts
and Subcontracts Manager
AECOM

Paul Morgan
Senior Vice President and
Chief Contracting Officer
**Great Lakes
Environmental
& Infrastructure**

Bill Meyn
Senior Counsel
Jacobs Engineering Group

Curtis Culver
Senior Counsel-Projects
Phillips 66

Brian Davidson
Senior Legal
and Compliance - Onshore
TechnipFMC

Bilge Astarliogu
Director of Contracts
and Controls, Global
Engineering & Construction
The AES Corporation

Chaitali Dave
Director Strategic Sourcing
Phillips 66

Michael Zakarian
SCM Director,
Major Gas Projects
Enbridge, Inc.

Al Hankins
Principal Vice President
and Manager
of Corporate Contracts
**Bechtel Global
Corporation**

Shaw Ottis
Vice President
& Deputy General Counsel
Freeport LNG

Jason Phillips
Manager of Procurement
Energy

Meredith Anderson
Senior Manager,
Supply Chain – Global Contracts
McDermott International

Karon Fischer
Assistant Risk Manager
CITGO

Cecilia Ibarra-VanOostenrijk
Senior Legal and Compliance
Counsel-Mexico
TechnipFMC

Cesar Hernandez
Senior Counsel
& Legal Manager
Jacobs Engineering Group

Rob Howard
Contracts Manager
Fluor

Arthur L. Bryan II
Project Legal
**Bechtel Oil, Gas,
and Chemicals Inc.**

Josh Farkas
Senior Counsel
Calpine

Holly Chastain Nini
Senior Corporate Counsel
CITGO

David Gresko
Risk & Insurance Manager
Noble Energy

Kurt Inza
Senior Risk and Insurance
Manager
**EDP Renewables
North America**

**EARN UP TO
16 HOURS OF
CLE CREDITS!**



September 12, 2017
Being Creative to Ensure Effective
Collaboration Methods with All Stakeholders
with
Anticipating Insurance Costs Based
on Risk Profile and Asset Protection with

Attending This Premier **marcus evans** Conference Will Enable You To:

- **Utilize** progressive contract formats to their best potential with **Burns & McDonnell**
- **Set** realistic expectations between owner and contractor at the onset of the contract cycle with **Entergy** and **Phillips 66**
- **Streamline** project protection by incorporating owner-controlled insurance policy (OCIP) successfully with **CITGO**
- **Resolve** change management to maximize success by anticipating costs, minimizing disputes, and maintaining goals with **Fluor** and **Great Lakes Environmental & Infrastructure**
- **Anticipate** project breakdowns to minimize scope creep and overcome project variance with **AECOM**

Who Should Attend:

marcus evans invites VPs, Directors, Managers, Engineers, General Counsel, Associate General Counsel, Senior In House Counsel, and similar from the Oil & Gas, Power, Process & Industrial, Mining, Construction and similar industries with responsibilities or involvement in:

- Contract Management / Drafting / Negotiation
- Procurement / Supply Chain / Sourcing
- Project Management / Operations
- Capital / Mega / Large / Major Projects
- Category Management / Insurance Management

12:00 Registration

12:30 Pre-Conference Interactive Workshop A

There is no standard operating procedure for communication during the EPC process, which can lead to contractors, owners, and law firms having different levels of access to communication tools and cultural nuances, particularly for internationally diverse stakeholders. But, this doesn't mean they can't collaborate effectively. Understanding differences in techniques and applying out-of-the-box communication skills can bridge the gap between questions and answers.

This interactive workshop will provide you with the tools and strategies to:

- Identify and transition smoothly to tech for project controls, management, and logistics
- Evaluate compliance software and technology to increase effective collaboration
- Avoid approval line flaws to maintain a thoughtful EPC process
- Communicate thoughtfully with technology to maintain relationships with contractors and subcontractors
- Bridging gaps that could emerge for varying approaches to electronic document management and system transitions

Cecilia Ibarra-VanOostenrijk, Senior Legal and Compliance Counsel-Mexico

2:30 Networking Break

3:00 Pre-Conference Interactive Workshop B

Obtaining insurance is one of the most obvious steps when planning a project. Typically, potential factors such as property damage or force majeure are considered, but it's important to understand and implement any potential options that could fit the project. Insurance should be as unique and thought out as each project.

This interactive workshop will provide you with the tools and strategies to:

- Sift through the jargon to access viable insurance options during implementation
- Mitigate construction warranty risks by drafting effective performance warranty terms
- Understand builder's risk insurance language to access optimal coverage
- Manage risk during construction to maintain project success
- Utilize specialized policies to cover risks associated with cyber crime

David Gresko, Risk & Insurance Manager

5:00 End of Pre-Conference Workshops

I would like to thank everyone who has assisted with the research and organization of the event, particularly the speakers for their support and commitment.
Felicia Darnell, feliciad@marcusevansch.com.

Does your company have solutions or technologies that the conference delegates would benefit from knowing? If so, you can find out more about the exhibiting, networking and branding opportunities available by contacting: **Garret Neader**, T: 312 894 6390 E: GarretN@marcusevansch.com.

7:30 Registration and Morning Coffee

8:10 Safety Briefing

8:15 Chairperson's Opening Address

UTILIZING EFFECTIVE PREPERATION AND DRAFTING TECHNIQUES TO ACHIEVE OPTIMAL RESULTS

8:30 Joint Discussion

- Strategizing and preparing before drafting the request for proposals (RFP) to initiate effective collaboration
- Maintaining preparatory strategy to prevent negotiation vulnerability caused by lowballing
- Identifying the scope of work to manage expectations and goals
- Utilizing talent strengths to accomplish goals within the scope of work
- Strategizing priorities of projects to get the most out of project phases

Jason Phillips, Manager of Procurement

Chaitali Dave, Director Strategic Sourcing

9:20

Focusing on Priorities during RFP Drafting and Negotiation to Get the Most Out of Project Execution

- Setting and maintaining expectations during RFP negotiations
- Identifying and analyzing risk while shaping the proposal
- Making the process smoother by coming together as a united front
- Using due diligence to understanding roles, strengths, and dynamics between stakeholders

Al Hankins, Principal Vice President and Manager of Corporate Contracts, **Bechtel Global Corporation**

10:10 Networking Break

10:40 Interactive Panel Discussion

- Adopting an appropriate contract strategy to reach realistic goals
- Identifying appropriate time schedules to avoid lost time on projects
- Capitalizing the experience and knowledge of counsel and EPC firms to make a focused plan
- Preventative process streamlining in order to work smarter
- Keeping final design in mind while negotiating with contractors

Panelist:

Bill Meyn, Senior Counsel

Meredith Anderson, Senior Manager, Supply Chain – Global Contracts

Al Hankins, Principal Vice President and Manager of Corporate Contracts,

11:30

Utilizing Progressive Contract Formats to Their Best Potential

- Seamlessly instigating an open book estimate (OBE) to convert to a lump sum turnkey (LSTK)
- Minimizing project risk with progressive alternatives
- Introducing requirements to progressive contracts without creating rifts in the project timeline
- Knowing what to look for in a project management team and assisting specialists

Jeff Allen, Vice President, Regional Practice Manager-Construction, Design / Build **Burns & McDonnell**

12:20 Luncheon

NAVIGATING CHANGE MANAGEMENT AND NEGOTIATION BY READYING SOLUTIONS

1:20
Pioneering Project Strategy during Drafting and Negotiation to Minimizing Disputes and Change Orders

- Clearly defining expectations to avoiding communication breakdowns and timeline disruption
- Utilizing EPC firms as more than a middle man
- Balancing expectations while keeping contractors to task in order for projects to remain mutually beneficial
- Selecting the right contractors to avoid project headaches
- Offsetting slowdown impact to stay on the course of success

Bilge Astarliogu, Director of Contracts and Controls, Global Engineering & Construction

The AES Corporation

2:10 Joint Discussion

- Balancing risk and reward to increase confidence
- Anticipating and controlling costs efficiently to increase profits
- Streamlining change order processes to get a project back on track
- Differentiating destructive and constructive disputes to minimize unresolved conflict disputes.
- Focusing on lowering costs to maintain goals during change management

Rob Howard, Contract Manager

Paul Morgan, Senior Vice President and Chief Contracting Officer

3:00 Networking Break

3:30
Adapting Negotiation and Procurement Strategy to Shifts in Supply, Demand, and Economic Fluctuations

- Developing a strong category management plan
- Examining how contractors examine market trends before and during contract negotiations to understand power dynamic changes
- Prioritizing desirable contract terms with changing labor and materials availability
- Increasing trust between contractors and owners despite shifts in negotiating power

Michael Zakarian, SCM Director, Major Gas Projects

Enbridge, Inc.

EVALUATING LIABILITY, INDEMNITY, AND INSURANCE TO PROTECT PROPERTY, PROJECTS, AND PERSONNEL

4:20
Streamlining Project Protection by Incorporating OCIP Successfully

- Identifying internal cues before implementing owner controlled insurance policy
- Structuring claim management to minimize project costs
- Closing potential gaps in coverage by maximizing direct policy design input
- Speeding up insurance implementation to launch project execution sooner
- Analyzing the pros and cons of rolling vs. maintenance types

Holly Chastain Nini, Senior Corporate Counsel

CITGO

Karon Fischer, Assistant Risk Manager

CITGO

5:10 Closing Remarks of the Chair & End of Day One

7:45 Registration and Morning Coffee

8:10 Safety Briefing

8:15 Chairperson's Opening Address

EVALUATING LIABILITY, INDEMNITY, AND INSURANCE TO PROTECT PROPERTY, PROJECTS, AND PERSONNEL

8:30
Adopting Effective Contractual Solutions to Overcome Financial, Operational, and Legal Risk

- Streamlining project delivery methods to implement risk safeguards quickly and effectively
- Strengthening protection breadth in emerging marketplaces
- Maintaining control of stakeholder contract agreements to prevent project headaches
- Drafting liability policies around developing case law and anti-indemnity statutes to ensure coverage
- Identifying EPC-related insurance policies to build up project toolbox

Kurt Inza, Senior Risk and Insurance Manager

EDP Renewables North America

9:20 Joint Discussion

- Determining which risks should be subject to liability caps
- Exploring alternative formats of contracts
- Including mutual indemnity as an insurance option
- Understanding and preparing for anti-indemnity statutes to use for advantage
- Using exclusive remedy clauses as a method of limiting liability

Curtis Culver, Senior Counsel-Projects

Shaw Ottis, Vice President & Deputy General Counsel

10:10 Networking Break

ADVANCING PROJECTS AND SUPPORT WITH TALENT MANAGEMENT AND STAKEHOLDER COLLABORATION

10:40 Joint Discussion

- Leveraging counsel as advocates from the onset of the project lifecycle
- Adding value to projects by embracing the role of counsel as strategic enablers and business leaders
- Analyzing successful incorporation of counsel involvement by non-counsel when there is questionable scope growth or creep
- Encouraging rapid continuous improvement by communicating with counsel to integrate solutions

Brian Davidson, Senior Legal and Compliance – Onshore

Arthur L. Bryan II, Project Legal

11:30 Joint Discussion

- Engineering and managing an Approved Vendor List
- Vetting contractor safety during project execution
- Balancing flow down management by holding project stakeholders to appropriate transfer of responsibilities
- Ensuring stakeholder buy-in when preparing and entering contracts
- Strategizing management tactics to avoid uncoordinated actions and lackluster returns

Tracy Baker, Director of Commercial Contract Management

Cesar Hernandez, Senior Counsel & Legal Manager

12:20 Luncheon

1:20 Joint Discussion

- Matching potential contractors to matching contract strategies
- Acquiring the best possible talent to be proactive from the initial pitch
- Contracting with a company with a potential of bankruptcy
- Applying due diligence during mergers and acquisitions
- Working with Joint Ventures effectively

Josh Farkas, Senior Counsel

Cecilia Ibarra-VanOostenrijk, Senior Legal and Compliance Counsel-Mexico

PIONEERING SOLUTIONS TO PREVENT LOSS, DISASTER, AND SCOPE CREEP

2:10

Incorporating Lessons Learned Post-Litigation into your Terms and Conditions to Minimize Risk in Future Projects

- Maintaining success and reputation post-litigation to optimize past and future stakeholder and client participation
- Balancing and resolving diverse disputes, from personal injury to operation disruption
- Overcoming contract litigation between any stakeholders or third parties
- Communicating and engaging with project stakeholders after crisis

Cesar Hernandez, Senior Counsel & Legal Manager

Jacobs Engineering Group

3:00 Networking Break

3:30

Ensuring Remote Project Safety and Success Despite Risks

- Highlighting potential insurance provisions for remote locations
- Creating a crisis management plan in case of sabotage or terrorist threats
- Overcoming geopolitical turmoil that affects labor and supply availability
- Overcoming exchange rate risk and currency fluctuations
- Installing stabilization clauses into contracts to provide stronger protection on international projects

Rob Howard, Contract Manager

Fluor

4:20

Anticipating Project Breakdowns to Minimize Scope Creep and Overcoming Project Variance

- Utilizing unique contracting methodology to minimize scope creep with scheduling and change order management
- Establishing fix unit rates, schedules of values and change request processes to minimize scope creep
- Pioneering the usage of master project agreements and individual project agreements to exceed owner expectations and manage subcontractors
- Monitoring project developments, scope, and cost fluctuations with daily conference calls with the contracted and owner project managers

Dan Thorsen, Contracts and Subcontracts Manager

AECOM

5:10 Closing Remarks of the Chair & End of the Conference

Industrial and Mega Projects carry a large amount of risk. When all stakeholders collaborate effectively with their contract management it yields large mutual gains and rewards for all stakeholders.

This premier **marcus evans** conference will provide attendees with insights and proactive strategies on how to address financial challenges, manage disputes, balance liability, and rise above project slowdown while maintaining strong, thoughtful relationships with team members, partners, and third parties.

TESTIMONIALS:

"This is an outstanding forum for collaboration & sharing key elements that contribute to the improvement & successful outcomes in the EPC Industry."

CCC Group

"Strong gathering of experts willing to share their experiences and lessons learned."

Magnolia LNG

"I really enjoyed the interactive sessions of the presentations and openness of the training."

McDermott

"Tremendous speakers with new takes on current topics in the EPC contracting arena"

Triten Corporation

"Valuable information and an opportunity to dendor a peer networking group"

Gemma Power

WATCH VIDEO TESTIMONIALS

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