ABBOT POINT EXPANSION
EPC CONTRACT PREPARATION



The Client

Adani, owner of the Abbot Point coal export facility.

The Challenge

- Draft the Engineering, Procurement and Construction contract for the $1B+ on-shore and marine works expansion of the Abbot Point coal terminal.
- Progress the instrument through reviews to market readiness status.
- Source documents provided by Adani were considered ineffective for their prime purpose of appropriate allocation of risk. Drafting had to be completed and reviewed to meet the tight time and cost objectives of the project at the time.

The Outcome

- The Flagstaff team, working closely with Adani, drafted a comprehensive, even-handed document which properly protected the owner, while requiring that the contractor perform all necessary functions and obligations.
- Commonly contracts are drafted to give inequitable advantage to the Principal, as the drafter. Flagstaff's experience is this often leads to disputation and adversarial behaviour, and therefore these (and all contracts drafted by Flagstaff) were specifically targeted to be balanced.
- The contract document was signed off by Adani as complete and acceptable within the time and cost constraints.



'experience makes a difference'

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