



Jatinder Garcha

Partner

jgarcha@fenwickelliott.com

Jatinder has 25 years' experience in non-contentious domestic and international construction and project work. He acts for the full spectrum of clients involved in the development process, including financial institutions, pension and property funds, government departments, investors, developers, contractors, consultants and tenants, advising from inception and procurement strategies to project completion. Jatinder has been noted as "extremely astute" in the *Legal 500* UK guide regarding the development of a waste-to-energy facility in Essex.

Jatinder has broad experience of dealing with and negotiating many standard forms of contract, including the FIDIC, LOGIC, JCT, NEC, ICE, IChemE, RIBA and ACE suite of documents. He also has considerable experience of drafting and negotiating bespoke construction and commercial contracts, including EPC contracts, bonds, guarantees, memorandums of understanding, heads of terms, consortium agreements, joint venture agreements, framework agreements and facility management contracts.

Specialist expertise

Jatinder acts in a wide range of construction and engineering sectors, including general construction, PFI (schools, hospitals and MoD), transport (including railways), roads and highways, hotels, office buildings, industrial and residential. In recent years Jatinder has focused particularly on the renewable energy sector, including projects involving wind farms, hydro-electric power, tidal power, solar power and biomass power stations, and on the energy-from-waste sector (PFI and non-PFI).

Examples of Jatinder's expertise include:

- advising an English/German joint venture contractor in relation to a £800 million project for a 17km underground tunnel and mineral transport system linking a polyhalite mine to a processing and port facility;
- advising a Japanese conglomerate as the EPC contractor in relation to various wind farm projects throughout Europe;
- advising an international South Korean contractor on its role as main contractor on a £500 million development in Kazakhstan;
- separately advising German and French contractors in relation to major works packages for the construction of Hinkley Point C nuclear power station;
- advising the owner operator of an above ground white oil storage facility at Chonburi Terminal in Thailand on its project to convert and upgrade the existing facility to receive JP8 aviation fuel and associated distribution network;

- advising a major Dutch offshore contractor in relation to the Galloper Wind Farm project and for the Race Bank Wind Farm project. The role involved the review, re-drafting and negotiation of the main contract and ancillary security documents with the project owners, but also included advising on the major subcontracts for the steel monopile manufacture and for the required vessel hire;
- advising on a project for the conversion of two simple cycle 110MW generating stations into a single cycle combined cycle 330MW plant and the addition of a heat recovery and steam turbine component in West Africa;
- advising a German employer on the design, manufacture, delivery and installation of an offshore marine current turbine to a submerged monopile (together with marine equipment) and cable re-routing works based on the LOGIC Edition 2 October 2003 (Services On-and Off-Shore) form of contract;
- providing advice to one of Europe's largest locomotive producers on various projects, including in relation to the expansion of high speed trains in the UK and development in Africa;
- advising a market leading Norwegian company involved in constructing, owning and operating hydroelectric power stations around the world on its suite of standard consultant appointment documents and on aspects of the standard EPC Contract for use by the client on its international projects;
- advising the main contractor on the construction of the Kokali Bridge in Sri Lanka;
- advising a private developer in its joint venture with a housing association to purchase and redevelop Holloway Prison into 1,000 new homes;
- advising a major UK contractor in relation to its construction of integrated waste management facilities including in South London and Milton Keynes. Advising the contractor on both the main construction contract and ancillary documents;
- advising a leading London University on all construction aspects of its property portfolio including redevelopment of existing campus and teaching spaces, building of new student accommodation and office space and construction of state of the art new scientific laboratories and research facilities; and
- advising a well-known residential developer on the construction aspects of a large multi-million-pound brownfield regeneration project in North West London, to be constructed in phases over a 16-year period.

Other activities

Jatinder presents at both internal and external law seminars, including MSc courses at King's College London and Reading University, *Building* magazine webinars, LexisNexis live training webinars, and CLT conferences. Jatinder is a contributor to the *Construction Industry Law Letter* (CILL).

Jatinder's memberships/positions include:

- member of the Society of Construction Law.