



CONSTRUCTION AND INFRASTRUCTURE

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The Construction and Infrastructure team of GRATA International is comprised of lawyers with unique practical experience in implementing projects in the area of construction a infrastructure, energy, transport and other facilities in CIS and other states.

Legal support for large construction projects requires a thorough knowledge of legislation and industry features, as well as extensive practical experience. Our clients trust us, because we can find practical solutions and always try to be as effective as possible. Another strong point of our team is the presence in 22 countries, which allows us successfully implementing complex transborder projects.

For more than 31 years, we have been assisting construction, investment, and development companies, banks and funds, industrial enterprises, hotels, management companies, subsoil users, transport companies, retailers, and many other clients in implementing projects in Eurasia. We provide assistance in the area of construction projects structuring and licensing, construction permits and approvals, tax and environmental law; we develop all types of construction contracts, including FIDIC contracts; we provide legal support for project financing, PPP and M&A projects; we effectively represent clients in commercial disputes.

The high quality of GRATA International services and recognition by our clients is supported by the ratings of such respectable international publications as The Legal 500, Chambers Global, Chambers Asia-Pacific, IFLR1000, Who's Who Legal, and Asialaw Profiles, Best Lawyer.

SERVICES



Legal structuring of construction projects



Advising in the area of licenses, permits and approvals, and legislative regulation of activities



Obtaining licenses and permits



Acquisition and registration of the real estate rights



Development of all types of construction contracts, including FIDIC contracts



Advising in the area of tax, environmental, corporate, labour and other law aspects related to construction activities



Support of projects on acquisition of companies, mergers and acquisitions



Project finance and PPP



Representation of clients in courts or legal expertise of the background of the case and advice on the legal defense of interests



Legal analysis of the feasibility of the project or restrictions, based on the norms of urban planning legislation



Advice on state and municipal procurement and bidding



Bankruptcy and restructuring

EXPERIENCE

- Advised and supported the acquisition by a foreign investor of a controlling participatory interest in a large service company in Azerbaijan;
- Achieved the repayment of USD 80,000 of debt owed to the local Branch of international power supply company;
- Advised an international transportation & infrastructure company regarding various aspects of business law in Azerbaijan.

- Legal support for the allocation of a land plot for the construction of a shopping center in Vitebsk, its construction, and the settlement of compensation issues with the individuals whose residential buildings were to be demolished for construction purposes. Subsequently, the project was sold to the largest retail network in Belarus;

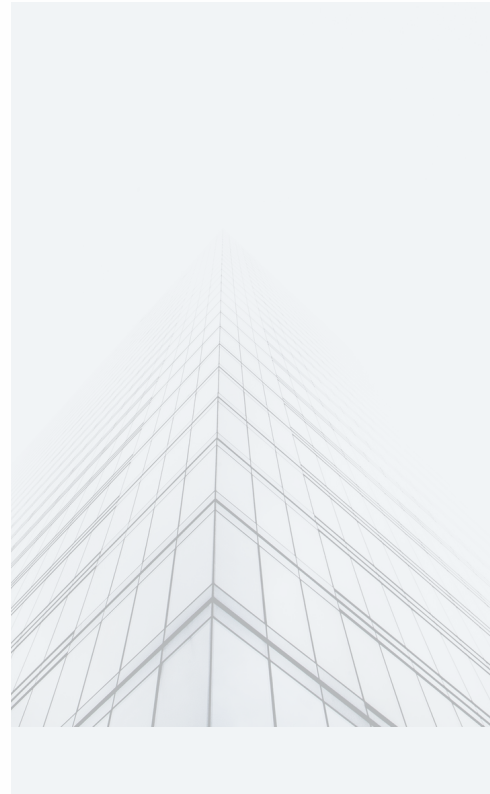
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“The team's significant knowledge, high degree of accountability, and willingness to go above and beyond were all on display when providing services...” - Chambers Global Guide 2023

- Legal support for investors' interests in the process of the conclusion of the investment agreement with the Republic of Belarus and the allocation of a land plot for the construction of a shopping center in Mozyr, including coordination with the Gomel Regional Executive Committee to conclude the investment agreement and additional agreements thereto, legal support of allocation of the land plot, collecting permits, concluding and performance of contract agreements, etc.;
- Representation of the interests of a foreign investor in the course of the acquisition of a major production base by purchasing a Belarusian legal entity with a preliminary DD, legal support for further reconstruction of that base (the obtaining of permits, the conclusion of contract agreements for development of design documents, the supply agreements for structures and materials);
- Acting as local legal experts in a KfW-financed project relating to the rehabilitation of municipal infrastructure in the city of Batumi, Phase II and Phase IV:
 - Legal Advice (particularly on water sector development and local self-government as well as water sector regulation: Preparation of legal assessments; preparation and implementation of meetings with GNEWRC.
 - The preparation and implementation of the Adjara Water Alliance (AWA) workshop, held with Adjara stakeholders in Batumi.
 - Assistance in updating the tariff structure.
- Acting as local legal experts in a KfW-financed project relating to water sector reform in the autonomous province of Ajara:
 - Advising the management of water/sanitation utility and municipal authorities of Batumi and Khelvachauri, providing technical and financial training and further education measures for managing water supply and wastewater collection.
 - Developing wastewater regulations for Batumi and Khelvachauri, clarifying the legal framework regarding the establishment of a fee payment-system for the coverage of the operational and maintenance costs of the wastewater disposal system. Developing a fee or tariff system for these services. The development of a service agreement for Batumi water and wastewater utilities (Batumi Tskali).

EXPERIENCE

- The Ajara Rural Water Supply and Wastewater Treatment Program (“the Program”) is implemented in the framework of German – Georgian financial cooperation with funding from the European Union and the Ajara Water Alliance JSC (AWA), acting as the Project Executing Agency (PEA). The aim of the project is to improve the quality of life and general hygiene and health of the population in rural Ajara and to protect the environment through the appropriate use of water, avoiding contaminating soil and water sources with untreated wastewater as well as improving the economic development of the population in rural Ajara. Throughout the course of the project, the municipal utilities will be upgraded and reorganized, and their capacities will be strengthened. Moreover, the team will undertake work on reforming institutional structures, aspects of financial and technical management, and the introduction of tariffs.
- Legal support for a foreign investor engaged in the construction of two hydropower plants in eastern Georgia.
- Advising a consortium of international transportation companies in a project for the construction of a light-rail transport line in Almaty, Kazakhstan. The scope of work included PPP structuring, drafting commercial agreements, and negotiating with state authorities;
- Advising a group of major petrochemical companies featuring Kazakhstan and international state and private companies regarding the construction of a petrochemical plant in Western Kazakhstan, including drafting EPC contracts. This was a pioneering transaction with FIDIC EPC contracts used successfully for the first time in the Kazakh petrochemical industry and synchronized with local norms and regulations. The total project value - approximately USD 1 billion;
- Advising a major Turkish construction company on the construction of a shopping mall in Almaty, including drafting construction contracts based on FIDIC forms, taxation issues and the corporate structuring of activities, obtaining work permits, licenses and construction-related authorizations, and due diligence of the project and participant companies;
- Advising Fresenius C Deutschland GmbH on the first PPP project in the Kyrgyz Republic “The organization and provision of hemodialysis services in Bishkek, Osh and Jalal-Abad” (Public partner – Ministry of Health of the Kyrgyz Republic). Assisting the client in the construction of four clinics and the provision of hemodialysis services in the Kyrgyz Republic, including, but not limited to: all questions related to the realization of the project, labor, customs, licensing, healthcare regulation;



EXPERIENCE

- Advising Tianjin Cement, a subsidiary of Chinese state-owned engineering conglomerate Sinoma, on financing and building a cement factory in the south of Kyrgyzstan;
- Advising Sucres & Denrées, the world's largest sugar conglomerate, on financing sugar production by a sugar monopolist in the Kyrgyz Republic;
- Advising a major Romanian construction company on construction projects with a leading building material and construction solutions company in Moldova;
- Advising one of the major German construction companies in relation to several civil disputes in public procurement matters, as well as in domestic litigations regarding public procurement proceedings in connection with works and services of public interest. Deal's value exceeded EUR 12 million;
- Advising a leading Moldovan Construction company in connection with a PPP project as one of the most complex integrated greenfield projects developed in Moldova to date. Project valued at EUR 3.5 million.
- Advised on a franchising agreement for the largest automobile repair service provider in Mongolia to expand its business locally and in the region;
- Advised on a service agreement relating to the provision of space-based ADS-B surveillance data to the Mongolian Aviation authority;
- Advised on getting a construction work commencement permit for a foreign invested company in order to construct a workshop;
- Advising various companies of China Gezhouba Group for construction of several combined cycle thermal, solar and wind power plants in Syrdarya, Bukhara and Navoi regions of Uzbekistan.
- Assistance to Bureau Veritas in conducting project management and technical supervision over construction of four sky-scraper buildings in Tashkent city downtown for accommodation of headquarters of four large banks of Uzbekistan;
- Defense of an enterprise in the gas-transport system of Uzbek oil and the gas industry in the Singapore International Arbitration Centre in an EPC debt recovery lawsuit against the Chinese telecom manufacturer for over USD 70 million;
- Assisting a Turkish construction company with a construction contract in relation to an ethylene production plant, including advising on performance of the construction contract, claims of the customer regarding quality and time of the construction works, during negotiations re its performance and in relation to its termination;
- Acting for a Kazakhstan construction company in relation to a construction contract for installations for production of polypropylene between the client as contractor and its Russian customer, including when entering into the contract, in relation to bank guarantees and its termination;
- Advising an international development bank on a construction project of a mineral fertilizer plant in the Far East for the purposes of financing the project by the client, including a limited due diligence of the project documentation, construction permits and title documents for the real estate.
- Represented the interests of the owners of a large construction holding company in bankruptcy proceedings that imposed secondary liability on them at the request of the tax authority;

EXPERIENCE

- All-in-one legal support of Louis Dreyfus Company (International group Louis Dreyfus) for the purchase of the partially completed grain transshipment terminal in Azov district, Rostov region; further legal support for the company during the building and setting into operation of the export terminal;
- Legal support for the international agricultural holding RZ AGRO in its investment activity on the territory of Russia (due diligence of agricultural enterprises before their purchase, support of the acquisition of land shares, lease and allotment of land shares etc.);
- Advocacy for one of the largest cement producers in Europe, the Turkish company Nuh Chimento Sanayi A.S., in a dispute with a participant in a joint Russian enterprise during the implementation of an investment project for the construction of a commercial port and a concrete plant;

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High levels of responsibility, professionalism, preparedness and availability were displayed by the GRATA International team.
- Chambers Global Guide 2023

- Legal support of activities of a group of companies in the process of construction of a wood processing plant in Cherepovets;
- Representing a company in court to determine the amount of compensation for the seizure of land for state needs;
- Advising the client in its development project to reconstruct a non-residential building into a complex of apartments on Kamenny Island, St. Petersburg.
- Advising TIANJIN URBAN CONSTRUCTION MANAGEMENT VOCATIONAL on various legal matters, particularly construction issues, in connection with the construction of the Chinese Luban Workshop in Tajikistan;

- Preparation of a memorandum for the Russian construction company “Osnova Group of Companies” on land and construction issues in Tajikistan;
- Advising the China Development Bank in relation to financing the construction of an oil refinery plant in Tajikistan for USD 40 million (Phase 1), conducted a complex legal due diligence.
- Advising a Chinese hydro-power engineering and construction company with the preparation of tender documentation as well as further drafting and execution of a FIDIC contract with the Armenian Government for the reconstruction and development of portions of the North-South Road Corridor;
- Advising a group of local investors with certain regulatory and licensing requirements for operating a hydroelectric power plant;
- Consulting a major mining enterprise in the process of application for acquiring several construction permits necessary at the initial stage of mine development;
- Analysis on the creation, structuring and restructuring of a business in Turkmenistan for representatives of companies from the US, Europe, and East Asia;
- Advising on establishment of business entities in various organizational forms, including Individual Enterprise, Economic Society, and Joint-stock Society in the territory of Turkmenistan.

EXPERIENCE

- Participated in negotiating BOT arrangement for major infrastructure project in the Middle East;
- Assisted real estate investors in securitizing fund raise programs through bonds;
- Acted on behalf of buyers on a series of disputes related to delivery of real estate units.
- Advising the consortium of Chinese companies led by China Railway No.2 Group Co., Ltd. on the construction of the modern tram line Astana LRT, including the review of FIDIC EPC contracts, representation of the consortium in negotiations with the owner, advising on taxation, procurement rules, advising on the rules applicable to EXPO projects and the Astana Special Economic Zone, registration of branches for each consortium member, registration as a SEZ participant and provision of a legal consultations on obtaining of a construction permit;
- Comprehensive legal due diligence of the construction assets of CITIC Construction in the Republic of Kazakhstan and the Russian Federation;
- Advising China Machinery Engineering Corporation (CMEC), the leading Chinese construction and engineering company, which is a part of China National Machinery Industry Corporation (Sinomach) group, on obtaining construction and design licenses in the Republic of Kazakhstan and implementation of construction projects.

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GRATA INTERNATIONAL

ABOUT US

GRATA International is a dynamically developing international law firm which provides services for projects in the countries of the former Soviet Union and Eastern Europe

full coverage of the entire region with network of offices, highly qualified team of professionals suited for cross-border projects.



Firm's reputation and expertise are confirmed by testimonials from transnational clients and leading international ratings.

A wide network of office operating under one system and platform delivers great convenience for our clients.

Any office can act as a "one-stop-shop" for its clients and provide them with access to services in other cities and countries.


GRATA INTERNATIONAL FIRM FACTS

 **> 22**
countries of presence

 **> 31**
years of experience

 **> 250**
professionals

 **> 15**
practice areas


7 700+
clients

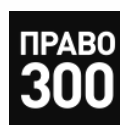

15 000+
projects

Recognition

GRATA International is regularly acclaimed by leading international rankings: Chambers Global, Chambers Asia-Pacific, Legal 500, IFLR1000, WWL, Asialaw Profiles, and is featured in Deals of the Year Awards by China Business Law Journal.

"The firm built up a convenient one-window interface to work with all jurisdictions it supports"

The Legal 500, 2022



Best Lawyers

THE WORLD PRESENCE



 **Integrated Offices**

Azerbaijan
Baku

Belarus
Minsk

Georgia
Tbilisi

Kazakhstan
Astana
Almaty
Atyrau
Aktau etc.

Kyrgyzstan
Bishkek

Moldova
Chisinau

Mongolia
Ulaanbaatar

Russia
Moscow
Rostov-on-Don
St. Petersburg

Tajikistan
Dushanbe

Ukraine
Kyiv

Uzbekistan
Tashkent

 **Associate Offices**

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Yerevan

Cyprus
Limassol

Russia
Samara

Turkmenistan
Ashgabat

Turkey
Istanbul

UAE
Dubai

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Germany
Frankfurt

Malaysia
Kuala Lumpur

Switzerland
Zurich

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London

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New York