



GRATA
INTERNATIONAL

**CONSTRUCTION
AND INFRASTRUCTURE**

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

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 almost twenty countries, which allows us successfully implementing complex transborder projects.

For 28 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.



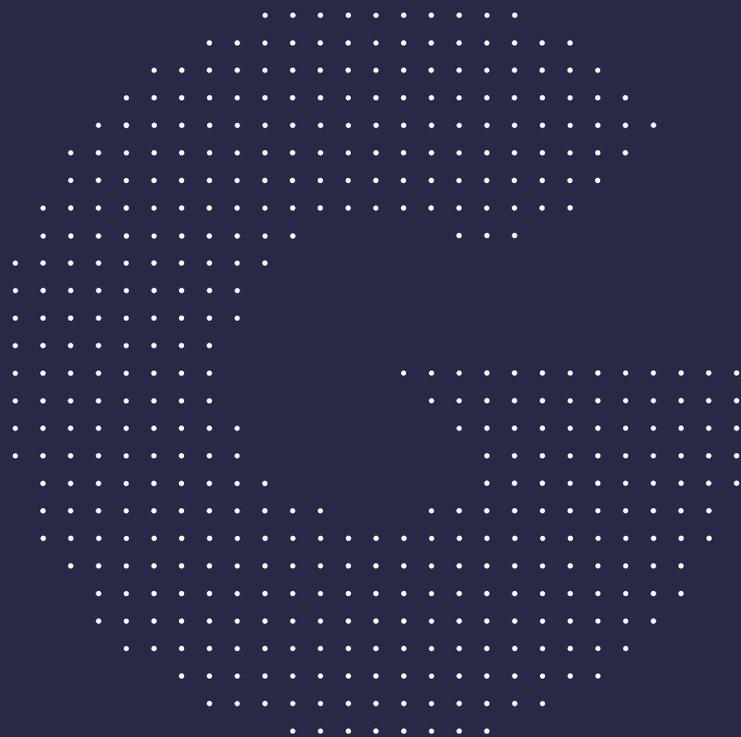
GRATA
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Our service areas include:

- 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;
 - 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,
- other services.



Recent projects



You can find a full list of projects on www.gratanet.com in Experience section on Construction and Infrastructures page

Recent projects

- Representing the interests of a consortium of Spanish, French and Turkish companies in the second stage of a public tender for the construction and operation of the Big Almaty Ring Road (BAKAD), including reviewing and negotiating concession agreements and tender documentation, advising on various aspects of Kazakh law, and participating in direct negotiations with the Kazakh Ministry of Investments and Development. BAKAD is a major concessional project based on the Build-Transfer-Operate scheme, valued at over USD 700 million;
- Advising a group of major Kazakh and Russian energy enterprises on the reconstruction of Kazakhstan's largest energy enterprise, including drafting EPC contracts. Total project value - over USD 700 million;
- Representing Kazakhstan's largest infrastructure construction company in several connected judicial proceedings with a subcontractor related to the demands of the subcontractor to be reimbursed for the value of additional work for over KZT 5 billion, the counter-claims of the main contractor to demand the return of the advance payment and foreclosure upon the advance payment of the bank guarantee, and rehabilitation issues, such as taking injunctive relief and challenging the actions of bailiffs;
- Advising a construction holding headquartered in Germany on the reconstruction of a power plant in Kazakhstan, including advice on taxation and the form of legal presence in Kazakhstan, the drafting and negotiating of construction contracts based on FIDIC forms, and the registration of legal entities in Kazakhstan and obtaining the necessary permits;
- Advising a building company, headquartered in Malaysia, on the construction of a luxury residence complex in Almaty, Kazakhstan. Legal assistance included the drafting of a construction contract, advising on different aspects of Kazakhstan's legislation, and negotiations with subcontractors and other parties involved in the project;
- Representing the interests of a Kazakh industrial group in a project of oil refinery construction on the territory of Kazakhstan. The advice related to project structuring and drafting a construction contract in accordance with FIDIC Silver Book.
- Advising one of the major Russian investment banks on the financing of construction of a gold processing plant on the second largest gold deposit in Kyrgyzstan;
- 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 Fresenius Medical Care on PPP project "Organization and provision of hemodialysis services in Bishkek, Osh, Jalal-Abad" (Public partner is Ministry of Health);
- Advising the client on construction of four haemodialysis clinics. Assisting the client during whole process of construction and preparing all documents for commissioning;
- Advising Bishkek city administration on a feasibility study for modernisation of the parking system in Bishkek through PPP (jointly with Aninver Infra PPP S.A.);

Recent projects

- Advising a Kyrgyz bank on purchase of the building. Due Diligence of the new building and title documents. Advising on regulation of construction, renovation;
- Advising EBRD on relocation. Assisting client during relocation (advising on sale of the property, renewal of title documents, reviewing lease agreement);
- Advising IFC on Road tolling system in the Kyrgyz Republic;
- Advising BPC AG (Switzerland) and its affiliates on implementation of the second ever PPP project in the Kyrgyz Republic named “Electronic ticketing in public transport in Bishkek city”;
- Advising a Russian construction and engineering company on acknowledgement of a Kazakh construction license in Kyrgyzstan;
- Advising EBRD on financing of a company providing water supply and waste water management services to residents of the city of Kant in Kyrgyzstan with a view to modernise the water and sewage network in the city;
- Providing assistance to a USA private investment company with drafting and structuring construction of a 100 million US dollars cancer clinic in Tashkent region;
- 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 70 million US dollars;
- Advising the Japanese Hitachi-Zosen Corporation on issues related to entering into a EPC (FIDIC) contract for the construction of an LTFT reactor for “Uzbekistan-GTL” JV LLC, a project worth over 100 million US dollars;
- Advising Chinese Corporation on a wide range of contractual obligations related to the breach of EPC contract terms by the General Contractor as well as on the enforcement of a foreign bank guarantee in a project worth more than 150 million Euros;
- Advising a consortium of Petronas, a Malaysian corporation, and Sasol, a South-African corporation, on an investment project for the construction of a GTL plant in Uzbekistan under an investment agreement with Uzbekistan Government (a project worth over 3 billion US dollars);
- Drafting and negotiating an EPC contract for the supply and construction of a gas pumping and compression station at Navoi TEP worth 15 million Euros;
- Advising on the applicable construction rules and contractual obligations under an EPC contract for the construction of a combined cycle power plant with a capacity of 478 MW at Navoi Thermal Power Plant;

Recent projects

- Advising and supporting a European Bank for Reconstruction and Development credit transaction with Inter Fitness LLC for the amount of 2 million USD for the construction of an autonomous multifunctional Fitness Center, as well as preparing and conducting legal due diligence of documents, legal opinion, pledge agreement;
- Advising and supporting the Eurasian Development Bank in return leasing transactions with two flour-grinding enterprises in the amount of 2.7 million USD, including the preparation of contracts: purchase and sale of movable and immovable property, a guarantee, financial leasing and mortgage;
- Advising and supporting of credit transactions of the China Development Bank in the amount of 30 million USD with the State Savings Bank of Tajikistan for construction of 9-floor building. Advising client on construction regulation including the preparation of a legal due diligence report, memorandum, legal opinion, real estate pledge
- 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 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.;
- Represented one of major German construction companies in a dispute with respect to the repayment of debt due to failure to fulfill contractual obligations by an Azerbaijani company for EUR 6,000,000 amount.
- Representation of the interests of an international group of companies when concluding a casino lease agreement at the Renaissance Minsk hotel, legal support for the development of design documentation (coordination of conditions for obtaining permits from the owner, support for the conclusion of contracts for adapting the concept developed by the international consultant, and the development of specialized sections of design documentation) and the implementation of construction and installation works (support of the work on the conclusion of supply contracts) – the casino was launched;
- Representation of the interests of a Russian 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);

Recent projects

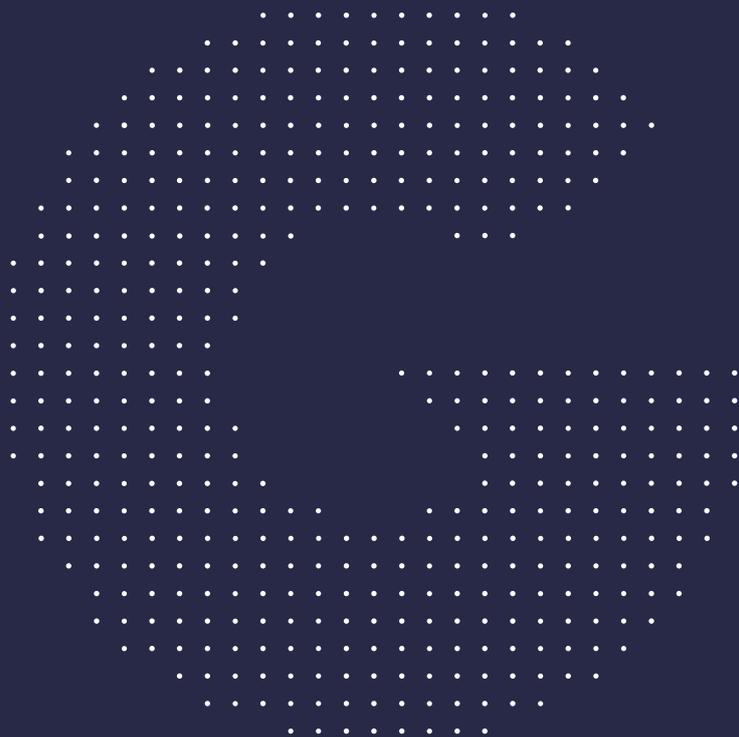
- Representation of investors' interests in the acquisition of a land plot in the central part of Minsk by purchasing a Belarusian legal entity (the land user) with a preliminary DD and the structuring of the deal for further implementation of a business center construction project. Construction of the business center is underway;
- Representation of the interests of a Latvian client investing in construction projects in Belarus (review of design and cost estimate documents for projects in Minsk, support of conclusion of agreements on shared participation in construction, ensuring the registration of the operating company and its current management, drafting of documents for entering of the investor, construction monitoring up to the commissioning of the building);
- Advising Management & Consulting Services GmbH on the waste water treatment project funded by the German Bank for Reconstruction (KfW);
- Project for the Development of Tetnuldzi Mountain Ski Resort - providing legal services to one of the main contractors of the Government of Georgia, working on the Hazardous Natural Zone Map;
- Legal support for a foreign investor engaged in the construction of two hydropower plants in eastern Georgia. 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;
- 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;
- Due diligence of land plots for one of the world's largest retail chains selling furniture and home goods to help the client make a decision about a potential purchase;

Recent projects

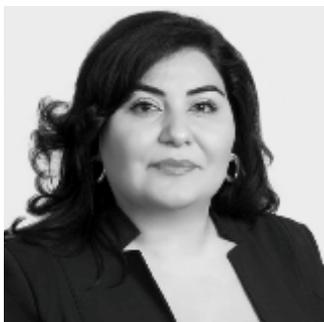
- Support in the registration of collateral relations between a Turkish Bank and a Russian company that provided land in the center of St. Petersburg for the construction of a hotel complex as collateral for the obligations of a third party (the parent company from Turkey). The project cost is 180,000,000 Euros;
- Legal support of the General contractor in the construction of the Gazprom arena sports complex, including a dispute with the Federal tax service on completion of construction and reduction of tax requirements by more than 5 times. Project cost 2 500 000 000 Euros;
- Comprehensive support of the activities of the NGO "Akvaizh" for the design, manufacture and maintenance of water supply and sanitation systems in small and large settlements of the Leningrad region;
- Legal support of the Wood Engine group of companies in the construction of a woodworking plant in Cherepovets for the Cherepovetsles holding;
- 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 12 million Euros;
- 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 3.5 million Euros.



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ABOUT GRATA INTERNATIONAL

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. If necessary, inter-office teams with relevant experience are assembled to provide solutions to complex tasks. Service quality is assured by a clear system of organisation of this process.

GRATA International is present in the following jurisdictions: **Azerbaijan** (Baku), **Belarus** (Minsk), **Georgia** (Tbilisi), **Kazakhstan** (Aktau, Almaty, Atyrau, Nur-Sultan, and other cities), **Kyrgyz Republic** (Bishkek), **Moldova** (Chisinau), **Mongolia** (Ulaanbaatar), **Russia** (Moscow, St. Petersburg, Rostov-on-Don, Samara), **Tajikistan** (Dushanbe), **Turkmenistan** (Ashgabat), **Turkey** (Istanbul), **Ukraine** (Kyiv), and **Uzbekistan** (Tashkent).

In addition to its offices, GRATA International has representatives in the **UK** (London), **Germany** (Frankfurt), the **USA** (New York), **China** (Beijing, Hong Kong), **UAE** (Dubai), **Russia** (Kazan), **Malaysia** (Kuala Lumpur) and **Switzerland** (Zurich).

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**.

Key Industry Sectors:

- Banking and Finance
- Construction and Infrastructure
- Industry and Trade
- Mining
- Oil and Gas
- Technology, Media & Telecommunications
- Transport
- Pharmaceuticals and Healthcare



250+

Professionals



20

Countries of presence



6000+

Clients



11 000+

Projects

Global presence



Integrated
offices

Azerbaijan
Baku

Belarus
Minsk

Georgia
Tbilisi

Kazakhstan
Aktau
Almaty
Atyrau
Nur-Sultan, etc.

Kyrgyzstan
Bishkek

Moldova
Chisinau

Russia
Moscow
Rostov-on-Don
St. Petersburg

Tajikistan
Dushanbe

Turkmenistan
Ashgabat

Ukraine
Kyiv

Uzbekistan
Tashkent



Associate
offices

Mongolia
Ulaanbaatar

Russia
Samara

Turkey
Istanbul



Representatives

China
Hong Kong
Beijing

Germany
Frankfurt

Malaysia
Kuala Lumpur

Russia
Kazan

Switzerland
Zurich

UAE
Dubai

UK
London

USA
New York

Local Knowledge for Global business