

## James Clark

Senior Associate  
*Corporate, Finance and Investments*

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James Clark has extensive experience advising developers and lenders on the full suite of construction documentation required for the procurement, construction and financing of major projects, with particular expertise in infrastructure, renewable and traditional energy, data and petrochemical projects. Recently, James has advised the developers on the 2020 Asian Infrastructure Renewable Energy Deal of the Year, 2019 Asian Infrastructure Green Deal of the Year and 2019 Marine Offshore Project Financed Deal of the Year.

James has advised developers on many high-profile infrastructure and power projects, including the Melbourne Metro Rail Tunnel Project, the Melbourne Regional Rail Link Project, the Victorian Regional Rail Revival Projects and the Eastern Distributor and Cross City Tunnel Projects in Australia, the Formosa 1, Formosa 2, Formosa 3, Changfang and Xidao and Yunlin Offshore Wind Farm Projects in Taiwan, the National Sportshub PPP Project in Singapore and the Kai Tak National Sports Park Project in Hong Kong.

James' experience extends to advising developers and lenders on data centre, petrochemical and shipping projects, including the Rackbank Hyperscale Data Centre portfolio in India, the Pengarang Petrochemical Project in Malaysia and the Golar GIMI FSRU Project in Africa.

James has extensive experience with the full suite of construction documentation required for major projects in the aforementioned markets, ranging from complex EPC turnkey arrangements through to D&C, DBO, EPCM, MCA, Multi-Stage Contracts, Alliancing and PPP arrangements and this experience includes advising in respect of balance sheet, asset and project financed projects.

## Matters

### **Power and Petrochemicals**

Advising:

Macquarie, Orsted, JERA and Swancor on the development and financing of the Formosa I Offshore Wind Project, Taiwan (2019 Asian Infrastructure Awards Renewable Energy Deal of the Year);

Macquarie and Swancor on the development and financing of the Formosa 2 Offshore Wind Project, Taiwan (2020 Asian Infrastructure Awards Green Deal of the Year);

Macquarie and ENBW in connection with the structuring and procurement for the Formosa 3

Offshore Wind Project in Taiwan;

JWD on the procurement and delivery of the Aomori and Akita Offshore Wind Projects in Japan;

JBIC, KEXIM and the commercial banks in connection with the US\$2.5bn 1,200MW Nghi Son 2 BOT coal fired power plant in Vietnam;

SACE and other ECAs on the procurement and delivery of Pengerang Petrochemical Plant in Malaysia;

the lender group in relation to the Sunseap PV Solar Project in Vietnam;

the lender group in relation to the Reliance and Phoenix gas to power projects in Bangladesh;

a shortlisted bidder on the partial acquisition of Changfang and Xidao Offshore Wind Projects in Taiwan;

a shortlisted bidder on the partial acquisition of Yunlin Offshore Wind Project in Taiwan;

Synergy on the development of Engineer Procure and Construct and Power Purchase Agreements for Greenough River Solar Farm;

Synergy on the development of Engineer Procure and Construct, Operations and Maintenance Agreements and Power Purchase Agreements for and Albany and Grasmere Wind Farms; and

Neoen on the delivery of Stages I and II of the 315MW Hornsdale Wind Farm in South Australia.

## **Infrastructure**

Advising:

the Victorian Department of Economic Development, Jobs, Transport and Resources on the delivery of the \$12 billion Metro Tunnel Project, including leading roles on the;

- Rail Infrastructure Alliance Project for the delivery of rail and stations, tunnelling works and track-works;

- Rail Systems Alliance Project for the design and provision of rail systems and signalling software and infrastructure; and

- Early Works Managing Contractor Agreement for demolition, site preparation, tram diversions and utility services relocation in the Melbourne CBD;

the Victorian Department of Transport on the delivery of the \$5 billion Regional Rail Link Project, including leading roles on:

- Work Package E for the Design and Construction of new rail, road and stations infrastructure;

- Work Package F for the Design and Construction of new rail, road and signalling infrastructure; and

- Work Package G Alliance for the design and provision of rail systems and signalling software and infrastructure,

- and an 8-month secondment at the Victorian Department of Transport's Project Authority;

Goldman Sachs and TPG in relation to the financing and construction of a hyper-scale data centre in

Tamil Naidu in India;

Kai Tak Sports Park Ltd on the successful tender for, and delivery of, the Kai Tak Sports Park complex in Hong Kong;

the Victorian Department of Economic Development, Jobs, Transport and Resources on the delivery of the \$600 million Ballarat Line Upgrade Alliance Project;

United Premas as a part of a consortium for the delivery of the \$1.4 billion Singapore Sportshub National Stadium Private-Public Partnership;

the Victorian Department of Transport on the \$153 million Westall Rail Upgrade Project for the delivery of rail and stations infrastructure;

Transurban on the \$475 million acquisition of the Cross-City Tunnel and subsequent Operations and Maintenance Agreements for the Eastern Distributor and Cross City Tunnels in Sydney;

Transurban on the Design and Construction and Operation and Maintenance Agreements for the Inner-City Bypass road project in Brisbane; and

the Victorian Department of Economic Development, Jobs, Transport and Resources on the delivery of the \$1.7 billion Regional Rail Revival, including leading roles on the:

- \$530 million Gippsland Line Upgrade Alliance; and

- \$114 million Warrnambool Line Design and Construct package.

## **Shipping**

Advising:

the lender group in relation to the construction financing of an FLNG unit to be employed in Mauritania and Senegal including conducting due diligence (2019 Marine Offshore Project Financed Deal of the Year);

a Japanese consortium in relation to the construction and chartering of an FPSO vessel in Brazil;

Macquarie in relation to the construction and chartering of an FPSO project in Malaysia;

a Japanese consortium in relation to the tender process for chartering and construction of an LNG bunkering vessel for a project in South East Asia;

a Japanese sponsor in relation to the tender process for an FPSO project in Brazil, including negotiation of an EPC contract; and

a Japanese sponsor in relation to the procurement process of a contractor for the conversion of a FSRU and negotiation of relevant construction contracts.

## **Construction Dispute Resolution**

Advising:

Macquarie, Orsted, JERA and Swancor on claims, project management and arbitration strategy with respect to the Formosa I Offshore Wind Project, Taiwan;

Macquarie and Swancor on claims, project management and arbitration strategy with respect to the Formosa 2 Offshore Wind Project, Taiwan; and

Pacific Hydro on claims, project management arbitration and litigation strategy with respect to the La Confluencia and La Higuera mining projects in Chile.

## Credentials

### EDUCATION

B.C.L./LL.B., University of Melbourne

B.Comm., University of Melbourne

### ADMISSIONS

High Court of Australia

Supreme Court of Victoria, Australia

### ASSOCIATIONS

Society of Construction Law

### LANGUAGES

English