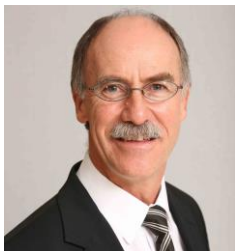


## Biography



Director

**Deon Griessel**

Commercial

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## Background

**Deon Griessel** is a Director and advises across the Banking & Finance; Construction & Engineering; Corporate Mergers & Acquisitions; Financial Services Regulation; Infrastructure, Energy & Projects; Property & Real Estate; and China practice areas. He specialises in project finance; construction and engineering agreements; exchange control matters; mergers & acquisitions; and drafting and advising on a wide variety of commercial agreements (including structuring of share transactions; lease agreements; and property-related agreements.) Deon has advised on the preparation of numerous FIDIC-based contracts, EPC documentation and other engineering contracts for major clients in relation to the design and construction of various plants; mines; power stations; and related infrastructure.

*Years of Experience: 31 years*

## Key practice areas

### Commercial

- Project Finance
- Infrastructure, Energy & Projects
- Construction & Engineering Agreements
- Commercial Agreements
- Property & Real Estate – related agreements

## Education

- **Admitted as an Attorney**, 1990
- **LLM**, University of South Africa, 1988
- **LLB**, University of Pretoria, 1983
- **BLC**, University of Pretoria, 1981

## Highlights

- Ranked as a recommended lawyer by *Legal 500* | 2017 and 2018 | Projects & Infrastructure

## Relevant Experience

Advised / Represented / Acted on behalf of:

- **PG Glass** on a wide variety of FIDIC based international contracts for the enlargement of a major plate glass plant (involving lehr and tin bath) in Springs (Contractual arrangements being inter alia FIDIC White Book, Green Book, Red Book and Silver Book based);
- **Mine Officials Pension Fund** on the original Melrose Arch mixed use development in Rosebank, Gauteng;
- Advised Petra Diamonds/Cullinan Diamond Mine in connection with a contract with MDM technical Africa Proprietary Limited for the Cullinan Mill Extension Project, based on NEC 3 engineering and construction with option A and activity schedule;
- Advised Sinosteel of China on contracts for the purchase and construction of the Sinosteel Plaza Building in Sandton (JBCC based);
- Advised Sinosteel of China on contracts relating to rooftop signage (FIDIC green book based);
- Advised a large international mining company on FIDIC-based Engineering and related contracts for a mine in Burkina Faso (split-EPC arrangement);
- Advised the PIC in connection with the EPC contracts for the construction of Kiaat Private Hospital in Nelspruit;
- Advised Standard Bank and Nedbank on project finance matter concerning the development of an integrated Ferrochrome Production Facility including a Chromite Mine and associated ferrochrome smelter and processing facilities for international ferro metals (with hatch as lenders' independent technical consultant);
- Advised 4 Degrees South Architects on proposed large scale residential development and university for the government of the Cameroon;
- Advised SBT Juul Africa Limited in regard to contracts with the Government of Rivers State, Nigeria in respect of an international airport hotel at Omagwa, Port Harcourt, Rivers State, Nigeria;
- Advised Siemens on the development of Nelson Mandela School in Mvezo, Eastern Cape;
- Advised SBT Juul Africa in connection with contractual documentation relating to the construction of Mount Meru Hotel in Arusha, Tanzania (FIDIC red book based);
- Advised South African revenue service on office development in Alberton;
- Advised Distribution And Warehousing Network Ltd (listed on JSE) on office and warehouse development where Giuricich was the counterparty;
- Advised the local subsidiary of a prominent New York Stock Exchange-listed Company (Philips) on contracts relating to a local parastatal's standard offer programme;
- Advised Septima International Limited in connection with proposed commercial property development at Kafue Junction; in Zambia;

## Relevant Experience (cont.)

Advised / Represented / Acted on behalf of:

- Advised a large multinational company (Barloworld) on EPC and O&M contracts for a proposed gas-fuelled power station in Mozambique;
- Advised a Jse-listed company on FIDIC-Based EPC contracts for a major coal-fired power station in mpumalanga;
- Advised a JSE-listed company on FIDIC-based contracts for the design and construction of its coal-processing plants;
- Advised ACTOM on projects they bid for and assist them in drafting final contracts, which are usually FIDIC based;
- Advised Xstrata SA (pty) Ltd (now Glencore Operations SA (Pty) Ltd) in relation to various FIDIC based engineering contracts relating to various platinum plant and infrastructure projects;
- Engaged on preliminary basis with Akani Africa Property Services on proposed participation in potential property developments in Ghana and forming joint venture in-country with Jescan Construction Limited with the aim to develop mostly residential property for Stanbic Bank Ghana Limited, the SCANCOM local staff association and a prominent Ghanaian family;
- Advised diplomat on commercial property development in Kuilsrivier where Zenprop was the counterparty;
- Advised Absa on its acquisition of 15 on orange hotel in cape town;
- Advised Investec Bank on Xanadu Residential Property Development;
- Advised Glencore Operations SA (Pty) Ltd on contracts for the construction of a gas-to-liquid plant;
- Advised PDNA Holdings Proprietary Limited on the Kusile Water Treatment Plant and on corporate and commercial aspects of engineering, procurement and construction-related work at Kusile Power Station;
- Advised Cronimet Chrome Mining in finalising FIDIC silver book based contract for the design, manufacture, installation and commissioning of a new chrome beneficiation plant;
- Advised quanta services in a detailed review and risk assessment of a NEC based tender issued by City Power (Johannesburg);
- Advised PDNA Re Consultants Services Contract for engineering and project management services relating to Eskom's proposed pilot concentrating solar thermal demonstration plant in Upington;
- Advised Nuplanet Project Development on EPCM and O & M contracts for the proposed erection of a hydro-electric power station at the Stortemelk Dam;
- At the request of a large Australian listed mining company, reviewed scores of FIDIC based engineering contracts relating to the Katanga Mine in the DRC in anticipation of a proposed offer;
- Advised ACTOM in the finalisation of various aspects relating to the conclusion of a contract for the installation of a bagasse fired boiler for Compagnie Sucriere De Kwilu-ngongo in the DRC;
- Drafting of various FIDIC based subcontracting arrangements (relating to a bagasse boiler) between ACTOM and a Mauritian company;

## Relevant Experience (cont.)

Advised / Represented / Acted on behalf of:

- Acted for Taurus Gold in preparing the FIDIC based EPC documentation for the construction by Sinosteel of China of a mine and related infrastructure in the Ivory Coast;
- Acted for Jidong Development Group of China in relation to the erection of the New Mamba Cement Factory at Thabazimbi, RSA, where a 'split EPC' arrangement was successfully negotiated and funded by the banks;
- Advised Jidong Development Group of China on Project Buffalo: a proposed new cement clinker production line in Zambia;
- Advised Universal Coal on a FIDIC –based mining contract at the Roodekop Mine, RSA;
- Advised Pan African Resources Plc on their evander tailings re-treatment project designed to retreat 2.16 million tonnes of tailings a year;
- Advised Cronimet Chrome Mining on an automation contract in regard to a plant for a mine;
- Advised 'A spring of hope' on a water & environmental project (on pro bono basis);
- Advised two thirds Voltcon of Zambia regarding Electrical Projects in Zambia (contracting structure based on FIDIC conditions of subcontract for construction);
- Advised Nando's on building and engineering contracts relating to the refurbishment of their head office in Johannesburg;
- Advised Life healthcare on employer's amendments to new JBCC principal building contract;
- Lecture at Life Healthcare on construction & engineering contracts and contracts to appoint professionals;
- Advised Universal Coal Plc on a discard handling contract, a FIDIC based mining services contract and a contract for plant modifications and upgrade;
- Advised Sime Darby Hudson & Knight on an agreement for the design, manufacture and supply of interesterification processing plant ex Belgium, supplied by Desmet Ballestrada Group S.A. of Belgium;
- Advised PASDEC on contracts for the refurbishment of its premises in Lobatse, Botswana for use as a new car parts manufacturing operation to supply OEMS;
- Advised BAIC automobile SA (Pty) Ltd (a joint venture between the IDC and BAIC International Development Co. Ltd of China) on the appointment of the Hatch/Turner & Townsend joint venture as owner's engineer for the proposed new 72,000m<sup>2</sup> vehicle manufacturing facility in Coega with a capacity of 39,000 vehicles per annum (FIDIC white book based);
- Advised a number of other smaller construction, design and engineering entities and employers on JBCC, FIDIC and NEC based contracts;
- Regular speaker at werksmans construction and engineering seminars for clients;
- Advised Dynamic Instruments on a ZAR500 million subcontract with ABB relating to Kusile Power Station (FIDIC yellow book based);

## Relevant Experience (cont.)

Advised / Represented / Acted on behalf of:

- Advised Sunedison on two major subcontracts with ABB pertaining to the erection of the Witkop And Soutpan Photovoltaic Solar Power Plants at a project cost in excess of ZAR1 billion each;
- Advised Alphamin Bisie Mining S.A., Democratic Republic of Congo on a US\$1.2 million plant hire agreement ;
- Advised Sunedison on the erection of the Boshoff Photovoltaic Solar Power Plant at a project cost in excess of ZAR1 billion;
- Advised Alphamin Bisie Mining S.A., Democratic Republic of Congo on a ZAR140 million EPCM contract between itself and DRA projects;
- Advised Investec Bank on Highland Gate Golf Estate and residential development;
- Advised Alphamin Bisie Mining S.A. of Democratic Republic of Congo on a US\$3 million mine establishment contract between itself and reliant Congo S.A.R.L.;
- Advised Investec Bank on Copperleaf Golf Estate and residential development;
- Advised Panda Hill Tanzania Limited (registered in Mauritius) on a ±66 million litre/±US\$44.4 million fuel supply agreement for diesel and heavy fuel oil with Puma Energy Tanzania;
- Advised Complant of China on proposed large scale low cost housing project in Pietermaritzburg area;
- Advised Panda Hill Tanzania Limited on a US\$11 million EPCM agreement with Hatch Africa;
- advised developers of the Bankenveld residential development in Mpumalanga;
- Advised Panda Hill Tanzania Limited on a US\$10 million operation and maintenance agreement with Minopex Tanzania in respect of a niobium processing plant;
- Advised Matusen and Associates and The Standard Bank of South Africa on the Revo Developments township development (a large scale residential development in Springs area, Gauteng East Rand);
- Advised Panda Hill Tanzania Limited on US\$110 million drill, blast, loan and haul contract with BC Mining, Bamboo Rock Drilling and African Explosives (Tanzania) Limited;
- Advised BAIC Automotive SA (Pty ) Ltd (its parent company is Chinese) on a US\$126.4 million EPC contract with Beijing Industrial Design and Researching Institute Co. Ltd of China;
- Advised Taung Gold Secunda Proprietary Limited (holding company listed in Hong Kong) on a US\$600 million binding term sheet between client and MCC International Incorporation Limited of China for the dewatering and re-development of a deep level gold mine in Secunda (FIDIC Yellow Book based);
- Advised Solar Implement Solutions on a ZAR19 million design, build, operate agreement for a 2MW refurbished wind turbine power generation facility between client and Viking Fishing AquaCulture (FIDIC Gold Book based);

## Relevant Experience (cont.)

Advised / Represented / Acted on behalf of:

- advised Rowmoor Investments 1008 (Pty) Ltd (offshore held) on a ZAR120 million JBCC based principal building contract between Rowmoor and Murray & Roberts Western Cape for the erection of an 11 storey building in Clifton, Cape Town;
- Advised Investec Bank Limited and Aveng Capital Partners on a ±R400 million proposed structure/bid for the re-development of a Distribution Centre (DC) in Centurion, Gauteng to be undertaken for SA Corporate Real Estate and Imperial Health Sciences involving JBCC Principal Building Agreement and related contracts;
- Provide Siemens South Africa with regulatory advice re housing their renewable energy business in a different subsidiary;
- Advised Panda Hill Tanzania on a logistics services contract for the Panda Hill Niobium Project in Tanzania;
- Advised ACTOM (Pty) Ltd on a JBCC based principal building agreement (and related PROCSA based contracts for professionals) for ACTOM's Knights Extension Project;
- Advised on REIPP based Operations and Maintenance Agreement for Cronimet Mining Power Solution (SA) (Pty) Ltd;
- Advised Alphamin Bisie Mining S.A. of the DRC on FIDIC Short Form based agreement;
- Advised Rand Mutual Association on JBCC based contract with Karpah Construction ;
- Advised Panda Hill Tanzania on FIDIC Red Book based remeasurable contract;
- Advised Advtech Group on JBCC based Principal Building Agreement;
- Advised Panda Hill Tanzania on a US\$1.2 million power supply contract with KPS Power Africa Tanzania for a 10.8MW power generation facility (HFO fueled) for the Panda Hill Niobium Project in Tanzania;
- Advised Alphamin Bisie Mining SA on a \$3.9 million road rehabilitation contract;
- Subcontract matter for ACTOM;
- Advised Vertiv on contract for the establishment a data centre for Dimension Data (JBCC based);
- Contracts for the establishment of a training centre by Akani Maluleke (JBCC based);
- Advice to Cargill re proposed natural ester plant in South Africa;
- Provide opinions and advice to Vestas Southern Africa (Pty) Ltd concerning Wesley and Kouga Windfarm Projects, combined project value in excess of ZAR3.0 billion;
- Advised Menlyn Maine Fire System sharing agreement for an hotel and shopping centre;
- Advised Alphamin re site security agreement for new tin mine in DRC;
- Advised Panda Hill re laboratory agreement for new mine in Tanzania;
- Advised Panda Hill re comments by Allen & Overy Paris, France (on behalf of German lender) on suite of ten agreements for establishment of new ferro-niobium mine in Tanzania;

## Relevant Experience (cont.)

Advised / Represented / Acted on behalf of:

- Advised the V&A waterfront on agreements concerning completion of Radisson Red Hotel, Cape Town;
- Advised Investec Bank on various aspects of the Kragbron Residential Development in Free State Province;
- Advised the V&A Waterfront on JBCC based construction agreements for developments in the Cape Town V&A Waterfront Complex;
- Advised Geneva-based Private Funder on agreements for acquisition and development of Avantgarde Tower Block Development at 142 Breë Street, Cape Town (proposed development value ZAR1.1 billion).
- Advising Taung Gold on ZAR7.5 billion FIDIC yellow book based contract for development of new mine and infrastructure;
- Advised Alphamin on agreements for 1 million litre bulk fuel facility for new mine in DRC;
- Advised Alphamin on numerous bulk supply agreements, including explosives, cement, fuel, lubricants, parts, catering and logistics services;
- Advised Universal Coal on ZAR1 billion FIDIC red book based agreement with JCI Box Cut Opencast Mining Services;
- Advised Universal Coal on ZAR36 million FIDIC green book based agreement with SSMS for mine infrastructure development;
- Advised Alphamin on mine establishment contract (DRC);
- Advised Debswana Diamond Company on FIDIC based with Majwe Mining Services Agreement for the Jwaneng Mine in Botswana