

CIPFA Procurement Webinar

Introduction to the NEC4 Engineering and Construction Contract for Public Sector Practitioners

Webinar

20 April 2021

Purpose

This event has been developed to support practitioners understand the complete NEC4 suite of contracts. The webinar will focus on the key provisions in the NEC4 contract. The NEC suite of contracts has become the contract of choice for many public sector procurers of construction and maintenance works, and it is critical that practitioners understand changes to the contracts, as well as accompanying guidance. NEC4 has been created as an improved, revised and updated version of the NEC3 suite of documents and is designed to streamline processes and improve contract administration. Attend the event to get up to speed and gain a better understanding of the underlying principles behind NEC4 and develop a working checklist to use clauses appropriately and at the right time.

Learning Outcomes

Key Outcomes:

- How NEC4 contracts apply to public sector procurements
- Understand how you can make the best use of NEC4 contracts
- Importance of clear communication between client, lawyers and procurement teams
- Explanation of the roles and responsibilities of the key parties under the NEC4 contracts
- Discussion whether amendments and supplemental drafting is necessary to address project specific matters, as well as issues of interpretation

Who Will Benefit

This event will be of interest to everyone (project managers, procurement, legal, estates, highways,) who want to develop a greater understanding of how the NEC4 suite of contracts, how to administer these contracts effectively, avoid costly and time-consuming disputes and manage issues that arise. Delegates will also gain an understanding of the fundamentals of contract law, appreciate the perils of amending contracts and by the end of the day go away with a practical awareness of the main provisions of the NEC4 Contracts.

Programme

09.45 – 10.00 **Join the Webinar**

10.00 – 10.10 **Welcome, Introductions and Overview of the Day**
Mohamed Hans, Solicitor, Procurement Advisor,
CIPFA Procurement & Commissioning Network

10:10 – 11.20 **Background to the NEC4 Suite of Contracts**
This session will provide delegates with a quick introduction to NEC4 contract terms and background:

- History & underlying principles of the NEC4 contract
- Why was an update required?
- The NEC4 “Family” of contracts
- Migration from NEC3 to NEC4 – time period
- The role of NEC4 contracts in the public sector
- Key changes to terminology
- Accommodating statutory requirements – eg Fol, CDM, Bribery Act etc

1:20 – 11.35 **Comfort Break**

11.35 – 12.40 **NEC4 Core Clauses**
This session will offer delegates a practical explanation of the core clauses, and the main and secondary options of the NEC4 suite of contracts which are applicable in every contract. The session will cover:

- Selecting the appropriate Main Option A-F
- Dispute resolution option
- Secondary options
- Inclusion of optional (Z clauses) and bespoke amendments
- The Schedule of Cost Components?
- Scope and Site information

12.40 – 13.20 **Lunch**

13.20 – 14.50 **Key Provisions you need to Understand**
This session will provide further details on the NEC4 Engineering and Construction Contract, as well as key clauses that will facilitate a better understanding when using the contract and enable informed amendments to be made:

- Contractor’s main obligations
- Who has design responsibility?
- The Schedules of Cost Components
- Contractor’s obligations in relation to time and early warning provisions
- The Accepted Programme
- Process for completion
- Compensation events
- Process for completion
- Dealing with bonds and guarantees
- Understanding fundamental risk and insurance issues
- Termination Rights
- Collateral Warranty/Third Party rights
- Tiered dispute resolution
- Amendment policy – keeping it simple

14.50 – 15.25

Case Studies and Questions

The NEC4 contracts are viewed as an effective project management tool. The final session will cover practical issues and include opportunities for a Q/A session.

15.25 – 15.30

Discussion, summary & close



CIPFA Sustainability Policy

CIPFA is delivering all of our training courses, workshops and seminars in accordance with our sustainability strategy. We do not provide hardcopy course materials to delegates and these are now distributed by email in advance of the event. We are striving to reduce our carbon footprint in every way that we can, and we hope that we can count on your support.