

A FRESH ROUND OF STANDARD FORM CONTRACT EDITIONS

- ▶ New editions of several standard form construction contracts have been, or will be, released.
- ▶ The new editions generally aim to provide contracting parties with greater clarity and ease of use.
- ▶ When planning new projects, contractors and employers alike will need to consider the range of new editions available.

What's it about?

JCT

The JCT has announced that it will issue new editions of its suite of contracts during 2016, starting with the Minor Works contracts. Richard Saxon CBE, the JCT Chair, stated that the "2016 Edition continues [its previous] evolutionary process."

The 2016 edition will incorporate previously published amendments and supplements and, amongst other things, is expected to include:

- ▶ simpler, fairer and more consolidated payment terms;
- ▶ changes to insurance provisions; and
- ▶ improvements to general functionality and accessibility of the contracts.

Many of the changes are commonly included in bespoke schedules of amendments and therefore are expected to reflect industry norms and recent regulatory developments.

NEC

The NEC has recently released a supplement, the Early Contractor Involvement (**ECI**), which is to be used in conjunction with the NEC's Engineering and Construction Contract.

The ECI allows contractors to take part in the design development and construction planning stages of a project which, as stated by Peter Higgins, NEC Consultant, means that contractors can be "appointed under a two-stage ECC contract before details of what is to be constructed have been fully developed and priced."

The ECI therefore sees an alignment with the Two Stage Open Book guidance issued by the Cabinet Office and Efficiency and Reform Group in January 2014.

CIOB

The Complex Projects Contract was released by the CIOB in 2013 with the aim of encouraging good time, cost and risk management.

In November 2015, a second edition was released and was renamed the "Time and Cost Management Contract".

The second edition primarily includes formatting changes, however more material amendments have been made to certain provisions, including those relating to liability, termination and disputes.

Why does it matter?

Industry standard contracts are used extensively throughout the construction industry. It is therefore imperative that contractors and employers alike are well versed in the content and applicability of current editions.

Now what?

Parties considering forthcoming projects will no doubt wish to give consideration to the above new contract editions.

The team at Addleshaw Goddard LLP will be happy to discuss the options with you. Please contact Luke Baines or Charlotte Shaw Leech.

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