

7. NEC4 Introduction to the Engineering and Construction Subcontract

Why you should attend this workshop?

This one-day workshop introduces you to the common philosophies of the NEC family of contracts and focuses in more detail upon the key mechanics and provisions of the NEC4 Engineering and Construction Subcontract (ECS) highlighting changes from NEC3. This session focuses on the subcontract version between the Contractor and the Subcontractor which is pretty much the same rules and obligations that exist in the ECC equivalent contract between the Contractor and their Client.

You will gain an understanding of the key aspects of ECS from all parties' perspectives. It will emphasize the importance of administering this form of contract during the life of a project rather than "leaving it in a drawer", as being contractual should be viewed very much as being proactive rather than being considered as negative. The session will review the contract strategy options between the primary ECS options A-E as well as the choice of secondary options that are available, all of which alter the risk profile and the payment mechanisms on a given project.

The workshop will review the key contractual clauses and mechanisms throughout the ECS contract, including the responsibilities of the Parties; flow of communication; early warnings; provisions for time and programme; testing and defects; payment; compensation events; risk and insurance and dispute avoidance. It considers how the contract if administered as intended should raise the level of understanding and transparency between the Parties involved and how the ECS contract can contribute to the effective management of a project to achieve the project objectives using a collaborative, transparent approach.

Attendees of this course will have a much clearer understanding of the intent of the specific contractual clauses of the ECS contract and in practical terms begin to see how they should administer them for the benefit of all parties on a particular project.

You will learn about:

- the philosophy and commonality amongst all the contracts within the suite of NEC4 contracts and fundamental changes from NEC3
- the use and appropriate contract strategy to adopt when choosing both primary options (A-E) and secondary options (X1-X21)
- appreciating the use of Contract Data, Scope and Site Information
- roles and responsibilities of the key Parties
- the important ECS clauses and processes, in particular early warning, the programme, Early Warning Register, communications, and compensation events
- understand how to apply ECS in practice and achieve satisfactory solutions to problems

Recommended for

This workshop is recommended for everyone currently involved either as a Contractor or as a Subcontractor working under an ECS contract including project managers, contract managers, quantity surveyors, clients, consultants, estimators and planners. This session will be suitable for those who are relatively new to these forms of contract as well as those who are already more experienced in the contract and looking to enhance their level of knowledge and understanding.