

NOTES OF THE JOINT CONTRACTS TRIBUNAL COUNCIL MEETING

HELD ON

06th DECEMBER 2018

1. The Chairman noted that the meeting was not quorate as only 11 members were in attendance compared with a requirement for 14. The meeting could therefore discuss the matters on the agenda but could not reach any decisions. The results of the discussions would then be forwarded to all members for consideration.
2. The JCT Board has approved the drafting of JCT and BIM Guidance Notes and the provision of Local Government introductory seminars.
3. The Drafting Sub-Committee (i) has received little response on its request for typical examples of Facilities Management Contracts on which to base its first draft, (ii) is consulting with the Contractors College and the Sub-Contractors College on the proposed form of Parent Company Guarantee, and (iii) is concentrating on the drafting of the Target Costs Contract and especially on whether pain and gain provisions should be applied to Interim Valuations or only at Final Account stage.
4. The Construction Dispute Resolution Group will invite comment from the Drafting Subcommittee on its proposals for Dispute Board Rules for the Major Project and Design & Build Contracts at its February 2019 meeting.
5. The Performance Bond Working Group advised that the Sureties that it has consulted have advised that they are only prepared to offer comment once a more detailed draft is available for consideration. Further work is therefore required and it is proposed to consider an Employer/Main Contractor Bond first followed by a Subcontractor Bond at a later date. The Clients College has expressed concerns over the proposals for a financial cap and the expiry of the Bond at Practical Completion.
6. The BIM Working Group is considering the contents of a report by Martin Davies on Integrated Project Insurance (IPI) and Insurance Backed Alliancing (IBA). Further information is required in order to complete its considerations.
7. Council expressed some scepticism at the proposals contained in the document entitled "Procuring for Construction" produced by the Construction Leadership Council.

D Colven

Specialists and Sub-Contractor College Member