

FEDERATION OF PILING SPECIALISTS MINUTES OF A COMMERCIAL COMMITTEE MEETING

Date: Thursday 9th November 2017

Time: 10:00am

Location: Friends House, 173-177 Euston Road, London, NW1 2BJ

Present: Nicholas Rogers Bauer Technologies
 Simon Lyons Central Piling
 Gemma Richardson Expanded Geotechnical
 Roger Barratt Keller Limited
 Terry Martin Murphy Ground Engineering
 David Colven Roger Bullivant

Guest Attendees: Alex Walsh Balfour Beatty Ground Engineering
 Isla Hill BAM Ritchies
 Michael Mason Bauer Technologies

In the Chair: Steve Wood Balfour Beatty Ground Engineering (acting Chair)

In Attendance: Ciaran Jennings FPS Secretariat
 Grace Hawkins FPS Secretariat

No	TOPIC	ACTION
1.	APOLOGIES FOR ABSENCE	
	Apologies had been received from Andrew West (Bachy Soletanche), Mark Sheridan (BAM Ritchies), Michael Parkes (Cementation Skanska), Greg Haynes (Keltbray) Ian Walker (Martello Piling Ltd) and Andy Goddard (Rock and Alluvium).	
2.	MINUTES OF THE LAST MEETING	
	The minutes of the meeting held on 28 th September 2017 were approved.	
3.	MATTERS ARISING	
i)	Unexploded Ordnance Previously Nick Rogers drafted a clause to address UXO in the FPS Facilities and Attendances document, it was reported that the wording was circulated to the Committee for review. The Committee agreed to the changes made, the FPS Secretariat to upload the amended Facilities and Attendances Document to the new website.	FPS Secretariat
ii)	Project Bank Accounts Previously the Committee agreed the pitfalls which were discussed should be added. Roger Barratt had agreed to amend the paper and amend the position to one of the FPS is in favour but recognises these considerations. The FPS Secretariat circulated the amended draft to the Committee again and it was requested members send comments back before the meeting in November. It was reported by Roger that no further comments were received, the Committee agreed the paper should go to the FPS Executive with the view for being published. It was previously discussed whether a clause to address asbestos should be added; it was proposed to produce a paragraph for inclusion within the Attendances and Facilities schedule regarding asbestos. Ciaran Jennings explained he checked the	Roger Barratt FPS Secretariat

	<p>working platform guidance and it does contain a reference to asbestos regarding the platform material.</p> <p>Steve Wood commented that this needed to extend to the ground and not just the working platform. He asked the Committee to send any wording they have in their terms and conditions regarding asbestos into the FPS Secretariat for circulation and consideration for inclusion within the Attendances and Facilities schedule.</p> <p>Nick Rogers commented that Bauer's expectation is that asbestos should be removed down to 10m and that an asbestos survey is required as part of the SI. Terry Martin stated how the risk is managed is important as asbestos has the potential to become airborne and pose a risk to operatives on site. Steve stated Main Contractors are becoming more aware of the risks which is positive. Steve advised it may be worthwhile canvassing this for the FPS Safety & Training groups view.</p>	<p>All FPS Secretariat</p> <p>S&T Agenda</p>
<p>4.</p>	<p>MARKET TRENDS: FPS 3rd QUARTER STATISTICS</p>	
	<p>Ciaran Jennings presented the order statistics for the 3rd quarter; he reminded the group that last year Franki Foundations joined as a member and at the start of 2017 Murphy Ground Engineering joined. Ciaran advised the 3rd quarter for 2017 should not be considered a direct comparison from the 3rd quarter for 2016.</p> <p>David Colven noted the outlook for housing is currently poor at the moment.</p> <p>Ciaran stated it was commented recently that the construction industry is in recession, the piling side of the industry has noted this first. Steve Wood agreed the secure workload for next year is not overwhelming apart from the prospect of the HS2 work. The start of HS2 is expected for 2019; as the first phase of HS2's ground investigation is ending soon. It was noted Crossrail 2 are looking to schedule their work to follow on from HS2; in theory there should be 10 years of work flow as a result.</p> <p>Ciaran added there may be uncertainty around the Brexit deal affecting the market.</p> <p>David asked if the scale can be swapped to the opposite position on the bar graph, Nicholas Rogers suggested new members are indicated for clarity of comparison. Steve agreed and suggested the year change is indicated; the FPS Secretariat agreed to look at making these changes.</p> <p>Terry Martin suggested as new member of the FPS, definitions of the categories would be beneficial, for example he explained he had confusion over what category a wind farm fitted into. Ciaran agreed this should be defined and will discuss with the FPS Executive. Roger Barratt advised there was some guidance originally, so may need to be looked at.</p> <p>Ciaran reminded the Committee, that members should put the orders in 1000s as this is not always done and causes some confusion when inputting the data for analysis.</p>	<p>FPS Secretariat</p> <p>Ciaran Jennings</p>
<p>5.</p>	<p>PROMOTION OF THE FPS</p>	
	<p>Steve Wood advised the Committee needs to look at highlighting the benefits for clients for the FPS to be promoted.</p> <p>Roger Barratt highlighted the new section on the website, which covers this. Steve asked the Committee if it is felt the website lists covers what the Committee wants to be conveyed.</p> <p>Ciaran Jennings reported he recently organised a meeting with a local MP regarding mental health in the industry. Phil Hines and Steve Hadley had advanced a position that quality contractors such as FPS Members were noted for looking after the mental health</p>	

	<p>of their employees and this needed to be valued in the procurement practices between tier 1s and tier 2s. This was also a viewpoint on quality generally that had been advanced to Crossrail 2 when the Executive met with them earlier in the year.</p> <p>Ciaran explained the FPS audit provides a differentiator in the market by independently auditing Members over five areas: Quality Management, Safety, Training, Technical capability and Environment. Steve asked who makes the decisions on what is included in the audit, Ciaran explained ultimately the FPS Quarterly Committee do and the Executive Committee oversee changes.</p> <p>Steve asked whether the FPS influence on technical standards and the SPERWall publication were respected and whether that translated into a requirement on tenders. It was commented that the FPS is known in the industry, but it does not tend to feature in negotiations and requirements.</p> <p>Isla Hill commented that securities and retention were an area where the FPS tends to get mentioned. Ciaran advised there is wider discussions among the FPS committees regarding retention, he added it is about clients wanting to hold on to cash, but clients present it as a quality assurance issue. Isla stated there are standard terms and conditions where they have to negotiate around the requirement for retention. She added it would be good if a client seeing the FPS logo would then recognise the implication of quality. Roger Barratt proposed a leaflet could be produced which companies could send out with tenders, he suggested to transfer or work from what is already on the website.</p> <p>Nicholas Rogers highlighted that in the minutes of the last meeting it was noted that Debbie Darling would be looking at the leaflet production, Ciaran advised he needs to formally discuss what the FPS want with Debbie. It was noted the leaflet could be printed and also made downloadable on the website.</p> <p>Alex Walsh agreed these were all good ideas, however the website may not be picked up by people who do not know what/who the FPS is.</p> <p>Michael Mason commented that there is a need to target quality managers and project managers who may have an interest in our audit processes. However we would need to be able to identify who these people are. Ciaran agreed to talk to Debbie to establish who to target for this message.</p> <p>Alex noted members of the Committee may have a database of these people which could be put together. Steve reminded the Committee they would need to consider data protection when sharing the contacts.</p>	<p>Ciaran Jennings Debbie Darling</p> <p>Ciaran Jennings</p>
6.	FAIR CERTIFICATION	
	<p>At the last meeting Mark Sheridan agreed to continue with this position paper before the next meeting and to include the benefits of a positive cash flow. It was reported Mark had to give his apologies, currently there is no update.</p> <p>Steve Wood noted the government is currently trying to make steps to improve payment periods, rather than how to assess fair certification.</p>	
7.	NEW FPS WEBSITE	
	<p>Ciaran Jennings presented the new FPS website to the Committee, he reported the website went live on the 20th October, the statement on the home page detailing who the FPS are was highlighted.</p> <p>Ciaran added it will be easy to make changes to the website in the future, whereas the old website was 20 years old in HTML and required the web developers to make any changes at a significant cost to the Federation.</p>	

	<p>Isla Hill added it would be interesting to see the people who went through an obscure route to their current career position, such as admin people who have worked their way up. The profiles should aim to tempt people with varied backgrounds which will promote diversity.</p> <p>Ciaran advised there had been a female apprentice who was previously a gunner in the army and another who originally trained as a Beauty Therapist. It could be discussed with Debbie Darling to create a campaign to get these types of people in the industry highlighted on the career profile page of the website.</p>	
10.	CONTRACTS AND TERMS	
a)	Build UK	
i)	<p>Pre-Qualification</p> <p>It was reported on the 11th October 2017, Ciaran Jennings and Alasdair Henderson met with Jo Fautley from Build UK, to discuss the elements which the FPS are not happy with. The FPS was concerned with their proposal to incorporate the FPS Audit into the standardised PQQ. Previously it was reported that Build UK are trying to create a unified PQQ system, it is split into two sections for high and low risk activities. They are intending it to work as a base set of questions across all trades then specific question sets for specialists. They have approached trade associations for their audit schedules. The intention of the PQQ project is to clear the problem of having to answer multiple PQQs each week; it is ambitious in scope.</p> <p>The issue for FPS is the introduction of the FPS audit process into this PQQ process. currently the audit is carried out every three years, but this will be changed to every year under the Build UK proposals. It also means every piling company would be audited to FPS standard which may remove one of the key differentiators for FPS Members. It was suggested there is a risk it may decrease the value of being a Member. Following the meeting it was speculated the FPS could become an accreditation body so as an FPS member your details would automatically be put into the Build UK central database without having to subscribe to Achilles, although Alasdair is ambivalent as to whether it will work.</p> <p>It was advised a Build UK meeting will be taking place on the 23rd November in which Jo Fautley was keen for someone from the Commercial Committee attends, Ciaran asked if anyone could volunteer to attend. Roger Barratt replied Simon Jones at Keller may be able to go.</p>	
ii)	<p>Payment Group</p> <p>It was noted there has been one Payment Group meeting since the last FPS Commercial Meeting. It was noted it focused on payment practices for main contractors, Steve Wood advised he was unable to attend but there was an action to discuss retention. Ciaran Jennings added-during the meeting with Jo Fautley, zero retentions were also discussed. The FPS asked Build UK to introduce a statement to the roadmap that projects the FPS position. It was noted Jo has sent the roadmap which includes the changes via track changes and asked the FPS to check wording; Ciaran to circulate.</p>	Ciaran Jennings
b)	<p>JCT Report</p> <p>It was reported there has been no JCT meetings take place since the last FPS Commercial Meeting.</p>	
11.	NEXT GENERATION OF NEC CONTRACTS: NEC4	

	<p>The next generation of NEC contracts have been issued and a summary of the changes has been produced. At the last meeting Mark Sheridan advised he had been invited to a briefing seminar on how they work, he agreed to feedback.</p> <p>Isla Hill explained she attended the same seminar and would be happy to forward her notes; she added there was no dramatic changes to report.</p>	Isla Hill
12.	DIGITAL CONSTRUCTION	
i)	<p>FIEC project</p> <p>At the last meeting Ciaran Jennings reported he had been approached by Sue Arundale at FIEC about the issues between contractors and plant manufacturers in relation to BIM. He relayed to her what experience the FPS had had with BIM and rig models. Sue is interested in stopping technology companies taking over Digital construction and wants to ensure contractors and the supply-chain are driving development in the industry. It was noted there have been no updates on this project since the last FPS Commercial meeting.</p> <p>Ciaran explained FIEC is the equivalent of Build UK at European level and the FPS is a member via the EFFC membership. He added they are looking at BIM at European level adoption and they need the main contractors to drive it.</p> <p>Isla reported she is working as part of a CBI working group which has seen that how to collaborate and the lack of enforcement are both issues with digital construction. Steve also commented that who has legal liability is also an issue as it is not clear. Isla commented that using third party companies to manage the data in the project seemed to be the only way to ensure there was appropriate levels of collaboration.</p>	
13.	EQUALITY, DIVERSITY AND INCLUSIVITY	
a.)	<p>Career Profiles on the Website This item was mainly reported under item 9 of these minutes.</p> <p>Ciaran Jennings reported that the FPS Quarterly Committee has discussed the topic of Equality, Diversity and Inclusivity; the intention is to start collecting employee data from FPS Members once a year to determine what the gender balance is, what the ethnicity balance is, what average age of employees are and if there are any disabled employees.</p>	
14.	EFFC CONTRACTS WG	
	<p>It was reported the next EFFC Contracts meeting will be taking place on the 8 February 2018 [date was changed post meeting] in London. Ciaran advised Andrew West sits on this committee, however if anyone wants to attend they are welcome to do so, it was also noted there is welcome dinner on the Thursday night.</p> <p>The Contracts working group are interested in early contractor involvement (ECI). Ciaran asked if anyone has a case study, it would be useful if they can send to the FPS Secretariat. It was added that Chris Harnan is the chair of this working group, should anyone have any topics to be added to the agenda please send these to the FPS Secretariat.</p>	All
15.	SUSTAINABILITY	
	<p>Ciaran Jennings explained Sustainability has been added to the agenda and is an open-ended subject. The FPS has a Sustainability Charter which was produced in 2007 and the EFFC produced their own version from this.</p>	

	<p>Ciaran advised that Sustainability is currently being discussed as a topic in EFFC; he presented a short clip which indicated the rise in global temperature from 1884 to 2016. The consensus amongst Scientists is that the increase of temperature across the globe is not due to coming out of an ice age, but that it is man-made due to the increased and constant release of carbon from industrial activity.</p> <p>Nicholas Rogers added that previously Bauer Technologies looked at electrical energy on a site in Abu Dhabi, however it was too costly and inconvenient, he continued it is a possible substitute, but it needs to be made easier.</p> <p>Ciaran advised the Ground Engineering magazine recently included a piece on geosynthetics and whether it could be used in place of concrete.</p> <p>The group discussed whether the Commercial Committee is best placed to consider this topic, however the view from the FPS Safety & Training said every Committee should be discussing this as it fed into all areas.</p>	
16.	SOCIAL EVENTS	
	<p>FPS Summer ball 2018 The FPS Summer ball next year will be taking place at the MacDonald Berystede Hotel in Ascot on the 30th June 2018.</p> <p>FPS Golf Day 2018 The FPS Golf Day will be taking place at The Nottinghamshire & Country Club on the 12th September 2018</p> <p>FPS Annual Dinner 2018 It was noted the FPS Awards dinner will be taking place on the 19th October 2018, with the venue to be confirmed. The group commented the success of the recent FPS Annual Awards dinner event which took place on the 20th October 2017 at The Sheraton Grand Hotel in London.</p> <p>Ciaran Jennings advised the Committee if there are any award categories they would like to see next year; the Executive will consider suggestions. Isla Hill commented that she thought the Technician award was good because on-site staff received recognition.</p>	
17.	ANY OTHER BUSINESS	
	<p>NEC4 Representation Steve Wood asked the group if representation on NEC4 Working Group is required by the FPS, the FPS Secretariat agreed to request whether they will accept representation from working bodies.</p> <p>Modern Slavery David Colven stated Roger Bullivant was recently asked to include Modern Slavery to into their Terms and Conditions. He asked if any other members been asked this.</p> <p>Market Uncertainty Nicholas Rogers expressed concern for the state of market, he has noted four sub-contractors go into administration in the last year which is concerning.</p>	FPS Secretariat
18.	DATES OF 2018 MEETINGS	
	Next meeting dates held at Hamilton House (Mabledon Place, London, WC1H 9BD):	

	28 th February 2018 19 th June 2018 20 th September 2018 29 th November 2018	
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