

**NEC People – Celebrating Success (even in the face of adversity)**

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**Conference Agenda – Morning Session**

- 08.15 Registration, coffee and bacon rolls
- 09.15 **Introduction to Conference (Matthew Smith)**  
 An introduction to the day's proceedings from the lead sponsor K&L Gates welcoming attendees to this year's event
- 09.25 **Celebrating Success NEC People (Glenn Hide)**  
 Looking back at the past year and the past ten years of NEC People conferences and growth/success within the group.
- 09.35 **HS2: An update! (Andrew Cubitt - Procurement & Supply Chain Director)**  
 This presentation will give us an update as to what has been achieved so far, and the programme/challenges that remain ahead. It will give an insight into how the NEC contract has helped the project deliver to date and the hopes/vision for the future.
- 10.15 **Covid Focus  
 Delivering the Covid 19 Mega Laboratory (Niall Faris)**  
 Th3rdcurve supported the UK Government on its COVID-19 testing programme. In response to the pandemic, we were engaged to lead the project management, PMO and controls for the rapid design and build of the UK's first "mega-lab".
- Covid past and future (Matthew Garratt)**  
 Matthew will consider and reflect on a number of covid related questions: How was covid dealt with by Clients/Contractors when it all initially happened? What did a global pandemic teach us about how we can perform? How should contracts deal with any future Covid restrictions?
- 11.05 **Tea/coffee break – and cutting of the cake!**
- 11.30 **Behaviouralising Trust and Cooperation (Bob Cummins)**  
 This presentation will explore one of the more infamous clauses within the NEC contracts is the obligation to act in a spirit of mutual trust and cooperation. It was brought in to try to encourage a culture and an obligation to act in this way, but what does it really mean? Bob will explain how we can use some simple principles from behavioural science to greatly increase the likelihood of trust and collaboration through pinpointing and behaviouralisation.
- 12.05 **Environment Agency: Building collaboration with Consultants and Contractors (Mark Hagger – Commercial Strategy Manager)**  
 This presentation will share experience and thinking which has informed the decisions within the Environment agency, how they have adapted (in a minor way) the NEC to suit their particular requirements and circumstances and how they use NEC to support their business direction.
- 12.35 **NEC4 on Climate Change and other legal developments (Nicola Ellis)**  
 A review of the new net zero secondary option clause and a review of case law in the past two years since our last conference.
- 13.10 **Lunch**

## Conference Agenda – Afternoon Session

### 14.10 Break Out Sessions:

#### **Group 1. Early Contractor Involvement (ECI) : Pros, Cons, When to Use & Good Practice for different types. (Jon Broome, Neil Earnshaw)**

This interactive workshop will use participants' thoughts and experience to develop guidance on the pros and cons of at least 5 different types of Early Contractor Involvement and, from that, when is best to use each type. Further, participants will be encouraged to identify and come to a view on any amendments or additions needed to the standard NEC contract clauses and share any tips on best practice. The results will be promptly written up and shared amongst the community

#### **Group 2. NEC5 – What would you want to see in future revisions of the contract? (Glenn Hide, Chris Woodbridge)**

The presenters will share some ideas of development they want to see included in future versions of the contract for the group to consider, before drawing on the groups ideas/experience as to other changes that are still needed to further improve NEC contracts. We will then collate and publish a list of standard additional amendments recommended/endorsed by the group that Clients/Contractors can include in their future contracts before they are eventually may be included in NEC5 – and putting Z clauses to good use (for a change, some might say!)

#### **Group 3. Alternative ways of structuring the Fee in an Option C or E contract to optimise delivery and also on considering Disallowed Costs – the good, the bad and the ugly. (Matthew Smith, Nicola Ellis, Seamus O'Doherty)**

This workshop will consider strategies to optimise the fee structure to incentivise collaboration and delivery. We will also consider the approach to Disallowed Costs including how it should be applied correctly and experiences of how Disallowed Cost has been improperly amended or applied. The objective would be to prepare a good practice guide as to how they should be understood and managed for the benefit of all Parties.

### 15.25 Coffee break

### 15.40 **Z clause of the year and Mock Adjudication: (Glenn Hide and Richard Patterson,)**

Back by popular demand, this final session will award the Z clause of the year, and then go on to consider the cultural and behavioural issues that can exist on projects and explores the contractual/practical answer to a series of issues that might occur on a project. After hearing a (brief) defence from both *Employer* and *Contractor*, the audience gets to vote on the result of a series of mini-adjudications. The *Adjudicator* will then make a judgement – which will obviously be very straight forward and agree with the audience's decision!!

### 16.30 **Question Time Panel:**

**Jon Broome, Neil Earnshaw, Nicola Ellis, Matthew Garratt, Richard Patterson,**

Your chance to ask questions of the panel of experts about any of their presentations or any other aspect of NEC contracts generally.

### 17.10 **Close**

### 17.15 **Drinks reception for all attendees**

-19.30 Attendees are invited to join sponsors/speakers to a cocktail reception for drinks