



Case Study - Distressed Project

Client Challenges

Our Client, a UK Main Contractor, was stuck between a rock and a hard place. On one hand they had a very demanding employer who refused to accept numerous high value changes, and on the other hand, they had a major consultant who refused to carry out work unless they paid six figures for various changes.

With operational issues on 20 complex engineering projects worth many millions of pounds, our client had been struggling to control the change management issues with the various parties from the outset.

CPUK were approached via an intermediary who had worked with us before. The issues, as the client saw them, were laid out and CPUK was engaged to get the projects back on track.

It quickly became apparent that the Client had underestimated the issues and CPUK were asked to develop a scope of services to address the existing, emerging and ongoing issues. Our client needed a solution that allowed the projects to be finished, while ensuring that any risks were identified, managed and removed where possible.

The Solution

Although the client had previous experience with the NEC3 Contract, like many companies, they had not adequately resourced the various contracts and they lacked the contractual awareness of how to operate the contract effectively and efficiently.

This led to an enormous backlog of change events with the Employer and the Consultant. Our client had employed contract quantity surveyors to provide a resolution, however, they were simply not experienced enough to appreciate the complexity of the NEC3 contract risks and scale of the problem.

Despite significant resistance, CPUK organised a meeting to build rapport with both the Client and the Consultant - (Many parties view us as claims consultants, when in fact we take pride in recovering relationships, wherever possible.)

CPUK created a rigid timetable for progress. We carried out a detailed review of all of the contracts and communications between the parties. We created a visual representation of the contract risks and opportunities.

Understanding the critical aspects that led to the animosity between the parties, allowed us to design a strategy to help our client get the situation back under control.

“Barhale engaged the services of CPUK and Yosof in particular to assist in the management of a particularly difficult account with complex contractual issues. Yosof’s expert knowledge and depth of experience of the NEC3 forms of contract proved to be of invaluable help as we rapidly turned a high risk situation with a major consultant and challenging client, into a significant commercial opportunity.”

“We found CPUK and Yosof easy to do business with, presenting factual information on time, effectively and advising on contractual discussion at all levels.”



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The Result

With an effective scope developed, CPUK were able to devise a clear strategy for moving forward. Our client now had control of the situation, with a robust and contractually competent understanding of all their projects.

The consultant's six-figure claim for payment and refusal to perform their obligations, transformed into them owing our client circa £500,000 in overpayments and continuing to meet their obligations.

Our client benefited from a healthy return on investment in engaging CPUK, and identified many areas of weakness in their processes, that could be addressed to prevent repeat issues on future projects.

“His expert knowledge and depth of experience of the NEC3 forms of contract proved to be of invaluable help as we rapidly turned a high risk situation with a major consultant and challenging client, into a significant commercial opportunity.”

“Working with CPUK and Yosof has added an additional value to our commercial team in Scotland and provided a vital boost when it was needed within the business.”

- Pete Marchant, Regional Manager, Barhale plc.

CPUK - Restoring Balance

CPUK Restore Balance in contract relationships at any stage in the project life cycle.

There's a better way of doing business in the construction industry and you've just found it. In the world of construction and infrastructure projects, disputes are often the norm. Relationships between once trusted partners often become soured through the confusion of complex contracts and heightened emotions. But it doesn't have to be this way....

Uniquely, dispute prevention is at the heart of CPUK's service. Their cutting-edge process is specifically designed to bring clarity and simplicity to complex projects.

Because prevention is better than cure....

When you, like many other construction and infrastructure businesses already have, engage the services of CPUK, you are engaging with a company whose core values are embodied by its' owner and founder, Yosof Ewing.

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