

The Chairman of The Liaison Committee to The Construction Industry

Annual Report for 2015

The Committee met on 7 occasions with all meetings generally well attended.

The Committee is comprised of the following bodies:

The Association of Chartered Engineers of Ireland	-	ACEI
The Construction Industry Federation	-	CIF
Engineers Ireland	-	EI
The Royal Institute of Architects of Ireland	-	RIAI
The Society of Chartered Surveyors Ireland	-	SCSI

1. Election of Officers

Paul Dunne, Vice Chairman in 2014 was working abroad and unfortunately therefore unable to continue as an EI Representative.

EI were not able to nominate a replacement, who could become Chairman for 2015 and requested CIF to fulfil the role.

This was not possible and SCSI agreed to nominate myself for the position, on condition that EI would agree to having a representative become Chairman for 2016.

The following matters were reviewed during the year:

2. Review of LC Constitution/ Terms of Reference

This Subcommittee reached an impasse some time ago but Ciaran Fahy has proposed a revised Terms of Reference which has been circulated for discussion.

A meeting of the Subcommittee will be held shortly in the hope of finding agreement for these revisions.

3. Dispute Management Subcommittee

The Subcommittee has failed to meet in recent times, but a meeting was planned for 22nd January 2016.

With the probability of the Construction Contracts Act being implemented very shortly and adjudication becoming a reality in construction disputes, this Subcommittee will be even more critical.

I urge all parties to try to resolve their difficulties and once again become focused on the relevant issues.

4. Collateral Warranties

The process for this item was almost complete for several years now and has been overtaken by circumstances.

It should be complete and ready for the Committee in early 2016.

5. Code of Practice

Gerry O`Sullivan is currently preparing notes regarding BC(A)R for addition to the Code of Practice.

I think the current Code of Practice for Tendering should be fully reviewed and updated to reflect recent changes to the legislation and the industry as it begins to lift again.

6. RIAI Edits to Current RIAI Forms of Contract

RIAI submitted edits to the Current Forms of Contract in October.

RIAI requested constituent bodies review the edits and revert as soon as possible.

SCSI rejected the edits and James O`Donoghue expressed a feeling that the edits were not fully understood and requested the bodies reconsider.

No formal response has been received to date from CIF, EI or ACEI.

7. New RIAI Contract

Niall Meagher attended one meeting in 2015 but we have been informed that progress in being made and a draft was presented to the RIAI sub-committee.

I assume therefore a submission to the Liaison Committee should be ready in the near future.

8. Construction Contract Act

As the Chairman and Members of the Adjudication Panel have been appointed it would seem the implementation of the Act is imminent.

The Liaison Committee will prepare a Guidance Note to reflect the impact the Act will have on the current RIAI Contracts.

Again, I would hope we can utilise inputs from the Constituent Bodies, who have done significant work to date, and we can then produce a brief note to be posted on the LC Website for all interested parties

9. The Alternate Form of Contract

Ciaran Fahy circulated a copy of the new Alternate Form of Contract based upon the GCCC Form of Contract but for private use.

The Contract was prepared by John Curtin, Ciaran Fahy, Conor Hogan, Anthony Hussey and Ciarán McIntyre.

It was proposed that the Contract should be submitted to the Liaison Committee by one of the Constituent Bodies.

SCSI will make this proposal at the first meeting in January 2016.

10. Secretariat

The secretariat was again provided by the CIF and specifically by Ms. Orla Brady who has done great work during the year.

I would like to thank her for all her assistance during my term and commend her for the quality of her record of the minutes of the meetings.

11. Conclusion

The Liaison Committee has several times in recent years appeared to be impotent and non-productive in many ways.

However, I think with effort from all parties it can be revived and become an important and valuable contributor to the industry.

It undoubtedly needs new younger participants and co-operative efforts from all.

I would like to thank all members of the Committee for their help and support during the year and I wish the new Chairman, Ciaran Fahy every success for 2016.

Liam Boylan, Chairman

Outgoing Committee

EI/ACEI

Ciaran Fahy

Ciarán MacIntyre

Joe Hogan

Harry Meighan

CIF

John Curtin

Alison Irving

Paul Carmody

John Kelly

RIAI

James O`Donoghue

Joe Millar

Jude O`Loughlin

Niall Meagher

SCS

Gerry O`Sullivan

Anne Costello

Michael O`Reardon

Liam Boylan