

The Chairperson of the Liaison Committee to the Construction Industry Annual Report 2023

1. The Committee

The Liaison Committee (LC) is comprised of the following Constituent Bodies:

- Association of Consulting Engineers of Ireland (ACEI)
- Construction Industry Federation (CIF)
- Engineers Ireland (EI)
- Royal Institute of the Architects of Ireland (RIAI)
- Society of Chartered Surveyors Ireland (SCSI)

EI and ACEI each nominate two members of the Committee while the other bodies nominate four members, giving a total membership of sixteen. During the year, there were six meetings of the Committee with an approximate average attendance of 12.

The dates of the meetings were as follows;

- 24th January 2023 - AGM (13 present)
- 28th March 2023 (13 present)
- 13th June 202 (11 present)
- 22nd August 2023 (12 present)
- 10th October 2023 (11 present)
- 5th December 2023 (9 present)

The meetings were held in the CIF offices in Construction House and could be attended in-person or online.

2. Committee Membership

The RIAI held the Chair of the Committee for 2023 and the position was filled by Eilis O'Donnell. The ACEI will hold the Chair for 2024 and Joe Hogan has been nominated as the incoming Chairperson. At the AGM in January 2023, Claire Cullen Crowley (SCSI) and Toal O'Muire (RIAI) stood down as members of the Committee and were replaced by Aiden O'Neill (SCSI) and Sean Mahon (RIAI).

3. Code of Practice for Tendering and Contractual Matters

Hard copies of the Code of Practice for Tendering continue to be available for purchase in the RIAI and CIF Bookshops and 15 copies have been sold to since its launch in 2022 to date. The Code of Practice is also available for download free of charge on the Liaison Committee Website.

4. Edits to RIAI Form of Contract

Final editing of the New RIAI Form of Contract by the RIAI Contract Drafting Group and the LC Edits Sub-committee continued through 2023.

The Chairperson, Mark McGreevy held two meetings of the Edits Sub-committee in 2023. The first meeting was held on 15 September to review the Draft Contract issued by the RIAI on 15 June 2023. The second meeting was held on 20 October where provisional agreement of the Draft Contract dated 13 October 2023 was reached. At that meeting, it was agreed that the RIAI would issue final versions of the Draft Contract and the accompanying Guidance Note for final review by the members of the Edits Sub-committee. Once full approval has been reached, LC members will recommend adoption of the final version of the New RIAI Form of Contract by each of their respective organisations.

As the RIAI have not yet issued the final version of the draft documents, the upcoming Edits Sub-committee meeting has been postponed until 23 February 2024. I know that all involved are optimistic that the New RIAI Form of Contract will be approved early in 2024.

5. Issues with Specification Writing

During 2023, the Committee considered current issues and challenges with specification writing within the construction industry, for both design team members and contractors.

The difficulties and challenges that were discussed included the increased complexity due to use of new technologies and methods of construction; requirements for performance specifications on public works contracts; implications of Brexit; lack of availability of reliable and up-to-date building product information as well as the prohibitive costs of building standards for small to medium sized design team practices and contractors.

As part of this discussion and following invitation by the Committee, John Wickham, Building Standards Advisory, DHLGH, gave a presentation at the meeting on 10 October 2023. The presentation was on Part D - Materials & Workmanship, CPR, BS/UKAS/BBA recognition and divergence. The presentation gave a useful summary of the statutory requirements of Building Control for the use of 'proper materials' in construction. In particular the presentation focused on the requirements set out in TGD Part D of the Building Regulations to ensure that suitable and appropriate products are specified and used in construction. These include the requirement for CE Markings and Declarations of Performance as well as compliance with the provisions of the Construction Product Regulations and European harmonised standards.

At the meeting on 5 December 2023, it was agreed that the Committee should write to the CIC raising the issue of prohibitive costs of building standards for small to medium sized design team practices and contractors. This matter requires further action by the Committee in 2024.

6. Costs in Arbitration

In 2022, LC supported the CIF and CIC raising concerns with the Office of Government Procurement about the fact that costs do not follow the event in Arbitration under the Public Works Contracts. At that time, the OGP advised that they will review those provisions as part of their upcoming overall review of the dispute resolution clauses and mechanisms within the PWC.

The Committee continue to monitor the issue of costs in Arbitration although there was no change or update on this matter in 2023.

7. Construction Price Inflation

Through 2023, the Committee continue to monitor the issue of Construction Price Inflation and compliance with the Inflation Framework under the Public Works Contracts.

A meeting was held on 8th November with CIF and SCSi LC members to consider proportions and weightings in context of Construction Price Inflation and the latest provisions of the Public Works Contract. Ongoing engagement is proposed with the view to provide advice for quantity surveyors and architects in completing the Form of Tender and Schedule, which will continue during 2024.

8. Availability of Professional Indemnity Insurance

The Committee continue to monitor the impact of availability of Professional Indemnity Insurance within the construction industry. Generally the stabilisation of the market that commenced in 2022, appears to have continued in 2023. Exclusions in consultant policies for fire and facades continue to be an issue.

9. SEAI One Stop Shop

Following a query raised by SCSi in August 2023, the Committee is considering concerns with the contractual arrangements in the SEAI One Stop Shop system. The RIAI confirmed they had similar concerns and have been engaging in roundtable discussions with SEAI and OSS contractors. The Committee propose to continue to review this matter in 2024.

10. Secretariat

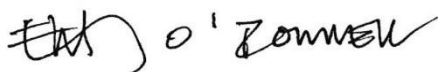
The CIF continued to provide administrative support to the Liaison Committee for 2023 and I would like to express my gratitude on behalf of the Committee. I would particularly like to thank Alison Irving and Helen Early for their assistance in preparing and circulating the agenda and minutes for each meeting and for arranging and setting up the meetings.

11. Finances

I would also like to thank Alison Irving of the CIF for continuing to act as Treasurer in 2023. The costs of running the committee are low and are met by an agreed levy on the member bodies when funds run low. The only other source of income is from sales of the Code of Practice on Tendering.

12. Conclusion

I wish to thank all members of the Committee for their help and support during the year and wish the new Chairperson, Joe Hogan, every success in 2024.



Eilis O'Donnell, Chairperson

Outgoing Committee

ACEI / EI	CIF	RIAI	SCSI
Eddie Comerford	John Curtin	Joe Miller	Joe Boyle
Joe Hogan	Alison Irving	Sean Mahon	Dermot Durack
Gerard Monaghan	Oliver Keown	Eilis O'Donnell	Mark McGreevy
Damien Owens	Mel O' Reilly	James O'Donoghue	Aiden O'Neill