SOCIETY OF CONSTRUCTION & QUANTITY SURVEYORS

**MINUTES OF MEETING NO. 70 OF THE SCOTTISH REGION**

**HELD ON FRIDAY 9th FEBRUARY 2018**

**IN**

**STIRLING COUNCIL’S OFFICES, TEITH HOUSE,**

**KERSE ROAD, STIRLING**

**In attendance:**

 W Gwynne South Lanarkshire Council

 B Minnis North Lanarkshire Council

 G Millar East Lothian Council

 I Anderson Stirling Council

 W Watt Stirling Council

 E Leaker Stirling Council

 G Hill Fife Council

 A Sansom Hon. Secretary

 A Forsyth Chief Executive

Len Bunton, representing the RICS Scotland, advised on the proposal of using Conflict Avoidance Panels (CAP) on larger construction projects. B Minnis has already sought the views of SCQS Scottish Members on the use of CAP and he will issue a response to Len on behalf of SCQS

**1.** **APPROVAL OF NOTICE OF MEETING**

The notice calling the meeting was approved.

**2. APOLOGIES FOR ABSENCE**

Y Bell J Quigley

E Milne

**3. APPROVAL OF MINUTES**

The Minutes of the 69th Meeting held in the RICS Offices in Edinburgh on the 6 October 2017 were approved.

**4. MATTERS ARISING**

It was agreed that any Matters Arising would be covered by the Agenda.

**5. CHAIRMAN’S REPORT**

There was no Report.

**6. SCQS EXECUTIVE REPORT**

The last Council Meeting which was to be held in Edinburgh on 5th December 2017 in the RICS Offices, Princes Street was cancelled. The next Council/ /Meeting will be held in the Edinburgh on 6 March 2018.The loan to West Midlands Bridge Club has now been fully repaid.

**7.** **SBCC/JCT UPDATE**

Brian Minnis advised that the SBCC Meetings scheduled for December 2017 and January 2018 had been cancelled. A 2016 Edition of the Short Form of Contact is now available, but it would appear that some people are still using the 2011 Edition. The full updated suite of Forms of Contract is being released in stages as they are finalised. Project Bank Accounts are generally not being used because of the costs involved with setting them up. Some main contractors are still delaying payments to sub-contractors. The use of Retentions is still important to Councils as a safety net.

**8. CORRESPONDENCE**

No formal correspondence to report.

**9.** **OPEN FORUM/ANY OTHER COMPETENT BUSINESS**

**PBA’s.** Generally, not being used because of the costs involved in setting them up.

**HUB.** Projects have a guaranteed maximum price, but clients are paying approximately 2% more than normally tendered projects. The quality of work is still not perfect, in part occasioned by the lack of an independent Clerk of Works. The issue of who pays for the costs of the remedial works in the PFI Schools in Edinburgh would still appear to be unresolved. Other Council’s have discovered problems with lack of firestopping and who subsequently pays for the required remedial works. On-site supervision has in some cases been limited. Some Councils are using independent Clerk of Work to take photographs on site as evidence of construction details. Who carries out the due diligence checks? Some Hub organisations are charging fees on client variations.

**Community Benefits.** How can they be operated and verified properly? In some cases, main contractors are reluctant to provide information. Contractors require resources to provide Community Benefits. Could there be role for Procurement in ensuring that Community Benefits are being delivered?It wasoriginally envisagedthat the Benefits would not be physical, but employment of apprentices etc. What should be value of projects where Community Benefits apply? How do Community Benefits relate to Construction Forms of Contract? The client pays for the provision of Community Benefits.

**Procurement.** In some Councils Procurement Teams are not working directly with QS Teams, but acting independently. The SG should be required to produce guidelines for all Councils to follow in relation to procurement. What are the actual costs of Procurement Teams? There would appear to be variations across Councils in the Price-Quality split percentages.

Eddie Milne has proposed a possible Seminar on Construction Procurement. There requires to be a consistent approach to procurement which could be used by all Councils. The SG Procurement Group will only give guidance and the actual approach to be taken is then down to each Council, the SG Group is willing to attend a Seminar on Construction Procurement, but they have advised that they will not take the lead.

Len Bunton has asked for information from SCQS on how individual Councils deal with “Low Tenders”, together with the procurement value for “quick quotes”, etc. The Meeting agreed that the information gathered from SCQS Members on these topics should be put on the SCQS website and also shared with Len Bunton.

**SCQS Website.** Information is lacking from Members to provide a regular “Project of the Month” on the website.

**1140 Hours Nurseries.** Councils are taking different approaches on whether to take the modular or traditional route to provide units. This could be a topic for a future Seminar. There will be an impact on the market and capacity to supply issues.

**Use of Contractors Rates.** Use of rates provided to unsuccessful contractors, is this not confidential commercial information? **Brian Minnis** was asked to take this up with the SBCC with the aim of seeking guidance. There could be a possible breach for an FOI request if contractors have not stated that their rates are confidential. One possible remedy could be to ensure that all SBCC Forms of Contract contain a Clause on confidentiality of contractor’s rates.

**10. CLOSE OF MEETING AND DATES OF NEXT MEETINGS IN 2018**

11 May in Dundee and 5 October in Motherwell (including the AGM). All the Meetings will start at 10.30am and the actual venues will be advised in due course.

Alan Forsyth FRICS

Chief Executive

SCQS

23 February 2018