

FRESH JCT



**FRESH JCT WILL HELP AND ASSIST YOU IN MANAGING
AND RESOLVING A DISPUTE**



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Here at Fresh JCT we recognise that operating within the UK Construction Industry with Main Contractors exerting financial and programme pressures disputes will arise from time to time.

Dealing with disagreements and disputes early is the most effective, least costly and probably more importantly least disruptive solution to your business

In the management of any dispute, no matter how confident you are in your position, it is important to avoid confrontation and to project a calm and professional reasoned argument.

If an agreement cannot be reached you or the other side may consider the appointment of a third party facilitator, mediator or even adjudicator and what was initially a minor disagreement or difference of opinion has developed into a time consuming, expensive full blown legal dispute.

The key to any dispute is obtaining a resolution as early in the process – the longer the dispute festers the more protracted the discussions, the more time consuming for Senior Management and the more costly it will be.

Furthermore, there is the unquantifiable effect on your business and reputation.

By involving the FRESH JCT team in your dispute at the outset or earliest opportunity we will regularly give you an overview of the possible best and worst scenarios and outcome for you to make a pragmatic business decision on the risk and reward of pursuing with the dispute or reaching a settlement agreement.

The Fresh JCT team can help you avoid the need for expensive lawyers.



FRESH JCT WILL HELP YOU AVOID THIS



Time is not a healer. Don't put off or delay that difficult conversation.

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**All disputes can be considered to have
three different stages:-**

Avoidance

Management

Resolution

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resolution as early in the process – the
longer the dispute festers the more
protracted the discussions, the more
time consuming for Senior Management
and the more costly it will be.**

**The FRESH JCT Gold & Titanium
Contract Review and Theory into
Practice Plans are designed to avoid
disputes by providing well-documented
unambiguous confirmation of the
obligations of both parties and “who did
what when”. Armed with such a
detailed record of the events and history
of the Contract avoidance of a dispute
should be a relatively simple and quick
exercise.**



**WITH THE FRESH JCT FOUR STAGE APPROACH TO DISPUTE
RESOLUTION WE WILL KEEP YOU INFORMED OF THE POTENTIAL RISK &
REWARD AND COSTS THROUGHOUT THE NEGOTIATIONS SO YOU ARE
IN CONTROL THROUGHOUT.**

STAGE 1 – REVIEW OF CONTRACT & RELEVANT CORRESPONDENCE

A n initial review of documents & report on the chances of success / risks etc

Break Point For Clients Instruction

STAGE 2

**A full review of contracts, documents & correspondence. FRESH JCT initial
letter to the other party detailing your position. Propose and attend
exploratory dispute resolution meeting with other party**

Break Point For Clients Instruction

STAGE 3

**Follow up communication & correspondence / meetings with other party to
try to obtain resolution.**

Break point for Client instruction

STAGE 4

**Depending on how you decide to proceed prepare documents etc for pursuit
via a legal claim / adjudication etc**

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FRESH JCT SERVICES & SUPPORT FOR

SUBCONTRACTORS INCLUDE:-

- **GOLD CONTRACT REVIEW & SUPPORT**
- **TITANIUM “IN-HOUSE” CONTRACTUAL SUPPORT**
- **DISPUTE RESOLUTION**
- **CONTRACTUAL THEORY INTO PRACTICE GUIDANCE & MODULES**

MANAGING A CONSTRUCTION CONTRACT

PAYMENT FOR MATERIALS OFF-SITE

PASSING ON SUPPLIER LIABILITY

- **PREPARING BESPOKE TERMS & CONDITIONS**
- **CONTRACTUAL BUSINESS “HEALTH CHECK” & AUDIT**
- **PROJECT MANAGEMENT SUPPORT**
- **MENTORING YOUR CONTRACT & PROJECT EMPLOYEES**

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07563 246975

info@freshjct.co.uk

www.freshjct.co.uk