

FRESH JCT



The FRESH JCT Fundamental Five non-negotiables for any successful subcontractor are:-

- Payment Terms
- Retention
- Limit of Liability
- Programme Rights
- Dispute Resolution

Operating under your own bespoke terms and conditions reduces any risk to your business by covering every worst case scenario giving you peace of mind

In addition to the reassurance you have reduced the risks FRESH JCT bespoke terms and conditions will add credibility and project professionalism to your business

CONSTRUCTION CONTRACT

DISPUTE RESOLUTION

Dispute Resolution is in plain simple English – **DAMAGE LIMITATION.**

Be under no illusion all disputes no matter how big or small will damage your business.

Sadly, every year many good well run profitable business will go under because they did not manage and resolve a dispute early enough.

YOUR BUSINESS COULD BE AT RISK FROM A DISPUTE

IT IS IMPORTANT YOU LIMIT THE DAMAGE AND RESOLVE IT!

It is a sad reflection on the construction industry that we all have stories to tell about disputes.

It is also an indictment on the construction industry that many Main Contractors and Q.S's are fully aware and use to their advantage that resolution via arbitration or resolution through the courts is a lengthy, time consuming and extremely expensive process that many sub-contractors just cannot afford.

To get a better understanding of Dispute Resolution or **DAMAGE LIMITATION** all disputes can be considered to have three different stages:-

Avoidance

Management

Resolution.

In the meantime - No matter how small the disagreement or how large the dispute limit the damage and resolve it as early as possible it will only get bigger and escalate very quickly out of control.

FRESH JCT are happy to help, guide, advice and if required negotiate on your behalf.

If you have a specific issue you want to discuss e-mail me on info@freshjct.co.uk

For more details on dispute resolution see - <https://freshjct.co.uk/dispute-resolution/>



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

FRESH JCT AFFORDABLE SERVICES & SUPPORT FOR SUBCONTRACTORS INCLUDE:-

- GOLD CONTRACT REVIEW & SUPPORT
- TITANIUM “IN-HOUSE” CONTRACTUAL SUPPORT
- CONTRACTUAL MANAGEMENT OF CONSTRUCTION CONTRACTS
- 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

FRESH JCT

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

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

Dispute Avoidance

Time is not a healer.

Don't put off or delay that difficult conversation.

Without communication, time is not a healer but only makes the situation worse and working under the JCT and NEC is no exception.

Dispute Management

Dealing with disagreements and disputes early is the most effective solution.

Invariably disagreements and disputes are escalated up the Company Management Structure and it is important for Senior Managers to quickly acquaint themselves with the facts and cause/reason for the dispute.

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.

It is important to establish the true facts
BEFORE entering into detailed negotiations.

Dispute Resolution

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 team can help and assist you in managing and resolving the dispute to avoid the need for expensive lawyers.

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