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EUROPEAN FEDERATION OF FOUNDATION CONTRACTORS

MINUTES OF A MEETING OF THE CONTRACTS WORKING GROUP

DATE: Friday 22 May 2015

TIME: 09:30

LOCATION: FIEC, Avenue Louise 225, Brussels, Belgium

PRESENT

In the Chair: Chris Harnan, FPS (UK)

Andreas Korbler, Keller (Austria)
Maurice Bottiau, Franki Foundations (Belgium)
Stefano Margozzi, Trevi Spa (Italy)
Eelco van der Velde, Bauer (the Netherlands)
Chris Primett, EFFC President, Aarsleff (UK)

In Attendance: Ulrich Paetzold, FIEC
Sue Arundale, FIEC
Christine Le Forester, FIEC
Domenico Campogrande, FIEC
Thomas Vandenberg, BESIX
Ciaran Jennings, Secretariat
Caroline Kratz, Secretariat

No	TOPIC	ACTION
	The Chairman thanked FIEC for hosting the meeting at their Belgium offices and for presenting to the Group. FIEC Director, Ulrich Paetzold welcomed the Group and wished them a successful meeting.	
1.	APOLOGIES FOR ABSENCE	
	Apologies for absence had been received from Henk de Koning (the Netherlands), Peter Vroom (the Netherlands), Jindrich Ricica (Czech Republic), Mark Sheridan (UK), Dejan Lukic (Switzerland), Johan Hagblom (Sweden), Wim Claesen (Belgium) and Wolf Kurzel-Runtscheiner (France).	
2.	MINUTES OF THE LAST MEETING	
	The Minutes of the meeting held on 20 th January 2015 in the Netherlands were agreed.	
3.	FIEC	
a)	FIEC and EU Lobbying Processes - see attached presentation Domenico Campogrande gave a presentation on FIEC and their EU lobbying activity. This was with a view to helping the EFFC understand how FIEC can support the EFFC to address industry-wide issues at European level.	

	<p>He summarised that FIEC consists of 33 National Associations from 29 countries. It was noted there is no official Member from the UK.</p> <p>The presentation also looked at the current structure of FIEC and how it lobbies the European Commission and European Parliament. It was noted the European Commission has direct influence over legislation that is proposed and how it is implemented. The Parliament is able to modify draft bills and raise issues on behalf of interest groups within the EU. FIEC does not have influence with the Council of Ministers. This is because the Council is made up of Government ministers from each EU member state; they are usually lobbied by a National Federation Member of FIEC.</p> <p>The Secretary commented that in the UK, the NSCC and UKCG are merging and will represent a single trade association for the construction industry. He suggested they may wish to represent the UK within FIEC. The Secretary agreed to send the details of Secretariat, Suzannah Nichol so a meeting can be arranged.</p>	C Jennings
b)	<p>Economic and Legal Commission - see attached presentation</p> <p>Christine Le Forestier presented to the group on the Economic and Legal Commission. She gave a presentation which looked at the structure of the ECO Commission Group which is separated into different categories;</p> <ul style="list-style-type: none"> • Infrastructure and Financing Working Group: focuses on major projects such as the Juncker Investment Plan, Connecting Europe Facility and achieving Energy Union. • Public Procurement Working Group; focuses on the implementation of new public directives, electronic procurement drafts on trade secrets and draft directives on responsible sourcing of minerals. • EU Contract Law <p>It was noted that other issues tackled include the late payment directive, counterfeiting and single member private liability. Late payment was recognised to be a large problem in south and eastern states within Europe.</p> <p>Andreas Korbler commented that late payment is an issue for the EFFC, especially in countries such as Romania; payment is requested after a period of 90 days but is generally received until after 150 days.</p> <p>Christine summarised her presentation by referring the Group to the FIEC website where exchanging information is encouraged to enable countries to learn from one another's experiences in approaching common issues.</p>	ALL
c)	<p>Social Affairs Commission - see attached presentation</p> <p>Domenico Campogrande gave the Group a presentation on the Social Affairs Commission.</p> <p>It was noted that FIEC has strong contacts and is part of the formal Social Dialogues at European Union level. This means that FIEC are included in consultations between employers, trade unions and the EU Commission.</p> <p>He summarised the three sub commissions within FIEC;</p> <ul style="list-style-type: none"> • Vocational Training and Youth Employment; includes attracting young workers into the industry and issues such as mutual recognition of rig drivers. • Health & Safety; including managing the risk from asbestos and issues to do with earth moving machines. • Employment; combating undeclared work and unfair practices. <p>It was reported there are three meetings each year for this Group and the EU is able to financially support Members with travel and accommodation costs. EFFC Members who are interested in joining this Group should email effc@effc.org</p>	ALL

<p>d)</p>	<p>“What’s Happening in TEC?” - see attached presentation Sue Arundale gave a PowerPoint presentation on the activities in the TEC Working Groups;</p> <ul style="list-style-type: none"> • TEC 1 - Standardisation and Regulations: includes Execution standards and construction products regulation review • TEC 2 - Research and Innovation: includes BIM and best practice • TEC 3 – Environment: includes climate change, resource efficiency and Eco design <p>It was noted that TEC 4 (which focused on plant and machinery) has been disbanded as there is no Member Federation to lead the group. If there is sufficient demand, the group may be reconvened.</p> <p>Sue commented that the Constructions Products Regulation Review is ongoing and TEC is inputting into it. However it was FIEC’s view that CE marking of products such as piles and materials did not solve the issue of whether the product was fit for its purpose. The CE mark is not a quality mark and therefore does not provide any benefit to contractors.</p> <p>It was reported that the CEN system was felt to be difficult to work with and had poor representation of contractors. Currently FIEC are considering their position in relation to Execution Standards and their introduction through the Eurocodes.</p> <p>It was also reported that Resource Efficiency is the primary topic at the FIEC congress which is taking place on 5th June. This was part of an ongoing need to address the challenges of climate change – which is seeing extreme weather events affecting infrastructure. Sue highlighted that there was a big issue with the EU lagging behind its 2020 zero energy target for public buildings. She explained that many buildings were over 70 years old and needed an expensive deep renovation in order to bring them up to modern standards for energy efficiency.</p>	
<p>e)</p>	<p>EFFC and FIEC Following the four presentations, the Group discussed the topics that they wished to pursue with FIEC and how to increase interaction between the two Federations.</p> <p>It was explained that the EFFC does not have the resources to actively participate in all of the FIEC Committees. It was also felt that there would be a lot of issues that were not relevant to the EFFC members. It was recommended that the EFFC take a watching brief of activity in TEC, ECO and SOC and that the EFFC look collaborate with FIEC on specific issues.</p> <p>It was noted that the following topics should be of a primary focus;</p> <ul style="list-style-type: none"> • Mutual recognition of rig driver qualification • Health and safety – Mobile Site Safety Directive, asbestos etc. • Resource efficiency, linking back to the Carbon Calculator • Collaborative working <p>Mutual Recognition of Rig Driver Qualifications The Group discussed mutual recognition of rig drivers and how this could be implemented. It was noted that the ideal is a scheme that should be the same as a driving licence (ie. having the ability to drive abroad without having to be retested), but a strategy is needed to push the idea forward.</p> <p>Domenico proposed that a project is created that could be funded by the EU Commission. This project should look to bring together the involved countries and partners such as training organisations to find a means for mutual recognition to be achieved. An objective should be defined in the first instance, e.g. the signing of an agreement between national authorities to recognise each other’s qualifications.</p>	

<p>It was noted it would be difficult to represent all 28 Member States; therefore the EFFC should focus with 3-4 countries in the first instance and increase the number if the initiative proves to be successful. It was noted that training is a national responsibility; therefore Member's should want to become involved with the scheme.</p> <p>Domenico said there was a deadline of the 15th June for EU funding proposals for social dialogue projects. This meant that the project may need to be submitted for next year's funding assessment. However he believed there were other funds available within the EU that we might be able to access to initiate the project sooner.</p> <p>Domenico and Ciaran Jennings agreed to arrange a meeting to finalise a project launch approach.</p> <p>Health & Safety – Mobile Safety Site Directive The topic of Mobile Safety Site Directives was raised. It was noted that this is typically an issue for Health and Safety and Contracts teams as Main Contractors often fail to deliver on their contractual responsibilities to co-ordinate safety. Domenico commented that if this is an issue with the directive itself, it can be raised with the European Commission. He said that the Commission was due to issue a report on the Directive based on their review of how the Directive has been implemented. It was hoped this issue would appear in the Directive. However if it was not covered here it would need to be raised with the Commission as part of a formal response to the report.</p> <p>It was agreed that the EFFC Contracts and Health & Safety Working Groups would assess the Directive and highlight any issues to the European Commission. The Secretary would circulate the report when it became available.</p> <p>Resource Efficiency – promotion of the Carbon Calculator The question was raised as to how FIEC could support the EFFC in the promotion of the Carbon Calculator.</p> <p>Sue Arundale offered to send across information on the EFFC/DFI Carbon Calculator to FIEC's Member Federations. It was also noted that this is a topic that Construction 20:20 may be interested in and that an EFFC delegate could present the tool at the meeting. Sue agreed to think about how this might be approached. It was agreed that this opportunity should be referred to Luca Bruni for consideration.</p> <p>Collaborative working Chris Harnan reported that this method of working was one the EFFC wished to promote to both main contractors and sub-contractors. This was because on large-scale projects collaborative partnerships offered a better way of working that saw better results with fewer legal and commercial conflicts. Chris reported that the opportunity for the EFFC to deliver a better construction service through collaborative working is better than in other construction sectors as there is a high cost to geotechnical problems, which if worked through collaboratively, could be resolved more successfully.</p> <p>Christine commented that collaborative working is an area that FIEC could support the EFFC. This initiative could fit within the ECO group. She reported that it was an issue where there had been dialogue in the past and this would need to be revived. She explained that it required a change in culture and mind-set from the industry. Chris Harnan explained there were some strong examples in the UK of this approach working.</p> <p>Christine suggested that this could start with a presentation on the UK model at ECO's October meeting. A representative would be sought to see if this was possible.</p>	<p>C Jennings</p> <p>S Arundale/ C Jennings</p> <p>C Jennings</p>

b)	<p>Concrete Task Group</p> <p>Chris Harnan reported the DFI are now 50:50 partners with the EFFC on the Best Practice to Tremie Concrete Guide.</p> <p>It was reported that the first draft was issued three weeks ago to the DFI and Concrete Task Group Members.</p> <p>The initial reaction of the DFI was to split the guidance into two documents, removing information regarding placement. It was suggested this may be due to Dan Brown's involvement who had previously drafted a similar guidance which looked at testing methods, acceptability values and placement. It was thought Dan may want the DFI/EFFC guidance to offer a point of difference.</p> <p>The Chairman reported that he was strongly against this suggestion and is now awaiting feedback from the DFI.</p> <p>Additionally, it was noted that the most current version of the guidance, complete with appendices will be sent to all Member Federations for feedback. Comments will be required by 18th June, to allow for discussion at the Concrete Task Group's next meeting in Munich.</p>	ALL
5. COLLABORATIVE WORKING		
	<p>See above.</p> <p>Following the last meeting, in which Federico Trevisani and Marco Ziller presented an excellent position paper on collaborative working, it was noted that Andreas was requested to source some European case studies to support the American examples which were previously sourced. Unfortunately, Andreas was unable to source any quality examples of collaborative working within Europe, but would continue looking ahead of the next meeting.</p> <p>The Secretary also agreed to source some UK examples, potentially from Crossrail which may work within the guidance.</p>	<p>A Korbler</p> <p>C Jennings</p>
6. BUILDING INFORMATION MODELLING PRESENTATION		
	<p>Thomas Vandenberg from BESIX gave the Group a presentation on BIM which outlines its capabilities and benefits. Please see attached.</p> <p>Thomas summarised that by using BIM, errors that would normally be identified and rectified on site can be discovered in the planning phase, and therefore the overall fail cost will be considerably lower. It was noted that digital errors cost in the region of €8 to rectify, whereas on site errors can cost approximately €900.</p> <p>It was noted that BIM does require considerable time up front in order for the project to be a success and the results are only as good as the model being produced. This requires good quality information to be inputted to achieve a better end result.</p> <p>Thomas reported that BESIX use Revit as their preferred software. As drawings are created up front, this allows for more successful tendering as design changes as implications on the bill of quantities can be quickly determined and presented.</p> <p>Thomas showcased a quality example of BIM; the Grand Egyptian Museum, which is regarded as one of the biggest BIM projects. It was noted that the project is still ongoing. The project records both 4D data (a 3D model plus the estimated time it takes to create stages of a project) and 5D data, (time and cost implications).</p> <p>Thomas summarised some of the difficulties associated with BIM; these include the difficulty in recruiting staff with technical expertise and that few subcontractors can currently deliver a model. It was also noted that all workers need to be on board in order for BIM to be a success.</p>	

	<p>There are a number of different BIM software's available on the markets which offer different solutions. Programmes can generally import and export data, so it is important for companies to choose the right software for their business.</p> <p>The Secretary reported that the FPS has a BIM Task Group that has created five guidance notes on the topic. The guidance notes use Uniclass codes so information can be shared with main contractors. It was agreed that these should be recirculated to the Committee for information.</p> <p>The question was asked whether the EFFC should be doing more to promote BIM. It was noted that it is a large area, but in the UK, it is only just starting to be asked for on large projects.</p> <p>It was felt that it will be the facilities and management teams which will drive BIM. The Group agreed for the EFFC to keep a watching brief on the subject.</p>	Secretary
7.	SUSTAINABILITY	
a)	<p>EFFC Sustainability Vision The Chairman asked the question what the EFFC should do with regards to sustainability.</p> <p>It was suggested that through the use of key performance indicators (KPI's), the Federation can start to collate data and form a benchmarks. These should help businesses improve their sustainability, which it is believed will improve profitability.</p> <p>It was agreed that the EFFC should collate five simple KPI's from its Federations. These could be sourced on an annual basis through the Contracts Working Group via the National Federations. It was agreed that this should be discussed in further depth at September's AGM in Berlin.</p>	AGM Agenda
b)	<p>End of Waste Criteria See a) above</p>	
c)	<p>EFFC/DFI Carbon Calculator Stefano Margozzi summarised that Chairman, Luca Bruni was now starting the action plan he presented at the previous meeting.</p> <p>An intial introduction meeting will take place on Tuesday 14th July at London, UK to take the first steps in reengerising the group and finalising a stratagy for the Working Group. Those who would like to attend the meeting should email effc@effc.org.uk for further information.</p> <p>The Secretary reported that he'd been in touch with the DFI regarding the subject. He agreed to forward the information collated by their organisation across to Stefano and Luca for reference.</p>	ALL C Jennings
8.	SAFETY CO-ORDINATION ON SITE	
	<p>Mobile Site Safety Directive for Use in Tenders The Secretary summarised that Henk de Koning had previously added requirements related to the Mobile Site Safety Directive into the Level 3 conditions so that they can be incorporated by members into their contracts. The Secretary reported that he had updated this document with the most up-to-date version of the Level 3 conditions, agreed in Romania.</p> <p>The question was asked as to who uses the Level 3 Conditions. It was noted that FPS Members utilise them, whereas Belgium have their own conditions which they adhere to. It was noted in a previous meeting that Teresa Perez expressed an interest in the conditions.</p>	

	It was suggested that the EFFC should wait for the WPC proposal to be actioned before publishing the latest update of the document.	
9.	WORKING PLATFORM CERTIFICATE	
	<p>Following the EFFC Executive meeting in Zurich, it was reported that Chris Primett introduced the draft proposal for an EFFC Working Platform Certificate (WPC) scheme.</p> <p>It was noted that this had been introduced in the UK in order to reduce the number of overturns of rigs on job sites and had been very successful. Under the scheme the principal contractor has to take responsibility for the design, build and maintenance of a quality working platform.</p> <p>It was agreed that Members would take the WPC proposal back to their National Federations to determine whether there was support for this initiative.</p> <p>Andreas reported that he is in favour of this initiative. Consequently he has requested his design department within Keller to draft a proposal on the technical specifications for working platforms. He agreed to send this over to Chris Primett once completed.</p> <p>Maurice reported that although Belgium has made good progress with the issue of working platforms there are still some issues on projects. The Group agreed that the EFFC should pursue this initiative as safety should be integral to every Federation.</p>	A Korbler
10.	ANY OTHER BUSINESS	
	None reported.	
11.	DATE OF NEXT MEETING	
	It was agreed that the next meeting will take prior to the AGM in Berlin, Germany on Thursday 24 th September. This would ensure that key decision makers are in attendance.	ALL