



A Meeting of the EFFC Contracts WG held on Thursday 18th February 2021 from 10.00-13.00 (CET) via Cisco WebEx.

In attendance:

Peter Ausserlechner	Austria
Nicolas Druais	France
Jaap Estié	Netherlands
Dejan Lukic	Switzerland
Przemysław Nowak	Poland
Jindřich Řičica	Czech Republic
Thomas Schroeder	Germany
Federico Trevisani (Chair)	Italy
Eelco van der Velde	Netherlands
Andy West	United Kingdom

Present:

Ciaran Jennings	EFFC Secretary
Isabel Jennings	EFFC Secretariat

Action List		
CW-D TG	Collaborative Working & Digitalisation TG to discuss creating a webinar on digitalisation following the feedback survey.	Next TG meeting
All	Provide feedback to the Cash Retentions TG on their draft statement.	30 th April
CR TG	Review feedback on draft statement and finalise the document.	Next TG meeting
C Jennings	Share BuildUK documents with Dejan.	ASAP
D Lukic	Prepare summary document on Swiss project investigating the misuse of power by public contractors.	31 st May
F Trevisani	Share notes on the GCC document with the TG.	30 th April
All	Provide any feedback on the GCC document before the next TG meeting.	30 th April
GCC TG	Review feedback and write an introduction to the document outlining its key objectives.	Next TG meeting
D Lukic	Translate Swiss C-19 framework to help inform EFFC document.	31 st May
D Lukic	Translate sections of the Building Smart International document.	31 st May

	<p>The group agreed that the TG should commit to publishing this work. Federico stressed that an anti-competition disclaimer needs be include in the document. It was agreed that the group would review the current version and publish the document by the AGM (2021) at the very latest.</p> <p>Dejan commented that in Switzerland they have started a similar project to try and find evidence that public contractors are using their power and position in the market to force competitors/contracts to work in a way that other sectors wouldn't allow. Ciaran commented that they ran a similar project in the UK and that he would share the BuildUK documents with him. Dejan noted that he would pull together a document on this for the next meeting.</p> <p style="padding-left: 40px;">c) General Contract Conditions (GCC) a. Guidance document review</p> <p>It was noted that the GCC guidance document has been circulated to the group for review. Ciaran commented that the feedback he has received from the SE European federations has been positive and that they think it is an informative tool which will help them. Ciaran noted that he didn't think all national federations would adopt the guidance wholesale but that it would be a valuable resource for countries to adapt accordingly. Eelco commented that the paper being in English makes it easier for people to adopt if they would like.</p> <p>Federico noted that he did have a few comments on the wording of the clauses (if he were looking at it with a lawyer's eye) but that he would share these to the TG outside of the meeting. Federico noted that it would be a great informative tool for companies without large legal departments.</p> <p>The group agreed that any final comments should be submitted before the next meeting and that a brief introduction to the document, outlining key objectives, should be added.</p>	<p>CR TG</p> <p>C Jennings D Lukic</p> <p>F Trevisani</p> <p>All GCC TG</p>
<p>5</p>	<p>Round Table Discussion</p> <p style="padding-left: 40px;">a) FIEC participation</p> <p style="padding-left: 80px;">a. Public Procurement</p>	

	<p>Federico explained that the public procurement group is currently dealing with unfair competition – mostly to do with the foreign funding of European projects. The group is also working on a recommendation with the European commission to promote transparency and digitalisation in procurement processes. Federico noted that they are also talking about awarding companies with a good track record of (social) sustainability.</p> <p>b. Construction 4.0</p> <p>Jaap commented that there have been 3 recent meetings. Jaap explained that he was unable to join the meetings but that they are talking about specific scientific elements of digitalisation.</p> <p>b) COVID-19</p> <p>Federico noted that the Officers would like the CWG to provide some best practice guidance for contracts in light of covid-19. The Officers would like this document to help smaller companies who may be struggling to keep up with changing regulations. The group had a long discussion about the feasibility of creating an overarching document to use within the EFFC – especially as countries now have many different regulations.</p> <p>Dejan noted that, in Switzerland, they have created a small framework of issues which should be raised with public clients during a pandemic. It was agreed that Dejan would translate the Swiss framework and share with the group. Then, at the next meeting, the group will revisit this topic and see what an EFFC document might look like. It was noted that it might be good to create a TG to work with the H&S WG on this document. It was also suggest that the executive input their ideas.</p> <p>c) Building Smart International</p> <p>Dejan explained that he is currently working with Building Smart International on their exchange formats for BIM. Dejan noted that a contracts working group has been set up within building smart international. Dejan commented that they have recently produced a paper (in German) and that he will translate snippets of this to share at the next meeting. Dejan recommended that anyone with a local Building Smart International should join.</p>	<p>D Lukic</p> <p>D Lukic</p>
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	<p>d) CWG webinars</p> <p>Ciaran explained that each EFFC WG is being tasked with creating several webinars a year to showcase their work. This would allow for the EFFC to share their work and engage with the wider industry.</p> <p>The group agreed that the first webinar would be based on one of the finalised guidance documents discussed during today's meeting – the order depending on what is published first.</p>	
6	<p>AOB</p> <p>Nothing to discuss.</p>	
7	<p>Date of the Next Meeting: 9th June, 9-12 (BST) / 10-13 (CET)</p>	