



Advanced Construction Risks

DELIVERED BY ALAN TICKNER – FCII, FIRM

NOVEMBER 2024



Introduction / housekeeping

Welcome and thank you!

60-minute webinar format – Polls, Chat, Q&A

Alan Tickner – FCII, FIRM

- Background over 40 years in the Insurance industry primarily in Broking sector
- Now consultant to major construction firm and technical trainer for Nick Thomas & Associates

Nick Thomas & Associates

- Up to the minute training solutions addressing the challenges of the modern insurance professional
- Technical insurance; sales, communication and soft skills; customer service; management and leadership; performance, resilience and wellbeing training



Objectives

At the end of the session delegates will:

Understand the JCT Design and Build 2016 Contract

- Terminology and Meanings
- The sections where insurance responsibilities lie
- Impact on the policy wording

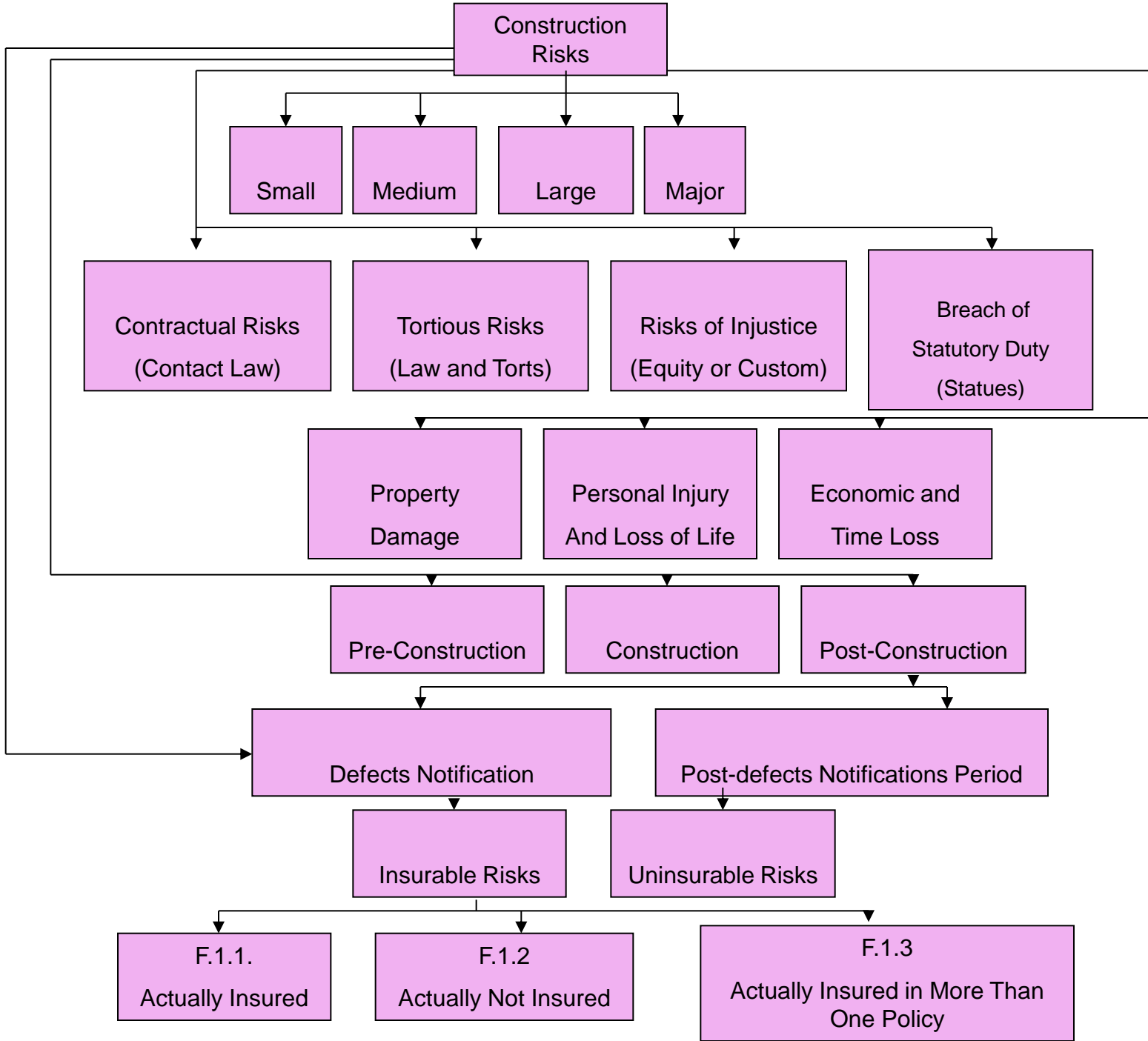
How it all starts

- **The Contract**
 - Legally Binding
- **Procurement**
 - Lump Sum
 - Others
- **Peculiarities**
 - Several Parties



How it all starts

- Risks in construction
- How does insurance help?

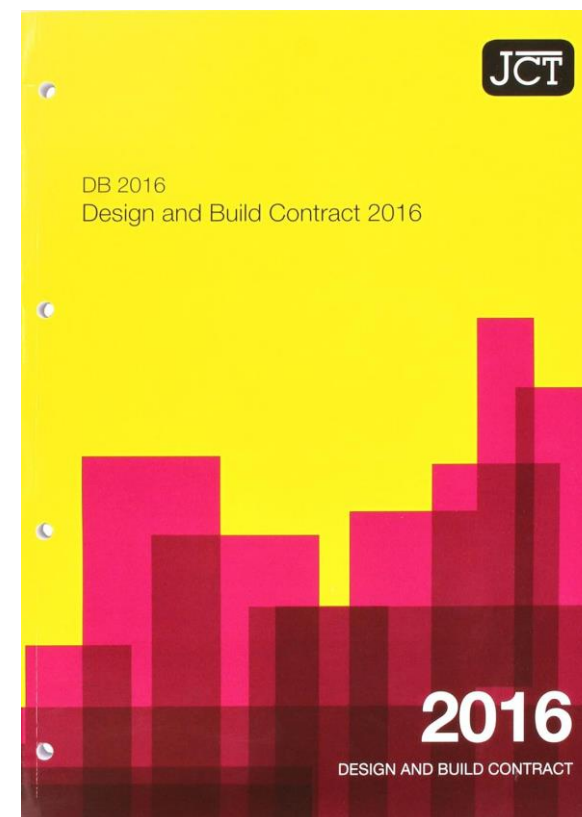


JCT 2016 - Features

Q: Has anyone read JCT conditions other than section 6 [Insurance]?

The Contract

- Recital - The Employer and Contractor agree the proposals
- Articles - The Recital broken down into specific detail
- Contract Particulars - 'Fill in the boxes'
- Attestation - Signing by both parties



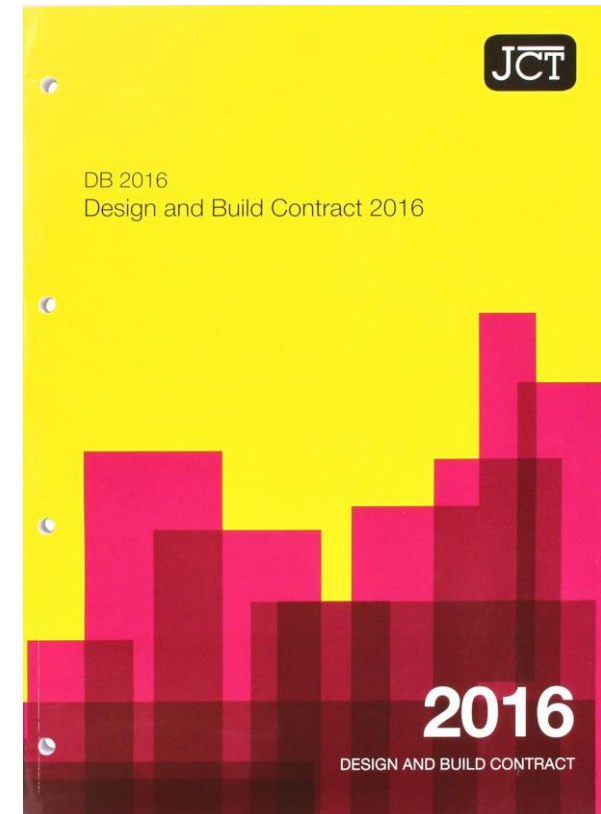
Contract Particulars

- Start/Completion Dates
- Named sub-contractors
- Health and Safety
- Liquidated Damages –(if any) expressed usually as an agreed amount per.....
- Rectification/Maintenance Period
- Types/Amounts of Bonds-if any

- Public Liability -levels of Indemnity
- 6.5.1 Liability of the Employer
- Insurance of the Works -Options A, B or C
- Terrorism
- Professional Indemnity -levels of Indemnity
- Third party Rights and Collateral Warranties

Financial Risks

- Bonds to comply with the Contract
- Advance Payment
- Retention
- Performance



The Insurance Issues

Injury, Damage and Insurance

- 6.1 Public Liability – Injury/Death
- 6.2 T.P. Property damage
- 6.3 Option C Existing buildings
- 6.4 Liability Insurance- Recommended Extensions

Asbestos Discovery write back

Part Products Extension

The Insurance Issues

6.5.1/21.2.1/19.2a

Contractor's insurance of the Employer

- Gold v. Patman & Fotheringham Ltd. (1958)
- What is Non-negligence Insurance



6.6 Excepted Risks

The Insurance Issues

Insurance of the Works and Existing Structures

- 6.7 Insurance options
- 6.8 Related Definitions
- 6.9 Sub-contractors' position
- 6.10/6.11 Terrorism
- 6.12 Documentary evidence
- 6.13 Claims
- 6.14 Existing structures



The Insurance Issues

Professional Indemnity and Joint Fire Code

- 6.15 Policy
- 6.16 Renewal maintained
- 6.17 - 6.20 Joint Fire Code



The Insurance Issues

- Performance Bonds and Guarantees
- Third Party Rights Contracts
(Rights of Third Parties) Act 1999
- Collateral Warranties
- Assignment



Objectives - revisited

Having completed this session,
delegates:

Understand the JCT Design and Build
2016 Contract

- Terminology and Meanings
- The sections where insurance responsibilities lie
- Impact on the policy wording

Thank you! Questions?

Contact:

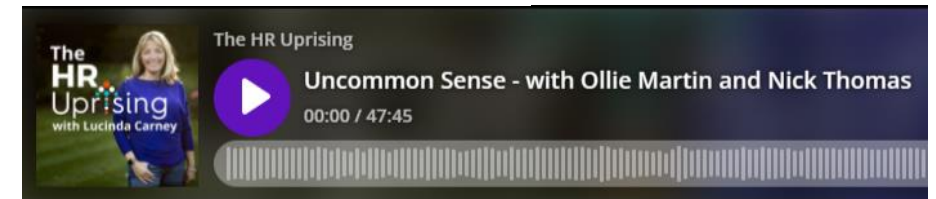
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'Up to the minute training solutions addressing the challenges of the modern insurance professional'

The logo for HRUprising, with 'HR' in purple and 'Uprising' in a lighter purple, where the 'i' is a colorful dot-matrix character.

[Click here](#) to listen to Nick's latest podcast appearance on 'HR Uprising' talking about workplace performance, resilience and health