

# CASE STUDY: CONSTRUCTION & ENGINEERING

CLIENT	Rail Contractor
PROJECT	Rail Infrastructure
CONTRACT	Various contracts for design and implementation of system upgrades.
CONTRACT VALUE	Between £2million and £3million
WORK SCOPE	System upgrades
BLAKE NEWPORT SERVICES PROVIDED	Claim review, preparation and agreement. Main contract negotiation, review and amendment of sub-contract conditions.



## SITUATION

The client is a national contractor in the rail sector. Blake Newport was appointed on a number of commissions to deal with a variety of contractual and commercial management issues.

## COMMISSION 1

Blake Newport assisted in the post-tender negotiation of amendments to the contract documents on a £2 million contract for the provision of a new control centre. This included a review of the proposed conditions and the identification and amendment of onerous obligations. Upon agreement of the terms, Blake Newport collated the agreed contract documentation for formal execution. As a result of the review the client successfully completed the works without any further commercial issues.

## COMMISSION 2

Blake Newport was commissioned to undertake an independent review of a potential claim regarding discrepancies in documentation, with an estimated value of £750,000. A report was produced which identified the strengths and weaknesses in the client's case for entitlement, probability assessments with associated values, and advice on a strategy for a potential adjudication.

From the information provided in the Blake Newport review, the client successfully negotiated a favourable settlement of the claim.

## COMMISSION 3

The client had been appointed, via a Joint Venture agreement, as main contractor for a £2million contract to provide transit works. Blake Newport was engaged to review the contracts with both the JV and the end-client and incorporate the liabilities contained within the sub-contract arrangements. Particular attention was required with regard to dispute procedure and notice provisions which had to be backed off with the supply chain.

The client's standard sub-contract arrangements were heavily amended as a result of this exercise and their exposure to risk significantly reduced.

## OUTCOME

In each of these scenarios the third party advice provided by Blake Newport gave added value to the client in high risk commercial situations. As a result of the satisfactory provision of ad-hoc services, Blake Newport continues to be retained for specialist commercial and contractual advice by the client.