



Are your contracts fit for purpose in a post COVID era?

Andrew Uprichard
APSE Associate
28th January 2021

Are your contracts fit for purpose in a post COVID era?



- Revisiting risk assessment and management
- Force majeure provisions – curse or blessing
- Scope for variations



Revisiting risk assessment and management

Risk assessment



- Who identified a global pandemic as a contract risk issue?
 - Should we have done?
 - What about in future?

Risk management



- Risk transfer
 - Good or bad?
- Risk mitigation
 - Can you really make it go away?
- The importance of a good contract relationship
 - The proof of the pudding?



Force Majeure provisions – curse or blessing?

Force majeure

- What is it?
- How does it work?
- Does it really help?





Scope for variations

What does your contract say?



- The problem with silence
- Limitations on variations
 - Contract procedure rules
 - Public Contracts Regulations 2015
- Best practice



Some conclusions

- We need to revisit what we do about risk
- Is disruption better than continuity and change
- build in flexibility for the future
- keep working on those relationships



NEW MUNICIPALISM

Delivering for local people and local economies



Andrew Uprichard

Solutions Associate

APSE Solutions Associates

1 Alexandra Road,

Buxton,

Derbyshire SK17 9NQ

Tel. 07710 422919

Email: andrewuprichard@btinternet.com