



CONCORDIA
Resolution

The Streetwise Subbie: Providing the Tools for Success

Subcontractors are the backbone of the Construction Industry and are finding it increasingly difficult to manage the commercial needs of the project with more and more onerous contracts coming into play. Increasingly we are seeing Subcontractors fall foul of main contractors relying on your lack of commercial training and knowledge of Statutory Instruments such as the Construction Contracts Act 2002. Concordia can provide subcontractors across all Trades with training to upskill and provide you with the tools to hold your own, get paid on time and understand your rights and obligations. Many of you are working with no contract at all, and some of you are carrying out work on the basis of a phone call!

**THIS IS A ONE DAY
INTENSIVE COURSE SPLIT
INTO 5 MODULES**



Phone: 021 0845 1837 | nz@concordiaresolution.com
www.concordiaresolution.com

Module 1 – Understanding the Contract

- Formation of Contracts and Contract Law
- Drafting simple subcontracts
- How the subcontract fits in with the Main Contract
- Rights and obligations between subcontracts and head contracts
- Current Law, Remedies
- Clause by clause review of rights and obligations under NZS3910:2013 and Subcontracts such as SA-2017

Module 2 – Tendering and Quoting for Work

- This session provides you with training and understanding of what exactly you are pricing. Tender documents often lack certain essential information such as Special Conditions, all drawings and specifications. Often Subcontractor are provided with these documents with the contract to sign, hence not including them in the price. This module covers:
- Understanding obligations on pricing what you have been given, clarifying and requesting further information
- How to deal with unwanted information provided at tender
- What is deemed to be included in your price
- Offers, Counter-Offer and Final Agreement
- Acceptance of tender, rights and obligations and risks
- Setting dates for acceptance of tender and performance of the works
- Staying updated with programme
- What happens when you are instructed to start works after date anticipated

Module 3 – Getting Paid

- Understanding your obligations under the Construction Contract Act 2002
- What is needed in a payment claim
- What is needed in a payment schedule
- How to deal with variations, contra charges and other set-offs
- What to do when you have not been paid or provided with a payment schedule
- The right to be paid and remedies such as Statutory Demands and Adjudication
- How to deal with Contra Charges, damages for delay and other set offs.

Module 4 – The Contract Programme

This module deals with rights and obligations around programme. It will cover:

- The Tender programme
- The Contract programme
- Obligations to provide the updated contract programme to Subcontractors

Module 5 – Time

This module deals with rights and obligations regarding time for the works to be performed. It will cover:

- Clauses of the contract/subcontract that deal with time
- Obligations when there is no contract or programme
- Liquidated damages and general damages
- Extension of Time and Notice provisions
- What is needed for a successful EOT claim
- Time Bars and Condition Precedent Clauses
- Time 'at large', the Prevention Principle
- Current NZ and International Case Law

Presented By: Raine Selles MSc. Construction Law & Arb., LLB(Hons), FQSi, MCI Arb, MNZIOB, FNZACE

Raine leads the New Zealand office of Concordia Resolution and Training, bringing over 30 years of experience in the construction industry. She specializes in project and commercial management and dispute resolution. She is highly regarded for her expertise in NEC, FIDIC, and NZS3910 contracts and has lectured extensively on these subjects both in New Zealand and internationally. Raine is also a member of the Construction Strategy Group and plays a key role in the NZS3910:2013 review panel, contributing her deep industry knowledge to the ongoing development of these standards.

Since founding Concordia (previously known as CMC Asia Pacific) a decade ago, Raine has successfully facilitated the settlement of over 800 disputes, with total settlements exceeding \$5 billion across New Zealand and Australia. Her work as an Expert Witness, Adjudicator, Mediator, and Arbitrator is complemented by her strong focus on helping parties reach amicable agreements without resorting to formal dispute resolution processes. Raine's background in quantity surveying, combined with her extensive experience in commercial and project management, and her legal qualifications, provide her with a unique and invaluable perspective that sets her apart in the field.

Raine is widely recognized as New Zealand's leading authority on NZ3910:2013, having trained stakeholders across various disciplines for more than 12 years. She regularly conducts lectures on Contract Law, Adjudication under the Construction Contracts Act (CCA), NEC4, and other related topics. Feedback from her recent courses consistently praises her ability to deliver content in a relaxed and engaging manner, using real-world examples to make complex topics accessible and relevant. Her comprehensive approach, coupled with her extensive experience, ensures that her training is both insightful and highly beneficial to participants.





Registration Form

Easy ways to register:

- Fill in the form below and email it to us at nz@concordiaresolution.com
- Call us on 021 0845 1837
- Registration 8.30am for prompt start at 9am, completing at 5pm
- Registration fee includes refreshments, lunch and material to take away
- **Registration \$895.00 plus GST per day – 10% discount for 5 or more attendees**
- Payment to CMC Asia Pacific Account No. **ASB 12 3075 0264207 50**
- **Sorry No Credit Card Facilities**

All events will be held at Cliftons Auckland
(Christchurch TBC)

Please register me for the Seminar on 17 September 2024:

Name:
Tel:
Fax:
Mobile:
Email:
Postal Address:
Postcode:

Minimum and maximum numbers apply. Registrations are accepted on a first come first served basis