

NEC AUSTRALASIA USERS' GROUP CONFERENCE 2013

27 AUGUST | CHRISTCHURCH

 Delegate Pack

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Welcome to the NEC Australasia Users' Group conference for 2013.

The NEC form of contract is twenty years old this year, and has experienced continual international growth.

Since its initial adoption in NZ about ten years ago, its acceptance has grown steadily. Our Australasian Users' Group was established two years ago and the membership now has a number of experienced and enthusiastic local users of the contract.

We are one of the three international Users' Groups - UK, Asia/Pacific based in Hong Kong, and Australia/NZ.

Membership of the Group is not just about the use of the contract, but what the use of the contract represents. NEC is about collaboration and co-operation, acknowledging that effective project management means all contractual parties working together proactively to manage the project outcomes.

Today, you will hear from speakers who will present differing perspectives on NEC – from the employer, legal, contractor, commercial and administrative points of view.

Then during the last session, you will have the opportunity to put your questions to a panel of experts to establish exactly how NEC3 can benefit you.

At the end of the day, you are invited to a drinks reception which will give you an opportunity to mix and mingle. I hope that you will use this time to make new contacts and meet new people who may have similar interests to your own.

I'd like to thank each of you for attending today's conference and bringing your expertise to our gathering. Throughout this conference, I ask you to stay engaged, keep us proactive and help us shape the future of NEC in New Zealand and Australia.

My personal thanks goes to all of you.

A handwritten signature in black ink, appearing to read 'Warwick Fergusson', with a long horizontal flourish extending to the right.

Warwick Fergusson
Chairperson
NEC Australasia Users' Group

NEC Australasia Users' Group Conference

Event Programme

27 August 2013, Christchurch.

8:15-9:15

Registration and Coffee

9:15-9:30

Welcome and Introductions

Warwick Fergusson, Chair, NEC Australasia Users' Group

9:30 - 10:15

Dispute resolution, dispute avoidance and the NEC

John Walton, Commercial Barrister, Arbitrator, Adjudicator and Commercial Mediator, Bankside Chambers, Auckland

- Understanding how the NEC basic principles promote good working relationships between the Parties
- Sensible allocations of risk which do not have adverse price impacts on tendering
- Good practice and dispute avoidance

Including 10 minutes questions and answers

10:15-10:45

NEC in the Antipodes - Lessons from the Front Line

Malcolm Park, Road Assets Operation Manager - Christchurch City Council

- Challenges for Christchurch City
- Mobilising for Success
- Looking Back - Our Best Advice
- Looking Forward - A New City

Including 10 minutes questions and answers

10:45-11:15

Morning Coffee Break

11:15 - 11:45

How the NEC improves the commercial management of projects

Raine Selles, Managing Director, Commercial Management Consulting, Asia-Pacific

- Why the NEC philosophy creates a win-win situation for the Parties
- On time and to budget: why one is as important as the other
- Successful contract management - how NEC3 is designed to promote good commercial management

Including 10 minutes question and answers

12:15-13:15

Using technology to administer the NEC3

Jon Marshall, Business Development Manager, CONJECT Pacific

- The challenges of manual administration
- Advantages of a systemised approach
- Benefits to date from a client and contractor's perspective
- How to ensure success

Including 10 minutes questions and answers

13:15 - 14:00

Lunch

14:00-15:30

Users' experiences: warts and all experiences from existing users

Hear from five NEC users' from across the Australasian region. Presenting no more than 10 minutes each, this is your turn to understand why these clients chose NEC, why they continue to use NEC and what they have learnt so far.

Including 10 minutes questions and answers

15:30-16:00

Afternoon coffee break

16:00-16:45

NEC Panel Session: 'What can NEC do for me?'

Matthew Freeman (chair) - NEC Consultant

Warwick Fergusson - NEC Australasia Users' Group Chair

Marc Palmer - NEC Australasia Users' Group Secretary

John Walton - Bankside Chambers, Auckland

Patrick Cantillion - Project Manager, Major Facilities Rebuild Unit, Christchurch City Council

- You've heard the stories, now question the experts
- Opportunity to establish whether your company or project can benefit from NEC3
- Understand whether this is appropriate for Australasia – is it just a UK contract for UK ex-pats?

16:45-17:00

Summary and Close by Chair

17:00

Drinks Reception



Warwick Fergusson

NEC Australasia Users' Group Chair

Warwick is an experienced project & programme manager with a twenty-year track record of managing high-value projects, primarily in the electricity industry in NZ and Australia.

Those include hydro and wind power generation, ICT infrastructure, strategic analysis and business change management, risk management and mitigation, business continuity planning and disaster recovery.

He is experienced in the use of structured project management methodologies, and has actively promoted the introduction of NEC contracts into Australasia.

Warwick is presently Transpower's Programme Director for upgrade of the national grid control system, and is the current Chair of the NEC Australasia Users' Group.

He holds an MBA in project management, qualifications in ICT and construction contract law, and is a certified PMP™.



John Walton

Commercial Barrister, Arbitrator, Adjudicator, and Commercial Mediator

John is a barrister, arbitrator, adjudicator and mediator practising in Auckland from Bankside Chambers.

He started practise in Wellington, then moved on to London and Hong Kong, before returning to practise in Auckland.

He holds an LLB from Victoria University and an LLM from Auckland; he is admitted in New Zealand, England & Wales, and in Hong Kong; and he is a Fellow of the Arbitrators' and Mediators' Institute of New Zealand, and of the Chartered Institute of Arbitrators in London.

John practises almost exclusively in the technology, engineering and construction areas of law, particularly advising on tender procedures, peer and probity auditing public procurement, and acting as an adjudicator, mediator and arbitrator.

He has advised across a number of industries, including local government, energy, transport, water and wastewater, telecommunications, health and marine construction.

John is a former Council member of the Society of Construction Law, and he is a Council member of the Arbitrators' & Mediators' Institute. He is also a principal adjudicator for the Building Disputes Tribunal, and he is on the arbitration, mediation and adjudication panels member for the Arbitrators' and Mediators' Institute of NZ, the NZ Dispute Resolution Centre, the Building Disputes Tribunal, the NZ International Arbitration Centre and the Kuala Lumpur Regional Centre for Arbitration.

He is also an extensive user of the NEC3 suite of contracts, having adapted the ECC for the Northland Events Centre in Whangarei (developed for the Rugby World Cup) and for Watercare Services' Hunua 4 watermain project, the Short ECC as a standard for procurement, the Supply Contract, the Framework Contract, the Term Services Contract, and the Professional Services Contract for a number of major projects.



Malcolm Park

Road Assets Operations Manager Christchurch City Council

Malcolm leads the Road Assets Operations team for the Christchurch City Council. Their road maintenance work is completed primarily through NEC Term Service contracts with a variety of contractors.

Prior to his role with the Council, Malcolm worked in the New Zealand commercial aviation industry. He has wide experience in airport operational roles managing maintenance, logistics and service delivery.

He believes developing trust and communicating honestly are important behaviours in positive contract relationships. Establishing key performance indicators and managing levels of service are essential elements in successfully operating maintenance contracts.

Malcolm and his team are committed to improving road maintenance in post earthquake Christchurch, through improved contractor collaboration and sustainable maintenance contracts.



Raine Selles

Managing Director at Commercial Management Consulting Ltd

Raine is a Professional Quantity Surveyor and CM/PM with more than 25 years' experience within the construction industry in both project/commercial management and dispute resolution. Sectors of expertise include Civils, Commercial and Residential Building, M&E, Rail, Road, Underground, Process and Water Industries and Heavy Industry. She has many years' experience working with both contractors and consultants administering contracts from procurement to final account in the capacity of PQS,CA/PM and CM.

She has lectured both nationally and internationally on most forms of contract including FIDIC and NEC and has a wealth of experience with the production, delivery and negotiation of contractual claims, adjudication referrals and defence, and enjoys a 100% success rate in adjudication proceedings in which she has both referred and defended disputes on behalf of various Contractors and Employers.

She is also an experienced Mediator, Negotiator and Adjudicator and has acted as Expert Witness on a number of Domestic and International Contracts. In her capacity as consultant she has produced, delivered and trained commercial staff in commercial procedures on major projects, provided strategic planning and risk management, procurement and subcontract management training. She is trained in Primavera and other planning software and is capable of forensic planning in respect of delay analysis. Much of her time is spent assisting contractors with using NEC3 in its various forms and is a strong advocate of collaborative working techniques. Not just advocating the benefits of collaborative working, she has also been responsible for bringing many projects to a successful conclusion, on time and in budget.

She has written several papers on delay, constructive acceleration, head office overheads and more. She was founder and first Chairwoman of the National Association of Women in Construction (NAWIC) UK - a body for professional women in construction and engineering and launched NAWIC Auckland in October 2012.



Jonathan Marshall

Regional Business Development Manager – Conject Pacific

Jon has 25 years' experience in the provision of strategic software solutions to business and government organisations. For the last ten years he has worked mainly in corporate, central and local government in the areas of Programme, Project and Portfolio Management solutions

Jon heads up the Conject business in the region covering sales and operations for clients in New Zealand and Australia and recently Hong Kong. Prior to returning to New Zealand in 1998, Jon spent 10 years in North America selling administration and planning solutions to the health care industry and government, promoting good governance and best practice support through technology.

“My belief is that New Zealand is entering uncharted territory in terms of construction and public/private funding of infrastructure projects over the next 20 years. NEC, best practice and good governance, supported by robust technology will be critical in ensuring we spend and build wisely.”

Jon lives just north of Auckland in the seaside town of Whangaparaoa with his wife, two children and three too many cats.



Patrick Cantillon

Project Manager, Christchurch City Council

Prior to arriving in New Zealand in 2009, Patrick worked for EC Harris LLP, UK, as Senior Project Manager delivering over \$100M worth of NEC Procured contracts for clients such as the Environment Agency. Patrick has over 10 years of construction experience managing NEC procured projects as well supporting clients with dispute and conflict management solutions, using:

- ECC Target Cost contracts
- ECC Lump Sum contracts
- Professional Services Contracts
- Term Services Contracts
- Early Contractor Involvement
- Design and Build

Patrick's greatest strength is his ability to understand the construction process. Then by working collaboratively with the project team he can develop simplistic solutions which identifies and mitigates risk to enable best for project outcomes. Patrick thrives on the challenge of delivering high risk complex projects to a fully engaged project team.

Since his arrival in New Zealand in 2009, Patrick has worked solely for Christchurch City Council as a Project Manager and is currently responsible for the repair of the Christchurch Town Hall following the 2011 earthquakes, where he is using the existing facilities management NEC Term Services Contract for all the enabling and investigations work.

Patrick earned his BSc (Hons) in Construction Management at Leeds Metropolitan University and an MSc in Construction Management at Heriot Watt University. He is a member of the Institution of Civil Engineers, Chartered Institute of Building and Project Management Professional. He lives near Christchurch with his wife and two children.



Marc Palmer

NEC Australasia Users' Group Secretary

Marc has worked for Meridian Energy for 6 years in a variety of roles; as commercial manager on the Benmore Unit Refurbishment Project, as procurement manager for Meridian's asset maintenance programme and as project manager for the sale of the Tekapo power stations. He is currently the project manager for a control system upgrade - a 3 year IT project replacing the hardware and software that enables the control and dispatch of generated electricity to the national grid.

As a project manager from a cost management background, Marc's knowledge of NEC contracts goes back 18 years, first gained when working for BAA, the UK airport operator. BAA were one of the companies who trialled and supported the development of the 1991 consultative edition of NEC. The 90's was also the period of the Latham and Egan Reports, a time of significant change in the UK construction and engineering industries - and as a project manager on large airport redevelopments, it was a great learning experience, being part of change as it was happening



Matt Freeman

NEC Consultant

Matt has a strong Project Management background is now working as a Management Consultant working in areas where he can add most value. Matt's main focus is the tactical phase of projects, ongoing support and mentoring, establishing term service agreements and the incorporation of international best practice where it applies. He is currently working with a number of clients around New Zealand in these areas.

Matt is a passionate advocate for building collaborative working environments, and has procured and/or advised on many NEC3 contracts in New Zealand and the UK, as well as PPP's in the UK.

PBA is a specialist provider of expert services for high voltage engineering. We offer a team of highly skilled professionals who care about quality outcomes. From project solutions and support to specialist services, with PBA you will find we're wired for excellence.

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It's the way we're wired

High voltage excellence



PBA
THE HIGH VOLTAGE EXPERTS

High voltage project solutions

At PBA we have the depth and breadth of capability to deliver any combination of scope and scale of high voltage project.

Our specialist capabilities include the assembly, installation, overhaul, testing, commissioning and project management of the full range of high voltage equipment and technology including AC and DC SCADA and protection systems.

PBA's appreciation of project deliverables and track record of successful deliveries mean we are well positioned to manage any high voltage project from concept through to completion, as well as any ongoing maintenance requirements.

You will find PBA is resourced to deploy a flexible and adaptable project team along with carefully scrutinised subcontractors to a variety of scales and complexity of project.

So when you need a high voltage project solution, turn to the experts at PBA. We have the specialist knowledge and capabilities to deliver a quality solution.

Specialist services

Whilst project solutions are a forte for PBA, many of our clients select specialist services specific to their individual requirements. To that end, PBA offers a portfolio of specialised services designed to meet the unique needs of high voltage industries.

CABLES PBA provides specialist services in the area of HV and LV cables installation, jointing and testing. A wealth of industry experience and a strong focus on the needs of network integrity in both HV and LV sectors ensure that we understand our clients' businesses and are positioned to provide a high level of specialist support. PBA Cables staff are industry experts in their field, conducting industry training and making

valuable contributions to the development and assessment of accreditation processes.

CIRCUIT BREAKERS installation, testing and overhaul. PBA staff have an excellent reputation as knowledgeable and experienced in all facets of high voltage circuit breaker work. Our circuit breaker experts respond promptly to requests for service, whether planned or emergency, and can find solutions to the most challenging problems.

HVDC since the formation of the group, a niche expertise PBA offers spans a wide variety of HVDC technologies. From old mercury arc valves to solid state thyristor systems, PBA staff have an established reputation for working to a high standard while providing a professional and efficient service.

SECONDARY SYSTEMS PBA offers specialist testing and commissioning services for protection and communication schemes. This includes relay end-to-end testing of HV line protection systems through to more complicated Bus Zone protection schemes.

SF6 Gas handling and testing. PBA takes pride in setting high standards in the handling and testing of SF6 gas. With regulatory authorities putting more emphasis on environmentally sustainable business practices, our clients have confidence choosing PBA to handle, consolidate and test the integrity of their SF6 gas with

zero emissions. PBA has experts in all areas of SF6 management, handling, testing and consolidation providing a comprehensive SF6 service provision. PBA offers many years of circuit breaker experience with SF6 experts and a full suite of world-class test equipment.

TRANSFORMER INSTALLATION, servicing and testing: The team at PBA has a wealth of knowledge of HV power transformers from many years working within the electricity industry. The formation of PBA has brought all this expertise together into one team that can offer superior transformer services to clients. It is for this reason that PBA has been engaged to provide specialist transformer services on a variety of installation, assembly, testing, upgrade and overhaul projects throughout Australasia. This is an indication of how respected the individuals in our team are within the industry.



Support solutions

With the depth and breadth of expertise outlined above and an established reputation for successfully delivering large scale projects, PBA now has ongoing contractual relationships with key stakeholders. The consistency of technical support is an integral part of a network management strategy and PBA can offer world-class support solutions around our key specialist services.

In recent years PBA has managed the development of its own business process software tools. Our understanding of software development processes positions PBA well to collaborate with our clients in implementing purpose built online databases and asset management. These tools can be administered by PBA experts whilst providing clients transparency.

The experts

PBA is a high voltage electrical engineering organisation. With a professional commitment to technical excellence, we provide the advice, support and solutions you need to develop and maintain high voltage infrastructure.

The lifeblood of PBA is our dedicated team of experts. We hand-pick the finest in the field and know we offer the very best.

PBA represents high voltage excellence... it's just the way we're wired.



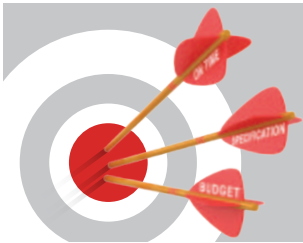
A TEAM THAT CARES

At PBA, we foster a team of people who genuinely care about the work they do. Adopting a collegial approach to knowledge sharing among team members, our company culture offers the potency of collective expertise

and continual improvement.

Health and safety, development opportunities, and respect for our people result in high staff retention and the ability to recruit the very best in the industry.

PBA people are personable, professional and passionate about the industry – which means your satisfaction is assured.



TOTAL COMMITMENT TO EXCELLENCE

At PBA, a total commitment to excellence is what drives us. As leaders in our field, we focus on providing unique technical services of a high standard that adds value to our clients' businesses.

In applying creative thinking to time-honoured solutions, we consistently seek out industry innovations. As a result, we deliver superior results on budget, to specification and within time.



EXPERT ANALYSIS AND RECOMMENDATIONS

Not only does PBA offer industry training, but many competitors come to us for advice and services.

With some of Australasia's key technical experts on board, an

outstanding result is PBA's primary focus. In choosing PBA you are opting for leading technical expertise and the recommendations you need to develop and maintain your high voltage infrastructure.



SUPERIOR CLIENT SUPPORT

At PBA, we are committed to offering our clients a superior level of ongoing support. PBA utilises a suite of online business management tools that are remotely accessible to the whole

team. This allows our business to function efficiently, independent of any geographic boundaries and in real time.

Being so well established and highly regarded in the high voltage industry, PBA has both the commitment to service and the necessary financial backing to be there for you when you need technical excellence now and in the future.



INNOVATION A HALLMARK

Creative thinking is one of the hallmarks of PBA. Equipped with a team of impassioned and skilled professionals, we consistently explore ways to design solutions, equipment and methodologies

that add value to our services and the industry. In essence, we are ambitious. With PBA people on board you can be confident they come with the best industry hardware and innovative minds to get the job done.

Professionalism and more

With impeccable professional standards, PBA is considered one of Australasia's leading high voltage specialists. Due to our size and supportive company culture, we are able to remain agile and flexible, adeptly responding to challenges by developing industry innovations and thriving on the connectedness of PBA people throughout the industry. To find out more about our expertise visit www.pbanz.com/the-experts.

People



Case Studies



Articles



Accreditations



Our credentials

PBA offers exemplary high voltage expertise. But you needn't just take our word for it. Visit www.pbanz.com/credentials to find out more about our people and accreditations, read case studies, and peruse various articles about our work.

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NEC3 training near you for September 2013

*Gain insight into how NEC3 can
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working approach in your projects*

- All of our courses are developed and delivered by our in-house NEC experts, who have extensive and relevant industry experience and have played key roles in implementing the 2013 additions and updates to the NEC3 suite
- All NEC training courses offer excellent professional networking opportunities, as well as knowledge-sharing and CPD
- All attending delegates will receive a delegate pack containing course slides and complimentary copies of the contracts they are receiving training on
- All delegates for this event **receive 10% discount** on the listed course price – simply quote promotional code **NECTRAINOFF** when you book

AVAILABLE COURSES:

Introduction to the Engineering and Construction Contract (ECC)

24 September 2013 | Christchurch
NZD \$540 **NZD \$486**

NEC3: Professional Services Contract (PSC)

25 September 2013 | Christchurch
NZD \$512 **NZD \$462**

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