

# **WEG.** Just a discussion really

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**Catchment  
Based Approach**

*Partnerships for action*

# The three main issues?

## 1. Liability clause:

*17.4 The Beneficiary shall indemnify the Authority and any persons acting on the Authority's behalf against all claims, demands, actions, costs, expenses, losses, damages and all other liabilities arising as a result of the actions or omissions of the Beneficiary in connection with the Agreement.*

- The risk: Unlimited liability even if the delivery is compliant?

# The three main issues?

## 2. Lowest of three quotes:

- The risk: is that H&S is the casualty
- We can minimise the risk by the way we write the tender documents?
- Explicitly ask for compliant method statements etc as part of the tender.
- This is not great practice but it is a work around....

# The three main issues?

## 3. The variation process:

- This looks reasonable....
- Get variations in straight away.....??? This gives us and the EA wiggle room.....
- Variations have to be approved.....what about an emergency?
- What about 3 quotes? One quote will be allowed...
- Stand down time can be included.....
- Multiple variations are allowed....so get them in early..