

Just Contract Management Ltd

**G-Cloud 14– Service Description
PFI and Complex Contract Management
Consultancy**

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Introduction to Just Contract Management Ltd

JCM is a niche consultancy designed to advise public sector bodies on how best to manage their commercial arrangements to maximise value for money and minimise waste. We offer a unique blend of qualified staff with vast experience in contract management, process redesign, commercial negotiation, and legal advisory services. We have a proven track record in delivering complex change management programmes that transform the commercial capabilities of our clients.

Typically, our clients face one or more of the following challenges:

- day-to-day management and understanding of the contract;
- limited dedicated contract management resource;
- inadequate document management and recording of legacy agreements;
- large number of variations;
- managing Project Co. and/or the Service Providers (or both);
- validation of unitary payment invoices against financial models, payment mechanisms or performance reports;
- Service Providers reporting against KPIs;
- application of the payment mechanism (availability and performance monitoring); and
- achieving best value through market testing processes.

JCM is committed to the view that effective contract management requires a combination of technology and professional support. JCM has used its extensive experience in this field to design – in collaboration with our technology partner (SimpliContract) - a technology solution that is:

- cost effective;
- designed specifically to address common PFI/PPP issues but is equally suited to managing other complex commercial contracts;
- simple and intuitive to use; and
- able to provide management and comparative analytics information.

JCM's consultants have hands-on experience of complex contract transformation and technology implementation within the UK public sector. Our contract managers will become experts in your PFI/PPP or complex commercial contract, perform a detailed assessment of the payment mechanism, implement a delivery assurance methodology and support client resources to develop an approach to managing and getting best value out of the contract going forwards, through to hand back - at contract end or termination - of the assets maintained to the condition stated by the contract.

PFI and Complex Contract Consultancy Services are provided on a time and material basis with pre-agreed day rates for different levels of resource.

For organisations requiring a greater level of day-to-day support as well as contract management technology, we provide **Contract Management as a Service**, combining technology and support for a fixed monthly fee, for a minimum period of 24 months.

PFI and Complex Contract Management Consultancy

JCM provides qualified and experienced consultants to support our public sector clients with specific issues which arise over and above the routine of day-to-day contract management. We can provide this service in conjunction with, or independent of, our CMaaS offering and regardless of the Contract Management technology you are using.

Our expertise is applicable to all complex service contracts and is particularly relevant to PFI contracts due to their lengthy duration and often complex suite of variations.

These issues include matters such as:

- **Contract Compliance Audits:** We can establish within a short period of time whether the service provider is meeting its obligations under the contract. We will advise on corrective actions which are directed and proportionate to the client's objectives for the contract.
- **Internal Process & Governance Review:** Contracts often get into difficulty because the client organisation does not have the appropriate oversight and ownership of the contract, nor do they have internal business processes which correspond to the obligations in the contract.
- **Value testing:** When it has signed a long-term complex contract (such as a PFI) how does the public sector ensure that it continues to receive value for money? JCM supports its clients with the operation of the value testing provisions of contracts such as bench marking and market testing. We can help to ensure that any market testing is carried out to elicit competitive bids and to support any negotiations with the supplier following a benchmarking exercise. With our support our clients are more assured of being able to realise the benefits of any commercial agreement reached with the service provider.
- **Variations and Deeds:** There is a tension between the benefits of a long-term contract (consistency of service provision / economies of scale / return on investment) with the need by the public sector to vary the contract or the services during the contract term. We support clients in negotiating the commercial aspects of service changes or deeds of variation which amend the terms of the contract itself.
- **Disputes:** Wherever possible we will work with our client and the service provider to avoid use of the formal dispute resolution procedure in the contract. We do not believe robust and commercially driven holding of the service provider to account increases the chances of a formal dispute; to the contrary. In our experience what leads to disputes are informal undocumented discussions and variations to the contract and the service specification.

Where a dispute does arise, we are able, through our legally qualified consultants to:

- Act as a critical friend, objectively assess the relative merits of each parties' position and avoid "groupthink"
 - support the client in the early stages and to ensure that the appropriate professional support is retained;
 - Work with the professional team to supplement scarce internal resources
- **Contract Termination & Expiry:** We have consultants who are experienced in supporting clients through the termination of PFI and other contracts including advising on the alternative methods of procuring continued services. This experience is equally relevant to managing the contract through expiry of the term and the transfer of the built asset back into public ownership.

Next steps

To further explore how JCM's PFI and Complex Contract Consultancy Services can help your PFI project and/or complex contracts achieve full value for money, please email us to request an exploratory, no obligation conversation with one of our consultants.

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