



Appendix O to the Project Partnering Agreement The Problem Solving Hierarchy

1. Introduction

Clause 27.2 of the Partnering Terms states:

“Upon receipt of notice in accordance with clause 27.1 the Partnering Team members involved in a difference or dispute, guided as necessary by the Partnering Adviser, shall apply the Problem-Solving Hierarchy ...”

A Problem-Solving Hierarchy has been prepared and agreed for the Project; this identifies the individuals to whom any dispute will be referred and the time limits applicable for any decision.

2. Methodology

It is agreed that the following principles shall apply to the application of the Problem-Solving Hierarchy:

- The Partnering Team members involved shall be proactive in looking for solutions that are in their mutual benefit and in line with the overall objectives of the Project
- In line with the partnering culture adopted for the Project the Partnering Team members involved shall try to understand the other member's point of view with regard to the difference or dispute and shall maintain an open and honest relationship with all members of the Partnering Team.
- If it is apparent that the dispute will not be settled by any level of the Problem-Solving Hierarchy then the Partnering Team members involved shall agree to waive the time limits stated and escalate the dispute to the next stage.

3. The Problem-Solving Hierarchy

- 3.1 Upon receipt of notice advising of a difference or dispute pursuant to 27.1 of the Partnering Terms the Client Representative shall inform the Partnering Adviser.
- 3.2 Within three (3) Working Days (or such other period as is agreed in writing between the Partnering Team members involved) of the notice of difference or dispute the



project representatives of the Partnering Team members involved shall meet to discuss the difference or dispute and, if no agreed settlement is reached, shall prepare an agreed way forward. The “project representatives” of each of the Partnering Team members are listed in Appendix 1. If the project representative changes during the course of the project, or is unavailable at the time of the difference or dispute, then the Partnering Team member involved shall propose a suitable alternative representative.

- 3.3 The “agreed way forward”, as referred to above, shall include details of:
 - 3.3.1 The date and venue of any future meeting(s)
 - 3.3.2 Any further information that needs to be obtained and agreement on who will acquire this and when it will be circulated.
 - 3.3.3 Whether the involvement of any other member of the Partnering Team, or the Partnering Adviser, will be of assistance in resolving the difference or dispute.
- 3.4 Details of the “agreed way forward” will be circulated to the Client Representative and the Partnering Adviser.
- 3.5 If the Partnering Team members involved consider that it will be beneficial then the Client Representative shall call a meeting of the Core Group to consider the difference or dispute.
- 3.6 If the difference or dispute is not resolved within ten (10) Working Days of the initial meeting (or such shorter period as the Partnering Team members involved shall agree) the relevant directors of the Partnering Team members involved shall meet to discuss the difference or dispute. The Client Representative and the Partnering Adviser shall attend this meeting. The “relevant directors” of each of the Partnering Team members are listed in Appendix 2.
- 3.7 The phrase “Working Days” shall have the meaning ascribed to it in the Partnering Terms.
- 3.8 The Problem Solving Hierarchy is summarised in a flow chart, attached as Appendix 3.



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Problem Solving Hierarchy**

Appendix 1

The “project representatives” of the Partnering Team members

Partnering Team member	Project Representative
Ministry of Justice	[REDACTED]
WT Partnership Cost Consultant Role	[REDACTED]
Jacobs Client Rep Role	[REDACTED]
WT Partnership CDM Role	[REDACTED]
Jacobs Technical assessor	[REDACTED]
[Company] Designer	[name]
TBC Constructor	TBC



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Problem-Solving Hierarchy**

Appendix 2

The “relevant directors” of the Partnering Team members

Partnering Team member	Relevant Director (or Partner)
Ministry of Justice	[REDACTED]
WT Partnership Cost Consultant Role	[REDACTED]
Jacobs Client Rep Role	[REDACTED]
WT Partnership CDM Role	[REDACTED]
Jacobs Technical assessor	[REDACTED]
[Company] Designer	[name]
TBC Constructor	TBC



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Appendix 3

