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Contracts – Seeing the wood from the trees

Are Contracts really that complicated?

Farnborough Projects were recently employed to review a major Contract and its associated schedules. The Contract and schedules ran to some 22 documents and 1200 pages. The problem wasn't so much that the Contract was complicated, it was just that to fully familiarise themselves, the reader had to keep jumping from one document to another and to cross refer to a series of schedules and sub clauses. This made it particularly difficult in this case as there were other issues surrounding the document, including terminology and the use of particular phrases that were explained in a separate glossary of terms.

The documents were contained in a series of Lever Arch files on a shelf in the project manager's office and were too difficult to use easily. We found a sea of "post it" notes and bent over pages to assist the reader to fully understand the contract. Pencilled notes and odd pages inserted into the document were also there to assist.

As this was a 25 year Contract it would be referenced on a regular basis and a paper copy without proper indexing and cross referencing would have meant "starting from scratch" each time a look up or reference was needed.

How did we help?

Farnborough Projects arranged for all the documents to be held electronically and used our experience to provide a single document that was fully indexed and hyperlinked all key clauses. Common terms in the glossary were also indexed so that an explanation of a standard clause, phrase or technical term could quickly be found whilst still continuing to read the document.

The Contract was now able to be read from start to finish by using the hyperlinks and key words to navigate as a whole. Additionally onerous clauses and mandatory instructions were brought together in an Executive Summary to remind the reader of the key clauses of the contract. The Index and search facility allowed the user to quickly find relevant clauses and phrases. Comments were also available accessed by hovering the user's mouse over highlighted words or phrases.

The contract was now available electronically throughout the business and was able to be read by more than one person at a time, reading through the document where a specific clause referenced another was made simple by following the link to that clause and returning back to that clause. Sub clauses of clauses were also able to be tracked.

Summary

Contracts are never that easy to read at the best of times and the more complex these are and the more often that there are cross references between clauses in different volumes the more difficult it becomes to read, understand and comply. Farnborough Projects approach allowed the Contract to be available to the business and members of the project team with full information at their finger tips. This was especially useful in meetings where a copy on a laptop allowed the Project Manager to quickly find relevant clauses and all the sub clauses together with comments on related clauses, schedules and the glossary of terms.

Over the remaining years of the contract our customer will be able to save many hours effort in hand reviewing the contract and have the ability to drill into the detail of the contract by clause, subject, and glossary term or search string.

With years of contract experience we were able to add further value by providing summaries of the key onerous clauses and to highlight areas where clauses conflicted with each other.

About Farnborough Projects Limited

Farnborough Projects Limited is a privately owned Project and Programme Management company specialising in Project and Programme Management in the Finance (Retail and Investment), Telco, Logistics and Insurance markets. With in excess of 25 years experience in managing projects, using project tools and project and programme recovery, Farnborough Projects Limited experience is helping project teams and customers improve the way they deliver, track and plan business change.

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