



m b m c o n s u l t i n g

Profile

Finding a solution is not always easy...

At MBM Consulting we realise that business is difficult enough so your consultants should be part of the solution not the problem.

Since its formation in 2000, MBM has gained a hard earned reputation as a progressive, forward thinking and proactive consultancy with an ethos of providing practical solutions that combine legal and technical knowledge with solid commercial realism to a wide variety of industry sectors. We do not give 'text book' answers or theoretical advice, but strive to apply our contractual understanding into the commercial context to provide realistic solutions that best meet the Client's objectives.

MBM can offer all the support provided by larger practices but, more importantly, can be trusted to provide genuine high quality services and practical, cost-effective commercial solutions. As a niche practice we see our size as a distinct advantage. We are owner managed so that decisions and advice are not linked to shareholders and short term profit. Each Client, regardless of size, is valued and respected highly. Our aim is to listen to your requirements and understand your business so that we can provide balanced, objective advice and services; where we can work with you rather than for you.

Our services split into three core divisions covering the entire project spectrum:

- 1. Bid Management and Procurement**
- 2. Commercial Management and Planning**
- 3. Claims and Dispute Resolution**

MBM's commercial and contractual expertise has been successfully applied across a variety of industry sectors including building civil, electrical, mechanical and rail engineering, energy, marine engineering, defence , automotive engineering, insurance and insolvency practice.

Where ever you operate within the project life cycle you can be assured that MBM will provide your organisation with genuine, proactive assistance.





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Company Information

CHAIRMAN:

Michael Mulvey

DipArb FCI Arb DipQS MRICS

MANAGING DIRECTOR:

Jonathan Bowcott

BSc(Hons) MRICS ACI Arb

DIRECTOR:

Tim Ellis

BSc(Hons) MRICS ACI Arb

UK HEAD OFFICE:

The Southborough Centre
Draper Street
Kent
TN4 0PG

T +44 (0)1892 557290

IRELAND OFFICE:

Killummod
Elphin Road
Carrick-on-Shannon
Co. Roscommon
Ireland

T +353 (0) 87 981 5385

WEB:

www.mbmconsult.com

EMAIL:

admin@mbmconsult.com





Bid Management & Procurement

Effective pre-contract planning is essential to ensure a project gets off to a successful start regardless of whether you are a Client or contractor.

Client need to ensure that the project upon which they embark will achieve their objectives from an aesthetic, functional and commercial perspective both upon completion and into the future. Effective and accurate procurement advice in conjunction with appropriate cost, financial and programming analysis can ensure that risks are identified and minimised at an early stage and an appropriate strategy developed. MBM can also help Clients produce realistic contract documentation which appreciates and acknowledges the motivation and objectives of modern contracting organisations.

From a Contractor's perspective, reliance upon highly impressive, well presented, accurate and reliable bid documents is becoming the norm. MBM can assist with the preparation of such documents which provide the cornerstone of successful project delivery. We also appreciate that tendering arrangements are becoming increasingly complex and contractors not only need to provide a cost effective proposal but one that reflects the priorities of modern projects such as health and safety, logistics management, environmental issues and sustainability.

MBM has practical experience working for both client and contracting organisations and can offer an effective bid management and procurement service which includes:

- **Procurement and contractual framework strategies**
- **Investment appraisal**
- **Cost planning**
- **Cost estimating**
- **Tender programming**
- **Risk management**
- **Value engineering**
- **Preparation of contract documentation**
- **Schedules of Quantities / activity schedules / specifications of work**
- **Procurement of contractors/subcontractors**
- **Insurance and warranties**
- **Professional appointments and agreements**

For further information contact Jonathan Bowcott or Michael Mulvey.





Commercial Management & Planning

Effective commercial management is at the heart of any successful project regardless of your position in the contractual chain.

Understanding the nuances of a contract and applying the requisite processes that protect your contractual and commercial position are essential to ensure all parties achieve the optimum outcome. Clients need to ensure that budgets are appropriately managed to ensure value for money whilst contractors appreciate the importance of ensuring profitability and maintaining cash flow.

MBM also appreciates that planning and programming form the heart of modern contract administration as a result of the increased use of forms of contract such as NEC. MBM's planning expertise has been gained through hard earned experience which allows progress to be monitored effectively and the impact of changes analysed and identified giving either Client or contractor a realistic assessment of progress and the effect on completion.

MBM has practical experience working for both Client and contracting organisations and is ideally placed to give effective commercial management and planning service which appreciates not only the objectives of our client but also the motivation and objectives of the other party. Our services include:

- **Establishing commercial procedures**
- **Contract audits**
- **Account management**
- **Valuation of works**
- **Change management**
- **Cost value reconciliation and cost reporting**
- **Productivity analysis**
- **Cash flow forecasting**
- **Progress planning**
- **Programme management**
- **Target and completion programmes**
- **Project recovery**
- **Change programming**

For further information contact Jonathan Bowcott or Tim Ellis.





Claims and Dispute Resolution

The efficient management of claims can help ensure that a potentially difficult situation does not escalate into a dispute.

Effective commercial management can help reduce the need for claims. However there are situations where some form of submission is required be it in accordance with the terms of the contract or claimed under common law.

How the claim is prepared and managed is central to the success of the project and maintaining healthy inter-party relations. MBM's practical experience gained working on large and complex building and engineering projects means that it is able to identify when claims situations arise and establish appropriate strategies for their effective resolution.

Our experience working for both Client and contracting organisations means that we are ideally placed to understand the contractual and commercial frameworks that underpin claim situations. We can also identify the motivations and likely strategies the other party may adopt in response. This allows MBM to provide not only excellent technical services but also commercially astute strategic advice.

Should traditional negotiations be unsuccessful MBM can advise and act on your behalf in various dispute resolution procedures including mediation, adjudication and arbitration.

Our range of services covers:

- **Claims management and strategy**
- **Contractual reviews / contractual advice**
- **Extension of time preparation / forensic delay analysis**
- **Money claims**
- **Productivity analysis**
- **Representing referring or responding parties in adjudication**
- **Arbitration services**
- **Litigation support**
- **Expert witness services**

For further information, please contact Tim Ellis in the UK or Michael Mulvey in Ireland.





Specific Project Experience

The following provides a brief indication of the breadth of MBM's practical experience, working for both Clients and contractors, which encompasses bid management, commercial management and claims and dispute resolution across various industry sectors including build, civils, rail, utilities, energy etc.

Forth Bridge

Project Manager's Final Assessment under NEC 2

Portcullis House

Contractual advice for trade contractor

Jubilee Line Extension Project

Consolidated labour disruption submissions for trade contractor and two subcontractors

Japanese Restaurant Chain

Contractual advice and strategic recommendations regarding fit out project

A12 Gorestone By Pass

Extension of time analysis for arbitration proceedings

Illford Leisure Centre

Commercial management for main contractor

Northcliffe House

Expert report on commercial position and litigation support to solicitors

Army Barracks

Report into fire protection provided by subcontractor to main contractor

Fulham Broadway Underground Station

Submission particularising additional design costs incurred by contractor

New Charity Headquarters

Contractual advice, extension of time and two adjudication referrals on behalf of main contractor

Castlepoint Shopping Centre

Forensic delay analysis

Stowe School

Final Account and additional cost submission under GCWorks form

Charlton Athletic Football Club

Commercial management and particularization loss and/or expense

Channel Tunnel Rail Link C105, C588 and C340

Particularisation of actual costs and delays in respect of compensation events issued to trade contractor (NEC form)

Plymouth School

Expert report and forensic delay analysis pertaining to main contract delay

Major London Commercial Development

Forensic investigation into potential PI claim

Olympics Tunneling Project

Contractual and commercial review of conditions of contract for contractor

Various Kent and Surrey Stations

Commercial management and claims preparation in respect of DDA improvement works

Highways Agency Tender Submission

Bid preparation services for tendering contractor on major framework contract

Liquefied Natural Gas Tanks

Adjudication services, forensic delay analysis and money claim submissions

Major Utilities Framework

Commercial management services for main contractor under NEC3

LUL Framework Tender Submission

Review of contract terms and conditions to identify contractual and commercial risk



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Principal Staff

MBM has a dedicated team of construction professionals with vast experience across most industry sectors working for all types of client and contracting organisations.

The following introduces key members of our team.

Michael Mulvey

Dip Arb FCI Arb Dip QS MRICS

michaelmulvey@mbmconsult.com

Chairman

Based in Roscommon, Ireland Michael is responsible for MBM's Ireland office where he provides commercial management, delay analysis, claims preparation, conciliation, adjudication and arbitration services. Michael is also responsible for our network of regional operations, currently focusing on Bristol and Manchester.

Jonathan Bowcott

BSc(Hons) MRICS ACI Arb

jonathanbowcott@mbmconsult.com

Managing Director

Jonathan is responsible for the running of the UK business. As well as his company responsibilities he provides commercial management, contractual advice, extension of time, claims preparation, adjudication and arbitration services to both Client and contracting organisations.

Tim Ellis

BSc(Hons) MRICS ACI Arb

timellis@mbmconsult.com

Director

Tim is Director responsible for all planning and delay analysis services. A Chartered Quantity surveyor, Tim has commercial as well as planning, extension of time, forensic delay analysis and expert witness experience.