

Statement of the European Council of Civil Engineers on the COVID-19 crisis

June 2020

The European Council of Civil Engineers call upon the entire construction industry, trade unions, public and private clients to actively support the EU in getting the important part starting again and finding its way to normality. A clear interpretation of set up regulations by the industry should help the government. All involved parties and planners need legal certainty!

From the point of view of the professional association, this kind of solidarity is a suitable means to contribute to the handling of the COVID 19 crisis. On the one hand, the danger of infection in the construction site area is further reduced. On the other hand, any economic disadvantages will not be senselessly exaggerated. By such solidarity, a cooperation of all parties involved after the end of the COVID 19 crisis is guaranteed.

ECCE supports the operation of construction sites, but demands clear regulations for the employees, for engineers, for construction industry and clients.

Basis might be an agreement on a catalogue of measures for work on sites between the trade unions, construction industry and the Central Labour Inspectorate, regulating under which circumstances construction sites can continue to be operated.

As a political representative of the interests of European Civil Engineers - an important professional group for the construction industry - we expressly support efforts to keep the economic consequences of the Corona crisis as low as possible. This also includes continuing work on construction sites where this can be done safely. However, agreed general measures are not suitable for creating clear and legally secure conditions on each single site – they need to be adapted to every single site.

These measures can only be implemented with an acceptable level of risk if there is extremely good preparation, planning, training and checks.

On the basis of the present regulations concerning the corona virus, there is great uncertainty among the members of the entire construction industry regarding the handling of open projects (local building supervision, surveying, etc.)

At the same time, however, it is not possible for the ECCE to recommend a general halt of construction, where no measures to reduce risk of spreading COVID 19 are taken, to their members, as the liability risk for individual offices is too great in this unclear situation.

Due to the above-mentioned conflicts in practice, ECCE suggests to bring about a close alliance between all public and private clients and contractors, including all interest groups.

ECCE therefore recommends that the existing legal basis and existing or worked out guidelines be concretized together on a European level.

In the sense of a cooperative handling of the current contracts during the COVID-19 crisis, the following objectives should be pursued with this solidarity:

- to show possibilities to maintain construction and planning processes
- No penalty claims on the part of the client in the event of Corona-related failure/delay etc.
- Fair settlement of additional cost claims
- Execution of tasks that do not have to be carried out on site (construction site)
- Setting generous deadlines for new calls for tender to be published
- Extensions of deadlines for ongoing projects, even if they are dependent on temporary funding

But keep in mind:

- It is wrong to assume that the additional services required for this, concerning construction management and construction coordination, are covered by the existing contracts.
- It is also incorrect to assume that the complex additional services resulting from the COVID-19 Act would be included in the construction schedule in terms of costs and deadlines. Deadlines and penalties are therefore usually to be renegotiated or the additional expenditure incurred is to be remunerated separately by the client.

It seems to us to be appropriate and necessary to accompany and bundle the know-how of the stakeholders during the ramp-up of the construction industry within the framework of a task force. A successful outcome is of utmost importance for all parties involved and the European health care system!

ECCE calls on the European Commission to set up quickly these rules and legal basis for handling these issues not on National level but on a European level, as COVID-19 is not a national but a global challenge.