

Recovering a Difficult Package

How to Take Control When the Records, Relationships or Commercial Position Are Already Poor

Recovery begins when inherited opinion is separated from fact and the next controlled action becomes visible.

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Document Status and Use

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Purpose

A package-recovery playbook for diagnosis, evidence reconstruction, exposure assessment, urgent contractual control, stakeholder management, negotiated resolution and safe handover.

Audience

Senior contract administrators, contracts managers, commercial managers and embedded consultants.

How to Use This Manual

1. Read the relevant chapter before a live conversation, review or decision—not after the consequence has already landed.
2. Apply the method to current project work. The suite is designed to change observable behaviour, not merely increase awareness.
3. Record the decision, action, owner, evidence and review date produced by the exercise.
4. Use the related manuals where the issue crosses career, communication, judgement, leadership or stakeholder boundaries.

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1. Take Control Without Pretending Certainty

The first act of recovery is to stop further deterioration while the true position is established.

Define the mandate, authority, immediate risks and reporting line. Avoid promising a recovery number before the records, programme and counterparty position have been tested.

Operating Checks

16. Freeze unauthorised commitments and undocumented concessions.
17. Identify urgent notices, security, payment and programme deadlines.
18. Set a short fact-finding period and reporting rhythm.
19. Preserve current records and access before people or systems change.

2. Separate Facts, Opinions and Inherited Positions

Repeated statements become project folklore long before they become evidence.

Interview the people involved, but test each account against contemporaneous records. Record where memories conflict and where the project has acted inconsistently.

Confidence improves when the reader can see what is known and what has been concluded.

Documents often blur four different things. Facts are supported observations or records. Assumptions fill information gaps. Interpretations explain what words, events or obligations mean. Judgements select a course of action under uncertainty.

When these categories are mixed, the recommendation appears stronger than its foundation. When they are separated, the approver can test the fragile parts without dismantling the entire analysis.

20. Fact: the subcontractor submitted the notice on 14 July.
21. Assumption: the programme impact continues beyond the current update period.
22. Interpretation: the event falls within the relevant contractual entitlement.
23. Judgement: the project should assess the claim now rather than await complete quantum detail.

KEY TAKEAWAY *Do not manufacture certainty. Show the ladder from evidence to conclusion so the approver can see which rung carries the weight.*

Inherited Position Register

Statement	Category	Supporting record	Test / owner
	Fact / assumption / interpretation / opinion		

3. Rebuild the Chronology and Evidence Chain

A defensible narrative shows what happened, when, under which obligation and with what consequence.

Build the chronology around events that affect scope, instruction, access, programme, cost, notice and response. Link each proposition to the record that proves it.

Evidence is useful when the reader can see what proposition each record supports.

Large attachments can create the appearance of diligence while transferring the review burden upward. Organise evidence around the reasoning. Identify the key record, explain what it proves, and separate decisive material from background.

The record should allow another competent person to reproduce the analysis. Calculations need sources and assumptions. Contractual positions need relevant words and facts. Forecasts need ownership, probability and timing. Verbal directions need an appropriate written confirmation.

Evidence Questions

Do not attach everything and call it evidence. Show the relationship between the record and the conclusion.

24. What proposition does this document support?
25. Is it contemporaneous, complete and reliable?
26. Is there conflicting evidence?
27. Can the calculation be reproduced?
28. Are key conversations recorded proportionately?
29. Can the evidence be located after staff or systems change?

Working Sequence

30. Define the proposition to prove.
31. Create a dated event chronology.
32. Link each event to source, author and location.
33. Identify conflicts, gaps and missing custodians.
34. Separate contemporaneous evidence from later reconstruction.
35. Preserve a controlled index and version.

4. Quantify the Exposure

The number must expose range, assumptions, recoverability and timing—not merely a single answer.

Separate cost incurred, forecast to complete, assessed entitlement, recovery scenario, cash timing and contingency. Test best, likely and downside outcomes.

Exposure Model

Component	Best	Likely	Downside	Key assumption
Cost to complete				
Entitlement / defence				
Recovery / settlement				
Cash timing				
Residual risk				

5. Map Personalities, Interests and Decision Pathways

The disputed position is carried by people with authority, history, pressure and status.

Map the package team, project leadership, client, consultant, subcontractor, legal and executive pathways. Identify who can decide, influence, verify, obstruct or lose face.

A submission can be correct for one reviewer and incomplete for the next.

Material work often travels through several gates: preparer, discipline reviewer, commercial lead, project director, business unit, client or corporate function. Each gate is asking a different question. A common failure is preparing only for the person immediately above you and forcing every later reviewer to rebuild the wider context.

Map the chain before the work is finished. Identify who recommends, who endorses, who approves, who must be consulted and who needs to be informed. Then identify the information each person requires and the sequence that avoids surprise or rework.

36. Who owns the underlying analysis?
37. Who has technical or contractual review responsibility?
38. Who has delegated authority to approve the decision?
39. Whose budget, forecast, client relationship or programme is affected?
40. Who may later challenge or audit the record?
41. Which people should be spoken to before the formal paper arrives?

Operating Checks

42. Do not confuse the loudest participant with the decision owner.
43. Identify private concerns that will not be raised in the formal meeting.
44. Consult the accountable stakeholder before expanding or narrowing the audience.
45. Plan pre-briefs so the formal forum decides rather than discovers.

Package Stakeholder Map

Stakeholder	Interest / pressure	Authority / influence	Sequence / channel

6. Restore Notices, Time Bars and Authority

Commercial recovery fails when urgent procedural control is left behind while the team perfects the narrative.

Identify notices due, payment responses, security dates, instruction requirements, delegation limits and approvals. Issue defensible protective steps while analysis continues.

Operating Checks

46. Use the strongest accurate position available now.
47. Do not backdate, overstate or manufacture certainty.
48. Record who authorised the notice and what remains under investigation.
49. Coordinate legal input where privilege, dispute or material interpretation requires it.

7. Establish a Credible Baseline

A recovery plan needs an agreed starting point even where the parties disagree about responsibility.

Find the shared dates, quantities, instructions, programme states and payments. Isolate disputed elements so the entire package does not remain undefined.

The minimum common ground

A useful baseline may include agreed executed scope, current status, certified value, outstanding records, practical constraints and the next decision dates. It does not require either party to abandon its legal position.

8. Create and Govern the Recovery Plan

Every material issue needs an owner, action, decision path, evidence need and review date.

Run a short, disciplined rhythm with project leadership. Separate operational recovery, commercial resolution and record reconstruction so none can hide behind the others.

Package Recovery Plan

Issue	Immediate control	Owner / pathway	Evidence / decision date

9. Re-engage a Hostile Counterparty

The aim is a predictable working relationship, not personal agreement about the past.

Acknowledge the dispute, set behavioural and communication boundaries, identify what can be progressed without prejudice and use a reliable meeting and record rhythm.

Example — hostile subcontractor

EXAMPLE *The parties have stopped exchanging useful information and every email alleges bad faith. The Contracts Manager proposes a weekly operational-commercial meeting, separates current access and resourcing from historical entitlement, agrees a single action register and reserves both positions. Trust is not restored immediately, but the package becomes governable.*

10. Know When Resolution Beats Proving Fault

A strong case still has a management cost, delay risk and collection uncertainty.

Compare negotiated resolution, interim agreement, expert determination, escalation and formal dispute. Price precedent and relationship as well as nominal value.

The approver needs choice without being abandoned to it.

A professional recommendation is not a single preferred answer presented as inevitable. It identifies realistic alternatives, explains their consequences and states why one course is preferable. This demonstrates judgement and allows the approver to test the trade-off rather than reverse-engineer it.

Avoid the opposite failure: presenting five options with no view. “Here are the possibilities” often means the preparer has transferred the hard thinking upward. Senior people value a clear recommendation that remains open to challenge.

EXAMPLE — Three ways to treat a recovery A forecast note showed three positions: include the full recovery, recognise only the evidenced base case, or exclude it pending agreement. It compared evidence, probability, margin effect, client relationship and reporting risk, then recommended the evidenced base case with the upside tracked separately. The approver could see both ambition and control.

Resolution Decision

Path	Value / cash	Time / attention	Precedent / relationship
Continue position			
Interim agreement			
Negotiate settlement			
Escalate / determine			

11. Leave the Package Safe to Inherit

Recovery is incomplete if control disappears when the person who led it leaves.

Close or clearly status every issue, preserve the chronology and evidence, document authority and next dates, and introduce the successor to the stakeholder pathways.

A senior reputation is not built by never failing; it is built by how quickly and honestly you restore control when failure occurs.

Everyone exercising material commercial judgement will eventually make a poor call, miss something or inherit a problem they cannot immediately solve. Organisations become concerned when the person hides it, blames others, repeats it or allows shame to delay the response.

Good recovery has a pattern: disclose early, establish the facts, contain the consequence, take proportionate responsibility, obtain help, communicate the path forward and improve the system. The mistake remains part of your record, but so does the recovery.

EXAMPLE — THE ASSESSMENT THAT WENT OUT WRONG A Senior CA issued a material assessment using an outdated drawing revision. They informed the manager before the error was discovered elsewhere, quantified the exposure, called the subcontractor, withdrew the assessment and rebuilt the document-control check. The error mattered. The response showed that the person could be trusted with the next difficult event rather than only with clean work.

Recovery Handover

Area	Status / location	Next action / owner
Commercial position		
Contractual dates / notices		
Evidence chain		
Stakeholder commitments		
Forecast / cash		
Residual risk		

Commitments and Review

Use this page to convert the manual into a small number of observable commitments. A manual has no value if the reader cannot identify what will be done differently, where it will be practised and what evidence will prove the change.

Commitment	Practice ground	Evidence / reviewer	Review date

Related Buildit Manuals

- 50. 02 — Think Like the Approver
- 51. 08 — Commercial Judgement
- 52. 11 — The Commercial Manager's Field Guide
- 53. 17 — Stakeholder Pathway and Communication Routing Playbook

Closing Position

Recovery begins when inherited opinion is separated from fact and the next controlled action becomes visible.

Notes
