

COMMERCIAL DIRECTOR ROLES AND RESPONSIBILITIES

Reporting to: Managing Director

Role Purpose

The Commercial Director is responsible for the strategic leadership, governance and performance of the commercial function within Franki Foundations UK Ltd, protecting and improving profitability, cash generation and contractual position across the business.

The role provides senior commercial direction from tender and contract award through mobilisation, project delivery, recovery, final account and close-out. The Commercial Director is accountable for ensuring that commercial controls, forecasting, CVRs, change management, cash recovery and contract administration are accurate, timely and evidence-based.

The role must maintain clear commercial control of the principal cost and risk drivers associated with specialist piling and foundation works, including labour, rig and plant utilisation, concrete, reinforcement, casings, consumables, testing, subcontracted services, productivity, ground conditions, design interfaces, standing time, obstructions and client-driven change.

Working closely with the Managing Director, Operations, Pre-Construction, Finance and the wider leadership team, the Commercial Director is responsible for developing a high-performing commercial function that supports safe and successful project delivery, sustainable growth and strong client relationships.

KEY RESPONSIBILITIES

Commercial Strategy and Leadership

- Develop and implement the commercial strategy in line with Franki Foundations business objectives, approved budgets, risk appetite and growth plans.
- Set clear commercial standards, controls and expectations across the business and ensure they are applied consistently from tender through project close-out.
- Provide the Managing Director and senior leadership team with clear, evidence-based advice on margin, cash, contract risk, opportunity, claims, debt, final accounts and material commercial exposure.
- Maintain a clear portfolio view of commercial performance across live, completed and emerging projects.
- Identify adverse trends early and lead corrective or recovery action rather than allowing issues to drift.
- Protect the Company from avoidable commercial leakage, unapproved commitments, weak records, unmanaged risk and unsupported assumptions.
- Translate business priorities into measurable commercial actions with clear ownership and timescales.

Commercial Management and Portfolio Performance

- Own the standard and integrity of commercial management across the Franki Foundations project portfolio.
- Ensure projects are commercially controlled from mobilisation through final account and close-out.

- Monitor performance against revenue, cost, margin, cash, risk and forecast targets.
- Ensure commercial decisions reflect current operational, programme, design and delivery information.
- Require visibility of key piling and foundation cost drivers, including labour, rig and plant utilisation, concrete, reinforcement, casings, consumables, testing, standing time, obstructions and subcontracted services.
- Lead commercial recovery planning on underperforming projects and hold accountable owners to agreed recovery actions.
- Provide timely commercial challenge where project assumptions, productivity, margin or forecast outcome are not supported by evidence.

Monthly CVRs

- Own the quality, accuracy and timely completion of monthly Cost Value Reconciliations across the portfolio.
- Ensure CVRs accurately reflect revenue, actual cost, committed cost, liabilities, cost to complete, cash, change, claims, risk, opportunity and forecast final margin.
- Challenge unsupported value, overstated margin, missing liabilities, inaccurate cost coding, unrealistic productivity assumptions and unexplained cost movements.
- Require all material month-on-month movements in revenue, cost, margin and cash to be clearly explained and evidenced.
- Ensure project forecasts remain aligned with operational programmes, design changes, procurement commitments and current delivery information.
- Present a clear consolidated commercial position to the Managing Director and leadership team.
- Escalate material deterioration, unrecorded exposure or forecast risk immediately rather than waiting for the next reporting cycle.

COINS Cost Control and Data Governance

- Ensure COINS is used as the primary system for recording, monitoring and reporting project commercial and financial information where applicable.
- Set expectations for accurate recording of project costs, commitments, purchase orders, subcontract orders, accruals, liabilities and cost coding.
- Ensure actual and committed expenditure is reconciled against budget, forecast and approved cost codes.
- Require reconciliation between commercial records and Finance, Payroll, Plant, Procurement and operational information where necessary.
- Challenge duplicate costs, incorrect coding, missing commitments, manual workarounds and unexplained spend that weaken commercial control.
- Ensure commercial data is current, complete and sufficiently auditable to support CVRs, forecasts, management decisions and external scrutiny.
- Lead improvements to commercial systems, dashboards, reporting tools and digital controls.

Pre-Construction, Tender and Contract Governance

- Provide senior commercial leadership to tender strategy, adjudication, pricing, qualifications, exclusions, risk allowances and commercial sign-off.
- Ensure tender assumptions reflect proposed methodology, programme, productivity, plant requirements, material allowances, design interfaces, temporary works, ground conditions and other material delivery risks.
- Review material contracts, amendments, warranties, bonds, guarantees, collateral documents and bespoke terms before commitment and within delegated authority.

- Identify unacceptable or disproportionate contractual risk and ensure it is negotiated, mitigated, priced, approved or escalated appropriately.
- Ensure effective tender-to-project handover so delivery teams understand scope, budget, exclusions, programme assumptions, design responsibilities, notice requirements and commercial risk.
- Use lessons learned from completed, underperforming and disputed projects to improve future tendering, pricing and risk selection.

Contract Review and Risk Management

- Maintain effective oversight of contractual, financial, programme and delivery risk across the project portfolio.
- Ensure significant risks have clear owners, mitigation actions, financial assessment and escalation routes.
- Ensure operational and commercial teams understand material contractual obligations, notice provisions, payment mechanisms and entitlement requirements.
- Prevent unauthorised acceptance of adverse terms, instructions, scope changes or commitments.
- Maintain appropriate contract, change and risk registers and ensure identified actions are completed.
- Escalate significant contractual or financial exposure to the Managing Director promptly.

Applications, Valuations and Cash

- Drive timely and accurate applications for payment, valuations, certification and cash collection.
- Ensure completed work, materials, variations, additional works, delay and disruption entitlement and other contractual sums are properly valued and evidenced.
- Monitor payment notices, pay less notices, due dates, final dates for payment and other contractual payment requirements.
- Challenge under-certification, late payment and unsupported deductions promptly and proportionately.
- Work with Finance and operational teams to reduce aged debt, improve cash conversion and recover retentions and outstanding sums.
- Maintain senior oversight of significant debtor, cash-flow and certification risks and escalate material issues promptly.

Change Control, Variations and Claims

- Ensure changes, instructions, delays, disruption, obstructions, additional works, altered design or sequence and potential entitlement are identified and managed promptly.
- Require effective change-control, variation and notice registers across projects.
- Ensure contractual notices are accurate, issued within required timescales and supported by contemporaneous records.
- Ensure site and commercial teams capture evidence relevant to productivity, standing time, access, working-platform issues, unexpected ground conditions, testing, abortive work and client-driven change where contractually relevant.
- Lead or oversee strategy for material variations, claims, loss and expense, extensions of time, contra-charges and disputed accounts.
- Protect the Company against work proceeding without appropriate instruction or commercial protection wherever reasonably possible.

Subcontractor and Supplier Management

- Provide commercial oversight of procurement strategy, package scopes, tender comparison, subcontract terms and supply-chain appointment.
- Ensure scopes, responsibilities, rates, programme obligations, exclusions and commercial interfaces are clear before commitment.
- Ensure key supply-chain commitments, including specialist plant, concrete, reinforcement, steel or casings, haulage, testing and subcontracted services where applicable, remain within approved budgets and delegated authority.
- Oversee subcontractor applications, change, performance, contra-charges, risk and final accounts.
- Promote professional and commercially sound supply-chain relationships without compromising the Company contractual or financial position.
- Identify recurring supplier or subcontractor performance issues and support appropriate commercial or procurement action.

Project Reporting and Governance

- Ensure accurate and timely commercial reporting across the business.
- Report clearly on revenue, cost, margin, cash, applications, debt, change, risk, claims and final account position.
- Ensure complete, contemporaneous and auditable commercial records are maintained.
- Comply with and enforce delegated authority, approval, procurement and contract-governance requirements.
- Support internal, external, client and statutory audits as required and ensure agreed actions are closed out.
- Escalate suspected fraud, material irregularity, serious non-compliance or unmanaged exposure through the appropriate route.
- Protect confidential, commercially sensitive and personal information in accordance with Company requirements.

Final Accounts and Project Close-Out

- Set clear final-account strategy early and maintain focus on close-out throughout project delivery.
- Ensure final-account records and supporting evidence are maintained throughout the project rather than reconstructed at completion.
- Drive timely agreement of client final accounts and recovery of all legitimate contractual entitlement.
- Ensure subcontractor and supplier final accounts are resolved promptly and accurately.
- Recover retentions and other outstanding sums and close residual commercial exposure as soon as reasonably practicable after completion.
- Capture lessons learned from final accounts and project outcomes and apply them to future projects and tenders.

Claims and Dispute Management

- Identify potential claims, disputes and contractual exposure early and determine an appropriate commercial strategy.
- Lead or oversee extension-of-time, loss-and-expense and other material contractual submissions.
- Ensure claims and defence positions are supported by contemporaneous, accurate and accessible records.

- Lead or support negotiations, adjudications, mediations or legal proceedings where authorised.
- Coordinate external legal, contractual and professional advisers where appropriate and within authority.
- Seek practical and proportionate resolution while protecting the Company contractual and financial position.

Business Development and Client Leadership

- Support sustainable business growth by identifying commercially appropriate opportunities aligned with Franki Foundations capability, risk appetite and strategic priorities.
- Provide commercial input to key client strategy, major bids, negotiation and relationship management.
- Maintain strong senior relationships with clients, consultants and principal contractors and support repeat business through reliable commercial delivery.
- Monitor market conditions, contractual trends, competitor behaviour and cost pressures affecting piling and foundation pricing, risk or opportunity.
- Represent Franki Foundations professionally in commercial negotiations, industry meetings and external stakeholder forums where appropriate.
- Balance short-term opportunity with margin quality, cash, delivery capability, reputation and long-term value.

People Leadership and Development

- Lead, structure, develop and hold accountable the commercial team with clear roles, objectives, decision rights and standards.
- Ensure regular one-to-one meetings, commercial reviews, PDRs and development plans are completed to the required standard and timescale.
- Set clear expectations for technical competence, professional conduct, accuracy, commercial judgement and ownership.
- Review the quality of commercial work and intervene promptly where performance, capability, conduct or control falls below the required standard.
- Coach and develop Commercial Managers, Quantity Surveyors and other commercial team members and identify succession, talent and capability gaps.
- Support professional qualifications, technical development and knowledge sharing across the commercial function.
- Ensure the team demonstrates the Company behavioural standards and works effectively across functions.

Continuous Improvement

- Use commercial data, project outcomes, disputes, audits and lessons learned to identify recurring weaknesses and improvement priorities.
- Standardise effective commercial procedures, templates, reporting and controls where this improves consistency and governance.
- Challenge unnecessary complexity, duplicated activity and ineffective processes.
- Improve collaboration between Commercial, Operations, Finance, Procurement, Plant, Design and Pre-Construction.
- Use data to identify trends in margin, cash, change, productivity and project risk.
- Measure whether corrective and improvement actions have delivered sustainable gains in margin, cash, risk control, accuracy, speed or client outcomes.

BEHAVIOURAL COMPETENCIES

Leadership and Accountability

- Takes ownership of the commercial performance, control and integrity of the business.
- Sets clear standards and priorities and holds teams accountable for agreed actions and timescales.
- Makes timely, evidence-based decisions and intervenes where standards are not met.
- Escalates material risks early and does not allow unresolved issues to drift.
- Acts with integrity and protects the interests and reputation of Franki Foundations.

Strategic and Commercial Thinking

- Connects project-level decisions to wider business strategy, capacity, pipeline, reputation and financial position.
- Balances margin, cash, contractual entitlement, programme, delivery capability, risk and long-term value.
- Understands the commercial implications of specialist piling and foundation methodology, productivity and operational decisions.
- Recognises when risk should be accepted, mitigated, priced, negotiated or escalated.
- Uses reliable data and commercial evidence to support decisions.

Delivering Results

- Drives accurate and timely CVRs, forecasts, applications and commercial reporting.
- Maintains focus on margin, cash, recovery of entitlement, risk reduction and timely final accounts.
- Ensures agreed recovery actions are completed rather than simply recorded.
- Maintains control across multiple projects, priorities and deadlines.
- Delivers measurable and sustainable improvement in commercial performance.

Building Relationships and Collaboration

- Builds trusted relationships with the Managing Director, Operations, Pre-Construction, Finance, clients, consultants, principal contractors and supply chain.
- Communicates complex commercial issues clearly and explains consequences and trade-offs.
- Challenges assumptions professionally and constructively without compromising commercial discipline.
- Works collaboratively across functions to support safe, practical and successful delivery.
- Maintains strong client relationships while protecting legitimate contractual and financial interests.

Developing People

- Sets clear expectations and provides regular, constructive feedback.
- Develops technical, contractual and commercial capability within the team.
- Identifies future leaders, succession needs and capability gaps.
- Supports professional qualifications, career development and knowledge sharing.
- Recognises strong performance and addresses underperformance fairly and promptly.

Continuous Improvement

- Uses lessons learned, data, audit findings and project outcomes to improve commercial controls and ways of working.

- Challenges weak records, recurring losses and ineffective governance.
- Improves systems, reporting, contract management and commercial assurance.
- Adapts constructively to changes in business priorities, market conditions, contract models and project risk.
- Measures whether improvement actions have delivered sustained results.

PERFORMANCE AND BONUS MEASURES

Commercial and Financial Performance - 30%

Measured against:

- portfolio and project margin and profitability;
- accuracy and timeliness of monthly CVRs and forecasts;
- accuracy of cost-to-complete, committed-cost and liability reporting;
- quality of COINS cost control, cost coding and data integrity;
- control of key piling and foundation cost drivers and productivity assumptions;
- early identification and recovery of adverse commercial trends; and
- completion of agreed commercial improvement and recovery actions.

Cash and Commercial Recovery - 20%

Measured against:

- accuracy and timeliness of payment applications and valuations;
- certification and cash collection;
- recovery of variations, additional works and contractual entitlements;
- reduction in aged debt and recovery of retentions;
- effective challenge of under-certification and unsupported deductions; and
- timely agreement of client and supply-chain final accounts.

Contract and Risk Management - 20%

Measured against:

- quality and timeliness of contract and tender risk reviews;
- timely and accurate contractual notices and change control;
- quality of supporting records, risk registers and dispute strategy;
- compliance with delegated authority, approval and procurement controls;
- audit outcomes and reduction in unidentified or unmanaged exposure; and
- effective management and resolution of material claims and disputes.

Strategic Growth, Tender and Client Outcomes - 15%

Measured against:

- quality of commercial input to bids, adjudications and project handovers;
- risk-adjusted contribution to sustainable revenue and margin growth;
- client relationship quality and repeat-business contribution;
- commercial support for strategic opportunities and market development; and
- delivery of agreed strategic commercial priorities.

Leadership, Governance and People - 15%

Measured against:

- leadership, accountability and quality of decision-making;
- completion and quality of PDRs, succession and development actions;
- development and retention of commercial capability;
- cross-functional collaboration and stakeholder feedback;
- integrity, governance and professional standards; and
- continuous improvement and delivery of agreed business priorities.

A serious failure in conduct, integrity, compliance, contractual governance, CVR accuracy, reporting accuracy or financial control may reduce or remove the relevant performance element and may affect the overall bonus outcome, regardless of reported margin or other financial measures.

BONUS GOVERNANCE

Any bonus remains non-contractual and discretionary and is governed by the employee's contract of employment and any applicable Company bonus arrangements. The measures above inform the individual performance assessment only. Any award and its amount will also take account of individual performance, agreed objectives, behavioural contribution and the financial and operational performance of Franki Foundations and/or Statom Group, including profitability, cash performance, strategic delivery, affordability and any other relevant business circumstances.

For the first year, individual objectives and performance measures will be agreed following commencement of employment once the postholder has had an appropriate opportunity to understand the role and business priorities. Objectives may be refined during the review period. Any first-year bonus award may be pro-rated in accordance with the employment contract and applicable bonus terms.

ESSENTIAL EXPERIENCE AND CAPABILITY

The successful candidate should have:

- substantial senior commercial management or quantity surveying experience within piling, foundations, geotechnical engineering, civil engineering, construction or a comparable specialist contracting environment;
- demonstrable experience leading commercial performance across multiple projects and/or a significant portfolio;
- strong knowledge of monthly CVRs, cost control, forecasting, applications, valuations, cash management, variations, claims and final accounts;
- practical experience using COINS or a comparable construction financial management system;
- strong working knowledge of construction contracts and contractual risk, including NEC, JCT and bespoke forms relevant to the business;
- experience leading contract reviews, change control, contractual notices, claims and dispute strategy;
- strong understanding of the commercial impact of plant, labour, productivity, concrete, reinforcement, testing, ground conditions and design interfaces within specialist contracting;
- experience managing subcontractors, suppliers and supply-chain final accounts;
- proven ability to lead, develop and hold accountable commercial teams;
- strong commercial judgement, negotiation, analytical, communication and stakeholder-management capability; and
- ability to provide credible commercial challenge and assurance at Managing Director and senior leadership level.

DESIRABLE

- Degree or equivalent qualification in Quantity Surveying, Commercial Management, Construction Management or a related discipline.



- Membership or chartered status with RICS, CIOB or another relevant professional body.
- Experience in piling, foundations, geotechnical engineering or another specialist subcontracting environment.
- Experience of complex claims, adjudication, mediation or other formal dispute-resolution processes.
- Experience operating within a multi-entity group or specialist contracting environment.

ROLE REVIEW AND ACKNOWLEDGEMENT

This document sets out the principal accountabilities and expected standards of the Commercial Director role. It is not intended to be an exhaustive list of every task or objective. Responsibilities, priorities and performance measures may be reasonably adjusted to reflect business requirements and the scope of the role, provided any material change to the fundamental nature of the role or contractual terms is managed appropriately.

Employee name:	
Employee signature:	
Date:	