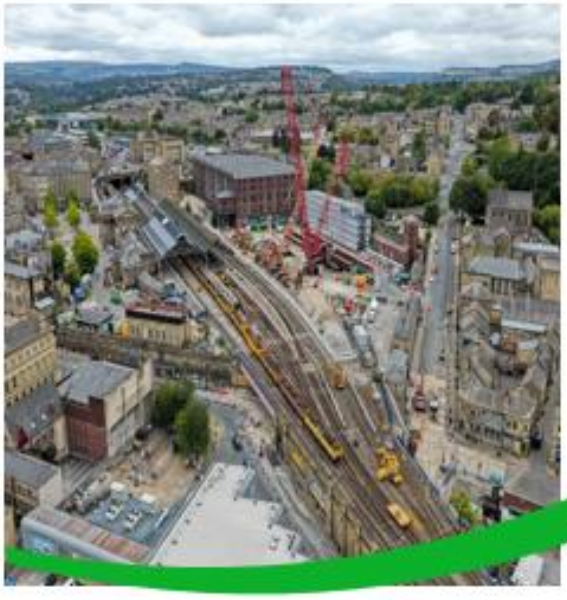
Response to the Competition and Markets Authority

Responding to questions posed in the CMA Civil Engineering Market Study Interim Report published on 17 December 2025



BAM Nuttall Limited
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Making Possible

Competition and Market Authority
Civil Engineering Market Study: Interim Report
BAM Response to Questions Posed on 17 December 2025

Contents

General Commentary

BAM welcomes the Competition and Market's Authority (CMA) work to date and generally agrees with the summary root causes of negative incentives, remedy areas and options. Many challenges and root causes identified in the interim findings have been the subject of multiple previous reviews, reports and recommendations across government and industry. In our experience, the primary issue is no longer a lack of insight into what needs to change. Instead, improved incentives for greater productivity and value will come from eradicating short-term incentives in infrastructure project lifecycle procurement, together with consistent implementation and accountability for applying already established best practice.

As set out in our responses to Questions 4, 6, 8, 9, 17 and 20, many inefficiencies in the civil engineering market stem from weak early stage decision making, optimism bias, fragmented procurement practices, misallocated risk and variable buyer capability. These are not new issues, and well established frameworks already exist to address them, including the Construction Playbook, the use of unamended NEC contracts, Project 13 principles and ongoing planning reform.

Greater focus on consistent application, enforcement and assurance against these existing principles—rather than layering additional guidance or new processes—would go a considerable way towards resolving the challenges identified. Holding procuring authorities to account for how these frameworks are applied in practice would drive more consistent behaviours, reduce inefficiency and improve delivery outcomes across the sector.

In BAM's view, sustained improvement will be achieved through greater discipline, leadership and accountability in implementation, supported by the measures outlined throughout this response.

Supply Side Behaviour

1. Barriers to Expansion vs Entry

Do you consider that we should be more concerned with barriers to firms expanding rather than barriers to firms entering the civil engineering market in the first place? Are there other forms of barrier not mentioned in our analysis so far which are significant?

BAM response to Question 1

From BAM's perspective, we agree that barriers to expansion are of greater practical concern than barriers to entry, particularly in the context of improving efficiency and delivery outcomes in the civil engineering market for road and rail infrastructure.

As the CMA's interim report recognises, the market is not characterised by excessive concentration, and there remains a reasonably broad field of firms competing for work (paragraphs 2.21–2.23). However, the evidence points to weakened business dynamism and difficulties in firms scaling up or sustaining growth over time (paragraphs 2.24–2.31). In our experience, these constraints on expansion are more material to long term market performance than the existence of barriers to initial entry.

We consider that these barriers to expansion are closely linked to the demand side and structural factors identified elsewhere in the report, including pipeline uncertainty, short term funding cycles, underdeveloped project scopes and procurement approaches that prioritise short term cost over long term value (paragraphs 2.49–2.57, 2.65–2.69 and 2.94–2.97). These factors weaken incentives for firms to invest in capability, skills and innovation, thereby limiting their ability and appetite to scale.

In this context, we would caution against any framing of "efficiency" that implies further downward pressure on contractor margins as a route to improving outcomes. The CMA notes that suppliers already face weak incentives to invest and innovate (paragraphs 1.19 and 2.121), and BAM's experience is that civil engineering firms operate with limited flexibility to absorb additional margin pressure without reducing capacity, investment or market participation. Such outcomes would risk exacerbating barriers to expansion, rather than alleviating them.

2. Supply Chain Tiers

To what extent do you agree supply chain fragmentation contributes to poor outcomes? Besides pipeline uncertainty, what other factors drive civil engineering firms' preference to use contractors rather than building their in house capacity?

BAM response to Question 2

BAM does not consider supply chain fragmentation, in itself, to be a primary driver of poor outcomes in civil engineering markets. The tiered and specialist structure of the supply chain reflects the inherent characteristics of civil engineering delivery and long established commercial practice, rather than an underlying inefficiency or market failure.

Beyond pipeline uncertainty, there are several structural factors that explain why civil engineering firms rely on subcontracting rather than expanding in house capacity. These include the need to share and manage risk appropriately, particularly for specialist, safety critical or highly regulated activities; the geographically transient and time limited nature of projects, which makes long term in house investment in specialist skills and plant inefficient; and the diversity of specialist disciplines required across road and rail infrastructure, which would be impractical to replicate internally at scale while maintaining flexibility and competitiveness.

Public procurement policy also plays an important and positive role in shaping supply chain structures. BAM supports the strong emphasis placed by public sector clients on the involvement of SMEs, regional suppliers and specialist subcontractors, which helps to deliver social value, build local capability and support sustainable economic growth across the country. A diverse and appropriately tiered supply chain enables opportunity to be spread more widely while allowing large, complex infrastructure programmes to be delivered efficiently and safely.

We would also caution that approaches aimed at reducing fragmentation through greater vertical integration could have unintended consequences. Such measures would be likely to favour larger incumbents with the balance sheet capacity to absorb specialist functions in house, potentially increasing market concentration, reducing opportunities for SMEs and raising barriers to entry.

Accordingly, BAM considers that improving outcomes is more likely to be achieved through better procurement design, earlier engagement, clearer risk allocation and greater pipeline certainty, rather than attempting to reshape the structure of the supply chain itself.

Demand Side Behaviour

3. Incentives and Encouragement for Innovation

Are there specific procurement, policy or regulatory barriers that reduce innovation and/or scaling opportunities in the civil engineering market? What would make the most difference to firms' incentives to innovate, and public authorities' incentive and ability to encourage innovation?

BAM response to Question 3

BAM considers that innovation in civil engineering is constrained less by capability within the sector and more by the environment in which projects are developed, funded and assured. The most effective way to strengthen incentives to innovate is to create the conditions for innovation to be pursued and scaled with confidence.

A long term, certain and transparent pipeline would have the greatest impact. Innovation typically requires upfront investment in people, systems and supply chain capability. Where programmes are fragmented, short term or subject to reprioritisation, those investments are difficult to justify. Greater pipeline certainty, consistent with the Construction Playbook's emphasis on strategic planning and portfolio approaches, would allow successful innovations to be scaled rather than treated as one off pilots.

Procurement can further support innovation where it provides upfront development funding and early engagement, enabling ideas to mature before price commitment. This aligns with the Playbook and Project 13 principles of early supplier involvement, outcome based decision making and value over lowest initial cost.

Earlier integration of approvers, regulators and assurance bodies would also accelerate adoption. Embedding these stakeholders during development reduces abortive effort and increases confidence in approvals for new methods.

Finally, innovation would be encouraged by better alignment on risk and insurance, particularly for early stage or piloted solutions. Shared risk models and appropriate insurance support would enable clients and suppliers to pursue innovation with confidence.

Together, these measures would materially strengthen incentives for innovation and enable its systematic scaling across the sector.

4. Upfront Scoping and Planning

For what type of projects is there greatest scope for the accuracy of upfront scoping and planning to be improved, to aid delivery on time and on budget? What would help to make upfront scoping and planning more accurate?

BAM response to Question 4

In BAM's experience, the greatest scope to improve upfront scoping and planning arises on large, complex enhancement projects, particularly where budgets and programmes are set at an early stage before key risks, constraints and interfaces are fully understood. These projects are especially vulnerable to optimism bias in budget setting, with cost and schedule assumptions established to secure approvals rather than reflecting realistic delivery conditions. This is consistent with the CMA's interim findings on systematic underestimation of risk at project inception.

Accuracy is further compromised by the underestimation of stakeholder, consent and third party requirements, including planning, environmental approvals, utilities interfaces and land access. Insufficient time and resource is often allowed for engagement and resolution at the scoping stage, leading to late change, delay and cost growth during delivery.

A further contributing factor is the lack of construction expertise in early scoping and option development, limiting effective consideration of buildability, environmental constraints, health and safety requirements and site logistics. This can result in solutions that are theoretically viable but practically inefficient or high risk to deliver.

Accuracy would be materially improved through earlier engagement with delivery partners and key suppliers, enabling construction led input into scope development, risk identification and sequencing, in line with the Construction Playbook. Adequate upfront funding for design development, site investigations and stakeholder engagement is essential. A programme or portfolio based approach would also support learning, repeatability and more realistic upfront planning over time.

5. Effective Early Contractor Engagement

To what extent do you agree early contractor involvement could be used more effectively, and how can this be facilitated?

BAM response to Question 5

BAM strongly agrees that early contractor involvement (ECI) could be used more effectively to improve constructability, delivery confidence and value for money. In our experience, ECI is frequently introduced too late in the project lifecycle to realise its full benefits.

While ECI is often understood through formal NEC pre construction arrangements, these typically commence after key scope, option and budget decisions have already been established. By this stage, opportunities to influence outcomes meaningfully are constrained, with contractors primarily asked to optimise or price solutions rather than help shape them.

BAM considers that genuine early involvement means engaging experienced delivery engineers at the project scoping and option development stage, when initial concepts and assumptions are being formed. In many cases, early project development is necessarily led by policy, funding and governance considerations. Where engineering and construction expertise is not embedded at this point, well intentioned early decisions can inadvertently constrain constructability, affordability and programme flexibility downstream.

More effective ECI can be facilitated through funded feasibility and development phases, earlier engagement of delivery partners and key suppliers, and clearer separation between concept development and price commitment. Earlier integration of regulators, technical authorities and approvers would further reduce abortive effort and increase confidence in approvals. These approaches align closely with the Construction Playbook and Project 13 principles and would support better outcomes for clients, suppliers and taxpayers.

6. Improving the Design and Use of Procurement Frameworks

To what extent do you agree that the design and use of procurement frameworks could be improved?

BAM response to Question 6

BAM strongly agrees that there is significant scope to improve the design of procurement frameworks, particularly by clarifying their purpose, intended users and desired outcomes. Too often frameworks are designed primarily as compliant procurement vehicles rather than as commercial and delivery models capable of supporting effective collaboration, innovation and long term value creation.

Frameworks should be explicitly designed around the nature of the work and the capabilities required, rather than adopting a one size fits all structure. Different disciplines—such as principal contractors, designers, specialist subcontractors, manufacturers and professional services—engage with frameworks in fundamentally different ways. A single framework structure may not be appropriate where risk profiles, investment horizons and routes to market differ significantly.

For multidisciplinary and complex projects, particularly where early contractor involvement or integrated delivery is required, frameworks would benefit from an overarching collaboration or integration agreement. This should clearly define how parties work together, how risks and responsibilities are allocated and owned, how decisions are made, and how incentives are aligned across the supply chain. Without this clarity, frameworks can inadvertently reinforce siloed behaviours and risk transfer rather than collaboration.

Well designed frameworks should support repeatability, learning and continuity, enable early and meaningful supplier engagement, and align commercial models with outcomes such as safety, quality, whole life value and carbon reduction. Greater focus on framework design, rather than simply access and call off, would materially improve delivery performance and value for money for the public sector.

8. Improving Bid Quality Evaluation

Where is there greatest scope to improve the evaluation of non price aspects of bids, such as quality? How can this be better supported and enabled?

BAM response to Question 8

The greatest scope to improve evaluation of non price aspects of bids lies in how quality criteria are defined, weighted and applied in practice, reflecting the CMA's interim findings that non price factors often fail to meaningfully influence procurement outcomes.

Quality evaluation would be strengthened if clients aligned tender questions more clearly to the specific outcomes sought from the project or programme, such as decarbonisation, safety, supply chain resilience or delivery certainty, and weighted these appropriately relative to price. Too often, standardised quality questions and weightings dilute focus on what matters most for successful delivery.

Improvement is also needed in the clarity of questions and scoring methodology, including transparent definitions of what constitutes credible, high quality delivery. This would reduce reliance on generic narratives and support meaningful differentiation between bids.

The CMA's concerns about inconsistent assessment would be addressed using multiple independent evaluators, moderated scoring and the inclusion of appropriate delivery and engineering expertise to assess constructability and risk.

Finally, better quality evaluation depends on robust feedback and dialogue. Providing detailed feedback would support market capability and continuous improvement, while reinvigorating mid and post tender presentations would allow deeper testing of proposals and assumptions. Focusing full tender evaluation on a smaller number of bidders would further enable proportionate, outcome driven assessment of non price criteria.

Factors Affecting both Supply and Demand Sides of the Market

9. Risk Misallocation

What factors are most likely to cause significant risks to be misallocated between the procuring body and supply chain, and within the supply chain? How could this be addressed?

BAM response to Question 9

From BAM's perspective, risk misallocation most commonly arises where procuring bodies seek budget certainty at an early stage by transferring poorly defined or unmitigated risks—such as scope maturity, ground conditions, third party consents and utilities—down the supply chain. This approach, often adopted to "manage the budget" at business case or approval stage, reflects the CMA's interim findings on optimism bias and reliance on contractual risk transfer rather than robust project development.

Misallocation is exacerbated where projects are procured without a funded early contractor involvement (ECI) stage, or where commercial positions depart from established best practice and the balanced risk allocation reflected in NEC contracts. Where clients lack sufficient retained engineering or delivery capability, there can be frustration when suppliers decline to accept unpriced or unquantifiable risk, leading either to inflated pricing or increased delivery risk.

Risk transferred at client–Tier 1 level is frequently cascaded through the supply chain, compounding inefficiency and undermining collaboration.

BAM considers these issues could be materially reduced through greater investment in early scope definition, design maturity, site investigation and stakeholder engagement, supported by funded ECI. Achieving budget predictability is better secured through robust upfront project development and informed risk management, rather than wholesale risk transfer. Improved client capability, consistent application of best practice and proportionate, project specific risk decisions would support better outcomes for both clients and the supply chain.

10. Preventing Opportunity for Innovation and Effective Competition

What are the areas of regulation which are preventing opportunities for innovation and effective competition?

BAM response to Question 10

From BAM's perspective, opportunities for innovation and effective competition are most constrained by the cumulative impact of regulatory processes rather than the intent of regulation itself. In particular, overly prescriptive standards, fragmented approval regimes and inconsistent interpretation of regulatory requirements across projects inhibit the adoption of innovative solutions. Approval processes often rely heavily on historic performance data and precedent, making it difficult for new technologies or delivery approaches—despite being proven elsewhere or in other sectors—to be deployed at pace.

BAM also observes that risk aversion within regulatory and assurance processes can reinforce conservative client behaviour, limiting the willingness to trial innovation even where

aligned with Construction Playbook and Project 13 principles of whole life value, collaboration and system optimisation.

BAM considers these issues could be addressed by greater outcome based regulation, streamlined and time bounded approval processes for innovation, and better alignment between regulatory frameworks and established best practice commercial and delivery models.

Procurement Policy and Capacity

12. Risk Aversion in Public Authority Decision Making

To what extent do you agree there is excessive risk aversion in public authority decision making? Where risk aversion is too high, what would help move it to more appropriate levels?

BAM response to Question 12

BAM agrees that, in some circumstances, public authority decision making is characterised by excessive risk aversion, which can drive suboptimal outcomes. This risk aversion is often structural rather than behavioural, reflecting constrained and annualised budgets, the separation of capital and operational expenditure, and the need to operate within fixed capex envelopes that are frequently established several years before construction, based on immature scope and outdated assumptions.

As projects develop, pressure to remain within these early and often unrealistic budgets can incentivise clients to seek contractual transfer of risk to the supply chain, rather than addressing uncertainty through improved scope definition, paid early contractor involvement (ECI) or appropriate risk retention. This behaviour aligns with the misallocation issues described in our response to Question 9.

Risk aversion can be reduced by investing earlier in informed, delivery led decision making. As set out in our response to Question 5, BAM strongly considers that early contractor involvement is most effective when experienced delivery engineers are engaged at the scoping and option development stage, before key assumptions, budgets and strategies are fixed. Earlier, funded ECI enables constructability, affordability and programme risk to be assessed realistically, rather than retrospectively managed through contractual risk transfer.

Clearer separation between concept development and price commitment, earlier engagement of regulators and technical authorities, and stronger client side engineering capability would all support more proportionate risk decisions. These approaches align with Construction Playbook and Project 13 principles and would help public authorities move from risk avoidance towards informed risk management focused on whole life value.

Opportunities for Better Outcomes

13. Proposed Measures

How would you rank the relative importance of our proposed measures? (Remedy options 1–17 identified below)

BAM response to Question 13

Based on BAM's previous submissions and experience of the sector, we consider the order in which the CMA has identified its proposed measures broadly reflects their relative importance and logical sequencing. The proposed measures form a mutually reinforcing package, and effectiveness will depend on them being progressed in combination rather than isolation.

In particular:

The CMA's emphasis on pipeline certainty as the first group of measures aligns with BAM's view that credible, long term funding and pipeline visibility are foundational to improving behaviour, investment and competition across the market.

The subsequent focus on procurement authority capability, coordination and use of best practice reflects BAM's consistent position that improved client side decision making is a prerequisite to better outcomes.

Measures addressing procurement policy, frameworks, early contractor involvement and risk allocation rightly follow, as their effectiveness depends on improved certainty and capability.

Regulatory and accreditation reforms (Options 14–17) are important to unlock innovation and competition and will deliver greatest value once the core commercial and pipeline fundamentals are addressed.

Accordingly, BAM would not seek to reorder the CMA's proposed measures, but rather supports their progression as a coherent and interdependent package, with early measures enabling the success of those that follow.

BAM also welcomes the CMA's recognition that many of the issues identified in this study have been examined previously across the sector. We consider there to be a valuable opportunity to build on the substantial body of existing guidance and insight, including the Egan and Banwell reports, Project 13 and the Construction Playbook, all of which consistently promote early engagement, informed client capability, fair risk allocation, integration of delivery expertise at the outset and a focus on whole life value.

In BAM's experience, these frameworks provide a strong foundation for improvement, and their consistent and well supported implementation would deliver significant benefit. Aligning the CMA's proposed measures with these established principles, and reinforcing their application across procuring authorities through capability, incentives and funding certainty, would help maximise impact and accelerate improvement without adding unnecessary complexity.

14. Alternative Measures

Are there alternative important measures that we do not mention?

BAM response to Question 14

BAM considers that the CMA has identified the principal measures required to improve outcomes in the civil engineering market and does not propose a fundamentally different set of interventions. However, their effectiveness will depend on a small number of cross cutting enablers which merit greater emphasis.

First, greater alignment between capital and operational decision making would materially improve behaviours. The separation of capex and opex budgets can discourage early investment in scope maturity, constructability, decarbonisation and whole life optimisation, instead driving short term cost focus and risk transfer. Explicit consideration of whole life value at business case and funding stages would strengthen several of the CMA's proposed remedies.

Linked to this is the opportunity to embed value (monetary) measurement against wider outcomes, particularly decarbonisation, biodiversity enhancement and social value. Without consistent recognition of these outcomes in funding and procurement decisions, the step changes required to achieve UK wider policies risk being subordinated to price based competition.

Second, BAM sees value in a clearer separation between early project development and price commitment. Early contractor involvement is most effective when delivery expertise informs scope, options and risk mitigation, rather than simply pricing predetermined solutions.

Finally, consistent and transparent implementation of existing best practice, including the Construction Playbook and Project 13, would materially enhance the impact of the CMA's measures across procuring authorities.

Pipeline Uncertainty

15. Multi Year Capital Funding

What would be the feasibility and impact of extending multi year capital funding to public authorities currently operating on year ahead budgets only?

BAM response to Question 15

From BAM's perspective, the impact of extending multi year capital funding would be significant and positive. Greater funding certainty would improve early stage decision making, enabling authorities to invest in scope maturity, assess constructability and engage with the supply chain earlier, rather than compressing development activity into short financial cycles. This would support more realistic budgets, improved programme certainty and more proportionate risk allocation.

Multi year funding would also reduce behaviours that drive inefficiency, such as premature price commitment and risk transfer driven by capex constraint rather than risk management. Better alignment of capital and operational considerations would support decisions based on whole life value.

For the supply chain, improved certainty would support investment in skills, capability and innovation, strengthening competition while reducing defensive pricing and excessive subcontracting.

16. Enhancing Published Infrastructure Pipelines

What information not currently available in published infrastructure pipelines would be most helpful for firms? How would this information change business decisions on resource allocation and/or investment?

BAM response to Question 16

BAM welcomes the publication of the National Infrastructure and Service Transformation Authority (NISTA) 10 year infrastructure pipeline and the UK Government's commitment to greater transparency and forward planning. The recent publication of road and rail investment decisions following the 2025 Spending Review has also been valuable in providing additional clarity for these sectors.

These publications are, however, at an early stage. Data is currently incomplete or, in places, redacted, and BAM recognises this as the first step in building a new approach that requires trust and confidence around how information will be used. To date, our initial use has largely been to test the accuracy of intelligence we already compile independently. As the data matures, it will be increasingly valuable in setting out government commitment, sector priorities, investment timing and delivery confidence.

Infrastructure pipelines would be significantly more useful if they provided clearer information on:

- the likelihood of schemes proceeding and degree of funding commitment;
- indicative delivery and procurement timescales;
- the procuring authority approach to contracting terms, supplier engagement and risk appropriation;
- agreed outcomes of the project or programme (not just outputs – what wider societal benefits are being sought);
- the development status and scope maturity of projects; and
- the intended procurement approach, including frameworks and ECI.

A reliable, up to date and integrated pipeline would support better business strategy, skills and workforce planning, R&D and innovation investment, and more targeted pre construction bidding activity. Over time, a single, trusted source of pipeline data would increase market resilience and productivity by reducing duplicated effort across the supply chain and enabling all suppliers—large and small—to plan over appropriate horizons.

BAM supports NISTA's proposed future improvements and recommends system integration with the Central Digital Platform, wider adoption across UK nations, clearer articulation of project outcomes and transparency on what success looks like for funders.

Public Procurement

17. Enhancing Commercial and Engineering Capability within Procuring Authorities

How could the commercial and engineering capabilities within procuring authorities be better utilised? What could be done to better support procuring authorities to develop, recruit and retain these specialist skills, expertise and leadership capacity?

BAM response to Question 17

From BAM's perspective, more effective use of commercial capability within procuring authorities needs to be complemented by stronger and earlier integration of engineering and construction expertise. In many cases, limited in house engineering capability—or its late involvement in the project lifecycle—constrains effective scoping, option selection and risk allocation. This contributes to decisions that undermine constructability, affordability and programme certainty, reflecting the CMA's interim findings on buyer capability gaps.

Capability would be better utilised through greater collaboration and engagement with suppliers, moving away from predominantly transactional relationships. Early engagement allows delivery expertise to inform decisions before cost and programme parameters are fixed, supporting better outcomes.

There is also significant scope to strengthen capability through the secondment of experienced practitioners from the supply chain into procuring authorities, particularly during major programme development. This would support knowledge transfer and reduce over reliance on external consultants, which often does not build internal construction expertise and can hinder progress.

Further support could be provided through earlier integration of engineering input, shared centres of technical excellence across authorities, and clearer technical career pathways valued alongside commercial skills. More stable, multi year pipelines and funding would also improve recruitment and retention by enabling continuity of teams and institutional knowledge.

19. Barriers to Adoption of Procurement Best Practice

What is preventing widespread adoption of procurement best practice? How could these barriers to adoption be overcome?

BAM response to Question 19

From BAM's perspective, the main barriers to widespread adoption of procurement best practice are structural and behavioural rather than a lack of guidance. Best practice frameworks such as the Construction Playbook and Project 13 are well understood, but their application can be constrained by limited client side capability, short term funding certainty and pressure to operate within fixed and often premature budget envelopes.

Risk aversion driven by concern over challenge, coupled with capacity constraints, can also lead authorities to default to familiar procurement approaches rather than applying best practice proportionately. In addition, fragmented responsibility across policy, commercial and delivery functions can limit accountability for whole life outcomes.

These barriers could be overcome by strengthening client side engineering and commercial capability, providing greater funding certainty, and reinforcing expectation and accountability for applying existing guidance. A clearer "comply or explain" approach to best practice, supported by consistent leadership and performance feedback, would help embed proven approaches and deliver more consistent outcomes.

20. Reducing Complexity and Standardising Public Authority Procurement Process

To what extent, and in what ways, is there scope for procurement processes to be made (i) less complex and (ii) more standardised across public authorities?

BAM response to Question 20

From BAM's perspective, there is significant scope for procurement processes across public authorities to be made both less complex and more standardised, particularly where similar construction projects are repeatedly procured. This directly reflects the CMA's interim findings on fragmentation, inconsistent buyer behaviour and the resulting inefficiencies across the sector.

As previously submitted to the CMA, much of the complexity experienced by suppliers arises not from project specific risk, but from variations in documentation, compliance and assurance requirements, evaluation methodologies and bespoke commercial positions applied inconsistently by different authorities. These inconsistencies increase bid costs, deter market participation and disproportionately impact SMEs, reducing effective competition.

Greater standardisation could be achieved through more consistent and disciplined application of the Construction Playbook, including common pre-qualification criteria, proportionate assurance, consistent use of unamended standard forms such as NEC, and clearer alignment of commercial and technical requirements. In BAM's experience, variable and partial adoption of the Playbook often re introduces complexity rather than reducing it.

Improved standardisation would also support the CMA's focus on strengthening the golden thread by improving continuity of information, accountability and risk management from procurement through delivery and operation.

Standardisation should be proportionate and outcome focused, allowing flexibility where complexity genuinely requires it. Applied correctly, it would lower barriers to entry, strengthen competition and deliver better value for money without undermining accountability or quality.

Regulatory Barriers

21. Streamlining Regulatory Approvals

How and where can the regulatory approvals process for new products, techniques and technologies in civil engineering be made more streamlined?

BAM response to Question 21

From BAM's perspective, the regulatory approvals process for new products, techniques and technologies in civil engineering could be significantly streamlined by addressing fragmentation, duplication and inconsistent decision making, consistent with the CMA's interim findings that complex approval routes act as a barrier to innovation and market entry.

Innovators frequently face multiple, overlapping approval processes involving regulators, clients, assurance bodies and insurers, with limited clarity on evidential requirements or routes to acceptance. The repeated reassessment of similar evidence increases cost, time and risk, discouraging both innovation and scaling.

Streamlining could be achieved through clearer national approval pathways, greater mutual recognition of testing and certification, and earlier, structured engagement between regulators, clients and industry. More consistent use of outcome based standards, rather than prescriptive specifications, would better enable innovation while maintaining safety and quality.

There is also a need for ring fenced funding to support research, assurance and early adoption, as constrained project budgets rarely accommodate first of a kind risks. In parallel, a cultural shift within procuring authorities is required to encourage innovation, including learning from and sharing unsuccessful trials.

Consistent application of the Construction Playbook, including early market engagement and proportionate assurance, would further support streamlined approvals and strengthen the golden thread across delivery.

22. Duplication in Supplier Accreditation

Which types of supplier accreditation currently experience significant levels of duplication?

BAM response to Question 22

Significant duplication currently arises across a range of supplier accreditation and assurance schemes in the construction and civil engineering sector, particularly where similar evidence is repeatedly requested by different clients and authorities.

Common areas of duplication include health and safety accreditations (such as CHAS, SafeContractor and Constructionline), financial standing and insurance checks, quality and environmental management systems (for example ISO 9001, 14001 and 45001), and supply chain competence assessments required for framework access and individual procurements. Despite broadly equivalent standards, suppliers are often required to submit the same information in different formats and through multiple portals.

Duplication also arises in areas linked to modern slavery, social value, carbon reporting and ESG disclosures, where requirements vary between authorities despite covering similar risks and outcomes. In some cases, client specific assurance or gateway reviews replicate checks already undertaken through national schemes.

As BAM has previously highlighted to the CMA, this fragmentation increases administrative cost, diverts resource from delivery and disproportionately affects SMEs. Greater mutual recognition of accreditations and consistent buyer acceptance of existing schemes would materially reduce burden, support competition and improve productivity across the sector.