

Delivery & Schedule Risk

The problem

Cold-chain equipment often sits on the critical path — refrigeration packs, MV switchgear, IQF/blast tunnels, controls. Delays cascade into idle civils, lost commissioning windows and missed harvest / campaign dates.

Mitigations checklist

- Contract Incoterms 2020 explicitly (DAP or CIP at site is safer for buyers than EXW).
- Require a Level-3 baseline programme with logistics, customs and OSD windows shown.
- Bind Liquidated Damages (LDs) to delivery and to takeover, not just to substantial completion.
- Hold monthly progress meetings with photo-evidenced % completion of each sub-package.

Contract clauses to insist on

- LDs typically 0.5% per week of contract value, capped at 5–10%.
- Bonus/malus clause if the buyer's business case is time-sensitive.
- Force-majeure list — closed, not open — with defined relief and no cost recovery.
- Right to third-party manufacturing surveillance during fabrication.

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