

JCT CONSTRUCT USER GUIDE



# Setting the standard for construction contracts



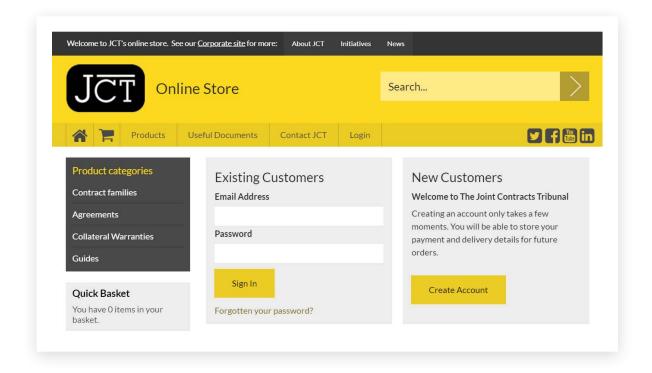
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# **ACCESSING JCT CONSTRUCT**

Go to <a href="www.jctltd.co.uk/login">www.jctltd.co.uk/login</a> and input your email address and password. New customers will need to create an account first.



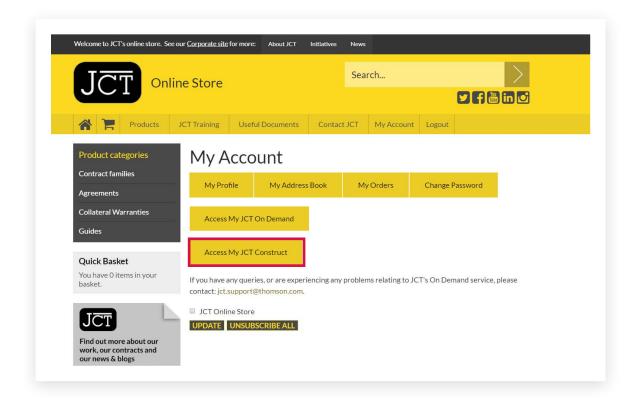
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# ACCESSING JCT CONSTRUCT

Once you have logged in, click "Access my JCT Construct".



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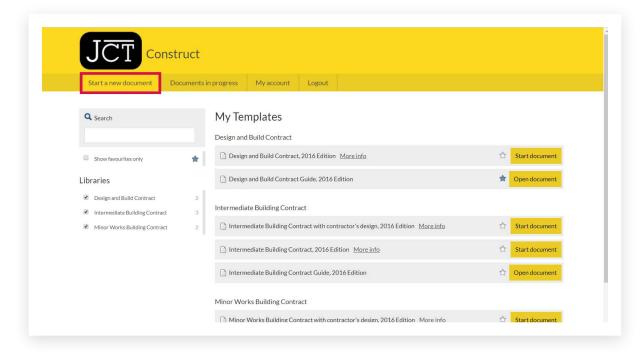




# **FINDING A CONTRACT**

The full list of available JCT contracts and guides can be found on the Start a new document tab.

There is a **Search** box at the top, and the option to filter by contract library. You can also create favourites by clicking on the star icons. Click on **Start document** to open a new contract.



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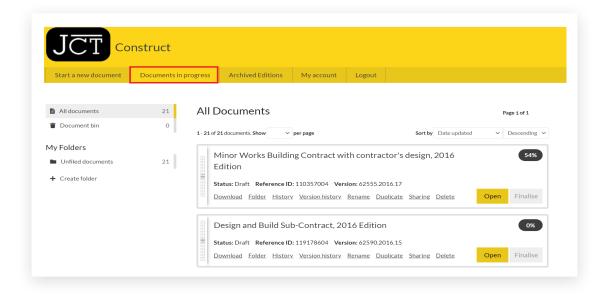
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# **FINDING A CONTRACT**

Once you have started a document it will move to the **Documents in progress** tab – this is where you will find all your in-progress and finalised contracts. You can choose to display all your documents, or filter by the folders on the left. You can also sort your documents in a number of ways. Click on **Open** to continue to work on a contract you have previously started.



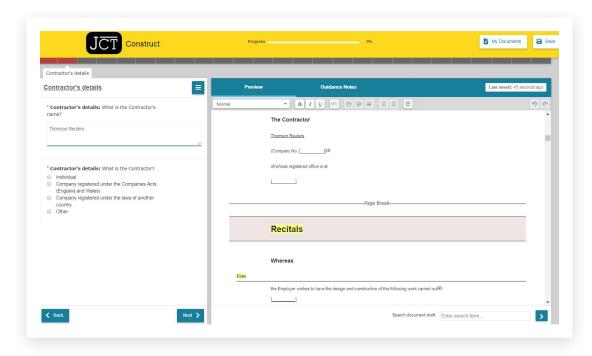
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The document will open with a Question and Answer screen on the left and Preview screen on the right. For the best user experience, we strongly recommend completing the Q&A sequentially, before editing any text in the Preview.



Fill in the answers in the fields provided in the Q&A. Your answers will be populated in the Preview screen on the right. You will only be asked relevant questions based on your answers to previous questions, for example you will only be asked for a company number if you selected company as the entity for employer or contractor.

Click Next to go to the next batch of questions. Click Back to return to the previous batch of questions.

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## MULTIPLE CHOICE QUESTIONS

Upon answering some multiple choice questions, further questions become available. For example, if you answer "Yes" to the question "Is the Adjudicator to be named in the contract?", the question "Enter the name of the Adjudicator" will appear.

Click Clear to remove your selection.

## INVALID TEXT OR CHARACTERS

If you key in an invalid character, the following error message will appear "The character is not allowed as first character in this field". To fix it, please enter a number or letter.

## **EXPLANATION NOTE**

Some questions have explanation notes to help you answer the question, click on the option to view the explanation.

## PAGE NUMBERS

Page numbers are not shown in the Preview screen but will appear in the PDF output.

# **CURRENCY SYMBOLS**

Under Currency you are invited to select either GBP, USD, Euros or Other, and if Other you need to input the currency symbol. To do so, copy and paste the symbol from Microsoft Word (or equivalent). We don't recommend copying from a webpage as you may include some code that the software does not recognise.



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## SECTION IDENTIFIERS

Some contracts will ask the question in Recitals: "Are the Works divided into Sections?" An answer is required to continue. You can return to the question and change your option. For example for the Design and Build contract:

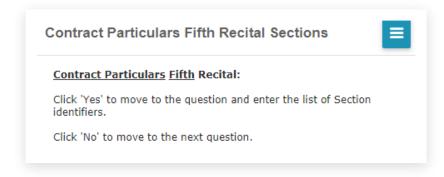
\* <u>Fifth</u> Recital: Are the Works divided into Sections?

(Answer required to continue)

Yes

No

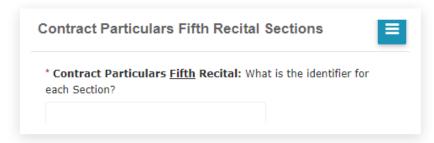
If Yes is selected, you will subsequently be asked to enter the Section identifiers in the Contract Particulars. This question (known as a loop question) can, if required, be repeated to allow the entry of all Section identifiers.



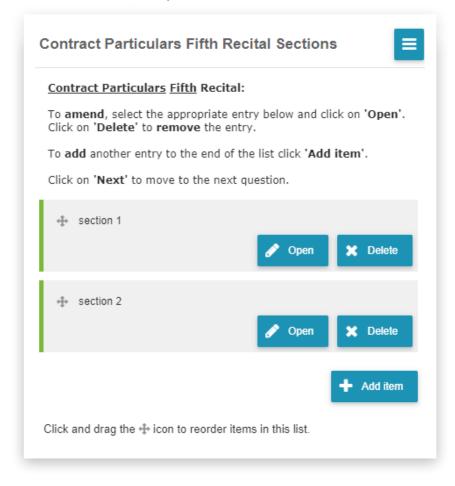
The first screen allows the choice of answering or deferring the question







If Yes is selected, the question is then asked. Section identifiers can also be deleted and reordered.



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Upon, clicking **Next**, the review screen is displayed where Section identifiers can be added to by clicking **Add item**. Section identifiers can also be edited (by clicking **Open**), deleted (by clicking **Delete**) and reordered (by dragging and dropping the entries).

The Section identifiers must be listed first before entering the answers to the other Contract Particulars questions relating to Sections. For example, to list the Dates for Completion of Sections, the Section identifiers need to be listed first in the steps above.

# Contract Particulars 1.1 Sections Contract Particulars 1.1: Click 'Yes' to move to the question and enter the list of Dates for Completion of Sections. Click 'No' to move to the next question. To amend/add/input the Section identifiers, go to the Fifth Recital Sections question in the Contract Particulars.

To change/add/delete the Section identifiers click the link ("Fifth Recital Sections" in the example above) to jump back to the original question.

# MANDATORY QUESTIONS

Questions marked with a red asterisk are required to be answered before your document can be finalised (i.e. the 'Draft' watermark is removed). These mandatory questions need to be completed using the Q&A; you will not be able to finalise your document if you fill in mandatory questions fields by inputting your answer in the Preview screen.

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## SAVING YOUR CONTRACT

Click **Save** to save your document as you progress through the questions and answers. When you exit the Preview screen by clicking **My Documents** your document will save automatically. A new version of the document is created on exiting the Preview screen if changes have been made.

Your document can now be found under **Documents in progress**. To return to it at any time, go to **Documents in progress** and click **Open**. You can continue working on your document until it is finalised.

## PROGRESS TOOLBAR

The progress toolbar is located above the Question and Answer (Q&A) and Preview screens. Click on any question group in red or green to navigate to that question group. Groups coloured red have outstanding mandatory questions to answer, whereas green groups have been completed for mandatory questions or viewed for non-mandatory questions. Question groups in grey are those that have not been viewed in the Q&A yet and are therefore not accessible via the progress toolbar. To view these groups, click on the preceding question group in the progress toolbar and click **Next** in the Q&A.

A progress bar showing the percentage of the Q&A completed is shown above the toolbar.



## QUESTION GROUP SUMMARY MENU

As well as the progress toolbar you can navigate using the questions summary by clicking on the Question Group Summary menu. This is indicated by the button shown in the example below (highlighted by the red square).



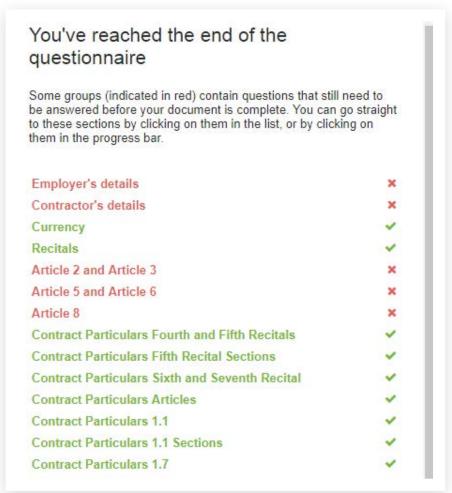
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## **FINISH MENU**

At the end of the Q&A you will reach the Finish Menu. This lists question groups that have been completed for mandatory questions or viewed for non-mandatory questions (in green), not answered for mandatory questions (in red) and not reviewed at all (in grey). Only mandatory questions need to be answered to finalise a contract - all other questions may be left blank.



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You can edit/add/delete most of the text of the JCT contract directly in the Preview screen. For the best user experience, we strongly recommend completing the Q&A sequentially before editing any text in the Preview.

# **EDITING TOOLBAR: STYLES**

The Editing Toolbar is available at the top of the Preview screen. The Styles drop down menu (the box highlighted with the red rectangle) enables you to select from preset heading and text styles. Click on any part of the contract in the Preview and the applicable style is displayed in the Styles box:



To change the style of a paragraph, place your cursor in the paragraph and select the required style from the box. All the styles that are used in the contract can be found under **Used styles** sub-menu. The style of multiple paragraphs can be changed by highlighting all of the text to be changed.

For a video tutorial on how to change a paragraph style, click here.

# EDITING TOOLBAR: INDENT/OUTDENT FOR NUMBERED STYLES

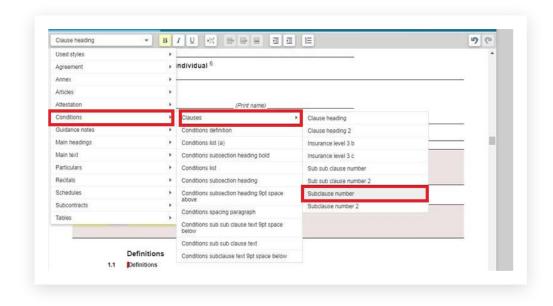
You can change the level of a paragraph or multiple paragraphs using the following buttons. Please note these buttons work for paragraphs with Numbered styles only.



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Below is an example of the Numbered styles sub-menu available from the Styles menu:



For a video tutorial on how to change the level of a numbered paragraph, click here.

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## **EDITING TOOLBAR: MISCELLANEOUS**

You can also apply bold, italic and underline formatting to text using the toolbar buttons. Other buttons are explained below.

	Inserts a page break
1 ± ± ± ± ± ± ± ± ± ± ± ± ± ± ± ± ± ± ±	Refreshes the preview Table of Contents. This happens automatically at regular periods and upon exiting the document.
	For tables only. Inserts a row above.
	For tables only. Inserts a row below.
	For tables only. Deletes the currently selected row.

See also MAKING CHANGES TO TABLES.

# ADDING A NEW PARAGRAPH

To add a new paragraph, place your cursor at the appropriate place in the document (either before the paragraph number you want to insert text or at the end of the previous paragraph you want to insert text after and press the Return key). The style will be automatically inserted based on the paragraph style where the cursor was placed.

You can change the level of a numbered paragraph by using the Indent/Outdent button. You can also change the paragraph style by selecting a style from the Styles drop down menu.

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The paragraph numbering will automatically update to reflect the above change. This will also carry through to the Table of Contents.

# 1.3 Agreement etc. to be read as a whole The Agreement and these Conditions are to be read as a whole. Nothing contained in any other Contract Document or any Framework Agreement, irrespective of their terms, shall override or modify the Agreement or these Conditions.

1.4 New paragraph heading

New text for paragraph 1.4. Where under this Contract an act is required to be done within a specified period of days after or from a specified date, the period shall begin immediately after that date. Where the period would include a day which is a Public Holiday that day shall be excluded.

#### .5 Headings, references to persons, legislation etc.

In the Agreement and these Conditions, unless the context otherwise requires:

- 1.5.1 the headings, notes and footnotes are included for convenience only and shall not affect the interpretation of this Contract;
- 1,5.2 the singular includes the plural and vice versa;
- 1.5.3 a gender includes any other gender;
- 1.5.4 a reference to a 'person' includes any individual, firm, partnership, company and any other body corporate:
- 1.5.5 a reference to a statute, statutory instrument or other subordinate legislation ('legislation') is to such legislation as amended and in force from time to time, including any legislation which re-enacts or consolidates it, with or without modification, and including corresponding legislation in any other relevant part of the United Kingdom; and

1.3	Agreement etc. to be read as a whole	
	The Agreement and these Conditions are to be read as a whole. Nothing contained in any contract Document or any Framework Agreement, irrespective of their terms, shall override or mother Agreement or these Conditions.	
1.4	New paragraph heading	
	New text for paragraph 14. Where under this Contract an act is required to be done within a spec period of days after or from a specified date, the period shall begin immediately after that date. We the period would include a day which is a Public Holiday that day shall be excluded.	
1.5	(4.41.5) Headings, references to persons, legislation etc.	
	In the Agreement and these Conditions, unless the context otherwise requires:	
	1.5.1 {1.4.1.5.1} the headings, notes and footnotes are included for convenience only and sont affect the interpretation of this Contract;	shall
	1,5.2 {1.4.2 <u>1.5.2</u> } the singular includes the plural and vice versa;	
	1.5.3 (1.4.31.5.3) a gender includes any other gender;	
	1.5.4 (1.4.4_1.5.4) a reference to a 'person' includes any individual, firm, partnership, compand any other body corporate;	pany
	1.5.5 (1.4.51.5.5) a reference to a statute, statutory instrument or other subordinate legisla ('legislation') is to such legislation as amended and in force from time to time, including legislation which re-enacts or consolidates it, with or without modification, and inclu corresponding legislation in any other relevant part of the United Kingdom; and	any
	1.5.6 (1.4.61.5.6) references to documents shall, where there is a BIM Protocol or other prot relating to the supply of documents or information, be deemed to include information	

Text can be pasted in from an external document. Please note tabs are not recognised by the software and will be removed if pasted in.

For a video tutorial on how to add a paragraph in the Conditions, click here.

For a video tutorial on how to add a paragraph in the Schedules, click here.

To add new Articles and Recitals, place your cursor at the appropriate place in the document and select the appropriate style for the heading and the text.

For a video tutorial on how to add a new Article, click here.

For a video tutorial on how to add a new Recital, click here.

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It is possible to add a new paragraph and retain the JCT numbers in the published version. Select a main text style, apply bold for the heading and type in the paragraph number manually. For example, add paragraphs 1.2A, 1.2A.1 and 1.2A.2. The table of contents is not updated when adding paragraphs using this method.

#### Interpretation

#### 1.2 Reference to clauses etc

Unless otherwise stated, a reference in the <u>Agreement</u> or in these Conditions to a clause or Schedule is to that clause in or Schedule to these Conditions and, unless the context otherwise requires, a reference in a Schedule to a paragraph is to that paragraph of that Schedule.

#### 1.2A New 1.2A heading

As from the due date for the final payment specified in clause 4.24.5 and in addition to the effects referred to in clause 4.24.6, the Final Statement or, as the case may be, the Employer's Final Statement ("the relevant statement") shall, except as provided in clauses 1.8.2 and 4.24.6 (and save in respect of fraud), have effect in any proceedings under or arising out of or in connection with this Contract (whether by adjudication, arbitration or legal proceedings) as conclusive evidence that:

1.2A.1 where and to the extent that any particular quality of any materials or goods or any particular standard of an item of workmanship was expressly described in the Employer's Requirements, or in any instruction issued by the Employer under these Conditions, to be for this approval, the particular quality or standard was to his reasonable satisfaction, but the relevant statement shall not be conclusive evidence that they or any other materials, good or workmanship comply with any other requirement or term of this Contract;

1.2A.2 all and only such extensions of time, if any, as are due under clause 2.25 have been given

## Interpretation

#### Reference to clauses etc.

Unless otherwise stated, a reference in the Agreement or in these Conditions to a clause or Schedule is to that clause in or Schedule to these Conditions and, unless the context otherwise requires, a reference in a Schedule to a paragraph is to that paragraph of that Schedule.

#### 1.2A New 1.2A heading

As from the due date for the final payment specified in clause 4.24.5 and in addition to the effects referred to in clause 4.24.6, the Final Statement or, as the case may be, the Employer's Final Statement ("the relevant statement") shall, except as provided in clauses 1.8.2 and 4.24.6 (and save in respect of fraud), have effect in any proceedings under or arising out of or in connection with this Contract (whether by adjudication, arbitration or legal proceedings) as conclusive evidence that:

1.2A.1 where and to the extent that any particular quality of any materials or goods or any particular standard of an item of workmanship was expressly described in the Employer's Requirements, or in any instruction issued by the Employer under these Conditions, to be for this approval, the particular quality or standard was to his reasonable satisfaction, but the relevant statement shall not be conclusive evidence that they or any other materials, good or workmanship comply with any other requirement or term of this Contract:

1.2A.2 all and only such extensions of time, if any, as are due under clause 2.25 have been given

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## **DELETING A PARAGRAPH**

If you delete an entire paragraph (including the paragraph number), subsequent paragraphs will be renumbered, and cross-references in JCT text will automatically update.

If the paragraph contains a Cross-reference Anchor (shown as a red rectangle) that provides cross-references elsewhere in this document, the Cross-reference Anchor Warning will pop-up to let you know that if you proceed with the deletion, *dependent* cross-references will show an **Error!** message. You will need to locate and update the references to the deleted paragraph appropriately.

You can select and delete multiple paragraphs and sub-paragraphs in one go.

For a video tutorial on how to delete a paragraph, click here.

#### 1.7 Effect of Final Statement

- 1.7.1 As from the due date for the final payment specified in clause 4.24.5 and in addition to the effects referred to in clause 4.24.6, the Final Statement or, as the case may be, the Employer's Final Statement (the relevant statement) shall, except as provided in clauses 1.7.2 and 4.24.6 (and save in respect of fraud), have effect in any proceedings under or arising out of or in connection with this Contract (whether by adjudication, arbitration or legal proceedings) as conclusive evidence that:
  - 1.7.1.1 where and to the extent that any particular quality of any materials or goods or any particular standard of an item of workmanship was expressly described in the Employer's Requirements, or in any instruction issued by the Employer under these Conditions, to be for his approval, the particular quality or standard was to his reasonable satisfaction, but the relevant statement shall not be conclusive evidence that they or any other materials, goods or workmanship comply with any other requirement or term of this Contract;
  - 1.7.1.2 all and only such extensions of time, if any, as are due under clause 2.25 have been given; and
  - 1.7.1.3 the reimbursement of direct loss and/or expense, if any, due to the Contractor as agreed, ascertained or valued in accordance with these Conditions is in final settlement of all and any claims which the Contractor has or may have arising out of the occurrence of any Relevant Matters, whether such claim be for breach of contract, duty of care, statutory duty or otherwise.

#### 1.7 {1.81.7} Effect of Final Statement

7.1 (1.8-11.7.1)As from the due date for the final payment specified in clause 4.24.5 and in addition to the effects referred to in clause 4.24.6, the Final Statement or, as the case may be, the Employer's Final Statement ('the relevant statement') shall, except as provided in clauses 1-8-21.7.2 and 4.24.6 (and save in respect of fraud), have effect in any proceedings under or arising out of or in connection with this Contract (whether by adjudication, arbitration or legal proceedings) as conclusive evidence that:

- 1.7.1.1 (1.8.1.1.1.1) where and to the extent that any particular quality of any materials or goods or any particular standard of an item of workmanship was expressly described in the Employer's Requirements, or in any instruction issued by the Employer under these Conditions, to be for his approval, the particular quality or standard was to his reasonable satisfaction, but the relevant statement shall not be conclusive evidence that they or any other materials, goods or workmanship comply with any other requirement or term of this
- 1.7.1.2 (1.8.1.21.7.1.2) all and only such extensions of time, if any, as are due under clause 2.25 have been given; and
- 1.7.1.3 (1.8.1.31.7.1.3) the reimbursement of direct loss and/or expense, if any, due to the Contractor as agreed, ascertained or valued in accordance with these Conditions is in final settlement of all and any claims which the Contractor has or may have arising out of the occurrence of any Relevant Matters, whether such claim be for breach of contract, duty of care, statutory duty or otherwise.

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## TABLE OF CONTENTS

By clicking on the icon at the top of the Preview screen, the Contents table at the head of the contract will automatically update to reflect your changes.

## **UNDO**

There is an undo/redo function in the Preview screen. Note that the screen will not automatically move to the location of the change, so if you have moved on you will need to scroll back to see the change take place.

## **UNEDITABLE TEXT**

Some parts of the contract cannot be edited, e.g. some headings. Text that cannot be edited is highlighted in yellow in the Preview screen. Footnotes appear via pop-up boxes and cannot be edited.

# MAKING CHANGES TO TABLES

Use the Editing Toolbar to add or delete rows from tables. Note that tables may be linked to questions in the Q&A, so if you manually add rows to a table, and the table is subsequently deleted because you change your answer in the Q&A, any rows you have added will also be deleted.

Similarly, if you manually delete a table, it can cause unexpected behaviour if the parts of the Q&A that control the table are subsequently answered. Parts, or all of, the table may reappear in the document.

# **DELETING TABLES**

Care should be taken should you wish to delete a table in the Preview screen. Some tables appear as a result of answers or options selected in the Q&A. Parts or all of the table may reappear in the document. Tables that are generated by the Q&A should be removed by selecting the appropriate option in the Q&A rather than deleting in the Preview.





Your open and finalised contracts can be found on the Documents in progress tab. From here you can return to work on open contracts, and you also have a number of other options:



#### **DOWNLOAD**

Clicking on Download brings up the following options:



#### DOWNLOAD TO PDF

Click the top PDF icon Download to PDF to generate your contract in pdf format. To print, select Actual size in the print settings to receive an output which is optimised for the headers and footers. You can print as many drafts as you like without cost. There is a charge for finalising a contract – a pop-up box will appear to notify you of the fee.

The header contains the version details (i.e. date and time (UTC)) of your document.

A comparison document must be provided with the contract at all times during the drafting and finalisation stages by the contract creator to all parties to the contract. See Show document changes.

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#### SHOW DOCUMENT CHANGES

Click Download in My Documents and click the icon for Show document changes to download a PDF of the differences between your document and the published version. The header contains the version details (i.e. date and time (UTC)) of your contract.

NB If you are using a Chrome browser you need to allow pop-ups.

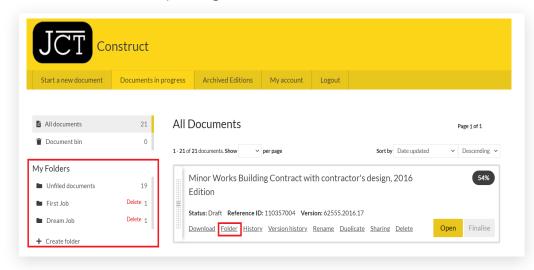
The comparison document will be updated each time you return to the questions and answers or make changes in the Preview screen. For the purposes of transparency, the contract creator is required to provide the comparison document to the counterparty. The comparison document compares differences in the text only and is therefore unable to track style changes such as differences in formatting e.g. bold.

For final contracts the comparison document is added to the end of the final contract in a single PDF file. A comparison document must be provided with the contract at all times during the drafting and finalisation stages by the contract creator to all parties to the contract.

You can also compare between any two versions of your contract from the Version history, e.g. version 4 compared to version 2 by going to the Version history and ticking the two versions that require the comparison and then click Compare. See Version history below.

# **FOLDER**

Folders can be created by clicking + Create folder on the left-hand side of the Documents in progress tab:



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Contracts can be dragged into the folders, or click Folder and select the relevant folder.

Deleting a folder removes the folder but does not delete the contents.

## **HISTORY**

Each time you click **My Documents** to exit your contract after answering in the Q&A screen or making changes in the Preview screen, a new version of the contract is created. Each version is identified by its date and time (UTC). Click **History** to view your document history.



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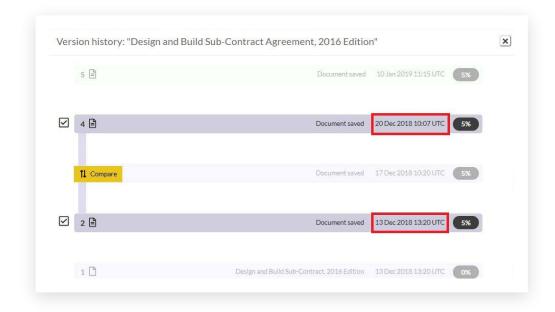
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## **VERSION HISTORY**

Version history allows you to compare between any two versions of your contract. Each version is identified by its date and time (UTC). For example, if you want to compare version 4 against version 2, you can tick the boxes for version 4 and version 2, and then click Compare. The results are outputted as a PDF showing changes. The header shows the details of the versions compared (date and time (UTC)).



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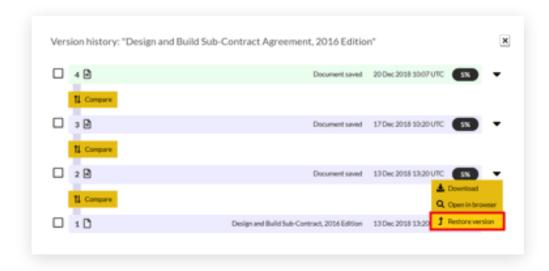
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From Version history you can also restore previous versions of your contract.



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# **RENAME**

Click Rename and input your new contract name.

## **DUPLICATE**

Click **Duplicate** to create a duplicate contract, to save you having to retype from scratch.

## **SHARING**

Sharing allows you to invite guests/other people to view and edit your document. Adding a party will generate a link for them to access the document and make changes. You have to set an expiry date for their access. After completing the details, you can then Click to email details to invitee. Guests will be given access to the latest version of your document.

Please note if you are sharing your document with multiple guests and it is edited by one guest, the amended version (i.e. the latest version) will be accessed by the other guests.

An email will be sent to notify you once the guest has finished viewing or editing the document. You can edit the expiry date or revoke access.

If sharing by email, the contract creator must attach both the contract and the comparison document during the drafting and finalisation stages to the email to all parties to the contract.

# **DELETE**

Click **Delete** to move your document to the **Document bin**. It cannot be deleted permanently. You will be able to restore your contract at a later stage if required.

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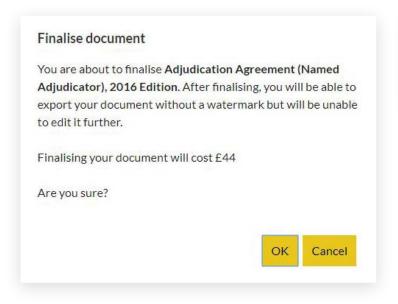
# **FINALISING A CONTRACT**

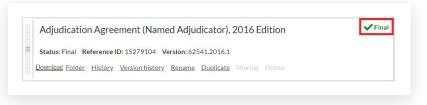
To finalise your contract (i.e. 'DRAFT' watermark is removed), click **Finalise** in My Documents (only available if all mandatory questions have been answered; the percentage of questions completed can be less than 100% since not all questions are mandatory).



You will receive a warning message that after finalising the document, the contract will be locked and you will not be able to make any further changes. Charges will apply.

Click OK to proceed, or click Cancel if you wish to review your document or return to the Q&A.





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# PRINTING A DRAFT OR FINAL CONTRACT

To print a draft or final contract, click Download and select the top PDF icon Download to PDF to generate your contract in pdf format. To print, select Actual size to receive an output which is optimised for the headers and footers. There is a charge to finalise a contract and a pop-up box will appear to notify you of the fee. Once the contract is finalised you can print off as many copies as required without incurring further charges.

Both the contract and comparison document in the draft and final versions must be provided by the contract creator to all parties to the contract under the terms and conditions of the service

# **GUIDES**

Some contract families have a Guide – these appear alongside the contracts on the Start a new document tab.

A link to a list of the changes between the contract in its online format and the CD/hard copy format is provided from the Guidance Notes in the Preview screen.

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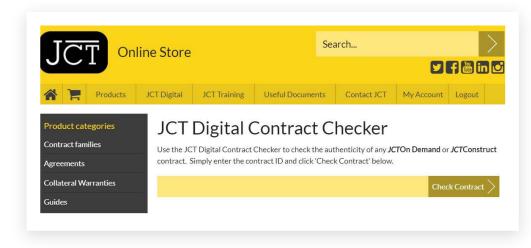
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# **UNIQUE CONTRACT ID**

A unique contract ID is located in the header of each contract produced from the online service. This enables contracting parties to check it is a genuine JCT contract. The contract search tool is available on the JCT website at www.jctltd.co.uk/jct-digital/contract-checker



# **SUPPORT**

For technical support please call 0345 082 1080 or submit an enquiry at: <a href="https://www.tr.com/jctsupport">www.tr.com/jctsupport</a>

Videos on how to use JCT Construct are available at: <a href="www.jctltd.co.uk/jct-construct-videos">www.jctltd.co.uk/jct-construct-videos</a>

If you have forgotten your password, go to <a href="www.jctltd.co.uk/forgotten-password.aspx">www.jctltd.co.uk/forgotten-password.aspx</a> and request a new password to be sent to your registered email address.







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