

# MWD User Checklist

This is a checklist of the key information that will help you to complete the Articles of Agreement.

## Parties' details

- Employer's name and address
- Contractor's name and address

## Works (First Recital)

- nature
- location

## Contractor's Designed Portion (Second Recital)

- description

## Documents which the Employer has had prepared to show and describe the work to be done (Third Recital)

- Contract Drawings: identification
- Contract Specification
- Work Schedules

## Pricing document provided by the Contractor (Fourth Recital)

- a copy of the priced Contract Specification
- a copy of the priced Work Schedules
- a Schedule of Rates

## Construction Industry Scheme (Fifth Recital and clause 4.2)

- Is the Employer a 'contractor'?

## CDM Regulations (Sixth Recital)

- Is the project notifiable?

### CDM Co-ordinator (Article 4)

- name and address

### Principal Contractor (Article 5)

- name and address

### CDM Planning Period (clause 1.1)

- period (days/weeks)
- commencement/end date

## **Framework Agreement (Seventh Recital)**

- Is the Contract supplemented by a Framework Agreement?
- details (date, title, parties)

## **Supplemental Provisions (Eighth Recital and Schedule 3)**

### **Collaborative working** (Schedule 3, paragraph 1)

- applicable?

### **Health and safety** (Schedule 3, paragraph 2)

- applicable?

### **Cost savings and value improvements** (Schedule 3, paragraph 3)

- applicable?

### **Sustainable development and environmental considerations** (Schedule 3, paragraph 4)

- applicable?

### **Performance Indicators and monitoring** (Schedule 3, paragraph 5)

- applicable?

### **Notification and negotiation of disputes** (Schedule 3, paragraph 6)

- applicable?
- name of the Employer's nominee
- name of the Contractor's nominee

## **Contract Sum (Article 2)**

- amount

## **Architect/Contract Administrator (Article 3)**

- name and address

## **Adjudication (Article 6 and clause 7.2)**

- applicable?
- Adjudicator's name?
- Adjudicator nominating body?

## **Arbitration (Article 7 and Schedule 1)**

- applicable?
- appointor of Arbitrator?

## **Base Date (Fifth Recital and Schedule 2)**

- date

## **Date for Commencement of the Works (clause 2.3)**

- date

**Date for Completion** (clause 2·3)

- date

**Liquidated damages** (clause 2·9)

- rate and period

**Rectification Period** (clause 2·11)

- period

**Percentage of the total value to be certified before practical completion** (clause 4·3)

- percentage

**Percentage of the total value to be certified on and after practical completion** (clause 4·4)

- percentage

**Supply of documentation for computation of amount to be finally certified** (clause 4·8·1)

- period

**Fluctuations Option** (clause 4·11 and Schedule 2)

- applicable?  
 percentage addition (paragraph 13)

**Insurance: Contractor's liability – injury to persons or property** (clause 5·3·2)

- amount

**Insurance of the Works etc.** (clauses 5·4A, 5·4B and 5·4C)

- applicable option:  
i) clause 5·4A on its own (Works insurance by Contractor in Joint Names)/  
ii) clause 5·4B on its own (Works and existing structures insurance by Employer in Joint Names)/  
iii) clauses 5·4A and 5·4C together (Works insurance by Contractor; existing structures insurance by Employer)?  
 percentage to cover professional fees (clauses 5·4A·1 and 5·4B·1·2)

**Attestation**

- Execution under hand  
 Execution as a Deed  
 Other forms of Attestation needed?