## **Contents**

	Agreement	1
	Recitals	2
	Articles	4
1	Contractor's obligations	4
2	Contract Sum	
3	Collaborative working	
4	Architect/Contract Administrator	
5	Quantity Surveyor	
6	CDM Regulations – Principal Designer and Principal Contractor	
7	Building Regulations – Principal Designer and Principal Contractor	
8	Adjudication	
9 10	Arbitration Legal proceedings	
10	Legal proceedings	
	Contract Particulars	7
	Attestation	18
	Attestation	10
	Conditions	25
	Conditions	
Section 1	Definitions and Interpretation	25
	Definitions	
1.1	Definitions	
	Interpretation	
1.2	Reference to clauses etc.	
1.3	Agreement etc. to be read as a whole	
1.4	Headings, references to persons, legislation etc.	
1.5	Reckoning periods of days	
1.6	Contracts (Rights of Third Parties) Act 1999	
1.7	Notices and other communications	
1.8 1.9	Issue of Architect/Contract Administrator's certificates Effect of Final Certificate	
1.10	Effect of certificates other than Final Certificate	
1.11	Consents and approvals	
1.12	Applicable law	
Section 2	Carrying out the Works	33
	Contractor's Obligations	
2.1	General obligations	
2.2	Materials, goods and workmanship	
2.3	Fees and charges	
	Possession	
2.4	Date of Possession – progress	
2.5	Deferment of possession	
2.6 2.7	Early use by Employer Work not forming part of the Contract	
	Supply of Documents, Setting Out etc.	
2.8	Contract Documents	
2.9	Levels and setting out of the Works	
2.10	Construction information	
2.11	Further drawings, details and instructions	

Unfixed Materials and Goods – property, risk etc.  Materials and goods – on site  Adjustment of Completion Date Notice of delay – extensions Relevant Events  Practical Completion, Lateness and Liquidated Damages Practical completion and certificates Certificates on-completion Certificates o	2.12 2.13 2.14 2.15 2.16	Errors, Inconsistencies and Divergences Bills of Quantities Instructions on errors, omissions and inconsistencies Instructions – additions to Contract Sum, exceptions Divergences from Statutory Requirements Emergency compliance with Statutory Requirements	
2.19 Notice of delay — extensions Relevant Events  Practical Completion, Lateness and Liquidated Damages Practical completion and certificates 2.21 Practical completion and certificates 2.22 Certificate of non-completion 2.24 Repayment of liquidated damages Partial Possession by Employer 2.25 Contractor's consent 2.26 Practical completion date 2.27 Defects etc. — Relevant Part 2.28 Insurance — Relevant Part 2.29 Liquidated damages — Relevant Part 2.29 Liquidated damages — Relevant Part 2.20 Certification 2.31 Certification 2.31 Certification 2.31 Control of the Works 3.1 Access for Architect/Contract Administrator 3.2 Person-in-charge 3.3 Clerk of works 3.4 Replacement of Architect/Contract Administrator or Quantity Surveyor  Sub-Contracting 3.5 Consent to sub-contracting 3.6 Conditions of sub-contracting 3.7 Named Sub-Contract Administrator's Instructions 3.8 Architect/Contract Administrator's Instructions 3.9 Non-compilance with instructions 3.10 Provisions empowering instructions 3.11 Instructions requiring Variations 3.12 Postponnement of work 3.13 Instructions empowering instructions 3.14 Inspection — tests 3.15 Work not in accordance with the Contract 3.16 Instructions as to removal of work etc. 3.17 Exclusion of persons from the Works  CDM Regulations and Part 2A of the Building Regulations CDM Regulations and Part 2A of the Building Regulations CDM Regulations and Part 2A of the Building Regulations CDM Regulations and Part 2A of the Building Regulations Contract Sum and Adjustment Work included in Contract Sum 4.2 Adjustment only under the Conditions 4.3 Adjustment of Contract Sum		Materials and goods – on site	
2.21 Practical completion and certificates Certificate of non-completion 2.23 Liquidated damages for non-completion 2.24 Repayment of liquidated damages  Partial Possession by Employer Contractor's consent 2.26 Practical completion date 2.27 Defects etc. Relevant Part 2.28 Insurance – Relevant Part 2.29 Liquidated damages – Relevant Part 2.29 Liquidated damages – Relevant Part 2.30 Rectification 2.31 Certificate of making good  Section 3 Control of the Works  Access and Representatives 3.1 Access for Architect/Contract Administrator 3.2 Person-in-charge 3.3 Clerk of works 3.4 Replacement of Architect/Contract Administrator or Quantity Surveyor  Sub-Contracting 3.5 Consent to sub-contracting 3.6 Condition of sub-contracting 3.7 Named Sub-Contractors  Architect/Contract Administrator's Instructions Compliance with instructions 3.9 Non-compliance with instructions 3.10 Provisions empowering instructions 3.11 Instructions on Provisional Sums 3.12 Postponement of work 3.13 Instructions on Provisional Sums 3.14 Inspection – tests 3.15 Work not in accordance with the Contract 3.16 Instructions as to removal of work etc. 3.17 Exclusion of persons from the Works  CDM Regulations and Part 2A of the Building Regulations CDM Regulations and Part 2A of the Building Regulations CDM Regulations and Part 2A of the Building Regulations CDM Regulations and Part 2A of the Building Regulations Contract Sum and Adjustment Work included in Contract Sum 4.2 Adjustment of Contract Sum		Notice of delay – extensions	
2.25 Contractor's consent 2.26 Practical completion date 2.27 Defects etc. – Relevant Part 2.28 Insurance – Relevant Part 2.29 Liquidated damages – Relevant Part 2.20 Defects 2.30 Rectification 2.31 Certificate of making good  Section 3 Control of the Works  Access and Representatives 3.1 Access for Architect/Contract Administrator 3.2 Person-in-charge 3.3 Clerk of works 3.4 Replacement of Architect/Contract Administrator or Quantity Surveyor  Sub-Contracting 3.5 Consent to sub-contracting 3.6 Conditions of sub-contracting 3.7 Named Sub-Contractors  Architect/Contract Administrator's Instructions 3.8 Compliance with instructions 3.9 Non-compliance with instructions 3.10 Provisions empowering instructions 3.11 Instructions requiring Variations 3.12 Postponement of work 3.13 Instructions on Provisional Sums 3.14 Inspection - tests 3.15 Work not in accordance with the Contract 3.16 Instructions as to removal of work etc. 3.17 Exclusion of persons from the Works  CDM Regulations and Part 2A of the Building Regulations CDM Regulations and Part 2A of the Building Regulations CDM Regulations and Part 2A of the Building Regulations CDM Regulations and Part 2A of the Building Regulations CDM Regulations and Part 2A of the Building Regulations Contract Sum and Adjustment 4.1 Work included in Contract Sum 4.2 Adjustment ofly under the Conditions 4.3 Adjustment of Contract Sum	2.22 2.23	Practical completion and certificates Certificate of non-completion Liquidated damages for non-completion	
2.30 Rectification 2.31 Certificate of making good  Section 3 Control of the Works  Access and Representatives 3.1 Access for Architect/Contract Administrator 3.2 Person-in-charge 3.3 Clerk of works 3.4 Replacement of Architect/Contract Administrator or Quantity Surveyor  Sub-Contracting 3.5 Consent to sub-contracting 3.6 Conditions of sub-contracting 3.7 Named Sub-Contractors  Architect/Contract Administrator's Instructions 3.8 Compliance with instructions 3.9 Non-compliance with instructions 3.10 Provisions empowering instructions 3.11 Instructions requiring Variations 3.12 Postponement of work 3.13 Instructions on Provisional Sums 3.14 Inspection – tests 3.15 Work not in accordance with the Contract 3.16 Instructions as to removal of work etc. 3.17 Exclusion of persons from the Works  CDM Regulations and Part 2A of the Building Regulations 3.18 CDM Regulations and Part 2A of the Building Regulations  Section 4 Payment  Contract Sum and Adjustment 4.1 Work included in Contract Sum 4.2 Adjustment only under the Conditions 4.3 Adjustment of Contract Sum	2.26 2.27 2.28	Contractor's consent Practical completion date Defects etc. – Relevant Part Insurance – Relevant Part	
Access and Representatives  3.1 Access for Architect/Contract Administrator  3.2 Person-in-charge  3.3 Clerk of works  3.4 Replacement of Architect/Contract Administrator or Quantity Surveyor  Sub-Contracting  3.5 Consent to sub-contracting  3.6 Conditions of sub-contracting  3.7 Named Sub-Contractors  Architect/Contract Administrator's Instructions  3.8 Compliance with instructions  3.9 Non-compliance with instructions  3.10 Provisions empowering instructions  3.11 Instructions requiring Variations  3.12 Postponement of work  3.13 Instructions on Provisional Sums  3.14 Inspection – tests  3.15 Work not in accordance with the Contract  3.16 Instructions as to removal of work etc.  Exclusion of persons from the Works  CDM Regulations and Part 2A of the Building Regulations  CDM Regulations and Part 2A of the Building Regulations  CDM Regulations and Part 2A of the Building Regulations  CDM Regulations and Part 2A of the Building Regulations  Contract Sum and Adjustment  4.1 Work included in Contract Sum  4.2 Adjustment of Contract Sum  4.3 Adjustment of Contract Sum		Rectification	
3.1 Access for Architect/Contract Administrator 3.2 Person-in-charge 3.3 Clerk of works 3.4 Replacement of Architect/Contract Administrator or Quantity Surveyor  Sub-Contracting 3.5 Consent to sub-contracting 3.6 Conditions of sub-contracting 3.7 Named Sub-Contractors  Architect/Contract Administrator's Instructions 3.8 Compliance with instructions 3.9 Non-compliance with instructions 3.10 Provisions empowering instructions 3.11 Instructions requiring Variations 3.12 Postponement of work 3.13 Instructions on Provisional Sums 3.14 Inspection – tests 3.15 Work not in accordance with the Contract 3.16 Instructions as to removal of work etc. 3.17 Exclusion of persons from the Works  CDM Regulations and Part 2A of the Building Regulations 3.18 CDM Regulations and Part 2A of the Building Regulations 3.18 CDM Regulations and Part 2A of the Building Regulations 4.1 Work included in Contract Sum 4.2 Adjustment of Contract Sum 4.3 Adjustment of Contract Sum	Section 3	Control of the Works	41
3.5 Consent to sub-contracting 3.6 Conditions of sub-contracting 3.7 Named Sub-Contractors  Architect/Contract Administrator's Instructions 3.8 Compliance with instructions 3.9 Non-compliance with instructions 3.10 Provisions empowering instructions 3.11 Instructions requiring Variations 3.12 Postponement of work 3.13 Instructions on Provisional Sums 3.14 Inspection – tests 3.15 Work not in accordance with the Contract 3.16 Instructions as to removal of work etc. 3.17 Exclusion of persons from the Works  CDM Regulations and Part 2A of the Building Regulations 3.18 CDM Regulations and Part 2A of the Building Regulations  Section 4 Payment  Contract Sum and Adjustment  Work included in Contract Sum 4.2 Adjustment only under the Conditions 4.3 Adjustment of Contract Sum	3.2 3.3	Access for Architect/Contract Administrator Person-in-charge Clerk of works	
3.8 Compliance with instructions 3.9 Non-compliance with instructions 3.10 Provisions empowering instructions 3.11 Instructions requiring Variations 3.12 Postponement of work 3.13 Instructions on Provisional Sums 3.14 Inspection – tests 3.15 Work not in accordance with the Contract 3.16 Instructions as to removal of work etc. 3.17 Exclusion of persons from the Works  CDM Regulations and Part 2A of the Building Regulations 3.18 CDM Regulations and Part 2A of the Building Regulations  Section 4 Payment  Contract Sum and Adjustment 4.1 Work included in Contract Sum 4.2 Adjustment only under the Conditions 4.3 Adjustment of Contract Sum	3.6	Consent to sub-contracting Conditions of sub-contracting	
3.18 CDM Regulations and Part 2A of the Building Regulations  Section 4 Payment  Contract Sum and Adjustment  4.1 Work included in Contract Sum  4.2 Adjustment only under the Conditions  4.3 Adjustment of Contract Sum	3.9 3.10 3.11 3.12 3.13 3.14 3.15 3.16	Compliance with instructions Non-compliance with instructions Provisions empowering instructions Instructions requiring Variations Postponement of work Instructions on Provisional Sums Inspection – tests Work not in accordance with the Contract Instructions as to removal of work etc.	
Section 4 Payment  Contract Sum and Adjustment  4.1 Work included in Contract Sum  4.2 Adjustment only under the Conditions  4.3 Adjustment of Contract Sum	3.18		
<ul> <li>4.1 Work included in Contract Sum</li> <li>4.2 Adjustment only under the Conditions</li> <li>4.3 Adjustment of Contract Sum</li> </ul>	Section 4		46
T.T I Idoladions Named Cab-Contractors	4.2	Work included in Contract Sum Adjustment only under the Conditions	

4.5 4.6	Taxes VAT Construction Industry Scheme (CIS)	
4.7 4.8 4.9 4.10 4.11 4.12 4.13 4.14	Payments, Certificates and Notices – general provisions  Advance payment Interim payments – due dates and certificates Interim payments – calculation of sums due Listed Items  Contractor's Payment Applications and Payment Notices Interim and final payments – final date and amount Pay Less Notices and other general provisions Contractor's right of suspension	
4.15 4.16 4.17 4.18 4.19	Loss and Expense Matters materially affecting regular progress Notification and ascertainment Relevant Matters Amounts ascertained – addition to Contract Sum Reservation of Contractor's rights and remedies	
4.20 4.21	Final Adjustment and Final Payment Final adjustment Final Certificate and final payment	
Section 5	Variations	54
5.1 5.2	General Definition of Variations Valuation of Variations and provisional sum work	
5.3 5.4 5.5 5.6	The Valuation Rules Measurable Work Daywork Change of conditions for other work Additional provisions	
Section 6	Injury, Damage and Insurance	5
6.1 6.2 6.3	Personal Injury and Property Damage Contractor's liability – personal injury or death Contractor's liability – loss, injury or damage to property Loss or damage to Existing Structures or their contents	
6.4 6.5 6.6	Insurance against Personal Injury and Property Damage Contractor's insurance of its liability Contractor's insurance of liability of Employer Excepted Risks	
6.7 6.8 6.9 6.10 6.11 6.12 6.13 6.14	Insurance of the Works and Existing Structures Insurance Options and period Related definitions Sub-contractors – Specified Perils cover under Works Insurance Policies Terrorism Cover – policy extensions and premiums Terrorism Cover – non-availability – Employer's options Evidence of insurance Loss or damage – insurance claims and reinstatement Loss or damage to Existing Structures – right of termination	
6.15 6.16 6.17 6.18	Joint Fire Code – compliance Application of clauses Compliance with Joint Fire Code Breach of Joint Fire Code – Remedial Measures Joint Fire Code – amendments/revisions	

Section /	Assignment, Performance Bonds and Guarantees and Collateral Warranties	65
7.1	Assignment Assignment	
7.2	Performance Bonds and Guarantees Performance Bonds and Guarantees	
7.3 7.4 7.5 7.6 7.7 7.8	Collateral Warranties Rights Particulars Notices Execution of Collateral Warranties Contractor's Warranties – Purchasers and Tenants Contractor's Warranty – Funder Sub-Contractors' Warranties	
Section 8	Termination	67
8.1 8.2 8.3	General Meaning of insolvency Notices under section 8 Other rights, reinstatement  Termination by Employer Default by Contractor	
8.5 8.6 8.7 8.8	Insolvency of Contractor Corruption and regulation 73(1)(b) of the PC Regulations Consequences of termination under clauses 8.4 to 8.6 Employer's decision not to complete the Works	
8.9 8.10	Termination by Contractor Default by Employer Insolvency of Employer	
8.11	<b>Termination by either Party and regulation 73(1)(a) of the PC Regulations</b> Termination by either Party and regulation 73(1)(a) of the PC Regulations	
8.12	Consequences of Termination under clauses 8.9 to 8.11, etc. Consequences of Termination under clauses 8.9 to 8.11, etc.	
8.13	Termination Payment – final date, notices and amount Termination Payment – final date, notices and amount	
Section 9	Settlement of Disputes	75
9.1	Notification and negotiation of disputes  Notification and negotiation of disputes	
9.2	Mediation Mediation	
9.3	Adjudication Adjudication	
9.4 9.5 9.6 9.7 9.8 9.9	Arbitration Conduct of arbitration Notice of reference to arbitration Powers of Arbitrator Effect of award Appeal – questions of law Arbitration Act 1996	

	Schedules	77
Schedule 1	Insurance Options	77
	Insurance Option A (New Buildings – All Risks Insurance of the Works by the Contractor)	
	Insurance Option B (New Buildings – All Risks Insurance of the Works by the Employer)	
	Insurance Option C (Joint Names Insurance by the Employer of Existing Structures and Works in or Extensions to the	nem)
Schedule 2	Named Sub-Contractors	80
Schedule 3	Forms of Bonds Part 1: Advance Payment Bond Part 2: Bond in respect of payment for off-site materials and/or goods	83
Schedule 4	Supplemental Provisions	89