

# Contents

	<b>Agreement</b>	<i>Page 1</i>			
	<b>Recitals</b>	2	2.8		<b>Supply of Documents, Setting Out etc.</b>
	<b>Articles</b>	4	2.9		Contract Documents
1	Contractor's obligations		2.10		Construction information and Contractor's master programme
2	Contract Sum		2.11		Levels and setting out of the Works
3	Architect/Contract Administrator		2.12		Information Release Schedule
4	Quantity Surveyor				Further drawings, details and instructions
5	Principal Designer				
6	Principal Contractor		2.13		<b>Errors, Discrepancies and Divergences</b>
7	Adjudication		2.14		Preparation of Employer's Requirements
8	Arbitration		2.15		CDP-related documents – errors and inadequacy
9	Legal proceedings		2.16		Notice of discrepancies etc.
	<b>Contract Particulars</b>	7	2.17		Discrepancies in CDP-related documents
	<b>Attestation</b>	18	2.18		Divergences from Statutory Requirements
	<b>Conditions</b>	25			Emergency compliance with Statutory Requirements
			2.19		
			2.20		
<b>Section 1</b>	<b>Definitions and Interpretation</b>	25			<b>CDP Design Work</b>
1.1	<b>Definitions</b>				Design liabilities and limitation
	<b>Interpretation</b>				Errors and failures – other consequences
1.2	Reference to clauses etc.		2.21		
1.3	Agreement etc. to be read as a whole		2.22		<b>Fees, Royalties and Patent Rights</b>
1.4	Headings, references to persons, legislation etc.		2.23		Fees or charges legally demandable
1.5	Reckoning periods of days				Patent rights and royalties – Contractor's indemnity
1.6	Contracts (Rights of Third Parties) Act 1999		2.24		Patent rights – Instructions
1.7	Notices and other communications		2.25		
1.8	Issue of Architect/Contract Administrator's certificates				<b>Unfixed Materials and Goods – property, risk etc.</b>
1.9	Effect of Final Certificate				Materials and goods – on site
1.10	Effect of certificates other than Final Certificate		2.26		Materials and goods – off site
1.11	Consents and approvals		2.27		
1.12	Applicable law		2.28		
			2.29		
<b>Section 2</b>	<b>Carrying out the Works</b>	33			<b>Adjustment of Completion Date</b>
	<b>Contractor's Obligations</b>				Related definitions and interpretation
2.1	General obligations		2.30		Notice by Contractor of delay to progress
2.2	Contractor's Designed Portion		2.31		Fixing Completion Date
2.3	Materials, goods and workmanship		2.32		Relevant Events
	<b>Possession</b>				
2.4	Date of Possession – progress		2.33		<b>Practical Completion, Lateness and Liquidated Damages</b>
2.5	Deferment of possession		2.34		Practical completion and certificates
2.6	Early use by Employer		2.35		Non-Completion Certificates
2.7	Work not forming part of the Contract		2.36		Payment or allowance of liquidated damages
			2.37		
					<b>Partial Possession by Employer</b>
					Contractor's consent
					Practical completion date
					Defects etc. – Relevant Part
					Insurance – Relevant Part
					Liquidated damages – Relevant Part

	<b>Defects</b>		4.10	Contractor's Payment Applications and Payment Notices	
2.38	Schedules of defects and instructions		4.11	Interim and final payments – final date and amount	
2.39	Certificate of Making Good		4.12	Pay Less Notices and other general provisions	
	<b>Contractor's Design Documents</b>		4.13	Contractor's right of suspension	
2.40	As-built Drawings			<b>Interim Payments – calculation of sums due</b>	
2.41	Copyright and use		4.14	Gross Valuation	
<b>Section 3</b>	<b>Control of the Works</b>	45	4.15	Sums due as interim payments	
	<b>Access and Representatives</b>		4.16	<b>Listed Items</b>	
3.1	Access for Architect/Contract Administrator			<b>Retention</b>	
3.2	Site Manager			Rules on treatment of Retention	
3.3	Employer's representative		4.17	Retention Bond	
3.4	Clerk of works		4.18	Retention – amounts and periods	
3.5	Replacement of Architect/Contract Administrator or Quantity Surveyor		4.19		
3.6	Contractor's responsibility			<b>Loss and Expense</b>	
	<b>Sub-Contracting</b>		4.20	Matters materially affecting regular progress	
			4.21	Notification and ascertainment	
3.7	Consent to sub-contracting		4.22	Relevant Matters	
3.8	List in Specification/Work Schedules		4.23	Amounts ascertained – addition to Contract Sum	
3.9	Conditions of sub-contracting		4.24	Reservation of Contractor's rights and remedies	
	<b>Architect/Contract Administrator's Instructions</b>			<b>Final Adjustment and Final Payment</b>	
3.10	Compliance with instructions		4.25	Final adjustment	
3.11	Non-compliance with instructions		4.26	Final Certificate and final payment	
3.12	Instructions other than in writing		<b>Section 5</b>	<b>Variations</b>	60
3.13	Provisions empowering instructions			<b>General</b>	
3.14	Instructions requiring Variations		5.1	Definition of Variations	
3.15	Postponement of work		5.2	Valuation of Variations and provisional sum work	
3.16	Instructions on Provisional Sums		5.3	Variation Quotation	
3.17	Inspection – tests		5.4	Contractor's right to be present at measurement	
3.18	Work not in accordance with the Contract		5.5	Giving effect to Valuations, agreements etc.	
3.19	Workmanship not in accordance with the Contract			<b>The Valuation Rules</b>	
3.20	Executed work		5.6	Measurable Work	
3.21	Exclusion of persons from the Works		5.7	Daywork	
3.22	Antiquities		5.8	Contractor's Designed Portion – Valuation	
3.23	<b>CDM Regulations</b>		5.9	Change of conditions for other work	
<b>Section 4</b>	<b>Payment</b>	51	5.10	Additional provisions	
	<b>Contract Sum and Adjustments</b>		<b>Section 6</b>	<b>Injury, Damage and Insurance</b>	63
4.1	Work included in Contract Sum			<b>Personal Injury and Property Damage</b>	
4.2	Adjustment only under the Conditions		6.1	Contractor's liability – personal injury or death	
4.3	Items included in adjustments		6.2	Contractor's liability – loss, injury or damage to property	
4.4	Taking adjustments into account		6.3	Loss or damage to Existing Structures or their contents	
	<b>Taxes</b>			<b>Insurance against Personal Injury and Property Damage</b>	
4.5	VAT		6.4	Contractor's insurance of his liability	
4.6	Construction Industry Scheme (CIS)		6.5	Contractor's insurance of liability of Employer	
	<b>Payments, Certificates and Notices – general provisions</b>		6.6	Excepted Risks	
4.7	Advance payment				
4.8	Interim payments – due dates				
4.9	Interim Certificates and valuations				

	<b>Insurance of the Works and Existing Structures</b>				<b>Termination by Employer</b>
6.7	Insurance Options and period			8.4	Default by Contractor
6.8	Related definitions			8.5	Insolvency of Contractor
6.9	Sub-contractors – Specified Perils cover under Works Insurance Policies			8.6	Corruption and regulation 73(1)(b) of the PC Regulations
6.10	Terrorism Cover – policy extensions and premiums			8.7	Consequences of termination under clauses 8.4 to 8.6
6.11	Terrorism Cover – non-availability – Employer’s options			8.8	Employer’s decision not to complete the Works
6.12	Evidence of insurance				<b>Termination by Contractor</b>
6.13	Loss or damage – insurance claims and reinstatement			8.9	Default by Employer
6.14	Loss or damage to Existing Structures – right of termination			8.10	Insolvency of Employer
	<b>CDP Professional Indemnity Insurance</b>			8.11	<b>Termination by either Party and regulations 73(1)(a) and 73(1)(c) of the PC Regulations</b>
6.15	Obligation to insure			8.12	<b>Consequences of Termination under clauses 8.9 to 8.11, etc.</b>
6.16	Increased cost and non-availability				<b>Section 9 Settlement of Disputes</b> <span style="float: right;">80</span>
	<b>Joint Fire Code – compliance</b>			9.1	<b>Mediation</b>
6.17	Application of clauses			9.2	<b>Adjudication</b>
6.18	Compliance with Joint Fire Code				<b>Arbitration</b>
6.19	Breach of Joint Fire Code – Remedial Measures			9.3	Conduct of arbitration
6.20	Joint Fire Code – amendments/revisions			9.4	Notice of reference to arbitration
<b>Section 7</b>	<b>Assignment, Performance Bonds and Guarantees, Third Party Rights and Collateral Warranties</b>	<b>71</b>		9.5	Powers of Arbitrator
	<b>Assignment</b>			9.6	Effect of award
7.1	General			9.7	Appeal – questions of law
7.2	Rights of enforcement			9.8	Arbitration Act 1996
7.3	<b>Performance Bonds and Guarantees</b>				<b>Schedules</b>
	<b>Clauses 7A to 7E – Preliminary</b>			<b>Schedule 1 Design Submission Procedure</b>	<b>82</b>
7.4	Rights Particulars			<b>Schedule 2 Variation and Acceleration Quotation Procedures</b>	<b>84</b>
7.5	Notices			<b>Schedule 3 Insurance Options</b>	<b>86</b>
7.6	Execution of Collateral Warranties				Insurance Option A (New Buildings – All Risks Insurance of the Works by the Contractor)
	<b>Third Party Rights from Contractor</b>				Insurance Option B (New Buildings – All Risks Insurance of the Works by the Employer)
7A	Rights for Purchasers and Tenants				Insurance Option C (Joint Names Insurance by the Employer of Existing Structures and Works in or Extensions to them)
7B	Rights for a Funder			<b>Schedule 4 Code of Practice</b>	<b>89</b>
	<b>Collateral Warranties from Contractor</b>			<b>Schedule 5 Third Party Rights</b>	<b>90</b>
7C	Contractor’s Warranties – Purchasers and Tenants			Part 1:	Third Party Rights for Purchasers and Tenants
7D	Contractor’s Warranty – Funder			Part 2:	Third Party Rights for a Funder
7E	<b>Third Party Rights and Collateral Warranties from Sub-Contractors</b>			<b>Schedule 6 Forms of Bonds</b>	<b>95</b>
<b>Section 8</b>	<b>Termination</b>	<b>74</b>		Part 1:	Advance Payment Bond
	<b>General</b>			Part 2:	Bond in respect of payment for off-site materials and/or goods
8.1	Meaning of insolvency				
8.2	Notices under section 8				
8.3	Other rights, reinstatement				

Part 3: Retention Bond

**Schedule 7 JCT Fluctuations Option A** 104  
(Contribution, levy and tax fluctuations)

**Schedule 8 Supplemental Provisions** 108