

Contents

Introduction	1
General	
Format and Risk Allocation	
Content of the Guide	
Agreement	2
Recitals	2
Articles	2
Contract Particulars	2
Attestation	3
Conditions	5
Section 1 – Definitions and Interpretation	5
Definitions (clause 1.1)	
Interpretation (clauses 1.2 to 1.11)	
Section 2 – Carrying out the Works	5
Contractor's Obligations (clauses 2.1 and 2.2 and Supplemental Provision 7) and liability caps	
guidance	
Possession (clauses 2.3 to 2.6)	
Supply of Documents, Setting Out etc. (clauses 2.7 to 2.9, Schedule 4 (Design Submission Procedure) and Supplemental Provision 8)	
Discrepancies and Divergences (clauses 2.10 to 2.16)	
Design Work and Liability (clause 2.17 and Supplemental Provision 6)	
Fees, Royalties and Patent Rights (clauses 2.18 to 2.20)	
Unfixed Materials and Goods (clauses 2.21 and 2.22)	
Adjustment of Completion Date (clauses 2.23 to 2.26 and Supplemental Provisions 2 and 4)	
Practical Completion, Lateness and Liquidated Damages (clauses 2.27 to 2.29)	
Partial Possession by Employer (clauses 2.30 to 2.34)	
Defects (clauses 2.35 and 2.36)	
Contractor's Design Documents (clauses 2.37 and 2.38)	
Section 3 – Control of the Works	10
Access and Representatives (clauses 3.1 and 3.2)	
Sub-Contracting (clauses 3.3 and 3.4 and Supplemental Provision 1)	
Employer's Instructions (clauses 3.5 to 3.15 and Schedule 7)	
CDM Regulations and Part 2A of the Building Regulations (clause 3.16 and Supplemental Provision 5)	
Section 4 – Payment (and Schedules 1 to 3 and Schedule 9 – Forms of Bonds)	11
Target Cost and Adjustments (clauses 4.1 to 4.3 and Schedule 1)	
Amounts and Calculation (clauses 4.4 to 4.7, Schedule 2 and Schedule 3)	
Taxes (clauses 4.8 and 4.9)	
Payments and Notices – general provisions (clauses 4.10 to 4.15)	
Interim Payments – calculation of sums due (clauses 4.16 and 4.17)	
Retention (clauses 4.18 to 4.20)	
Final Statement and Final Payment (clause 4.21)	

Section 5 – Injury, Damage and Insurance (and Schedule 6 – Insurance Options)	15
Personal Injury and Property Damage – indemnity and insurance (clauses 5.1 to 5.5)	
Insurance of the Works and Existing Structures (clauses 5.7 to 5.14 and Schedule 6)	
Professional Indemnity Insurance (clauses 5.15 and 5.16)	
Joint Fire Code (clauses 5.17 to 5.20)	
Section 6 – Assignment, Performance Bonds and Guarantees, Third Party Rights and Collateral Warranties (and Schedule 8 – Third Party Rights)	18
Section 7 – Termination	19
General (clauses 7.1 to 7.3)	
Termination by Employer (clauses 7.4 to 7.8)	
Termination by Contractor (clauses 7.9 and 7.10)	
Termination by either Party (clause 7.11)	
Consequences of Termination under clauses 7.9 to 7.11, etc. (clause 7.12)	
Termination Payment – final date, notices and amount (clause 7.13)	
Section 8 – Settlement of Disputes	21
General (and clause 8.1)	
Mediation (clause 8.2) and ADR	
Adjudication (clause 8.3)	
Arbitration (clauses 8.4 to 8.9) and litigation (Article 11)	
Appendix A – Model Form for the Rights Particulars	23
Appendix B – Related Publications	26