

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