

MW User Checklist

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

Parties' details

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

Works (First Recital)

- nature
- location

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

- Contract Drawings: identification
- Contract Specification
- Work Schedules

Pricing document provided by the Contractor (Third Recital)

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

Construction Industry Scheme (Fourth Recital and clause 4.2)

- Is the Employer a 'contractor'?

CDM Regulations (Fifth Recital)

- Is the project notifiable?

Framework Agreement (Sixth Recital)

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

Supplemental Provisions (Seventh Recital and Schedule 3)

Collaborative working (Schedule 3, Supplemental Provision 1)

- applicable?

Health and safety (Schedule 3, Supplemental Provision 2)

- applicable?

Cost savings and value improvements (Schedule 3, Supplemental Provision 3)

- applicable?

Sustainable development and environmental considerations (Schedule 3, Supplemental Provision 4)

applicable?

Performance Indicators and monitoring (Schedule 3, Supplemental Provision 5)

applicable?

Notification and negotiation of disputes (Schedule 3, Supplemental Provision 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

Principal Designer (Article 4)

name and address

Principal Contractor (Article 5)

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 (Fourth Recital and Schedule 2)

date

Works commencement date (clause 2.2)

date

Date for Completion (clause 2.2)

date

Liquidated damages (clause 2.8)

rate and period

Rectification Period (clause 2.10)

period

Interim payments – Interim Valuation Date (clause 4.3)

- first Interim Valuation Date
- period for the intervals between Interim Valuation Dates

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 4.3)

- percentage

Fluctuations provision (clauses 4.3 and 4.8)

- applicable option: Schedule 2, no fluctuations provision, or other provision?
- percentage addition (Schedule 2, paragraph 13)

Supply of documentation for computation of amount to be finally certified (clause 4.8.1)

- period

Insurance: Contractor's Public Liability insurance – injury to persons or property (clause 5.3)

- amount

Insurance of the Works etc. (clauses 5.4A, 5.4B and 5.4C)

- applicable option:
 - i) clause 5.4A (Works insurance by Contractor in Joint Names)/
 - ii) clause 5.4B (Works and existing structures insurance by Employer in Joint Names)/
 - iii) clause 5.4C (Works and existing structures insurance by other means)?
- percentage to cover professional fees (clauses 5.4A and 5.4B)
- insurance arrangements – details of the required policy or policies (clause 5.4C)

Attestation

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