

## MWD/Scot 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

### 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
- Bills of Quantities

### 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
- a Bill of Quantities

### Construction Industry Scheme (Fifth Recital and clause 5.2)

- Is the Employer a 'contractor'?

### CDM Regulations (Sixth Recital)

- Is the project notifiable?

### Framework Agreement (Seventh Recital)

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

### Supplemental Provisions (Eighth Recital and Schedule Part 3)

**Collaborative working** (Schedule Part 3, Supplemental Provision 1)

- applicable?

**Health and safety** (Schedule Part 3, Supplemental Provision 2)

applicable?

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

applicable?

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

applicable?

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

applicable?

**Notification and negotiation of disputes** (Schedule Part 3, Supplemental Provision 6)

applicable?

name of the Employer's nominee

name of the Contractor's nominee

**Named Specialists** (Schedule Part 3, Supplemental Provision 9)

applies to both Pre-Named and Post-Named Specialist Work

applies to Pre-Named Specialist Work only

applicable?

**Contract Sum** (Article 2)

amount

**Architect/Contract Administrator** (Article 3)

name and address

**Principal Designer** (Article 4)

name and address

**Quantity Surveyor** (Article 5)

name and address

**Principal Contractor** (Article 6)

name and address

**Adjudication** (Article 7 and clause 8.2)

applicable?

Adjudicator's name?

Adjudicator nominating body?

**Arbitration** (Article 8 and Schedule Part 1)

applicable?

appointor of Arbitrator?

**Arbitration Default Rules** (Article 8, clause 8.3 and Schedule Part 1)

- list the default rules that do not apply

**Base Date** (Fifth Recital and Schedule Part 2)

- date

**Works commencement date** (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

**Interim payments – Interim Valuation Date** (clause 5.3)

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

**Percentage of the total value to be certified before practical completion** (clause 5.3)

- percentage

**Percentage of the total value to be certified on and after practical completion** (clause 5.3)

- percentage

**Fluctuations provision** (clauses 5.3 and 5.8)

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

**Supply of documentation for computation of amount to be finally certified** (clause 5.8.1)

- period

**Insurance: Contractor's Public Liability insurance – injury to persons or property** (clause 6.3)

- amount

### **Insurance of the Works etc. (clauses 6.4A, 6.4B and 6.4C)**

- applicable option:
  - i) clause 6.4A (Works insurance by Contractor in Joint Names)/
  - ii) clause 6.4B (Works and existing structures insurance by Employer in Joint Names)/
  - iii) clause 6.4C (Works and existing structures insurance by other means)?
- percentage to cover professional fees (clauses 6.4A and 6.4B)
- insurance arrangements – details of the required policy or policies (clause 6.4C)

### **Insurance: Contractor's Professional Indemnity Insurance (clause 6.5)**

- claims or series of claims
- aggregate
- amount pollution and contamination required?
- Period of insurance

### **Signing**

- Testing clause completed
- Full names and capacity of parties
- Signature, full names and addresses of witnesses

### **Contract Documents (Schedule Part 4 and Second Recital)**

- List completed