

Contents

	Pre-Construction Services Agreement	1
	Recitals	2
Section 1	Definitions and Interpretation	4
1.1	Definitions	
1.2	Headings, references to persons, legislation etc.	
1.3	Reckoning periods of days	
1.4	Contracts (Rights of Third Parties) Act 1999	
1.5	Notices and other communications	
1.6	Applicable law	
Section 2	Specialist's General Obligations	7
2.1	Performing the Services	
2.2	Compliance with instructions	
2.3	Co-operation and supply of Information	
2.4	Specification of materials	
2.5	Joint Fire Code	
2.6	Sub-contracting	
2.7	Sub-Contract Tender	
2.8	Liability for design work	
Section 3	Purchaser's General Obligations	8
3.1	Supply of Purchaser information etc.	
3.2	Decisions, approvals and instructions	
3.3	Project Team – delay or default	
Section 4	Representatives and Specialist's Key Personnel	9
4.1	Purchaser's Representative	
4.2	Specialist's Representative and Specialist's Key Personnel – changes	
4.3	Removal and replacement of Specialist appointees	
Section 5	Additional Services, Fee Adjustment etc.	9
5.1	Additional Services	
5.2	Changes, delaying events etc.	
5.3	Notification by the Specialist	
5.4	Adjustment of Fee or additional payment and time	
Section 6	Payment	10
6.1	Amounts payable	
6.2	Specialist's payment applications	
6.3	Due date and final date for payment	
6.4	Payment – amount and notices	
6.5	Interest	
6.6	Specialist's right of suspension	
Section 7	Insurance	12
7.1	Professional Indemnity and Public Liability insurance	
7.2	Evidence of insurance	
7.3	Non-availability of Professional Indemnity insurance	
Section 8	Use of Specialist's Information, Confidentiality etc.	12
8.1	Use of the Specialist's Information	
8.2	Confidentiality and publicity	
8.3	Transparency	
Section 9	Assignment	13
9.1	Restrictions on assignment	
9.2	Benefit of Specialist's Tender	

Section 10	Suspension by the Purchaser, Termination, Adjudication and the PC Regulations	13
10.1	Suspension by the Purchaser	
10.2	Remobilisation	
10.3	Notification of costs	
10.4	Extended suspension – termination by the Specialist	
10.5	Termination at will or for default/insolvency	
10.6	Consequences of termination and termination payment	
10.7	Adjudication	
10.8	The Public Contracts Regulations 2015 – where the Purchaser is the Employer	
10.9	The Public Contracts Regulations 2015 – where the Purchaser is the Main Contractor	
	The Particulars	18
	Attestation	23
Annex A	Fee, Rates, Additional Payments and Reimbursable Expenses	24
Annex B	Pre-Construction Services	27
<hr/>		
	Guidance Notes	29
<hr/>		