

PRELIMINARIES AND CONTRACT SCHEDULES

INTRODUCTION

This TECHnote aims to clarify items which are sometimes overlapping in the *General conditions of contract* and the specification's *Preliminaries*.

Building contracts generally include schedules which detail project specific contract requirements including special conditions, order of contract document precedence, site information, forms of guarantee, and provisional and prime cost sums.

The specification's *Preliminaries* mostly deal with the owner's requirements for on-site management of the project by the contractor, for example:

- Adjoining properties.
- Access.
- Parking.
- Site sheds.
- Temporary services.
- Temporary fencing.
- Site boards.
- Site meetings.

Information that is covered by the contract Schedules should not be included in the *Preliminaries*.

CONTRACT SCHEDULES AND ANNEXURES

Reproduction of the Contract schedules and Annexures of the *General conditions of contract* in the *Preliminaries* is not good practice.

However, a copy of the contract schedules and Annexures, partially completed with items such as the address of the site, which party will be responsible for contract works insurance, the defects liability period and rate for liquidated damages, should be included with the tender documents.

Certificate of title

Certificate of title identification may also be given in the Contract schedules or Annexures. Other information required to specifically identify the site (dimensions, survey marks, etc) should be shown on the drawings.

Outline descriptions of the works

Some contracts call for brief descriptions of the works. Complete as much as is considered necessary to give an outline. Information such as function, order of size, basic structure,

external cladding, building services and external works may be included. To minimise the chance of conflict, avoid including information given elsewhere in the documents, especially dimensions which are obtainable from the drawings. When preparing the Contract schedules and Annexures, there should also be a reference back to the drawings and the specification.

Provisional sums

Provisional sums may be used for dealing with the work of identified subcontractors and suppliers. If included, they are usually in the Contract schedule or Annexures, and should not be duplicated in the *Preliminaries* or elsewhere. For contracts that do not have provision for this in the Contract schedules, list in the *Preliminaries*. Document the exact purpose of each provisional sum in the relevant technical worksection.

Separate works

Separate contracts, such as concurrent or subsequent works, are usually described in the Contract Schedule or Annexures and not in the *Preliminaries*. When contracts that do not have provision for this in the Schedules, list in *Preliminaries*.

Commissioning tests

Commissioning tests may be described in the Contract schedule or Annexures, but are properly covered in NATSPEC's *0171 General requirements* and technical worksections. It is suggested that the Contract schedule simply reference the specification to avoid duplication and conflict.

GENERIC PRELIMINARIES

NATSPEC's worksections *0131 Preliminaries (Generic)* and *0133 Preliminaries (Interior and alterations)* are not tailored to individual contracts, and may have clauses that overlap with some contract schedules and conflicting terminology. They will therefore need to be reviewed and edited appropriately for the chosen contract.



Definitions

Prime cost sum

A sum included in the contract for a foreseeable 'off the shelf' item, the precise identity of which was not known or had not been decided at the date of the contract.

Provisional sum

A sum included in the contract for foreseeable work, which could not be fully described at the date of the contract, because some details were unknown.

(Acumen - Glossary of terms)

Further reading

Refer to the AIA's advisory notes at acumen.architecture.com.au for information on the following:

- Building contracts
- Preparing contract documents
- Amending standard form contracts
- Contract copyright

Relevant worksections

0131 Preliminaries (Generic)

0133 Preliminaries (Interior and alterations)

0140 Preliminaries - ABIC BW 2018 C

0141 Preliminaries - ABIC MW-2018

0142 Preliminaries - ABIC SW - 2018

0143 Preliminaries - AS 2124

0144 Preliminaries - AS 4000

0145 Preliminaries - AS 4905

0146 Preliminaries - AS 4902

0149 Preliminaries - NCW4