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VOLUME 0	MODEL CONTRACT DOCUMENT FOR MAJOR WORKS AND IMPLEMENTATION REQUIREMENTS
SECTION 1	MODEL CONTRACT DOCUMENT FOR HIGHWAY WORKS

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## **PART 1**

### **SD 5/92**

## **IMPLEMENTATION OF MODEL CONTRACT DOCUMENT FOR HIGHWAY WORKS**

### **SUMMARY**

This Standard introduces the Model Contract Document for use with the December 1991 Edition of the Specification for Highway Works and gives implementation requirements for its use in trunk road contracts in the appropriate part of the UK.

### **INSTRUCTIONS FOR USE**

This is an updated document to be incorporated into the Manual.

1. Insert SD 5/92 into Volume 0 Section 1
2. Archive this sheet as appropriate

**Note:** New contents pages for Volume 0 containing reference to this document are available with SA 3/93.

**NB:** Pending the availability of a combined Model Contract Document covering all the Overseeing Departments, MCHW users are advised that it will be possible to insert into Volume 0 only that Annex of SD 5/92 appropriate to their area of work.

THE DEPARTMENT OF TRANSPORT

SD 5/92

THE SCOTTISH OFFICE INDUSTRY DEPARTMENT

THE WELSH OFFICE  
Y SWYDDFA GYMREIG

THE DEPARTMENT OF THE ENVIRONMENT FOR NORTHERN IRELAND

# Implementation of Model Contract Document for Highway Works

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REGISTRATION OF AMENDMENTS

Amend No	Page No	Signature & Date of incorporation of amendments	Amend No	Page No	Signature & Date of incorporation of amendments

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**IMPLEMENTATION OF MODEL  
CONTRACT DOCUMENT FOR  
HIGHWAY WORKS**

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| Annex B | Model Contract Document for<br>Highway Works (for use in Scotland)            |
| Annex C | Model Contract Document for<br>Highway Works (for use in Wales)               |
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# 1. INTRODUCTION

1.1 This Standard introduces the latest Edition of the Model Contract Document for Highway Works (MCD) (MCHW 0.1.) which has been updated for use with the December 1991 Edition of the Specification for Highway Works and associated documents and which is to be incorporated in Volume 0 of the Manual of Contract Documents for Highway Works. Appropriate versions of this Edition are included at Annexes A to D for the preparation of contracts for the construction, improvement and maintenance of trunk roads including motorways in England, Scotland, Wales and Northern Ireland respectively [In Northern Ireland, the document will be applicable to those roads designated by the Overseeing Department].

## Scope

1.2 The MCD is divided into two sections:

**first section** - Instructions for Tendering

**second section** - Actual or typical contract documentation [including mandatory changes to the ICE Conditions of Contract 5th Edition (June 1973 - Revised January 1979 - Reprinted January 1986)]

1.3 The text of the MCD is printed on the **right hand page**. Guidance Notes on the text are provided on the corresponding **left hand page**.

1.4 The **first section** on Instructions for Tendering [page numbers in Roman numerals] is for the compilation of documentation to be sent out with invitations to tender and does NOT form part of the specific contract documentation.

1.5 The **second section** on actual or typical contract documentation [page numbers in Arabic numerals] is to be incorporated in full as appropriate in the specific contract document.

## Related Documents

1.6 The Institution of Civil Engineers [ICE] Conditions of Contract Fifth Edition (June 1973 - Revised January 1979 - Reprinted 1986) is incorporated **by reference** into individual contracts subject to modifications and additions contained in the MCD.

1.7 The other documents contained in Volumes 0 to 4 inclusive of the Manual of Contract Documents for Highway Works shall also be used as appropriate in the preparation of contracts to which this Standard applies.

## Implementation

1.8 The appropriate Model Contract Document for Highway Works (MCHW 0.1) shall be used for the preparation of contracts to which the December 1991 Specification for Highway Works (MCHW 1) applies. However, as set out in SD 1 paragraph 1.5 (MCHW 0.2.1.), where the preparation of a contract has reached a stage at which, in the opinion of the Overseeing Department, the use of the documents in Volumes 0 to 4 of the Manual of Contract Documents for Highway Works would result in significant additional expense or delay progress, then earlier documentation may continue to be used. Notwithstanding the above, all contracts for which tenders are to be invited after 31 December 1992 shall be based on this Standard unless specific approval has been obtained from the Overseeing Department to use earlier documentation.

## 2. ARRANGEMENTS FOR USE AND DISTRIBUTION

### Use of the MCD

2.1 The MCD at Annex A, B, C, provides alternative text and can be used with both "The 6th Edition Specification" dated 1986 and the new "December 1991 Edition of the Specification for Highway Works" (MCHW 1), the alternative text within the MCD being indicated by differing type faces. Further advice is provided by the **Guidance Notes** on the left hand pages. Alternative text for use with the December 1991 Edition (MCHW 1) is reproduced as *italic script*. This will enable the MCD to be used for both the normal and exceptional circumstances referred to in para 1.8.

2.2 In England the MCD (MCHW 0.1.A) at Annex A is to be used. This is updated from the existing MCD known as MCD 27 which has been in existence since 1988 without major amendment. A proposed MCD Circular 28 to be issued in England relating to the Edition of the Specification for Highway Works known as "The 6th Edition Specification", **will not now be issued** and its contents have been combined with the MCD introduced by this Standard.

2.3 The MCD (MCHW 0.1.B) at Annex B is to be used in Scotland.

2.4 The MCD (MCHW 0.1.C) at Annex C is to be used in Wales. The text relating to "The 6th Edition Specification" dated 1986 supersedes all present MCD requirements as from the date of the issue of this Standard, unless the Overseeing Department otherwise agrees.

2.5 The MCD (MCHW 0.1.D) at Annex D is to be used in Northern Ireland.

### Special Distribution Arrangements

2.6 SA 4 (MCHW 0.0.1) contains the normal procedures for obtaining documents in Volume 0 of the Manual of Contract Documents (MCHW 0). Special arrangements will however be implemented for Agent Authorities, Highway Authorities and Consulting Engineers who are under Agreement or Contract to prepare contract documentation for the Overseeing Department using the MCD. They will receive a complimentary copy of this Standard and the

appropriate Annex plus a 3.5" disk in Wordperfect 5.1 format so that further copies may be made for use within their own organisation. For this limited purpose Crown copyright is waived. [Conversion to ASCII format will be arranged on request.] Further copies can be purchased from the DOE/DOT Publications Sales Unit.

2.7 Where the Overseeing Department is the Department of Transport any queries on the use of the MCD at Annex A should be addressed to:

Contracts and Lands Division  
Bay 1/05  
2 Monck Street  
London SW1P 2BQ

(Tel. 071 276 2735/2738)

In Scotland, Wales and Northern Ireland queries should be addressed as appropriate to the contact points given at Chapter 4.

### 3. REFERENCES

1. Manual of Contract Documents for Highway Works

Volume 0: Model Contract Document for Major Works and Implementation Requirements

Section 0 Introduction of Manual System

SA 4 The Introduction of the Manual of Contract Documents for Highway Works (MCHW 0.0.1)

Section 1 Model Contract Document for Highway Works (MCHW 0.1)

Section 2 Implementing Standards  
SD 1 Implementation of Specification for Highway Works and Notes for Guidance (MCHW 0.2.1)

Volume 1: Specification for Highway Works (December 1991): HMSO (MCHW 1)

Volume 2: Notes for Guidance on the Specification for Highway Works (December 1991): HMSO (MCHW 2)

Volume 3: Highway Construction Details (December 1991/April 1992): HMSO (MCHW 3)

Volume 4: Bills of Quantities for Highway Works (December 1991): HMSO (MCHW 4).

2. Institution of Civil Engineers (ICE) Conditions of Contract: Fifth Edition (June 1973 - Revised January 1979 - Reprinted 1986): ICE



## 4. ENQUIRIES

All technical enquiries or comments on this Advice Note should be sent in writing as appropriate to:-

Head of Contracts  
and Lands Division  
The Department of Transport  
2 Monck Street  
London SE1 OTE

P M WILLIAMS  
Head of Contracts

The Deputy Chief Engineer  
Roads Directorate  
The Scottish Office Industry Department  
New St. Andrew's House  
Edinburgh  
EH1 3TG

J INNES  
Deputy Chief Engineer

The Director of Highways  
Welsh Office  
Y Swyddfa Gymreig  
Government Buildings  
Ty Glas Road  
Llanishen  
Cardiff CF4 5PL

K J THOMAS  
Director of Highways

Chief Engineer - Roads Service  
Dept. of the Environment for  
Northern Ireland  
Commonwealth House  
Castle Street  
Belfast BT1 1GU

W J McCOUBREY  
Chief Engineer - Roads Service