



MODEL CERTIFICATES AND OTHER FORMS
for use with
JCLI LANDSCAPE WORKS CONTRACT 2008 (JCLI LWC)
and
JCLI LANDSCAPE WORKS CONTRACT WITH CONTRACTOR'S
DESIGN 2008 (JCLI LWCD)

May 2008

1 INTRODUCTION

This document includes model forms with guidance notes to assist Landscape Architects/Contract Administrators in producing the documents the Landscape Architect/Contract Administrator is required to produce by the Conditions of Contract on their own forms. In the interests of standardisation Landscape Architects/Contract Administrators should use the basic layout and format of the model forms.

2 GUIDANCE NOTES ON MODEL FORMS

A General

- A1 "Contract dated": in some situations it will be more appropriate to use "Letter of Acceptance dated"
- A2 Distribution: modify list as appropriate for particular project or even for particular document.
- A3 Add information as necessary, e.g. Employer's project reference number...
- A4 If appropriate, revise "we" to "I"
- A5 In order for the sums to work easily on all forms and in accordance with standard practice, any contingency sum should be omitted on the first instruction.
- A6 Use either "Landscape Architect" or "Contract Administrator" as appropriate

B Landscape Architect's/Contract Administrator's Instruction

- B1 Add "Approximate" before "Value of previous instructions", "Value of this instruction" and "Adjusted Total" if exact values are not known (particularly where a quantity surveyor is involved).

C Progress Payment Certificate

- C1 This certificate should also be used for the 'penultimate' certificate.
- C2 When issuing certificates the Employer should be advised of the procedure in clause 4.6 which must be strictly applied if the Employer wishes to pay less (or more) than the amount certified.
- C3 Progress payments should be certified at 4 weekly intervals from commencement as stated in clause 4.3. The final date for payment is 14 days after the certificate issue date. The 'penultimate' certificate is due 14 days after practical completion (clause 4.5)
- C4 "This is not a Tax Invoice" should always be included.

D Certificate of Practical Completion

- D1 The second phrase ("subject to Schedule ... dated ...") and last phrase ("subject to the Rectification Period.... Schedule") should be deleted unless the procedure to list incomplete work as described in item 23 of the Guidance Notes in JCLI LWC is applied (item 25 in JCLI LWCD Guidance Notes). Even if an agreed Schedule of Incomplete Work is attached, the last phrase may not be relevant.
- D2 If the Employer takes early possession of part of the works under clause 2.12 in JCLI LWC (clause 2.13 in JCLI LWCD) a "Certificate of Practical Completion of Part of the Works" should be issued. The model "Certification of Practical Completion" can be used by:
- revising the title
 - adding "Serial No" (top right hand side as on other forms)
 - revising the first sentence to "under the terms of the above Contract we certify that practical completion of (*description of the part of the works*) ... was achieved on *xx month xxxx*, subject to"
- D3 The certificate assumes that the Contractor has supplied the information required for the health and safety file if applicable and in the case of JCLI LWCD supplied the information required relating to the Contractor's Designed Portion.

E Certificate of Making Good Defects

- E1 Where there is early possession of part of the works under clause 2.12 of JCLI LWC (clause 2.13 in JCLI LWCD), there will be a Certificate of Making Good Defects for each part.
- E2 This certificate must be issued before the Final Certificate can be issued.
- E3 Delete the listed alternative clauses which do not apply. Clause 2.10A or 2.10B apply for JCLI LWC and 2.11A or 2.11B for JCLI LWCD depending on whether option A or B was selected in the Contract Particulars.
- E4 Where the Rectification Period has been extended for particular items of incomplete work on the schedule attached to the practical completion certificate then the certificate of Making Good Defects and the Final Certificate can not be issued until after the end of the latest period. In this situation a Progress Payment Certificate should be issued if the amount of money due to the Contractor at the end of the unextended Rectification Period is disproportionate to the value of the work for which the Rectification Period has been extended.

F Final Certificate

- F1 When issuing the certificate the Employer should be advised of the procedure in clauses 4.8.2, 4.8.3, and 4.8.4 This procedure must be strictly applied if the Employer wishes to pay less than the amount certified.
- F2 The final date for payment is 14 days after the issue date. The timing for the issue of the certificate is set out in clause 4.8.1.
- F3 The Employer should be advised that if he wishes to deduct liquidated damages from the final certificate he must advise the Contractor prior to issue of the certificate in accordance with clause 2.8.3 in JCLI LWC (clause 2.9.3 in JCLI LWCD).
- F4 If the Contractor owes the Employer (ie the Total is negative, revise the final sentence accordingly.
- F5 "This is not a Tax Invoice" should always be included.

This document is issued by the **Joint Committee for Landscape Industries** comprising:

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Horticultural Trades Association
Institute of Chartered Foresters
Landscape Institute



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COMPANY LETTERHEAD

LANDSCAPE ARCHITECT'S/CONTRACT ADMINISTRATOR'S INSTRUCTION

Project:
Works: Landscape
situated at:

Serial No:

Reference:

Employer:
address:

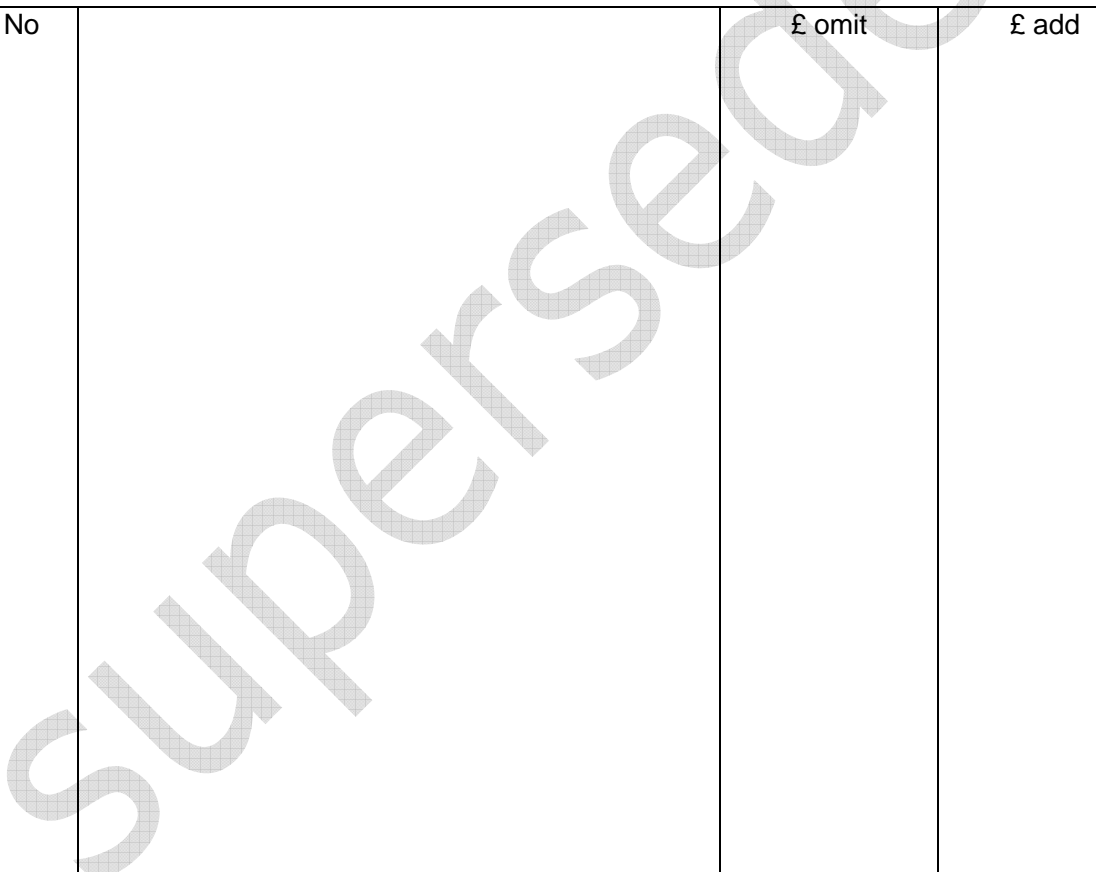
Issue date:

Contractor:
address:

Contract dated:

Sheet: of

Under the terms of the above Contract, we issue the following instructions:

Item No		£ omit	£ add
			

Signed: _____ Landscape Architect/Contract Administrator

Distribution:

- Employer ()
- Contractor ()
- Quantity Surveyor ()
- Project Manager ()
- CDM Co-ordinator ()
- File ()

Amount of Contract Sum

Value of previous instructions

Value of this instruction

Adjusted Total

£

£ _____

£ _____

£ _____

£ _____

COMPANY LETTERHEAD

PROGRESS PAYMENT CERTIFICATE

Project:
Works: Landscape
situated at:

Serial No:

Reference:

Issue Date:

Employer:
address:

Contract Dated:

Valuation Dated:

Contractor:
address:

Final Date for Payment:

Value of work executed	£	
Value of materials and goods on site	£	
Less X% retention	£	_____
	£	
Less amounts previously certified	£	_____
	TOTAL	£

We certify that under the terms of the above Contract the amount for payment by the Employer to the Contractor on this certificate is **xxxx thousand xxxx hundred and xxxx pounds and xxxx pence** (exclusive of VAT).

Signed _____ Landscape Architect/Contract Administrator

This is not a Tax Invoice

Distribution: Employer (), Contractor (), Quantity Surveyor (), Project Manager (),
CDM Co-ordinator (), File ()

COMPANY LETTERHEAD

CERTIFICATE OF PRACTICAL COMPLETION

Project:
Works: Landscape
Situated at:

Reference:

Employer:
address:

Issue Date:

Contractor:
address:

Contract Dated:

Under the terms of the above Contract, we certify that in our opinion practical completion was achieved on *xx month xxxx*,

subject to the completion of the works on the attached agreed Schedule of Incomplete Work dated *xx month xxxx*.

The Rectification Period will expire on *xx month xxxx*,

subject to the Rectification Period expiry date being extended as stated on the attached agreed Schedule.

Signed

Landscape Architect/Contract Administrator

Distribution: Employer (), Contractor (), Quantity Surveyor (), Project Manager (),
CDM Co-ordinator (), File ()

COMPANY LETTERHEAD

CERTIFICATE OF MAKING GOOD DEFECTS

Project:
Works: Landscape
Situated at:

Serial No:

Reference:

Employer:
address:

Issue Date:

Contractor:
address:

Contract Dated:

Under the terms of the above Contract, we certify that the Contractor's obligations regarding defects under clause 2.10A/2.10B/2.11A/2.11B of the Conditions were discharged by *xx month xxxx*.

Signed: _____ Landscape Architect/Contract Administrator

Distribution: Employer (), Contractor (), Quantity Surveyor (), Project Manager (), CDM Co-ordinator (), File ()

COMPANY LETTERHEAD

FINAL CERTIFICATE

Project:
Works: Landscape
situated at:

Serial No:

Reference:

Issue Date:

Employer:
address:

Contract Dated:

Final Account Dated:

Contractor:
address:

Final Date for Payment:

Value of work executed

£

Less amounts previously certified

£

TOTAL £

We certify that under the terms of the above Contract the amount for payment by the Employer to the Contractor on this certificate is **xxxx thousand xxx hundred and xxx pounds and xxx pence** (exclusive of VAT).

Signed _____ Landscape Architect/Contract Administrator

This is not a Tax Invoice

Distribution: Employer (), Contractor (), Quantity Surveyor (), Project Manager ()
CDM Co-ordinator (), File ()