

UNIVERSITY COLLEGE CORK

Establishment of a Multi Supplier
Framework of Construction
Consultancy Services for Small &
Minor Projects for the Buildings &
Estates Office, UCC

Capital Projects Office

Schedule of Services for The Role of
Employers Representative



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1.0 INTRODUCTION

This Schedule of Services has been developed to ensure that University College Cork (hereinafter called UCC) service requirements for the completion of the commission are clearly understood by the service provider and is mutually agreed between UCC and the service provider.

The schedule has been developed in a generic format to facilitate its use for all UCC capital developments and while the schedule has been developed to be a comprehensive statement of the service requirements of UCC the service provider must ensure that all necessary actions normally required for the completion of the commission are included for in their proposal.

Any conflicts between this Schedule of Services and the partially complete Schedules A & B or any other information issued by UCC should be immediately brought to the attention of Capital Projects Office.

The Capital Projects Office Design Team Procedures apply to all to all design team members, regardless of whether they are part of a single point design team, an integrated design team or directly procured by UCC.

Where the commission relates to a single point design team appointment, the term Integrated Design Team Lead (IDTL) shall be replaced with Design Team Lead, and Integrated Design Team (IDT) with Single Point Design Team.

This document is to be read in conjunction with the following documentation:

- UCC's Capital Projects Office Design Team Procedures,

1.1 CLIENT

For this commission the client is "*University College Cork*"

1.2 CONTRACTUAL ARRANGEMENTS

For this commission the client shall appoint single point design team and Section 1.2.2 below applies. Employers Representative are a Specialist Skills Provider under the Principal Service of Provider of Architectural Services

1.2.1 Integrated Design Team (IDT)

The Client shall appoint an integrated design team ("the Design Team") comprising of the following principal service providers (PSP).

- Architect and associated specialist skills providers
- Civil & Structural Engineer and associated specialist skills providers
- Mechanical and Electrical Engineer and associated specialist skills providers
- Project Supervisor Design Process.

A principal service providers may be requested to provide a specialist skills provider (SSP), as described in the Suitability Assessment Questionnaire and ITT. A PSP may provide these services as in-house or engage the services of an external consultant. Where an external consultant is used to provide these services, then the PSP shall enter into a sub-consultancy agreement with their respective specialist service. These agreements are to be furnished to UCC prior to completion of Stage 1. A Collateral Warranty will be completed between the Employer and all sub consultants using model form 2.3 latest revision.

UCC reserves the right to withhold payment of services until the executed Collateral Warranty and Sub-consultant agreements have been received by UCC.

In most cases, the Architect will be nominated as the integrated design team lead (IDTL), however for civil engineering projects, the Civil & Structural Engineer may be nominated as the design team lead and will be clearly defined in the Definitive Project Brief.

Each member of the Integrated Design Team shall enter into a direct contract with the Client under their respective Conditions of Engagement, but all parties shall operate as an Integrated Design Team, collaborating and coordinating their services in accordance with these integrated design team procedures, the relevant schedule of services and all other contract documents.

The IDTL shall also be responsible for coordinating and integrating the work of any other consultants appointed directly by the Employer who are not members of the Integrated Design Team, including but not limited to:

- Quantity Surveyor,
- Carbon Co-ordinator,
- Energy Efficient Designer; or
- Any other such consultants engaged by the Client for the Project.

The IDTL's role in managing these additional consultants shall include:

- Programme and Interface Management: Ensuring alignment of deliverables and design information with the Integrated Design Team,
- Information Coordination: Incorporating their outputs into the overall design and documentation; and
- Communication Management: Acting as the primary point of coordination between such consultants and the Integrated Design Team.

The Integrated Design Team shall collectively adopt and implement an Integrated Working Protocol, covering:

- Agreed procedures for design coordination,
- Common Data Environment (BIM),

- Risk management processes,
- Collaborative decision-making and reporting structures; and
- Regular coordination meetings.

Each integrated design team member remains responsible for the performance of their own services under their Conditions of Engagement, including compliance with Building Control (Amendment) Regulations 2014 and all statutory obligations.

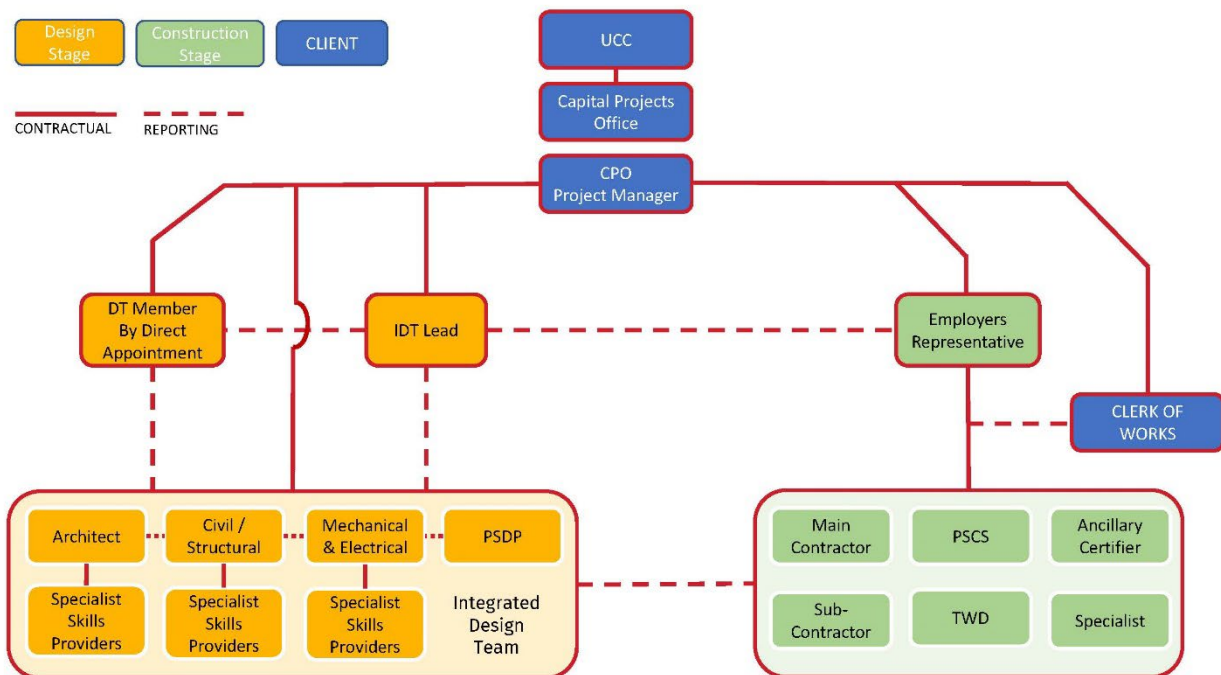


Figure 1.2.1 Integrated Design Team Reporting Structure

1.2.2 Single Point Design (SPDT)

The employer will enter into a contract with the Design Team Leader who is identified as the Architect for this project. The Architect will enter into a sub consultancy agreement with the other consultants i.e. Civil & Structural Engineer, Mechanical & Electrical Engineer, Quantity Surveyor, PSDP, ER, Design Certifier, Assigned Certifier etc.

These agreements are to be furnished to UCC prior to completion of Stage 1. A Collateral Warranty will be completed between the Employer and all sub consultants using model form 2.3 latest revision.

UCC reserves the right to withhold payment of services until the executed Collateral Warranty and Sub-consultant agreements have been received by UCC.

Where identified in the Definitive Project Brief, some disciplines may not form part of the single source provider and shall be procured by direct appointment by UCC. In this instance the Design Team Lead and all other design team members shall accept this discipline as an active member of the overall Design Team.

2.0 PROJECT MANAGEMENT AND CO-ORDINATION

2.1 DESIGN TEAM LEADER

The design team leader is the Architect, unless otherwise noted in the Definitive Project Brief.

The following duties apply to the Design Team Leader (for all Stages) in addition to the duties relevant to his/her professional discipline:

- Overall Management / Co-ordination of Project Stages and Programme including ensuring that any information, communications and/or Stage Submissions are channelled through the Design Team Leader.
- Chair and record Design Team Meetings, Site Meetings, third party and stakeholder meetings as necessary.
- Prepare and submit monthly reports on progress, quality, cost and Health & Safety in relation to the development with the assistance of the other Design Team members in such form as UCC may reasonably require.
- Ensure that the Design Team comply with UCC procedures and SOP's as they may apply to building design and construction to include fully co-ordinated plans, room data sheets and elevations of all rooms.
- Develop and provided fully co-ordinated room data sheets for each room to the level of detail as outlined in examples provided in Appendix A, Room data sheets are to identify and locate all fixture and fittings placed on the walls, floors, ceilings and reflected ceiling plans, but also all fixed and loose furniture. In addition, all M&E equipment within ceiling and wall voids are to be indicated ensuring that access hatches are located such that all necessary plant that needs to be maintained can be easily accessed. The room data sheets are to be extracted from the fully co-ordinated federated BIM model, where BIM is a requirement of the project.
- The Design Team Leader is responsible for reviewing all documentation (from whatever source or discipline), carrying out a quality check on that information and ensuring that all drawings and documents are co-ordinated between the disciplines.
- The Design Team Leader must also ensure effective communications between the relevant DT disciplines, and, where such communications or responses are not effective, implement corrective action including (if required) UCC notification.
- In addition, the Design Team Leader is required to act as Design Certifier and Assigned Certifier in accordance with the requirements of the Building Control (Amendment) Regulations 2014 and the associated Code of Practice for Inspecting and Certifying Buildings and Works.
- The Design Team Leader shall monitor and review the progress of the project in line with the approved project program and budget and shall report any divergences, with recommendations to mitigate any further deviations to the employer. The design team leader in conjunction with design team members shall ensure that inflation is accounted for in their design and budget management.

- The Design Team Leader shall monitor and review the progress and performance of its design team and report any divergences, with recommendations to mitigate any further deviations to the employer.
- The Design Team Leader is also responsible for ensuring compliance with UCC's Schedule of Services, for all disciplines. Refer to the following Schedule of Services for the following roles;
 - Civil/Structural & Fire Engineering Services.
 - Mechanical, Electrical & Process Engineering Services.
 - Quantity Surveying Services.
 - Project Supervisor Design Process (PSDP).
 - Employers Representative.
 - Information Manager (BIM Only).
 - Planning Consultant (Project Specific).
- For the construction period the Design Team Leader will act as UCC's representative in line with schedules A & B of the Standard Conditions of Engagement. The Lead Consultant must ensure that the completed design meets the budgetary requirements. The Lead Consultant must ensure that the completed design of the project fulfils the programme requirements.

2.2 OTHER DESIGN TEAM MEMBERS

The other Design Team members are responsible for all work (relevant to their discipline) required to design and construct the project in a competent and professional manner (whether expressly stated or not).

The other disciplines are required to co-operate with each other and the Design Team Leader and provide (in a timely manner) all information and documentation needed to permit the other disciplines to complete their work.

All Design Team members are also required to review, quality control and co-ordinate all information and Stage documentation with other DT members and ensure compliance with each disciplines UCC's Schedule of Services.

In addition, all Design Team members (with the exception of the Quantity Surveyor), including any sub-consultants that may be employed and relied upon for elements of the design, will be required to provide ancillary certificates for the elements of work for which they are responsible in accordance with the requirements of the Building Control (Amendment) Regulations 2014.

2.3 EMPLOYERS REPRESENTATIVE

A member of the team will be required to fulfil the role of ER for the project in accordance with the requirements of the CWMF. The role of the ER is a dedicated role and the individual must not have any other function (design or otherwise) for the project.

The ER can be independent of the other members of the design team i.e. a separate individual or company or can be chosen from within one of the participating team members. The role of ER should be fulfilled by the same candidate for stages i to v.

The ER is the nominated person appointed by UCC to administer the contract on behalf of UCC (The Employer) and to represent UCC's interests.

3.0 STAGE SERVICES

3.1 CO-ORDINATION OF THE PROJECT

- Co-operate with Design Team Leader and provide all information necessary for Project Stage. Review, quality control and co-ordinate all information required with other DT members and ensure compliance with UCC's Design Team Procedures.
- Assist in updating and maintaining the risk register.
- Allow for administration of any UCC and End-User changes during the construction period and in conjunction with QS advise on potential cost implications.
- Print, reproduce or purchase all documents, drawings, maps, photographs and other records necessary for the proper performance of the Services.
- Allow for responding to all employer queries within 2 days of being requested or sooner if required to maintain contract programme or for urgent matters.

3.2 MEETINGS

- Allow for appointed ER visiting site at least once a fortnight including travel time & expenses.
- Allow for Site Meetings at least twice a month and UCC consultation meetings as required by UCC.
- Issue to UCC in conjunction with the fortnightly walk-down a report covering all notification of claims, change orders, determinations and significant contractual correspondence issued to date.

3.2 CONTRACT ADMINISTRATION.

- Assist the DT Lead in preparing the Procurement Strategy Report for Works Contractors.
- Review Tender Documentation prior to issuing to Tender - All tender documents and specifications etc. to be fully designed, detailed and coordinated as required by the CWMF Forms of Contract. The ER is responsible for checking and ensuring that this is achieved.
- For Design & Build Projects, where further design is developed after the Contract Award, the ER is responsible for checking the design to verify that it meets the defined output requirements, performance specification and any planning stipulations that may be necessary. All design risk, however, resides with the Contractor.
- Fulfil the role of Employers Representative as Clause 4.3 of the conditions of contract.
- Full administration of the contract.
- Issue of Instructions in writing.
- Respond to all contractual correspondence (advise on all contractual matters that arise during the contract) and notices within the permitted timelines including but not limited to the following :-

- Employers Representative communications (under Clause 4.4).
- Instructions to Contractor (under Clause 4.5).
- Contractor submissions (under Clause 4.7).
- Value Engineering Proposal's (under Clause 4.8).
- Notice of date that Contractor requires an instruction (under Clause 4.11).
- Suspension of the works (under Clause 9.2).
- Delay and Extension of Time (under Clause 9.3).
- Omissions and Reduction of Time (Clause 9.5)
- Contractor Claims & ER Determination (under Clause 10.3 & 10.5).
- Proposed Instruction (under Clause 10.4).
- Employers Claims (under clause 10.9).
- Pay & Conditions of employment (under clause 5.3).
- Detailed assessment of all delay and compensation events.
- Detailed assessment of all contractor claims.
- Managing project reviews and obtaining approvals from the Client at each stage.
- Managing the project programme and programme updates.
- Assist QS with a comprehensive Risk Assessment for the client on all contractual claims & items referred to conciliation in accordance with CWMF guidelines.
- Allow for the administration of client changes during the construction period.
- Co-ordination of Employers Claims with design team members.
- Administer ER adjustments for non-compliance with the Works Requirements.
- Develop & manage contract correspondence log & and issue reminders to other consultants as necessary to ensure all contractual correspondence and notices are submitted within the permitted timelines consisting of the following :
 - Employers Representative communications (under Clause 4.4)
 - Instructions to Contractor (under Clause 4.5).
 - Contractor submissions (under Clause 4.7).
 - Value Engineering Proposal's (under Clause 4.8).
 - Notice of date that Contractor requires an instruction (under Clause 4.11).
 - Suspension of the works (under Clause 9.2).
 - Delay and Extension of Time (under Clause 9.3).
 - Contractor Claims & ER Determination (under Clause 10.3 & 10.5).
 - Proposed Instruction (under Clause 10.4).

- Employers Claims (under clause 10.9).
- Other correspondence required under the contract.
- Deal with interim payments in accordance with Clause 11 of the contract including confirmation on contractor compliance with conditions precedent to payment & issue payment certificate based on QS Recommendation and Technical sign off from all other design team members.
- Review & approval of contractor's interim reports & programme updates and ensure that any project changes are evaluated and reported and the Contractor fully complies with all of the requirements of Clause 4.10 Progress Reports including accurate programme updates.
- Ensure compliance with weekly labour records (under Clause 5.7).
- Direct the Contractor regarding Contractor Defects (under Clause 8.5).
- Compliance with Substantial Completion or partial handovers (under Clause 9.6).
- Review of contractors Final Statement and adjudicate on all costs associated with delay and compensation events and contractual claims within the permitted timelines as per Clause 11 of the contract.
- Advise and administer all matters arising out of Clause 12 of the contract 'Termination'.
- ER must consult with the employer in relation to all adjustments to contract sums and contractor value engineering proposals.
- The ER may delegate certain tasks under the contract but must notify the employer in writing as clause 4.3.
- Compliance with limitations on the ER's authority -maximum adjustment of contract sum and any other restrictions entered by the employer in the Schedule.
- Co-ordinate the Design Team on a day-to-day basis to achieve the project's objectives.
- Schedule regular design team meetings (and all other necessary meetings) and record minutes.
- Schedule regular contractor meeting and record minutes.
- Assist the DT Lead in preparing and maintaining a project risk register identifying all potential risk items and associated mitigation measures.
- Schedule of workshop meetings between all relevant parties to address and mitigate Project Risk Register.

3.3 DISPUTE MANAGEMENT PROCEDURE

- Comply with the requirements of the Public Works Contract procedures for dispute management and any other procedural requirements imposed by the appointed Conciliator.

3.4 CONCILIATION, ADJUDICATION & ARBITRATION.

- Allow for maintaining up-to-date project files. (Excluding case preparation; associated research; assembly, printing and issue of documents required, and attendance at meetings / hearings).

3.5 CONTRACTOR LIQUIDATION/TERMINATION

- Allow for cost of administering termination of Contractor (including application of all relevant contract clauses). (Excludes preparation of detailed schedule of work completed to date and all other work associated with termination/liquidation).