

Advice Note

Guidance on the Completion of the Annex to Ancillary Certificate of Compliance on Completion - Cs

This Advice Note provides guidance for ACEI members on appropriate completion of the Ancillary Certificate of Compliance on Completion (Cs Certificate) issued by Sub-Contractors and Specialist Contractors under the Building Control (Amendment) Regulations (BC(A)R), where the Sub-Contractors and Specialist Contractors are responsible for design.

This guidance is aligned with the intent of the BC(A)R Code of Practice and complements existing Practice Note 2. It is not intended to override specific contractual requirements or statutory responsibilities.

Where the Sub-Contractor/Specialist Contractor has responsibility for design, they are required to complete the Annex on the second page of the Ancillary Certificate. The Annex consists of two Schedules.

Schedule 1 should be completed by the Sub-Contractor/Specialist Contractor by listing all *“Drawings, Calculations, Specifications and particulars provided by the Builder/Main Contractor”* to the Sub-Contractor/Specialist Contractor for the purposes of execution of the Sub-Contract works and on which the design prepared by the Sub-Contractor/Specialist Contractor is based.

Schedule 2 should be completed by the Sub-Contractor/Specialist Contractor to set out the full scope of the design for which the Sub-Contractor/Specialist Contractor is responsible.

An illustrative example of an appropriately completed Schedule 2 is included on the following pages. The example adopted is that of a precast concrete Sub-Contractor who is responsible for in-house design of the precast frame that it is manufacturing and installing.

The same principles for completion of Schedule 2 apply to any Sub-Contractor or Specialist Contractor with design responsibility. The content of Schedule 2 should be tailored to reflect the scope of the design carried out by the Sub-Contractor or Specialist Contractor for the element of the Project that it is delivering.

It is strongly recommended that Member Firms review the completed Annex Schedule 2 for all Sub-Contractors/Specialist Contractors to check that the full scope of the design undertaken by the Sub-Contractors/Specialist Contractors is detailed and the supporting documentation is clearly referenced.

Where the Sub-Contractor/Specialist Contractor is responsible for its design in-house, it is not appropriate to seek SD, SC, and SI Certificates in addition to the CS Certificates where the Annex has been properly completed. A statement of competency in accordance with the undertaking of the Builder under the provisions of SI 9 should be included by the Sub-Contractor/Specialist Contractor in Schedule 2 where the design is carried out in-house. A sample wording is included in the attached example.

Where the Sub-Contractor/Specialist Contractor has engaged an external Designer/Design Firm to prepare design on its behalf, the external Designer/Design Firm should complete SD, Sc and SI Certificates. Guidance is provided on the following pages as to modifications that may be appropriate to the SD and Sc Certificate wording depending on the actual circumstances.

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Schedule 2 Annex of Ancillary Certificate of Compliance on Completion - Cs

Certificate signed by Sub-Contractor / Specialist Contractor

Schedule 2. Associated Design undertaken by Sub-Contractor/Specialist Contractor necessary for completion of the works in accordance with the Building Regulations.

“We confirm that we are **competent** to carry out our design and to coordinate and integrate the design with that of others and that a chartered engineer or equivalently qualified and accredited person has had oversight of the design of the elements listed below.

The scope of the Precast Design comprised the following elements above ground level:

- All loadbearing walls including façade walls and internal walls. These walls include:
 - Solid Precast Walls
 - Precast Twin Walls.
- All beams and columns as part of the wall frames.
- All slab types including wide slabs, hollow-core slabs and lattice slabs.
- All floor slabs designed in conjunction with a structural screed.
- All stair flights and landings.
- The design of all connections between precast elements as well as the overall stability and robustness requirements of the building above ground level.
- The screeded floor slabs acting as rigid diaphragms which transfer horizontal forces between stability walls.
- Continuity vertical and horizontal reinforcement.”

The opening paragraph of this Annex requires a “**Table of Drawings, Calculations, Specifications, Ancillary Certificates and Particulars used for the purpose of construction** and demonstrating compliance with the requirements of the Second Schedule to the Building Regulations”. As these items **result from** the Sub-Contractor’s/Specialist Contractor’s **Design** they should be **included under Schedule 2 of the Annex**.

On some projects the **Precast Sub-Contractor/Specialist Contractor may sub-contract** some of the Precast Elements to another Precast Sub-Contractor, e.g. Wide Slabs. In such a situation the

Sub-Sub-Contractor must provide a C_{SS} Ancillary Certificate to the Specialist Sub-Contractor in respect of the **design, manufacture and supply** of any such precast elements for inclusion in Schedule 2 of the Annex of the Sub-Contractor's C_S Certificate.

The **Precast Sub-Contractor/Specialist Contractor** may also **sub-contract the design only** of elements and in such a case the Design Specialist must provide **S_D, S_C and S_I Certificates** to the Sub-Contractor for inclusion in Schedule 2 of the Annex of the Sub-Contractor's C_S Certificate.

The Ancillary Certificates are **Not Statutory Certificates** and therefore wording can be **Omitted Contractually** in instances where it is agreed that it is not applicable. For example, in **Clause 6** in the S_D and the S_C Certificates, the wording ***“included in the Schedule to the Commencement / 7 Day Notice”*** can be crossed out in cases where it is not applicable Contractually.

Similarly, **Clause 7** in the S_D and S_C Certificates **can be Omitted Contractually in situations where it is not applicable**. However, it is possible that in certain instances a Specialist Designer employed by a Sub-Contractor could further sub-contract elements of the design. In such a situation **Clause 7** would apply.

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