

Guidance Note

Schedule of Contractor's Design (RIAI Construction Contract 2025)

This Guidance Note provides guidance to members in relation to a new provision introduced in the **2025 Edition of the RIAI Construction Contract**, which provides for the inclusion of a Schedule of Contractor's Design in Contract Documents.

Clause 1.1 "Meaning of terms in the Conditions of Contract" notes:

"**Contractor's Design**' shall mean the design which the Contractor is (i) required to carry out, (ii) required to procure the carrying out of, or (iii) responsible for, in each case as set out or identified in the Contract Documents and/or, where selected in the Contract Particulars, in a Schedule in the Contract Documents."

Originally there was a requirement for the Schedule of Contractor's Design to include **all Contractor Design items**, which could have led to Contractor Claims in the event of any Contractor Design item being omitted from such a Schedule. **ACEI insisted that the Drawings and Specification were the critical documents.**

The mandatory requirement to list all items of Contractor Design was dropped and **the RIAI Guidance Note** accompanying the Contract states that:

"It is good practice for the Employer to include a schedule or matrix of the Contractor's Design in the Contract Documents, which **provides a summary list of the principal elements of the Contractor's Design** included within the Contract Documents. ----- . While this schedule **does not purport to be exhaustive** or to take precedence over any other contract document, its inclusion will provide clarity for the Parties and will assist tendering contractors during the tender process."

ACEI strongly advises members that in all cases where Engineers provide a Schedule of Contractor's Design that **Schedule** must have the heading "**A Summary List of the Principal Elements of the Contractor's Design**". The following has been incorporated into the Contract **under "Contract Particulars, 2.1.1(c) Contractor's Design"**, which renders inclusion of the Schedule as optional.

Tick the box if a Schedule of Contractor's Design is included in the Contract Documents

Tick the box if a Schedule of Contractor's Design is not included in the Contract Documents

[If neither box is ticked then a Schedule of Contractor's Design is included in the Contract Documents]

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