

## TECHNICAL NOTE NO. 5 – CHOOSING A BUILDING CONTRACTOR

Over the years many clients have asked me if I know a good building contractor to do the design or repair work which I have presented to them in my reports. Choosing a building contractor can be a difficult task whether or not you have dealt with any before. There are so many to choose from and how do you know which ones are better than others. I will try to lay down some general rules in this Note; it is not exhaustive and I may alter it at later stages. The list below is not in any particular order.

1. At the start of your search, try the local county council's trading standards website under the Buy with Confidence scheme ([www.buywithconfidence.co.uk](http://www.buywithconfidence.co.uk)). At least the contractors there have been independently and thoroughly verified, whether or not they also belong to a trade association.
2. If a building contractor belongs to a trade association, this does not necessarily mean that it will be good. It does mean though that it is willing to put its head above the parapet.
3. Always keep all communication in writing from beginning to end, including the first invite to tender or provide a price. Obtain correspondence and documents from the contractor as well.
4. Try not to employ family members or friends unless you are very sure of the outcome. If matters do not go well, it is not a good position to be in. Many eastern European contractors have little idea of health and safety regulations, even British contractors do not comply fully.
5. Try to obtain a 5% or 10% retention on jobs estimated to cost more than £3000-5000. This is standard practice on larger projects. But inserting it in smaller projects gives the client some added protection. A good contractor should have no problem in accepting it.
6. Ask the contractor for two references and check them out by telephoning or actually visiting the places.
7. Ensure the contractor has insurances, viz. public liability, employer's liability and also if possible construction 'all risks' insurance. Ask the contractor for copies of the updated certificates or document proof. The important one is the public liability insurance which is often set at £5M.
8. Request a health and safety statement. Bring unsafe practices (e.g. wearing trainers, flip flops, no hard hat when possible dangers overhead) and hazards to the contractor's attention immediately. Note that it is the client's responsibility to ensure the contractor understands his responsibilities under the 'Health and Safety Act' and the 'Construction Design and Management Regulations'.
9. Request a method statement of its intended works. Read it carefully and understand it.
10. Never pay any contractor any money for work not done. If he requires money to purchase materials, be firm and say you cannot do that.
11. If you instruct a contractor verbally on site, follow it up immediately with an email or letter and ask for a costing of the change.
12. Keep all the reports, designs, drawings, correspondence, invoices, repair and construction paperwork in a special file in chronological order.
13. Maintain a set of digital (still, videos or both) progress photographs before during and after the repair and construction work. These can then provide a permanent record.

14. Update any drawings, with help from the professional and contractor, as the work proceeds to ensure 'as-built' records are kept. Mark these changes if any on a copy of the drawings and then at the end transfer them onto a final 'as-built' set.
15. Finally maintain a common sense approach, stop and think the correct and safest way to do it, say to yourself it's my money – and similar such approaches. Just because a contractor has done someone else a good job does not necessarily mean it will apply to you as well.

I have come across all of the above situations and am always surprised at the general level of misunderstanding and ignorance of procedures on the part of contractors and clients when dealing with understanding design specifications and drawings, repair and construction issues. A similar lack of clear understanding exists when dealing with professionals.

By following these basic rules, it is hoped that you will minimise or eliminate any financial, legal, contractual and building problems with contractors and perhaps in the process save 100's if not 1000's of pounds.

In my long experience there is a general and perhaps unfortunate acceptance for clients to listen to small building contractors rather than the professional on many issues of vital importance. But the professional is there to plan, design, deal with contractual issues, oversee construction and provide essential overall advice to the client. The contractor is there to build. The basic guidelines below should help clients become aware of contractual issues.