

20 Questions to Ask Before You Sign a Building Contract

A plain-language checklist for South African homeowners, grouped by when in the build each question actually matters — before you sign, while work is underway, and at handover. Print it, tick it off, and keep it with your contract.

PHASE 1

Before you sign

Get these answered before any deposit changes hands.

- ☐ **1. Is this a written contract, and does it name a standard form — a JBCC or GCC-style agreement, or at minimum a clear scope of work and price?**

A verbal agreement or a one-page quote gives you no fallback if something goes wrong later.

- ☐ **2. Is the contractor NHBRC registered, and will this home be enrolled with the NHBRC before your first payment?**

NHBRC enrolment is a legal requirement for new home construction in South Africa, and it's what protects you if the build fails or isn't finished.

- ☐ **3. What is the contractor's CIDB grading, and does it cover a project this size?**

Check it yourself at cidb.org.za rather than taking their word for it.

- ☐ **4. Is the price a fixed lump sum, or does it include provisional or PC sums that could still move?**

A “from R X” price with open provisional sums is not the same thing as a fixed price.

- ☐ **5. What exactly triggers each payment — a percentage of work actually done, or fixed calendar dates?**

A calendar-based schedule pays the contractor regardless of how much has actually been built.

- ☐ **6. How much retention is being held, and exactly when is it released?**

Retention exists to protect you after handover — make sure the release trigger isn't left vague.

- ☐ **7. Who is responsible for plans approval, permits, and council inspections — you or the contractor?**

This is often assumed rather than written down, and expensive to discover it wasn't.

- ☐ **8. Does the contractor carry public liability insurance and separate contract-works (all-risk) cover for this build?**

Ask to see the certificates, not just a verbal yes.

PHASE 2

While the build is running

What to have in place once work is underway.

- ☐ **9. Is there a written variation order process for any change to the original scope?**

Verbal “just add this” requests are the single most common source of price disputes.

- ☐ **10. What is the agreed completion date, and is there a penalty clause if it slips?**

Without a damages clause, a late date carries no real consequence for the contractor.

- ☐ **11. Are subcontractors named in the contract, and is the main contractor liable for paying them?**

An unpaid subcontractor can register a lien against your property, even after you've paid the main contractor in full.

- ☐ **12. How often will you get a progress update, and in what form?**

Photos and a written note beat a verbal “it's going well” on site.

- ☐ **13. What's the process if you spot a possible defect while work is still underway?**

You shouldn't have to wait for practical completion to raise a problem.

- ☐ **14. Who keeps the site diary, and do you get a copy?**

A dated daily record is what settles a dispute later — ask who's keeping it, and how.

PHASE 3

Handover and after

What closes the project out properly.

- ☐ **15. What exactly defines “practical completion” in this contract, and who decides when it's reached?**

This date usually triggers your final major payment and starts the defects liability clock.

- ☐ **16. What is the defects liability period, and what happens if something's reported but not fixed in time?**

Know the window — commonly 3–12 months — before you actually need it.

- ☐ **17. Is there a formal snagging or punch list process before final sign-off?**

An informal walk-through with no written list leaves nothing to hold the contractor to.

- ☐ **18. What formally closes the project out — is there a final account and a completion certificate?**

“We're basically done” is not a legal handover.

- ☐ **19. If there's a dispute, does the contract specify mediation or arbitration, or does it default to court?**

Know this before you need it, not during a fight.

☐ **20. Do you get copies of the as-built records — variation orders, the site diary, and photos — at handover?**

You'll want these if you ever renovate, sell, or need to make an insurance claim.

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