

## **Other Things to Consider when Specifying or Approving Melcourt Products**

### **Product Nomination**

- It is in everyone's interest and mutual benefit to nominate suppliers products, if at all possible.
- Product nomination ensures that you get exactly what you want and that your scheme performs to your requirements.
- Tender evaluation using nominated products, ensures that you are more likely to be comparing like with like. The lowest bid will reflect the contractors efficiency, rather than their ability to substitute cheaper, usually lower quality products, or to use less material than that required.
- Despite having nominated a suppliers products, we are aware of situations where unscrupulous contractors have substituted other material without the landscape architects authority. We therefore suggest that you make random checks to ensure that this does not happen.
- Great confusion exists as to whether product nomination is permissible. We would be pleased to provide full details of clients throughout the UK, both in the public and private sector, who have chosen to enjoy the benefits, derived from product nomination.

### **Product Specifying**

- Although it can be flattering to be a "specified supplier", the most unfortunate "opt-out" clause, of "or similar approved", tend to debase the "specified" company's products.
- If an "or similar approved" product is approved by the landscape architect, the lower subtle difference in specification, often far exceeds the perceived cost saving benefit.
- A better clause is "equal or better".

### **Nominated or Specified Products not being used**

- Thorough and regular checks by the landscape architect are advisable, to ensure that what is being used is what was nominated or specified.
- If the contractor says that he used another suppliers product, because the original supplier could not supply the product required, the landscape architect should contact the original supplier to check if this was the case.

### **Unauthorised Product Substitution**

- Sometimes contractors substitute products without the landscape architects prior approval. This may be done where the contractor sees a cost saving to himself by using a cheaper product.
- The landscape architect can easily check whether a particular manufacturer's product has been used, by requesting copies of relevant invoices, showing proof of supply of that product to that contract.

### **Volume Shrinkage**

- Contractors quoting for the same job may ask us for different product quantities.
- Although they might have product surplus from other jobs, which they intend to use, it is much more likely that they intend to under supply the contract.
- It would be much better for the landscape architect to calculate and state how much product is required in total, within the Bill of Quantities.
- Checks to ensure that the agreed quantity has been used, can easily be verified by obtaining copies of the relevant delivery tickets or invoices pertaining to that contract.
- You should also be aware that the volume supplied in the delivery vehicle can be less than that stated on the delivery ticket. We guarantee, in writing that our volume is minus zero to plus five per cent of the amount.

# Other Things to Consider when Specifying or Approving Melcourt Products (Continued)

## Product Comparison

- When comparing products for your "approval", being submitted by a contractor, it is essential that you are able to compare like with like in order to reach a valid decision.
- All products from the Melcourt range are manufactured to quantifiable specifications including:-
  - nominal particle size range - even particle size distribution in millimetres
  - wood content - by percentage
  - dust and fines content - by percentage
  - pH and key nutrient levels including NPK and trace elements.
  - compliance with British Standard or other independent specification. You are advised to obtain copies of current test or standards certificates.

## What to do if the tender prices for your scheme are 'over-budget'

- Contact us on +44 (0) 1666 502711. We would be pleased to offer other products that fulfil your budget, quality and performance requirements.
- Do not ask the contractor to put forward cheaper products.
- Do not delete the item from the scheme.

## The Use of Trade Marks

- Many Melcourt product names are registered trade marks or are subject to trade mark status. e.g. Melcourt Bark Nuggets<sup>®</sup>, Playbark<sup>®</sup> etc.
- Indeed we have taken great care and expense to thoroughly research potential product names, before they can be used by us.
- A list of Melcourt products, by market sector is to be found within this publication. It is an offence for another supplier to 'pass-off' their products as those covered by Melcourt's trade mark status.
- If you have requested Melcourt products and are being offered a product with the same name by another supplier, it is most likely that an offence is being committed.
- Please contact us at Melcourt, if you have any doubts.

## The Important Role of the Product Manufacturers

- We are here to help you with practical assistance and expertise at no cost to yourselves.
- We would welcome the opportunity to work more closely with landscape architects, in a number of important ways:-
  - providing technical advice at project design stage.
  - assist with practical issues during landscape implementation.
  - provide practical CPD sessions at your offices.
  - give talks at colleges and seminars.
- The most common 'landscape architect related' issues that we experience include:-
  - incorrect product selection.
  - vague or too detailed product specification.
  - difficulty in comparing product samples put forward by the landscape contractor, for approval.
  - inappropriate design detail.
  - lack of enforcement to ensure that the selected products are used and properly installed.
  - difficulty in establishing a formal working dialogue with the landscape architect profession.



## Contact

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