

CONTRACT REVIEW CHECKLIST
**(Owner-Contractor agreements &
Contractor-Subcontractor agreements)**

1. PARTIES AND OFFICIAL CONTACT INFORMATION

Owner: _____

A/E: _____

General: _____

Other: _____

Allowable Methods of Communication

E-Mail U.S. Mail Certified Mail Facsimile Other _____

2. TYPE OF OWNER

- Private (Lienable)
 Public (Non-Lienable)

3. BOND REQUIREMENTS:

Type of Bonds: _____
Amount of Bonds: _____
Bond Premium: In Bid Bill As Extra (\$ _____)

4. IF PROJECT BONDED BY OTHERS:

Name of Principal: _____

Contact Information For Surety: _____

Is copy of bond in file: Yes (*Tip – if not, request and retain copy*)

Triggering Event: _____

Notice Requirement: _____

Name of Principal: _____

Contact Information For Surety: _____

Is copy of bond in file: Yes (*Tip – if not, request and retain copy*)

Triggering Event: _____

Notice Requirement: _____

(Add additional if needed)

5. SUBGUARD INSURANCE:

Yes No

If Yes: \$ _____ deductible

Notice requirements: _____

6. COMPENSATION

Method:

Lump Sum

Cost Plus fee of _____

Without GMAX

With GMAX of \$ _____

Split savings based upon: _____

Documentation/Audit Requirements: _____

Retainage: _____%

Provisions for reduction of retainage: _____

Requirements for release of retainage:

Pay Period Frequency: _____

Deadline for Submitting Pay Application: _____

Procedure for Submitting Pay App: _____

(Tip – review Contract, Pay App and Interim Lien Waiver forms for provisions tying interim payments to release of claims; be sure to note outstanding issues, claims, etc. as required)

Prerequisites to Final Payment: _____

Interest On Late Payments: _____% after _____ days

Any notice required to receive interest: _____

Pay If Paid/Pay When Paid: Yes No *(Tip – review for enforceability)*

7. PROJECT DURATION

Trigger for commencement: _____

Substantial Completion: _____ days _____ date

Final Completion: _____ days after _____

8. COMPLETION INCENTIVES/DELAY DAMAGES

Incentive for Early Completion: \$_____ per day

Liquidated Damages (Substantial Completion:): \$_____ per day

Liquidated Damages (Final Completion): \$_____ per day

Waiver of Consequential Damages:

Yes No

No-Damage-For Delay Clause

Yes No

Other restrictions or limitations: _____

(Tip – these provisions are frequently negotiated.)

9. CHANGE ORDERS, CLAIM PROCEDURES, AND TIME EXTENSIONS

Type of Notice Required: _____

Time Limitation for Notice: _____

Documentation Required: _____

Markup for Profit & OH: _____%

Authority of A/E Or Others To Make Binding Decisions: _____

Procedure for Appealing Decisions: _____

Time Limitation for Appeal: _____

10. DEFAULT AND TERMINATION

Type of Notice Required: _____

Time Limitation for Notice: _____

Cure Period: _____

Termination for Convenience:

Yes No

If yes, damages for terminated party: _____

11. WEATHER DAYS & DELAYS

_____ # of Weather Days Included In Bid

Requirements for Obtaining Additional Days (amount of weather; notice requirement): _____

12. SPECIAL LEGAL CONSIDERATIONS

Choice of Laws: _____ (which State's laws apply)

Forum Selection: _____ (location of any trial)

Method of Trial: Jury trial waived or Jury trial permitted

ADR Procedures:

Mediation: Required Not Required

Arbitration: Required At sole discretion of _____

Location of Mediation/Arbitration: _____

Attorney's Fees:

Waived Allowed For Prevailing Party Other _____

13. PRE-CONSTRUCTION CERTIFICATION REQUIREMENTS

Site Investigation: _____

Subsurface: _____

Plan Review: _____

14. MANDATORY LANGUAGE TO BE INCLUDED IN SUBCONTRACTS:

15. OTHER KEY PROVISIONS

Indemnity -

Reviewed for compliance with company policies and standards

Mutual waiver of subrogation addressed

(Tip: This should be reviewed by risk manager and/or legal counsel.)

Scope(s) of Work Involving Design Delegation/Has E&O Coverage Been

Verified

_____ Yes No

_____ Yes No

_____ Yes No

Insurance Requirements:

Type	Amount	Names of Additional Insureds
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

- Documentation of A.I. Coverage: Certificate of Insurance
 A.I. Endorsement
 Other: _____

Builders Risk Insurance Procured by: _____