Fundamentals and Legal Issues Associated with Requests for Information on the Construction Project

Description: Never lose sight of the value and importance of Requests for Information (RFIs). The common construction project involves thousands and thousands (if not more) written documents. Although it can get easy to lose track of (or ignore) certain project documents, the project participant should never lose sight of the value and importance of Requests for Information (RFIs). RFIs frequently are among the first category of project documents to emerge, even before construction starts. Contractors and subcontractors utilize RFIs to obtain information not contained in or reasonably inferable from the project designs. Wherever a real or perceived error, inconsistency or omission in the project design exists, the contractor must be prepared to act swiftly with a RFI. The design professional's response to the RFI can be critical to ensure that the project is constructed in a manner consistent with his or her design intent and that the project can be delivered to the project owner within the confines of the project schedule. Learn the basics of the RFI process and understand the most common contractual terms and provisions that relate to RFIs. Identify and understand the potential pitfalls on a project that may befall the owner, design professional or contractor during (or as a result of) the RFI process. Finally, learn the most frequent legal issues and disputes that arise due to the RFI process.

Contents: Basics of the Request for Information (RFI)
- What Are RFIs?
- The RFI Process
- The Participants Impacted by the RFI Process (Who, Why and How)
- Interplay With Project Meetings

The Importance of RFIs
- Why RFIs Are Necessary?
- Why RFIs Are Useful?
- What Information Should the RFI Convey and/or Elicit?

Key Contract Provisions Related to RFIs
- Contractual Terms Specifying Time and Information Required
- The Interplay With Change Orders
- Grounds for Claims
- Claim Notice Requirements

Legal Issues Regarding RFIs
- Design Professional's Response Time Contributing to Delay
- Economic Loss Doctrine
- Incomplete Information Contributing to Construction Defects
- Grounds for Design Errors
- RFIs as Alternative for Written Claim Notice
- Value Engineering

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