Identifying Troublesome Contract Clauses and Their Solutions

Description: Learn key factors and strategies in anticipating and dealing with troublesome contract clauses.

Owners, contractors, design-professionals and counsel are often faced with troublesome contract clauses at different stages of a project. Questions prior to, during, and after a project may arise regarding responsibility, payment, duties, and the scope of work to be done. This topic helps the persons responsible at different stages of their project to better understand contract clauses, anticipate possible problems, and predict viable solutions at all times of the construction process. This content also explains various methods for dealing with problems if and when they arise.

Learning Objectives

- You will be able to describe the scope of your project and define the respective role of each participating entity.
- You will be able to recognize problems created by troublesome contract terms before they arise.
- You will be able to discuss foreseeable concerns with various aspects of your project.
- You will be able to explain the various benefits and concerns by different contracted-for events.

Contents:

Scope of Work

Time Is of the Essence Clauses

Best Efforts Provisions

The Changes Clause

Standard of Care Provisions in Design Professional Agreements

Duties to Defend and Indemnify

Warranties

Termination for Convenience

Damages

Pay If Paid/Paid When Paid

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