

Construction Contract Documents – Common Parts to a Contract

The Agreement

The agreement is the most fundamental document in a construction contract bundle. This is basically “*the contract*,” a foundation that the rest of the project details are built upon. This document will set out what the general purpose of the contract is and the contract price.

The agreement can be a standard document, like those provided by AIA or ConsensusDocs, or customized to fit a particular project’s need. The form will vary depending on how the contract payment is set up.

The most common types of construction contracts include:

- Time and Materials
- Lump-Sum
- Unit-Price
- Cost-Plus
- Guaranteed Maximum Price

The agreement itself is just the beginning. Construction contracts need as much detail as possible to avoid mistakes, conflicts and delays; which ultimately cost everyone on the project time and money.



General Conditions

General conditions are essentially the framework of the construction contract documents. They provide the “*how*” of the project.

Most importantly, general conditions establish all the rights and obligations of the contracting parties. Additionally, it will lay out the roles of every party and the responsibilities of each.

Any time an issue arises on the project, the game plan on how to proceed is usually found here, amongst a litany of detailed clauses. This includes how change orders are processed, how payment apps are approved and any and all notice requirements that may arise on a job site.

The general conditions will also include all the suspension, termination and alternative dispute resolution procedures.

Special Conditions

This is typically an addition or amendment to the general conditions section. This document will detail the specific clauses and conditions for each task or project. For instance, if there are specific instructions that only apply to one job or portion of the build, they will be included in this document.

Scope of Work

A clearly defined scope of work, also known as a statement of work, is a crucial element of a construction contract. This document will describe, in detail, the precise tasks and objectives of each contractor.

Standard Construction Contract Documents

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J. Rosen, John R. Regener**

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