

# Guide to AIA Contract Documents for Small Firms, Sole Practitioners, and Custom Residential Architects

(Rev. 06/2018)

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This Guide was originally developed in collaboration with representatives from the AIA's Small Project Practitioners Knowledge Community, Small Firm Exchange, and Custom Residential Architect Network. The AIA expresses special thanks to the liaisons from groups who assisted in the development, review and revision of this guide, including Marika Snider, Sara O'Neil Manion, Rob Walker, Andrew Porth, and James Cline.

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# **Purpose of the Guide**

The purpose of this guide is to provide information about AIA Contract Documents resources of interest to small firms. Follow the links provided throughout this guide to access these resources and view document samples. This guide does not provide instructions on how to complete AIA documents or model language for amending contracts or agreements. For that information, refer to the instructions that accompany most AIA documents; AIA Documents A503<sup>™</sup>-2017, Guide for Supplementary Conditions; and B503<sup>™</sup>-2017, Guide for Amendments to AIA Owner/Architect Agreements. Additional resources are available at <u>aiacontracts.org/learn</u>, including commentaries, comparatives, and guides on other document-related topics. The AIA publishes many other materials for the small project practitioner regarding other aspects of practice, including The Architect's Handbook of Professional Practice.

## Revisions to the Guide

The AIA published the original version of this guide in September of 2013. In May of 2015, the AIA revised this guide to include information about several new documents, including a set of <u>master agreements</u> with service and work orders and a <u>residential design-build agreement</u>. In 2018, the AIA again revised this guide to include information about the <u>2017 updated design-bid-build family</u> of documents and select documents being released in 2018 and 2019. This 2017 release included many of the AIA's most popular documents, a number of which are highlighted in this guide. The AIA will continue to periodically revise and update this guide to reflect changes in the AIA Contract Documents program and to include new information and resources.

## Importance of Written Contracts

**Overview.** What is a contract? The standard legal definition is:

"A contract is a promise or a set of promises for the breach of which the law gives a remedy, or the performance of which the law in some way recognizes as a duty."<sup>1</sup>

Legal requirements for a valid contract include a meeting of the minds, offer and acceptance, mutual exchange of consideration, and performance. Stated more simply, a contract is formed when all parties agree to terms, something of value is received by each party (e.g. work completed for payment), and each party is required to perform obligations set forth in the contract. The importance of using written contracts cannot be overstated, even for the smallest and most straightforward projects.

Architects, including small project practitioners, need written contracts so everyone understands and agrees to the key elements of consideration and performance at the outset, and to avoid misunderstandings as the project moves forward. Such key elements include, at a minimum, the following:

- A description of the Project
- Architect's responsibilities, including:
  - o a statement of the standard of care,
  - o the scope of services to be provided, and
  - o consultants that the architect will provide.
- Compensation, including compensation for Basic and Additional Services, and reimbursables
- Owner's responsibilities, such as providing a budget and other project information
- Ownership and use of Instruments of Service
- Termination

<sup>&</sup>lt;sup>1</sup> Restatement (Second) of Contracts, § 1.

These contract provisions protect against major elements of risk that may be inherent in even the smallest and most basic project. However, as projects become larger and more complicated, there is the potential for additional types of risk and for greater expense. So, agreements must be sufficiently detailed to adequately address those issues. AIA Contract Documents have been developed to allocate risks and responsibilities at a level of detail specific to different sizes or types of projects.

In addition, AIA agreements contain a section typically titled "Miscellaneous Provisions" or "Special Terms and Conditions," which provides a prompt for the parties to include items not specifically addressed in the agreement. Parties may wish to use this section to clarify items that are not included in the scope of services or to provide a limitation of liability provision such as that set forth in AIA Document B503<sup>™</sup>–2017, Guide for Amendments to AIA Owner/Architect Agreements.

**Contract Language Required by Local Law.** Some states and local jurisdictions require parties to include specific contract language in residential design or construction agreements. Often, this mandatory language is intended to protect homeowners and homebuyers. For example, local law may require a residential construction contract to include the contractor's registration number, key design or construction milestone dates, or notice regarding mechanic's lien rights. Practitioners who use the AIA Contract Documents for residential design or construction should consult local authorities or an attorney to verify contract requirements imposed by local law.

**Contract selection.** AIA Contract Documents are divided into the nine families listed below. Document families are distinguished by project type or delivery method. Documents in each family provide a consistent structure and text base to support the major relationships on a design and construction project. The AIA also publishes <u>digital practice documents</u> and construction administration and project management forms that may be used on any project, small to large. Understanding AIA document families will help you select the most appropriate standard forms for your project. (Follow the links for a synopsis of the documents in each family.)

- Small Projects
- Conventional (A201)
- Interiors
- Construction Manager as Adviser (CMa)
- <u>Construction Manager as Constructor (CMc)</u>
- Design-Build
- Integrated Project Delivery (IPD)
- International
- Program Management

# **Overview of AIA Contract Documents**

AIA documents are intended for nationwide use and are not drafted to conform to the law of any one state. With that caveat, however, AIA documents provide a solid basis of contract provisions that are enforceable under the existing law at the time of publication. A significant body of case law concerning contracts for design and construction is based largely on the language of AIA standard forms.

AIA documents are grouped by <u>family</u> and by <u>series</u>. This dual method of organizing the documents makes it quicker and easier for users to select the documents appropriate for their projects. Documents in the same family are coordinated to tie together the various legal and working relationships on the same project types or delivery methods. They are linked by common terminology and procedures, and may also adopt one another by reference. The relevant terms of AIA Document A201<sup>™</sup>–2017, General Conditions of the

Contract for Construction, for example, are adopted by reference in several agreements including AIA Documents A101<sup>™</sup>−2017, A102<sup>™</sup>−2017, A103<sup>™</sup>−2017, A401<sup>™</sup>−2017, B101<sup>™</sup>−2017, and B103<sup>™</sup>−2017.

Documents in each series reflect the purpose of the document. For example, owner/contractor agreements are found in the A series, and contract administration forms are in the G series. (Follow the links below for a synopsis of documents in each series.)

- <u>A-Series</u>, Owner/Contractor Agreements
- <u>B-Series</u>, Owner/Architect Agreements
- <u>C-Series</u>, Other Agreements
- **D-Series**, Miscellaneous Documents
- **<u>E-Series</u>**, Exhibits
- G-Series, Contract Administration and Project Management Forms

Document series categories are defined by the AIA's document numbering system.

#### History of AIA Contract Documents

The American Institute of Architects publishes more than 120 contracts and administrative forms that are recognized throughout the design and construction industry as the benchmark documents for managing transactions and relationships involved in construction projects. The AIA's prominence in the field is based on 130 years of experience creating and updating its documents. For a history of the AIA Contract Documents program, click this <u>link</u> or go to <u>aiacontractdocs.org</u>, scroll to the bottom of the page and select the link titled "Our history".

#### **Document Development**

**AIA Documents Committee and staff.** The AIA Documents Committee is a standing committee of 30 to 40 licensed architects and AIA members. The Committee's work is aided by insurance and other special advisors, outside legal counsel, and AIA staff, including in-house attorneys. Members of the Documents Committee are actively engaged in the design and construction industry through employment in architectural firms or construction companies, or for building owners or developers. New members are appointed to maintain a balance of viewpoints based on diversity of geography, firm size, practice type, and area of expertise.

**Drafting Process.** The AIA's drafting process is a thorough and deliberate approach that strives to achieve a fair balance among interests affected by the contract documents. The process is based on the cooperative input of the Documents Committee members, advisors, legal counsel, and a wide variety of industry liaisons and subject matter experts. Beyond the input of Committee members, the AIA solicits feedback from owners, general contractors, engineers, subcontractors, sureties, lawyers, insurers, and other interested stakeholders. The Committee seeks out and receives input from various liaison groups and stakeholders for each document via written comments and face-to-face meetings.

**Revision Cycle.** AIA Contract Documents are generally revised and updated every 10 years, but potentially more often depending upon industry trends. In 2017, the AIA updated 34 core documents from its designbid-build family, including A201-2017, General Conditions of the Construction Contract. For more information about how AIA Contract Documents are developed, see <u>Drafting Principles</u> and <u>Revision</u> <u>Policies</u>.

## Flagship Documents: A201, A101, and B101

Although AIA Documents A201, A101, and B101 are generally used in projects that are large in scope, they are included in this guide because they are the AIA's flagship documents for the design-bid-build delivery

method, and many other AIA documents are derived from them. For example, A105 and A104, discussed below, each contains its own internal general conditions rather than using a separate set of general conditions. The general conditions in A105 and A104 are based on A201. Similarly, B104 and B105 are streamlined versions of B101 for use in smaller projects.

## A201<sup>™</sup>–2017, General Conditions of the Contract for Construction

The general conditions are an integral part of the contract for construction for a large project and are incorporated by reference into the owner/contractor agreement. They set forth the rights, responsibilities, and relationships of the owner, contractor, and architect. Though not a party to the contract for construction between owner and contractor, the architect participates in the preparation of the contract documents and performs construction phase duties and responsibilities described in detail in the general conditions. AIA Document A201<sup>™</sup>–2017 is adopted by reference in owner/architect, owner/contractor, and contractor/subcontractor agreements in the Conventional (A201) family of documents; thus, it is often called the "keystone" document. Learn more about <u>A201-2017</u>.

## A101<sup>™</sup>–2017, Owner/Contractor Agreement – Stipulated Sum

AIA Document A101<sup>™</sup>–2017 is a standard form of agreement between owner and contractor for use where the basis of payment is a stipulated sum. A101 adopts by reference, and is designed for use with, AIA Document A201<sup>™</sup>–2017, General Conditions of the Contract for Construction. In addition, A101 is drafted to be used in conjunction with the A101<sup>™</sup>–2017, Exhibit A, Insurance and Bonds. This insurance and bonds exhibit is a critical part of the owner/contractor agreement and should be discussed with legal and insurance counsel. A101 is suitable for a wide array of projects, including large or complex projects. For projects of a more limited scope, use of AIA Document A104<sup>™</sup>–2017, Standard Abbreviated Form of Agreement Between Owner and Contractor, should be considered. For even smaller projects, consider AIA Document A105<sup>™</sup>–2017, Standard Short Form of Agreement Between Owner and Contractor. Learn more about <u>A101-2017</u>.

## B101<sup>™</sup>–2017, Owner/Architect Agreement

AIA Document B101<sup>™</sup>–2017 is a standard form of agreement between owner and architect for building design and construction contract administration. Services are divided into basic, supplemental, and additional services. Basic services are performed in five phases: schematic design, design development, construction documents, procurement, and construction. Supplemental Services are services that are not included as Basic Services but are identified as the architect's responsibility at the time the agreement is executed. Additional Services are services that may arise as the project proceeds. This agreement may be used with a variety of compensation methods, including percentage of the budget for construction cost and stipulated sum. B101–2017 is intended to be used in conjunction with AIA Document A201<sup>™</sup>–2017, General Conditions of the Contract for Construction, which is specifically referenced. For projects of a more limited scope, use of AIA Document B104<sup>™</sup>–2017, Standard Abbreviated Form of Agreement Between Owner and Architect, should be considered. For even smaller projects, consider AIA Document B105<sup>™</sup>–2017, Standard Short Form of Agreement Between Owner and Architect. Learn more about B101-2017.

# **Small Projects Family of AIA Contract Documents**

The Small Projects Family is comprised of two short form agreements: AIA Document A105<sup>™</sup>–2017, an owner/ contractor agreement and AIA Document B105<sup>™</sup>–2017, an owner/architect agreement. They are intended for use on projects that are modest in size, brief in duration, and where payment to the Contractor is based on a stipulated sum.

## A105<sup>™</sup>-2017, Owner/Contractor Short Form Agreement

AIA Document A105<sup>™</sup>–2017 is a stand-alone agreement with its own general conditions. AIA Document A105–2017 is for use on a project that is modest in size, brief in duration, and where payment to the contractor is based on a stipulated sum. Although A105 and B105 share some similarities with other agreements, the Small Projects family should NOT be used with agreements in other document families without careful side-by-side comparison of contents. Learn more about <u>A105-2017</u>.

## B105<sup>™</sup>-2017, Owner/Architect Short Form Agreement

AIA Document B105<sup>™</sup>-2017 is a standard short form of agreement between owner and architect. B105-2017 is for use on a project that is modest in size and brief in duration. B105-2017 is intended for use with A105-2017, which it incorporates by reference. B105 is extremely abbreviated, and is formatted more informally than other AIA agreements. For larger and more complex projects, other AIA owner/architect agreements are more suitable. Although AIA Documents A105 and B105 share some similarities with other AIA agreements, the Small Projects family should NOT be used with other AIA document families without careful side-by-side comparison of contents. Learn more about <u>B105-2017</u>.

# **Other AIA Documents of Interest to Small Project Practitioners**

#### Abbreviated AIA Agreements

A104<sup>™</sup>-2017, Abbreviated Owner/Contractor Agreement. AIA Document A104<sup>™</sup>–2017 is a stand-alone agreement with its own internal general conditions and is intended for use on construction projects of limited scope and complexity. It may be used for projects where payment to the contractor is based on either a stipulated sum or the cost of the work plus a fee, with or without a guaranteed maximum price. Parties using AIA Document A104–2017 will also use A104 Exhibit A, Determination of the Cost of the Work, if using a cost-plus payment method. AIA Document B104<sup>™</sup>–2017, Standard Abbreviated Form of Agreement Between Owner and Architect, coordinates with A104–2017 and incorporates it by reference for terms relating to contract administration and for defined terms. For more complex projects, parties should consider using A101<sup>™</sup>–2017, A102<sup>™</sup>–2017, or A103<sup>™</sup>–2017. For smaller and less complex projects, parties may wish to consider A105<sup>™</sup>–2017. Learn more about <u>A104-2017</u>.

**B104<sup>™</sup>-2017**, **Abbreviated Owner/Architect Agreement.** AIA Document B104<sup>™</sup>–2017 is intended for use on construction projects of limited scope and complexity. B104-2017 is an abbreviated version of B101<sup>™</sup>–2017. B104 contains a compressed form of basic services with three phases: design, construction documents, and construction. This document may be used with a variety of compensation methods. B104–2017 is intended to be used in conjunction with AIA Document A104<sup>™</sup>–2017, Standard Abbreviated Form of Agreement Between Owner and Contractor, which it incorporates by reference for terms relating to contract administration and for defined terms. For more complex projects, parties should consider using B101<sup>™</sup>–2017 or B103<sup>™</sup>–2017. For smaller and less complex projects, parties may wish to consider B105<sup>™</sup>–2017. Learn more about B104-2017.

### Specialized Owner/Architect Agreements and Forms

**B102<sup>™</sup>-2017, Owner/Architect Agreement without a Predefined Scope of Architect's Services.** AIA Document B102<sup>™</sup>-2017 is a standard form of agreement between owner and architect that contains terms and conditions and compensation details. AIA Document B102-2017 does not include a scope of architect's services, which must be inserted in Article 1 or attached as an exhibit. The separation of the scope of services from the owner/architect agreement allows users the freedom to append alternative scopes of services. Learn more about B102-2017.

The AIA offers the following scopes of services documents that may be paired with B102–2017:

- B201-2017, Architect's Services: Design and Construction Contract Administration
- <u>B202-2009</u>, Architect's Services: Programming
- B203-2017, Architect's Services: Site Evaluation and Project Feasibility
- <u>B204-2007</u>, Architect's Services: Value Analysis
- <u>B205-2017</u>, Architect's Services: Historic Preservation
- B207-2017, Architect's Services: On-Site Project Representation
- <u>B210-2017</u>, Architect's Services: Facility Support
- B212-2010, Architect's Services: Regional or Urban Planning
- <u>B214-2012</u>, Architect's Services: LEED<sup>®</sup> Certification
- <u>B252-2007</u>, Architect's Services: Arch. Interior Design
- <u>B253-2007</u>, Architect's Services: Furniture, Furnishings, and Equipment Design

**B106<sup>™</sup>-2010, Owner/Architect Agreement for Pro Bono Services.** B106 is a standard form of agreement for building design, construction contract administration, or other professional services provided on a pro bono basis. The architect's pro bono services are professional services for which the architect receives no financial compensation other than compensation for reimbursable expenses. A table format is provided for the parties to designate the scope of the architect's pro bono services and the maximum number of hours to be provided by the architect for each pro bono service. If the architect is providing construction phase services, B106 is intended to be used in conjunction with AIA Document A201<sup>™</sup>–2007, General Conditions of the Contract for Construction, which B106 incorporates by reference. Learn more about B106-2010.

#### B107<sup>™</sup>-2010, Developer-Builder/Architect Agreement for Prototype(s) for Single Family Residential

**Project.** B107 is a standard form of agreement between developer-builder and architect that is intended for use in situations where the architect will provide limited architectural services in connection with a single family residential project. Under B107, the architect's services consist of development of Permit Set Documents and limited construction phase services for the first residence of each prototype design constructed by the developer-builder in the development. This document anticipates that the developer-builder will have extensive control over the management of the project, acting in a capacity similar to that of a developer or speculative builder of a housing project, and that the developer-builder is an entity that has experience with applicable residential building codes, selection of materials and systems, and methods of installation and construction. Learn more about B107-2010.

**B108<sup>™</sup>-2009, Owner/Architect Agreement for a Federally Funded or Federally Insured Project.** B108 is a standard form of agreement between owner and architect for building design and construction contract administration that is intended for use on federally funded or federally insured projects. B108 was developed with the assistance of several federal agencies and contains terms and conditions that are unique to federally funded or federally insured projects. B108 sets forth five traditional phases of basic services: Schematic Design, Design Development, Construction Documents, Bidding or Negotiation, and Construction. Two other types of services are delineated in the document: optional services and additional services. B108 is structured so that either the owner or the architect may be the entity providing cost estimates. Learn more about B108-2009.

**B172<sup>™</sup>-2013, Owner/Architect Agreement for Architect of Record Services.** B172 provides the agreement between the owner and the architect of record, an entity who is separate and independent from the program manager and design manager, and who acts as a project specific architect. AIA Document B172 is coordinated for use with AIA documents C171<sup>™</sup>–2013, Standard Form of Agreement Between Owner and Program Manager for use in a Multiple Project Program and B171<sup>™</sup>–2013, Standard Form of Agreement Between Owner and Design Manager for use in a Multiple Project Program. The architect of record is responsible for preparation of the construction documents, based on criteria received from the owner in a

"transfer package", and related design and bidding phase services, and administration of the owner/contractor agreement on a project by project basis. AIA Document B172 may also, with some modifications, be appropriate for use in other circumstances where an architect is asked to prepare construction documents based on the preliminary design work of another, and to provide related bidding and contract administration services for a project. Learn more about B172-2013.

**B305™-1993, Architect's Qualification Statement.** B305 is a standard outline form on which the architect may enter information that a client may wish to review before selecting the architect. The owner may use B305 as part of a request for proposal or as a final check on the architect's credentials. Under some circumstances, B305 may be attached to the owner/architect agreement to show, for example, the team of professionals and consultants expected to be employed on the project. Learn more about <u>B305-1993</u>.

## Interiors Family of AIA Contract Documents

**B152<sup>™</sup>-2007, Owner/Architect Agreement for Architectural Interior Design Services.** B152 is a standard form of agreement between the owner and architect for design services related to furniture, furnishings and equipment (FF&E) as well as to architectural interior design. AIA Document B152 divides the architect's services into eight phases: programming, pre-lease analysis and feasibility, schematic design, design development, contract documents, bidding and quotation, construction contract administration, and FF&E contract administration. AIA Document B152 is intended for use with AIA Documents A251<sup>™</sup>–2007, General Conditions of the Contract for Furniture, Furnishings and Equipment, and A201<sup>™</sup>–2007, General Conditions of the Contract for Construction, both of which it incorporates by reference. Learn more about B152-2007.

The interiors family also includes the following documents:

- B153-2007, Owner/Architect Agreement for FF& Design Services
- A151-2007, Owner/Vendor Agreement for FF&E Stipulated Sum
- A251-2007, General Conditions of the Contract for FF&E
- A751-2007, Invitation and Instructions for Quotation for FF&E

## Sustainable Projects Documents

**E204**<sup>™</sup>-2017, Sustainable Projects Exhibit. AIA Document E204–2017, Sustainable Projects Exhibit, has been developed for use on a wide variety of sustainable projects, including those in which the Sustainable Objective includes obtaining a Sustainability Certification, such as LEED<sup>®</sup> (Leadership in Energy and Environmental Design), or those in which the Sustainable Objective is based on incorporation of performance-based sustainable design or construction elements. E204–2017 addresses the risks, responsibilities, and opportunities unique to projects involving substantial elements of sustainable design and construction. E204–2017 is not a stand-alone document, but is intended to be attached as an exhibit to an existing agreement on a project that includes a Sustainable Objective. Learn more about E204-2017.

**D503™-2013, Guide for Sustainable Projects.** D503 discusses the risks, roles, and responsibilities faced by owners, architects, and contractors on sustainable projects. Learn more about <u>D503-2013</u>.

### Master Agreements and Service/Work Orders

The AIA Master Agreements are designed so parties who regularly contract with each other can avoid renegotiating basic business terms on each new project. Under these agreements, the parties can establish the basic business terms of their relationship and add projects, through Service and Work Orders, without renegotiating an entirely new contract.

B121<sup>™</sup>-2014, Master Agreement Between Owner and Architect for Services provided under multiple Service Orders. B121 is a master agreement between the owner and architect. It is intended for use when

the architect's scope of services will subsequently be specified through the use of one or more service orders. B121 provides only the common terms and conditions that will be applicable to each service order. Use of B121 plus a service order creates a contract, referred to as the service agreement, which includes both the terms and the scope of services. B121 is coordinated for use with AIA Document B221<sup>™</sup>–2014, Service Order for use with Master Agreement Between Owner and Architect. The master agreement plus service order contracting method allows multiple scopes of services to be issued quickly without the necessity to renegotiate the terms and conditions of the Service Agreements. Learn more about <u>B121-2014</u>.

B221<sup>™</sup>-2014, Service Order for use with Master Agreement Between Owner and Architect. B221 is a service order that provides the architect's scope of services and other terms pertinent to the specific service order. It is intended for use when the owner and architect have entered into a master agreement setting forth the common terms and conditions applicable to all service orders. B221 is not a stand-alone agreement and must be used in conjunction with a master agreement. B221 is coordinated for use with AIA Document B121<sup>™</sup>–2014, Master Agreement Between Owner and Architect for Services provided under Multiple Service Orders. Use of B221 plus a master agreement creates a contract, referred to as the service agreement, which includes both the terms and the scope of services. Learn more about B221-2014.

In addition to B121 and B221, the AIA also publishes the following master agreement and work/service order documents:

- A121-2014, Master Agreement Between Owner and Contractor
- A221-2014, Work Order for use with Master Agreement Between Owner and Contractor
- <u>C421-2014</u>, Master Agreement Between Architect and Consultant
- <u>C422-2014</u>, Service Order for use with Master Agreement Between Architect and Consultant
- Note: The AIA expects to publish a Master Agreement Between Contractor and Subcontractor, and related Work Order, in Fall 2018.

### **Residential Design-Build Agreement**

A145<sup>™</sup>–2015, Owner/Design-Builder Agreement for a One or Two Family Residential Project. A145 is intended to be used for a one or two family residential project and consists of the Agreement portion and Exhibit A, which is a Design-Build Amendment that is executed when the owner and designbuilder have agreed on the Contract Sum. A145 is a streamlined document developed to meet the needs of residential owners and design-builders. For commercial or multi-family design-build projects, AIA Document A141<sup>™</sup>–2014, Agreement Between Owner and Design-Builder, is more appropriate.

Design-build is a project delivery method in which the owner contracts directly with one entity to provide both the design and construction of the project. It is important to recognize that a design-builder assumes responsibility and liability for both the design services and construction work. Prior to entering into this agreement, any person or entity that wishes to act as the design-builder should consult with its legal counsel and insurance advisers. Some states may restrict or prohibit design-build practices under statutes that regulate architectural registration, contractor licensing, or incorporation of professionals. Additionally, federal, state, or local law may impose specific requirements on contracts for residential construction. The requirements for single and two-family projects may be different. The owner should consult local authorities or an attorney to verify requirements applicable to this agreement.

Although A145 shares some similarities with other documents in the AIA's Design-Build family, A145 is not coordinated for use with those documents, and should NOT be used in tandem with agreements in the Design-Build family without careful side-by-side comparison of contents. Learn more about A145-2015.

## Amendments and Supplementary Conditions

A503<sup>™</sup>–2017, Guide for Supplementary Conditions. A503 contains model provisions for modifying and supplementing AIA Document A201<sup>™</sup>–2017, General Conditions of the Contract for Construction and associated owner/contractor agreements. It provides model language with explanatory notes to assist users in adapting AIA Document A201–2017 to specific circumstances. A201–2017, as a standard form document, cannot cover all the particulars of a project. Thus, AIA Document A503 is provided to assist users with modifying A201–2017. Learn more about <u>A503-2017</u>.

**B503™–2017, Guide for Amendments to AIA Owner/Architect Agreements.** B503 contains model provisions for amending owner/architect agreements. Some provisions, such as a limitation of liability clause, further define or limit the scope of services and responsibilities. Other provisions introduce different approaches, such as fast-track construction. In all cases, these provisions are provided because they deal with circumstances that are not typically included in other AIA standard form owner/architect agreements. Learn more about <u>B503-2017</u>.

# **AIA Contract Document Formats**

AIA Contract Documents are available in four formats: (1) online unlimited access, (2) online customizable single documents, (3) online basic single documents in Adobe PDF format, and (4) paper documents. These options are described throughout this section, and can be purchased at <u>aiacontracts.org/purchase</u>.

## **Online Unlimited Access**

The annual <u>online unlimited access</u> allows users to access, edit, and finalize all available forms and agreements for a full year. Depending on the size of the organization, customers can choose anywhere from a 1-user license up to 50+ users. Online unlimited access comes with the following features:

- Time tested, industry standard documents
- Editable legal language
- Online/offline editing option
- Custom document template

- Variance checker
- Frequently used clause library
- Share and track changes for review
- Unlimited document access and finalizations

## **Online Customizable Single Documents**

Online <u>customizable single documents</u> allow users to purchase one document at a time, yet still be able to edit its standard text. This includes all the features and functionality of online unlimited access, except the user may only finalize each document one time.

### **Online Basic Single Documents**

With <u>online basic single documents</u>, the standard text cannot be edited. Each document may be completed only once and saved as a PDF document.

### **AIA Documents on Paper**

AIA Contract Documents on paper can be purchased from local distributors, which are primarily local AIA components, located across the country. Documents not available in paper can be downloaded as customizable or basic single documents. View a list of <u>AIA Documents Available for Paper Purchase</u>.

## AIA Guides and Free Documents

Several AIA guides and documents can be downloaded free of charge on the AIA Contract Documents Learn page (<u>aiacontracts.org/learn</u>). These guides and documents include:

• A503–2017, Guide for Supplementary Conditions

- A533–2009, Guide for Supplementary Conditions, Construction Manager as Adviser Edition
- <u>B106–2010</u>, Owner/Architect Agreement for Pro Bono Services
- **B503–2017**, Guide for Amendments to AIA Owner/Architect Agreements
- D503–2013, Guide for Sustainable Projects
- <u>G612–2017</u>, Owner's Instructions to the Architect Part A - Construction Contract
  - Part B Bidding Procedures

# **AIA Contract Documents Resources**

### **Document Content Help**

**Document Instructions.** Most AIA Contract Documents include instruction sheets. In addition to background information about AIA documents in general, the instruction sheets describe the purpose of each document and identify related documents. If the document is a revised edition, instruction sheets describe changes from the previous edition. Although line-by-line instructions are not provided, instruction sheets identify and provide guidance for completing key fill points. In some instances, instruction sheets provide model language (e.g., compensation options for owner/architect agreements).

**AIA Doc Info telephone assistance.** The AIA Doc Info telephone line provides answers to questions about document content and assistance with document selection. AIA Doc Info telephone assistance is available Monday–Friday, from 8:30 a.m. to 5:00 p.m. Eastern Time:

- Telephone: (202) 626-7526
- E-mail: docinfo@aia.org

AIA Contract Documents Learn web page. The AIA Contract Documents Learn web page (<u>www.aiacontracts.org/learn</u>) provides access to a variety of resources related to the AIA contract documents and risk management that are available for to view or download free of charge. These resources include:

- Articles on topics related to construction contracts and risk management
- Live and on-demand webinars
- Information about upcoming in-person training
- Guides to the AIA Contract Documents
- Contract relationship diagrams for AIA document families
- Commentaries and comparisons of key AIA documents

## Technical Support and Purchasing Assistance

AIA Contract Documents Technical Support Center is open Monday–Friday, from 8:30 a.m. to 6:00 p.m. Eastern Time:

- Telephone: (800) 942-7732
- E-mail: docstechsupport@aia.org

## AIA Member Groups and Knowledge Communities

AIA <u>Member Groups</u> and <u>Knowledge Communities</u> are interactive web-based communities where architects and other professionals can connect and share expertise. The following are AIA Member Groups and Knowledge Communities that may be of interest to small project practitioners:

<u>Small Firm Exchange</u>. The AIA Small Firm Exchange focuses on the needs of small firms. Its
mission is to further the special and unique interests of architects practicing in small firms,
and architects as sole practitioners, by working with and through the American Institute of
Architects. Secondly, it is to act as a central body to promote the creation, and to facilitate
and coordinate the efforts, of additional Small Firm Exchanges at the component level. The

web site contains blogs, webinars, discussion forums, publications, announcements, practice tools, best practices, and upcoming events.

- <u>Small Project Practitioners Knowledge Community</u>. The AIA Small Project Practitioners Knowledge Community generates, collects, and distributes knowledge for architects of small firms and designers of small projects. The web site contains blogs, videos, podcasts, discussion forums, announcements, toolkits, shared files, trust programs, AIA Trust for Small Firms, AIA Small Projects Awards Program, Small Projects Practitioners Journal, and information on design trends, managing a practice, navigating the economy, and contracts and insurance.
- <u>Custom Residential Architects Network (CRAN)</u>. A network of more than 1,000 members, hosting blogs, a library, events calendar, and discussion forums. CRAN develops knowledge and information to benefit architects who are engaged in, or who are interested in learning more about, custom residential practice. CRAN presents information and facilitates the exchange of knowledge and expertise to promote the professional development of its members via discussion forums, national symposia and conventions, publications, and local activities.
- <u>Risk Management Program</u>. The Risk Management Program creates education materials for individuals who are unable to devote the resources to a full-fledged risk management team or inhouse legal counsel department. A critical component of the Risk Management Program is the sixperson Risk Management Committee (RMC). The RMC actively monitors risk management development in the construction industry, with particular emphasis on issues impacting design professionals.

## AIAU

<u>Aiau.aia.org</u> is a dynamic catalogue of online on-demand courses that offers architects learning units on trending topics, business opportunities, and tactics that can benefit your small firm practice. Click <u>here</u> to view the course catalogue. Relevant courses for small project practitioners include: <u>AIA Contract</u> <u>Document Series</u>, <u>Everything You Need to Know: AIA Contract Documents for Small Firms</u>, <u>Small Firm</u> <u>Sustainable Strategies: Applying Sustainable Principles to Small Projects</u>, and <u>Avoiding or Reducing</u> <u>Architect–Contractor Conflicts in Small Projects</u>.

			<b>Owner/Contractor Agreements – Comparison Chart</b>	- Agreements – Co	omparison Chart		
	A101-2017	A102-2017	A103-2017	A104-2017	A105-2017	A121-2014	A145-2015
Title	Owner/Contractor Agreement, where the basis of Payment is a Stipulated Sum	Owner/Contractor Agreement, where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price	Owner/Contractor Agreement, where the basis of payment is the Cost of the Work Plus a Fee	Abbreviated Owner/Architect Agreement	Owner/Architect Short Form Agreement	Master Agreement Between Owner and Contractor, where Work is provided under multiple Work Orders	Owner/Design-Builder Agreement for a One or Two Family Residential Project
Purpose	O/C agreement where the basis of payment is a stipulated sum and cost has been determined in advance through bidding or negotiation.	Establishes a contractual relationship between Owner and Contractor where the basis of payment is the Cost of the Work plus a fixed fee with a guaranteed maximum price. It is not intended for use in competitive bidding.	Establishes a contractual relationship between Owner and Contractor where the basis of payment is the Cost of the Work plus a fixed fee without a guaranteed maximum price. It is not intended for use in competitive bidding.	O/C agreement for medium sized projects.	O/C agreement for a residential or small commercial project. Payment to the Contractor is a stipulated sum (fixed price).	Intended for use when the Contractor's scope of Work will be specified through the use of Work Orders.	Establishes a contractual relationship between the Owner and a Design- Builder for design and construction of a one or two family residential project.
General Conditions	A201-2017	A201-2017	A201-2017	Internal general conditions.	Internal general conditions.	Internal general conditions.	Internal general conditions.
Method of Compensation	Stipulated Sum	Cost of the Work Plus a Fee with a Guaranteed Maximum Price	Cost of the Work Plus a Fee without a Guaranteed Maximum Price	Stipulated Sum or Cost of the Work Plus a Fee with or without a GMP	Stipulated Sum	Selected in A221 <sup>tm</sup> -2014	Stipulated Sum or other method as determined by the parties.
Number of Pages	8 (plus a 7-page insurance and bonds exhibit)	15 (plus a 7-page insurance and bonds exhibit)	14 (plus a 7-page insurance and bonds exhibit)	26 (plus a 5-page exhibit)	11	18 (plus a 5-page exhibit)	14 (plus a 3 page exhibit)
Dispute Resolution	Initial decision by the architect or neutral, then mediation. If mediation not successful, check-box selection of method for binding dispute resolution.	Initial decision by the architect or neutral, then mediation. If mediation not successful, check-box selection of method for binding dispute resolution.	Initial decision by the architect or neutral, then mediation. If mediation not successful, check-box selection of method for binding dispute resolution.	Initial decision by the architect, then mediation. If mediation not successful, check-box selection of method for binding dispute resolution.	N/A	Initial decision by the architect, then mediation. If mediation not successful, check-box selection of method for binding dispute resolution.	Litigation, unless another method is agreed upon by the parties.
Insurance	Owner and Contractor are required to maintain insurance and provide bonds as set forth in an exhibit and in A201–2017	Owner and Contractor are required to maintain insurance and provide bonds as set forth in an exhibit and in A201–2017	Owner and Contractor are required to maintain insurance and provide bonds as set forth in an exhibit and in A201–2017	Owner and Contractor are required to maintain insurance and provide bonds as set forth in Article 17.	Owner and Contractor are required to maintain insurance and provide bonds as set forth in Article 5.	Owner and Contractor are required to maintain insurance and provide bonds as set forth in Article 16.	Owner and Contractor are required to maintain insurance and provide bonds as set forth in Article 16.
Related Documents	A201, A401, A503, A701, B101, C401	A201, A401, A503, A701, B101, C401	A201, A401, A503, A701, B101, C401	B104, A503	B105	A221	N/A

This Guide was developed in collaboration with representatives from the AIA's Small Project Practitioners Knowledge Community, Small Firm Exchange, and Custom Residential Architect Network. The AIA expresses special thanks to the liaisons from groups who assisted in the development, review and revision of this guide, including Marika Snider, Sara O'Neil Manion, Rob Walker, Andrew Porth and James Cline.

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			Owner/A	Architect Agreements –		<b>Comparison Chart</b>		
	B101-2017	B102-2017	B104-2017	B105-2017	B106-2010	B107-2010	B108-2009	B121-2014
Title	Owner/Architect Agreement	Owner/Architect Agreement without a Predefined Scope of Architect's Services	Abbreviated Owner/Architect Agreement	Owner/Architect Short Form Agreement	Owner/Architect Agreement for Pro Bono Services	Developer-Builder and Architect Agreement for Prototype(s) for Single Family Residential Project	Owner/Architect Agreement for a Federally Funded or Federally Insured Project	Master Agreement Between Owner and Architect for Services provided under multiple Service Orders
Purpose	Flagship O/A agreement, generally for use on larger projects. Assumes Architect will provide cost estimates and design Project to meet Owner's budget for cost of the Work.	O/A agreement containing only business terms and conditions. Scope of services must be inserted or attached.	O/A agreement for medium sized projects. Abbreviated version of B101– 2017.	O/A agreements for a residential or small commercial project. Adopts A105 by reference for Architect's Construction Phase duties.	O/A agreement for professional services provided on a pro bono basis.	Developer-Builder/ Architect agreement for design of one or more prototype(s) for a single family residential project.	O/A agreement for use on federally funded or federally insured projects. Contains terms and conditions that are unique to such projects.	Master Agreement intended for use when Architect's scope of services will be specified in Service Orders.
General Conditions	A201–2017	NA	A104-2017	A105-2017	A201-2007	NA	A201-2007	NA
Method of Compensation	Various methods. See document instructions.	Various methods. See document instructions.	Various methods. See document instructions.	Various methods. See document instructions.	No financial compensation, other than Reimbursable Expenses.	Various methods. See document instructions.	Various methods. See document instructions.	Various methods. See document instructions.
Number of Pages	23	10	14	£	14	15	19	10
rages Phases of Architect's Services	Five phases of Basic Services (schematic design, design development, construction documents, bidding or negotiation, construction) and Additional Services	Terms and conditions only: scope of services must be attached. Madiation If	Three phases of Basic Services (design, construction documents, construction) and Additional Services	Two abbreviated phases of Basic Services (design and construction) and abbreviated Additional Services	Table format for parties to designate scope of pro bono services and maximum number of hours to be provided.	Two phases of Basic Services (design— schematic to permit set documents only, and limited construction phase) and Additional Services.	Five phases of Basic Services (schematic design, design development, construction documents, bidding or negotiation, construction) Optional Services and Additional Services Mediation	Terms and conditions only; scope of services must be attached. Mediation of mediation
Dispute Resolution	Mediation Tr mediation not successful, check- box selection of method for binding dispute resolution.	Mediation. IT mediation not successful, check-box selection of method for binding dispute resolution.	Mediation. If mediation not successful, check-box selection of method for binding dispute resolution.	N/A	Meet and comer, then mediation. If mediation not successful, check- box selection of method for binding dispute resolution.	Mediation. If mediation not successful, check- box selection of method for binding dispute resolution.	Mediation. If mediation not successful, check- box selection of method for binding dispute resolution.	Mediation. It mediation not successful, check- box selection of method for binding dispute resolution.
Insurance	Contains fill points to list types and limits of Architect's insurance coverage. For Owner's insurance requirements, see A201–2017.	Contains fill points to list types and limits of Architect's insurance coverage.	No insurance requirements specified for Architect. For Owner's insurance requirements, see A104– 2017.	No insurance requirements specified for Architect. For Owner's insurance requirements, see A105– 2017.	No insurance requirements for Architect. Owner must maintain CGL insurance and other insurance required pursuant to A201, if applicable.	Contains fill points to list types and limits of Architect's insurance coverage.	Contains fill points to list types and limits of Architect's insurance coverage. For Owner's insurance requirements, see A201–2007.	Contains fill points to list types and limits of Architect's insurance coverage.
Related Documents	Related         A201, C401         B201, B202, B203,         A104, C401           Documents         B204, B205, B206,         B207, B209, B210,           B207, B209, B211,         B211, B212, B214	B201, B202, B203, B204, B205, B206, B207, B209, B210, B211, B212, B214	A104, C401	A105	A201	C401	A201, C401	B221

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