

# ConsensusDocs

## CONTRACTS CATALOG



ConsensusDocs®  
BUILDING A BETTER WAY



## ConsensusDocs...

### ***BUILDING A BETTER WAY!***

Whether working at the office, from the road or even at home, the ConsensusDocs platform provides instant access to your contract documents from any computer through a secure, web-based portal. Simply log-in and your personalized dashboard makes it easy to locate recent projects, edit contracts, review changes made by your collaborators or start a new contract using any of our 100+ contracts.

#### **Editing, Collaboration, Conversions and Comparisons Made Easy**

The Microsoft Word®-based technology allows you to take any ConsensusDocs contract and quickly customize it to meet your specific project requirements. Our new collaboration platform allows you to grant review or editing access to other parties and finalize agreements, while maintaining an easy and efficient version-control system. With our new conversion and comparison tools, you can quickly convert from Word to PDF and PDF to Word... all at the click of a button.

#### **Construction Practices Have Evolved, So Should Your Contracts**

ConsensusDocs contracts are regularly updated to keep pace with the latest changes in best practices and legal updates. From agreements specifically addressing issues such as building information modeling (BIM), green construction, integrated project delivery (IPD) or design-build, our standard contracts, developed by a coalition of leading industry experts, mean you are assured your projects have the best contractual foundation possible.

#### **Building a Better Way... Through Consensus**

ConsensusDocs contracts are written by 40+ leading associations with members from all stakeholders in the design and construction industry. By fairly allocating risk and incorporating best practices, ConsensusDocs help you reduce costly claims and contingencies, and lessen adversarial negotiations, saving you time and money. Our 100+ contracts address all project delivery methods. ConsensusDocs' easy-to-use online application facilitates contract collaboration and customization to reach consensus with ease.

#### **Better Contracts Make for Better Projects**

ConsensusDocs are written by industry experts representing owners, general and specialty contractors, design professionals, attorneys, sureties and a broad range of stakeholders to craft the strongest and most balanced agreements in the industry. Since the major risks and responsibilities have already been fairly allocated, ConsensusDocs users save considerable time and money, and projects benefit from reduced risk contingencies that increase bid prices.

See What's New at [ConsensusDocs.org](http://ConsensusDocs.org)

# ConsensusDocs

# CONTRACTS

## 200 SERIES General Contracting

### **200 Owner and Constructor Agreement (Lump Sum)**

Agreement for competitive bid or negotiated lump sum contracts.

#### **200.1 Time and Price Impacted Materials**

Establishes market price and price adjustments for extraordinary cost changes.

- Schedule A: Materials

#### **200.2 Electronic Communications Protocol Addendum**

Sets acceptable formats and technologies, including BIM, for management and consistency throughout the project.

#### **200.4 Dispute Review Board Addendum Specification**

Establishes a DRB and forms the dispute resolution process.

#### **200.5 Three-Party Agreement for a Dispute Review Board**

Assigns party responsibilities, sets the DRB scope, duration, payment and more.

### **202 Change Order**

Formalize changes in the work and adjustments to contract time and price.

### **203 Interim Directed Change**

Unilateral order by the Owner in the absence of agreement on price and time for changes.

### **204 Request for Information**

Used by Contractors or Subcontractors to request information or instructions.

### **205 Owner and Constructor Agreement (Short Form—Lump Sum)**

A convenient, short-form contract.

### **210 Owner and Constructor Agreement for Public Works**

Based on ConsensusDocs 200, but modified to reflect provisions needed for public works projects.

### **220 Constructor's Qualification Statement for Engineered Construction**

Helps Owners assess qualifications.

- Schedule A: Past Projects
- Schedule B: Current Projects
- Schedule C: Personnel

### **221 Constructor's Statement of Qualifications**

Helps Owners assess qualifications.

- Schedule A: Key Personnel
- Schedule B: Past Projects
- Schedule C: Current Projects

### **222 Design Professional's Statement of Qualifications**

Helps Owners assess A-E qualifications.

- Schedule A: Key Personnel
- Schedule B: Past Projects
- Schedule C: Current Projects

### **230 Owner and Constructor Agreement (Cost of Work Plus a Fee with GMP)**

An agreement for design-bid-build projects where the payment is based upon the cost of the work, plus a fee, with a guaranteed maximum price (GMP)

#### **230.1 Amendment No 1. To ConsensusDocs 230**

An amendment to the ConsensusDocs 230 when the parties have sufficient certainty for the project to set the guaranteed maximum price (GMP) as well as the date of substantial completion and the date of final completion.

### **235 Owner and Constructor Agreement (Cost of Work—Short Form)**

A convenient, short form agreement premised on the ConsensusDocs 510.

- Exhibit A: Description of Work
- Exhibit B: Existing Contract Docs

### **240 Owner and Design Professional Agreement**

Design Professional performing a full range of design and administrative services.

### **244 Owner and Land Surveyor Agreement**

An agreement with contract terms specific to land surveying services.

### **245 Owner and Design Professional Agreement (Short Form)**

A convenient, short form contract premised on the ConsensusDocs 510.

### **246 Owner and Geotechnical Consultant Agreement**

Addresses the unique nature of services provided by a geotechnical consultant.

### **247 Owner and Consultant Agreement**

Owners use to contract with a consultant to perform specific services.

### **250 Design Professional and Consultant Agreement**

An agreement between a Design Professional and its Consultant to perform A/E services.

- Exhibit D: Insurance Requirements

### **253 Standard Agreement and General Conditions Between Owner and Prefabricator (Lump Sum)**

This agreement between an Owner and Prefabricator presumes the most common type of prefabrication in which a prefabricated component is made off-site at the prefabricator's site. Then that component is delivered and installed at the worksite

### **260 Performance Bond**

Coordinated for use with the ConsensusDocs 200 and 500 series.

### **261 Payment Bond**

Coordinated for use with the ConsensusDocs 200 and 500 series.

### **262 Bid Bond**

Coordinated for use with the ConsensusDocs 200 and 500 series.

### **263 Warranty Bond**

Used for defect correction during the Correction of Work period.

### **270 Bidder Instructions**

Used for bid submission and award, including pre-bid procedures.

### **271 Instruction to Bidders on Public Works**

To be used with the 210.

- Exhibit A: Certifications

### **280 Certificate of Substantial Completion**

Establishes the date of substantial completion.

### **281 Certificate of Final Completion**

Establishes the date of final completion.

### **290 Guidelines for Obtaining Owner Financial Information**

Helps Contractors and Subcontractors identify Owner information to request.

#### **290.1 Owner Financial Questionnaire**

Contractors and Subcontractors use to request information about the Owner's legal structure, insurance, financing and more.

### **291 Payment Application (GMP)**

Facilitates the calculation and documentation of progress payments.

### **292 Payment Application (Lump Sum)**

Facilitates the calculation and documentation of progress payments.

### **293 Schedule of Values**

Provides a breakdown of costs; should be used with ConsensusDocs 291 or 292.



## 200 SERIES General Contracting



### 296 Teaming Agreement

Form a team for the purpose of submitting a bid to an Owner. Flexible for those team members to include a design professional, constructors or others.

### 297 Joint Venture Line Item Agreement

A contract for parties who want to include line items in the body of the contract.

### 298 Joint Venture Agreement

An agreement between two or more parties to form a joint venture.

- Exhibit A: Subcontracts
- Exhibit B: Payments

### 299 Joint Venture LLC Operating Agreement

An agreement between two or more to form an LLC version of a joint venture.

- Exhibit A: Members' Subcontracts
- Exhibit B: Company Payments
- Exhibit D: Profits & Losses Allocation

## 300 SERIES Integrated Project Delivery (IPD)

### 300 Multi-Party Agreement for Integrated Project Delivery (IPD)

This standard collaborative agreement, in which an Owner, Designer and Constructor all sign the same agreement, is the first of its kind. This Lean construction approach is also known as alliancing or relational contracting. A core team is created to make project decisions in this innovative agreement.

### 301 Building Information Modeling (BIM) Addendum

The first standard contract to globally address legal and administrative issues associated with BIM has been updated. It should be used by anyone inputting information into the Model, and includes a BIM Execution Plan, which allows the parties to determine the levels of model reliance.

### 305 Lean Construction Addendum

Used by parties interested in getting the benefits of lean tools and techniques but not ready to use a pure integrated project delivery agreement. Coordinates best with a Construction Manager (CM) At-Risk agreement.

### 310 Green Building Addendum

Another industry first created for projects with green building elements and rating certifications such as LEED. A Green Building Facilitator (GBF) is designated to coordinate and implement the green goals.

### 396 IPD Joining Agreement

This Joining Agreement is intended for use with the ConsensusDocs 300 IPD Agreement.

## 400 SERIES Design-Build

### 400 Owner and Design-Builder Preliminary Agreement

Used in conjunction with ConsensusDocs 410 or 415 to take the project through schematic design only.

### 410 Owner and Design-Builder Agreement (Cost of Work Plus Fee with GMP)

Used as a follow-up to the ConsensusDocs 400 or as a stand-alone contract that addresses the entire D-B process.

### 410.1 GMP & Completion Dates

Additional terms and conditions for use with the ConsensusDocs 410.

### 415 Owner and Design-Builder Agreement (Lump Sum—Owner's Program Includes Schematic Designs)

Requires use of the 400 so Design-Builder can provide a lump sum.

### 420 Design-Builder and Design Professional Agreement

Delineates the rights and responsibilities of Design-Builder and Design Professional.

### 421 Statement of Qualifications

Provides information to Owners to assess the qualifications of a Design-Builder.

- Schedule A: Design Personnel
- Schedule B: Construction Personnel
- Schedule C: Past Projects
- Schedule D: Current Projects

### 422 Design-Builder and Design Professional Agreement for Federal Projects

Design-Builder contracting for Design Professional services (lead architect/engineer) for federal projects.

### 431 Design-Build Lean Addendum

This addendum incorporates Lean practices to specifically work in the design-build project delivery method. It would be attached to the prime design-build agreements like the ConsensusDocs 400, 410 or 415 as well as the subcontract (CD 450, 460) and design professional agreements (CD 420).

### 450 Design-Builder and Subcontractor Agreement

Use when the Subcontractor is not retained to provide substantial design.

### 460 Design-Builder and Subcontractor Agreement (Cost of Work Plus Fee with GMP)

Use when Subcontractor is retained by Design-Builder early in design phase.

### 460.1 GMP & Appendices

Additional terms and conditions for use with the ConsensusDocs 460.

### 470 Performance Bond

Surety is liable for design costs.

### 471 Performance Bond

Surety is not liable for design costs.

### 472 Payment Bond

Surety is liable for design costs.

### 473 Payment Bond

Surety is not liable for design costs.

### 481 Certificate of Substantial Completion

Establishes date of substantial completion.

### 482 Certificate of Final Completion

Establishes date of final completion.

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## 400 SERIES Design-Build

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### 491 Payment Application (Cost of Work With GMP)

Use with the ConsensusDocs 410 and provides for notarization.

### 492 Payment Application (Lump Sum)

Use with the ConsensusDocs 415 and provides for notarization.

### 495 Change Order (Cost Plus With GMP)

Use with the ConsensusDocs 410 and requires party signatures.

### 496 Change Order (Lump Sum)

Use with the ConsensusDocs 415 and requires party signatures.

### 498 Teaming Agreement

Form a team for the purpose of submitting a bid to an Owner. Flexible for those team members to include a design professional, constructors or others.

### 499 Joint Venture Agreement

An agreement between two or more parties to form a joint venture.

- Exhibit A: Subcontracts
- Exhibit B: Payments

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## 500 SERIES Construction Manager At-Risk

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### 500 Owner and Construction Manager Agreement (GMP with Preconstruction Services Option)

This integrated agreement and general conditions document includes an option for preconstruction services. This is a CM-at-Risk agreement.

### 500.1 GMP & Completion Dates

Additional terms and conditions for use with the ConsensusDocs 500.

### 510 Owner and Construction Manager Agreement (Cost of Work with Preconstruction Services Option)

Forms an integrated agreement and general conditions contract between the Owner and the Construction Manager performing work on a cost of the work plus a fee basis without a GMP.

### 525 Change Order/Construction Manager Fee Adjustment

A convenient, standard change order or construction manager fee adjustment to be used for projects built under the Construction Management method of contracting.

### 541 Addendum to Agreements Between Owner and Construction Manager and Between Owner and Design Professional for Design-Assist Services

Creates a contractual structure to better coordinate design professionals, construction managers (CM), and trade contractors in the design development phase.

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## 700 SERIES Subcontracting

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### 702 Purchase Order for Commodity Goods

Assigns risks and liabilities where each party has control.

### 702.1 Additional Terms and Conditions to Purchase Order for Commodity Goods

Additional terms and conditions for use with the ConsensusDocs 702.

### 703 Purchase Agreement for Noncommodity Goods

An agreement for purchasing complex goods that coordinates the Constructor, Distributor and Factory, and assigns risk and liability where each party has control.

### 704 Equipment Lease

Offered as either a one-page agreement or two-page general conditions. Replaces the previously-published ConsensusDocs 907 contract.

### 705 Invitation to Bid/Subbid Proposal

Used for Subcontractors to describe the scope of work covered in their bids.

### 706 Performance Bond

Bond requested by a Constructor from a Subcontractor to guarantee performance.

### 707 Payment Bond

Bond requested by a Constructor from a Subcontractor to guarantee Subcontractor pays laborers and suppliers.

### 710 Payment Application

Subcontractor's request for payment.

### 721 Statement of Qualifications

Used by Subcontractor to provide information such as qualifications, references, performance history and safety record.

- Schedule A: Key Personnel
- Schedule B: Past Projects
- Schedule C: Current Projects

### 725 Subcontractor and Subsubcontractor Agreement

The first and only standard agreement of its kind, which is well-suited to this generally less complex relationship.

- Exhibit E: Insurance Requirements

### 746 Constructor & Geotechnical Consultant Agreement

Addresses the unique nature of services provided by a geotechnical consultant.

### 747 Constructor & Consultant Agreement

Constructors use to contract with a consultant to perform specific services.

### 748 Constructor & Testing Lab Agreement

Addresses the unique nature of services provided by a testing lab.

### 749 Constructor and Testing Lab Agreement (Hazardous Waste)

Similar to the 748, but tailored for the testing of hazardous waste.

### 750 Constructor and Subcontractor Agreement

Compatible with the ConsensusDocs 200 and other agreements, and includes an indemnity provision.

## 700 SERIES Subcontracting

### **750.1 Rider for Storage at Subcontractor's Site**

Governs storage of materials and equipment, and sets minimum precautions and coverages. May be attached as a rider to the 750.

### **751 Constructor and Subcontractor Agreement (Short Form)**

Short form subcontract with essential terms and conditions including indemnity.

### **752 Subcontract for Use on Federal Construction**

The only standard subcontract compliant with the 2012 Federal Acquisition Regulations (FAR).

- Exhibit H: FAR Provisions
- Exhibit I: Subcontractor Certification

### **753 Standard Prefabricated Construction Agreement Between Constructor and Prefabricator**

Addresses the most common type of prefabricated construction, off-site prefabrication of a component that is delivered and installed at the worksite.

### **755 Standard Master Subcontractor Agreement**

This new master subcontract provides the general terms and conditions between a Constructor (AKA general contractor, design-builder, construction manager) and a Subcontractor. This subcontract document coordinates with the ConsensusDocs 756 ConsensusDocs Standard Project Work Order Agreement, which provides project specific information for the project work scope, such as price, and insurance requirements.

### **756 Standard Project Work Order**

This new project work order (PWO) provides the project specific information needed to complete the 755 ConsensusDocs Standard Master Subcontract. Project specific information includes definition of the subcontract work scope, insurance and bonding requirements, if applicable. A PWO is also commonly called a work order or task order in the A/E/C industry.

### **760 Bid or Proposal Bond**

Use when a bid or proposal bond is required.

### **781 Certificate of Substantial Completion**

Establishes date of substantial completion.

### **782 Certificate of Final Completion**

Establishes date of final completion.

### **790 Request for Information (RFI)**

Subcontractors use to request information or instructions.

### **795 Change Order**

Formalizes changes and adjustments to subcontract time and price.

### **796 Interim Directed Change**

Unilateral order by the Constructor in absence of agreement on price and time for changes.

## 800 SERIES Program Management

### **800 Owner and Program Manager Agreement**

A "pure agent/PM," not at risk agreement, with design and construction contracts signed by Owner or PM acting as Owner's agent. PM may replace Owner's facilities staff to oversee a project.

### **810 Owner and Owner's Representative Agreement**

Agreement between an Owner and a person/entity acting as an independent contractor, who serves as the Owner's authorized representative, assuming the Owner retains an Architect-Engineer and a Constructor.

### **812 Interim Directed Change**

Issued by Owner to Trade Contractor in the absence of agreement on price and time for changes in the trade contract work.

### **813 Change Order**

Formalizes changes and make adjustments to time and price.

### **814 Certificate of Substantial Completion**

Used to establish the date of substantial completion.

### **815 Certificate of Final Completion**

Used to establish the date of final completion.

### **820 Owner and Commissioning Authority Agreement**

Contract terms specific to commissioning authority services.

### **830 Owner And Construction Manager As Agent Agreement (CM Provides General Condition Items)**

This agreement may be used with the construction management process when the Owner awards all trade contracts. Replaces the previously-published ConsensusDocs 801 contract.

### **831 Owner and Construction Manager as Agent Agreement (No General Conditions Provided)**

The CM does not provide the General Condition Items. Replaces the previously-published ConsensusDocs 801 contract.

### **840 Agreement Between Owner and Design Professional (Owner Hires or Acts as Its Own CM)**

This agreement may be used with the construction management process when the Owner awards all trade contracts. Replaces the previously-published.

### **842 Owner and Energy Consultant**

Contract terms specific to energy consulting services.

### **850 Owner and Trade Contractor Agreement**

Forms legal relationship between Owner and each Trade Contractor, who becomes prime to the Owner.

## 900 SERIES Public-Private-Partnership

### **900 Standard Public-Private Partnership Agreement and General Conditions (P3)**

The ConsensusDocs 900 Standard P3 Agreement is a significant first-of-its-kind for ConsensusDocs in addressing P3. This document provides a fair and balanced standard agreement for a P3 project to design, build, finance, operate, maintain, and finance (DBFOM) between an Owner and a Concessionaire that is only 17 pages.

### **910 Standard Operation and Maintenance Agreement**

The first and only industry standard form contract in construction which allows a procuring entity to designate an Operations and Management Contractor (O&M), for an Owner to procure standalone O&M services. This standard agreement is a ConsensusDocs exclusive document addressing Construction post completion.

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## WHY YOU NEED ConsensusDocs for Your Projects

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**FAIR & BALANCED** — Allocate risks and responsibilities fairly and efficiently

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**ACCEPTED** — Written by 40+ design and construction industry associations

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**CURRENT** — Updated to remain current with legal and industry developments

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**CUTTING EDGE** — Groundbreaking contracts help you stay current

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**CLEAR** — Avoid unnecessary legalese for clear performance expectations

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**PROJECT-FOCUSED** — Cooperative working relationships for less disputes

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**EASY TO USE** — MS Word®-based for easy editing and collaboration

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**COMPREHENSIVE** — Address all project delivery methods

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**DETAILED** — Cover in detail the key contracting issues

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**TRUSTED** — Developed by seasoned design and construction professionals

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**COLLABORATION** — Exclusive online platform helps you reach consensus faster

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**SAVE TIME & MONEY** — A better contractual base for better project results!



# ConsensusDocs COALITION



National Association  
of State Facilities  
Administrators



The Construction  
Users Roundtable



Construction Owners  
Association of America



Women Construction  
Owners & Executives, USA



National Association of  
Women in Construction



Associated General  
Contractors of America



Associated Specialty  
Contractors, Inc.



Construction Industry  
Round Table



American Subcontractors  
Association, Inc.



Associated Builders  
and Contractors



American Institute  
of Constructors



Lean Construction  
Institute



Retail Contractors  
Association



United States Hispanic  
Construction Association



Finishing Contractors  
Association



Mechanical Contractors  
Association of America



National Electrical  
Contractors Association



National Roofing  
Contractors Association



Painting and Decorating  
Contractors of America



Plumbing Heating Cooling  
Contractors of America



National Subcontractors  
Alliance



Sheet Metal and Air  
Conditioning Contractors'  
National Association



Association of the Wall  
and Ceiling Industry



National Association of  
Electrical Distributors



Door and Hardware Institute



Independent Electrical  
Contractors



National Ground Water  
Association



American Society of  
Professional Estimators



Water and Wastewater  
Equipment Manufacturers  
Association, Inc.



Air Conditioning  
Contractors of America



Architectural Woodwork  
Institute



National Utility  
Contractors Association



National Tile  
Contractors  
Association



National Association  
of Surety Bond  
Producers



The Surety & Fidelity  
Association of  
America



The American Council  
of Independent  
Laboratories



Construction Financial  
Management Association



National Association of  
Construction Auditors



Dispute Review Board  
Foundation



AABC Commissioning  
Group



Construction Specifications  
Institute



Modular Building Institute

## Construction Practices Have Evolved, So Should Your Contracts

**24/7 ACCESS** Access your contracts anytime, anywhere via our secure, cloud-based system.

**EASY TO EDIT** If you know Microsoft Word®, you know how to customize ConsensusDocs contracts.

**EASY COLLABORATION** Invite anyone to collaborate on your contract for free, and you control editing rights.

**CREATE FAVORITES** Create "Favorites" from ConsensusDocs contracts modified to meet your unique needs.

**CONVERT & COMPARE** View changes from one document version to another (Word to PDF, PDF to Word).

**FREE GUIDANCE** Embedded user instructions reference the free ConsensusDocs Guidebook.