

# General Conditions of the Contract for Construction

# Document 00700

**Construction Manager At Risk** April 12, 2006 Edition



## **Table of Articles**

### GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION

			page
1.	GENERAL I	PROVISIONS	1
	1.1	Definitions	
	1.2	Execution, Correlation and Intent	
	1.3	Use of State's Drawings, Project Manual	
		and other Documents	
	1.4	Capitalization	
	1.5	Conflicts in the Contract Documents	
	1.6	Requests for Information, Clarifications or	
		Additional Instructions	
2.	ADMINISTR	RATION OF THE CONTRACT	7
	2.1	Information and/or Services Required of the State	
	2.2	Administration of the Contract	
	2.3	Breaches, Defaults and Termination for Cause	
	2.4	Termination for the State's Convenience	
	2.5	Suspension by the State for Convenience	
3.	CONTRACT	OR	1
	3.1	Review of Contract Documents and Field Conditions by the Contractor	
	3.2	Supervision and Construction Procedures	
	3.3	Labor and Materials	
	3.4	Nondiscrimination/No Harassment Clause	
	3.5	Guarantee	
	3.6	Taxes	
	3.7	Permits, Fees and Notices	
	3 8	Allowances	
	3.9	Superintendent	
	3.10	Contractor's Progress Schedule	
	3.11	Documents and Samples at the Project Site	
	3.12	Shop Drawings, Product Data and Samples (Submittals)	
	3.13	Tests and Inspections	
	3.14	Use of Project Site	
	3.15	Cutting and Patching	
	3.16	Cleaning Up	
	3.17	Access to Work	
	3.18	Royalties and Patents	
	3.19	Indemnification	
	3.20	Air Pollution	
	3.21	Union Organizing	

GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION OCCM 4-12-06 CM@R 00700-2 10/07/05

Table of Articles			
			page
4.	SUBCONTR	ACTORS	20
	4.1	Subletting and Subcontracting	
	4.2	Subcontractual Relations	
	4.3	Contract Assignments	
5.	NOT USED		
6.	CHANGES I	N THE WORK	22
	6.1	General	
	6.2	Change Order	
	6.3	Acceptance of Change Orders	
	6.4	Effect on Sureties	
	6.5	Validity of Alterations	
	6.6	Guaranteed Maximum Price	
	6.7	Cost Classifications	
7.	TIME		29
	7.1	Notice to Proceed	
	7.2	Contract Time	
	7.3	NOT USED	
	7.4	Time Extensions	
	7.5	Delays in Completion of the Work	
	7.6	Acceleration	
8.	PAYMENTS	AND COMPLETION	31
	8.1	Schedule of Values	
	8.2	Progress Payments	
	8.3	Retentions	
	8.4	Assignment of Contract Funds	
	8.5	Occupancy by the State Prior to Completion of the Work	
	8.6	Acceptance of the Work	
	8.7	Final Payment	
	8.8	Method of Payment	
9.	DISPUTES AND CLAIMS		34
	9.1	Dispute and Claim Procedures	
	9.2	Audit and Access to Records	

GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION OCCM 4-12-06 CM@R 00700-3 10/07/05

### Table of Articles

			page
10.	PROTECTIO	ON OF PERSONS AND PROPERTY	3
	10.1	Safety of Persons and Property	
	10.2	Emergencies	
	10.3	Drug-Free Workplace	
11.	INSURANCE AND BONDS		39
	11.1	Contractor's Insurance	
	11.2	No Personal Liability	
	11.3	Performance Bond and Payment Bond	
12.	UNCOVERING AND CORRECTION OF WORK		4
	12.1	Uncovering and Correction of Work	
	12.2	Correction of Work	
	12.3	Acceptance of Nonconforming Work	
13.	MISCELLANEOUS PROVISIONS		4.
	13.1	Governing Law	
	13.2	Successors and Assigns	
	13.3	Written Notice	
	13.4	Contractor's Use of Computer Software	
	13.5	Relationship of Parties	
	13.6	State's Obligation Subject to Availability of Funds	
	13.7	Conflict of Interest	
	13.8	Covenant Against Gratuities	
	13.9	National Labor Relations Board Severability	
		Waiver	
		Public Contract Code References	
	13.13	Entire Agreement	
	13.13	2	

GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION OCCM 4-12-06 CM@R 00700-4 10/07/05