



Contract Negotiation

Establishing the contract framework for the project is a threshold decision that must be made by the owner and thoroughly understood by all other parties involved in the project. The selection depends on a variety of factors, including the owner's needs and its expertise and capabilities. Construction projects have traditionally been designed, bid, built and paid for within a framework of strictly defined roles, relationships and procedures. Perceived weakness in the traditional method has led to the consideration and use of new, alternative methods such as various forms of construction management, multi-prime contracting and design-build. The new methods provide many advantages but their divergence from clearly defined practices and roles requires careful attention to the contract drafting phase and to negotiation of the terms. The lawyers at SMITH CURRIE are relied on to interpret, document, negotiate and draft the terms of agreements in all types of construction projects for our clients in every phase of the industry. The contract framework is discussed in Chapter 13 of *Common Sense Construction Law*.

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