



FOR IMMEDIATE RELEASE

## The Engineers Joint Contract Documents Committee Releases Revised Bond Forms

ALEXANDRIA, Va., December 10, 2010—The Engineers Joint Contract Documents Committee (EJCDC) today released new versions of its Construction Series Bond Forms, EJCDC C-610, Performance Bond, and EJCDC C-615, Payment Bond, in concert with the American Institute of Architecture's recent revision of AIA A312.

Since 1984, EJCDC has published performance and payment bond forms that are consistent in language with AIA's performance/payment bond form, to ensure uniformity in bond terms and procedures, for the benefit of owners, bond claimants, and sureties. The revised bond forms address key issues identified by industry participants and court decisions. In addition, the bonds' wording has been updated to be more consistent with terminology currently used in the EJCDC and other standard construction contract documents.

The 2010 forms contain significant changes. The 2010 Payment Bond form expands the scope of possible claimants to include anyone who may assert a mechanic's lien, extends the time in which the surety must reply to a claim, expressly confirms the surety's obligation to defend and indemnify the project owner against payment claims, and clarifies that surety's failure to strictly comply with certain procedural requirements does not constitute a waiver of surety's and contractor's substantive defenses to the claim. The 2010 Performance Bond form contains a more streamlined process for initiating and advancing a claim, for the purpose of reducing project delays when a contractor defaults. Both newly revised bond forms also contain a number of organizational changes and minor edits.

EJCDC, the Surety & Fidelity Association of America (SFAA) and the National Association of Surety Bond Producers (NASBP) were major contributors to the AIA-led drafting process that resulted in publication of the new forms. Additional industry organizations participating in this collaborative process included the American Bar Association's Forum on the Construction Industry; the Associated Builders &

Contractors (ABC); the American Subcontractors Association (ASA); the Associated General Contractors of America (AGC); the Associated Specialty Contractors (ASC); the Construction Owners Association of America (COAA); the National Society of Professional Engineers (NSPE); the American Council of Engineering Companies (ACEC); the American Insurance Association (AIA); and the American College of Construction Lawyers (ACCL). This cross-disciplinary effort will help ensure the long-term viability of project bonding as a way to manage risk and facilitate construction in an ever-changing industry.

EJCDC documents are specifically written for infrastructure and engineered facilities projects in the United States. The documents can readily be customized to suit each project's unique goals and regulatory requirements.

Since 1975, EJCDC has developed and updated fair and objective standard documents that represent the latest and best thinking in contractual relations between all parties involved in engineering design and construction projects.

The Engineers Joint Contract Documents Committee (EJCDC) is a joint venture of four major organizations of professional engineers and contractors. Each of EJCDC's sponsoring organizations—NSPE, ASCE, ACEC, and AGC—offer EJCDC documents on their online stores at a discount to organization-members. EJCDC documents may also be purchased at [www.ejcdc.org](http://www.ejcdc.org).

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