



FOR IMMEDIATE RELEASE

The Engineers Joint Contract Documents Committee Releases Revised Engineering Documents

Alexandria, VA., December 3, 2010—The Engineers Joint Contract Documents Committee (EJCDC) today released a revised version of its Engineering Subconsultant Documents from its Engineering Family of Documents. These subagreements are used to form contracts between an engineering firm, as prime design professional, and other professional firms or individuals, such as geotechnical engineers, surveyors, mechanical and electrical engineers, and architects. The four subagreements were prepared with input from a variety of sources, including not only design professionals but also owners, contractors, and insurance companies. For each of the four subagreements, EJCDC gave special attention to the sections of the document that describe the scope of services. Users of the documents should find that the scope sections provide a solid base for drafting the scope requirements of the specific engagement.

The 2010 edition of EJCDC's Engineering Subconsultant Documents replaces the edition published in 2006 and reflects current legislation, recent judicial activity, and business practices in 2010. In coordination with EJCDC's latest Owner-Engineer Agreement, the new edition carries forward some significant philosophical changes in approach relative to the general allocation of risk and balance of relationship among the owner, prime engineer and consultant. These important changes demonstrate EJCDC's philosophy of parties working together toward fair and balanced agreements that truly and clearly reflect the obligations of all participants.

The revised documents include:

- EJCDC E-560, Agreement between Engineer and Land Surveyor for Professional Services (2010 Edition). E-560 features a comprehensive scope of services section that includes boundary surveys, topographic surveys, construction staking, and post-construction survey services.
- EJCDC E-564, Agreement between Engineer and Geotechnical Engineer for Professional Services (2010 Edition). This document is specifically drafted to

address scope of work and risk allocation issues of importance in the provision of geotechnical services. It may be used for investigative geotechnical services as well as design and construction-phase geotechnical work. For situations in which the project owner prefers to retain the geotechnical engineer directly, EJCDC publishes EJCDC E-530, Agreement between Owner and Geotechnical Engineer for Professional Services (2010 Edition). The geotechnical-related content of E-530 is similar to that contained in the E-564 subagreement.

- EJCDC E-568, Agreement between Engineer and Architect for Professional Services (2010 Edition). This is for use on infrastructure and engineered facilities projects that include as a secondary component offices or other features that should be designed by an architect.
- EJCDC E-570, Agreement between Engineer and Consultant for Professional Services (2010 Edition). This is an all-purpose subagreement that may be used to delegate a wide variety of professional services. The 2010 edition has been structured to allow it to be used to retain a consultant to provide resident project representative services.

As with previous editions of these EJCDC subagreements, the four new editions are carefully drafted to coordinate with use of EJCDC prime professional services agreements, such as EJCDC E-500, Agreement between Owner and Engineer for Professional Services, and EJCDC E-505, Agreement between Owner and Engineer for Professional Services, Task Order Edition. The EJCDC subagreements may also be used in situations in which the prime professional services agreement is not an EJCDC document.

The following notable changes appear in all four 2010 editions of the subagreements:

- Stronger flow-down of the terms of the prime professional services agreement.
- Confirmation of the consultant's entitlement to rely on information furnished to it by the prime professional (Engineer) in performing consultant's services.
- Expanded options for addressing the situation in which the project owner fails to pay Engineer. When the Engineer and the consultant (architect, geotechnical engineer, land surveyor, or other) finalize the subagreement, they now may choose from four options for allocating or sharing the risk of owner non-payment.
- Clarification of Engineer's general obligation to pay the consultant for undisputed services, and of the consultant's right to terminate the subagreement if it does not receive payment.
- Express provisions regarding compliance with owner and contractor safety programs when on the project site.

- Indemnification by Engineer for certain categories of damages is now an option rather than a standard requirement.
- Improvements in definitions and terminology, both to suit the particular needs of the specific document and to enhance the coordination of the subagreements with other EJCDC design and construction contract documents.
- Inclusion of express certifications that the agreement has not been procured through bribery, fraud, or coercion. Such certifications are important for any public work or projects receiving grant funding.
- Revisions to the compensation provisions to improve clarity and ease of completing the subagreement document.

EJCDC documents are the highest quality standard documents specifically written for infrastructure projects in the United States. Formatted in easy to use Microsoft Word, the documents can 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.

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