

TRADE CONTRACTS: A DOUBLE-EDGED SWORD

Benjamin Franklin opined “An ounce of prevention is worth a pound of cure”.

Today subcontracts are becoming more and more confusing and onerous with the General Contractors pushing more and more risk, responsibility and liability onto the Trade Contractor, so it behooves the Trade Contractor to have a greater understanding of the contract before a problem threatens their business rather than after.

The Canadian Construction Association Trade Contractors Council published “CCA 53 – A Trade Contractor’s Guide and Checklist to Construction Contracts”. This document was created to “draw the attention of Trade Contractors to certain clauses that frequently appear in construction contracts or subcontracts which can adversely affect the rights and obligations of trade contractors” and forms part of the discussion.

Using a manual filled with spreadsheets and checklists this workshop will discuss the Trade Contractor’s contractual responsibilities and will examine clauses regarding design responsibility, performance specifications, conduit or flow-down provisions, scope of subcontract work, payment, insurance, protection of work, warranties and temporary site facilities. Contract law, contract terms and conditions, incorporation by reference as well as many other terms will be reviewed and discussed.

A “Subcontract Handbook” will be developed by the participants so that the Subcontractor will better understand the contract requirements.

In addition, and using a green, amber and red-light system using actual subcontracts, participants will review and analyze actual subcontract clauses to identify those clauses to be on the look-out for when reviewing and attempting to understand the construction contracts they are asked to bid upon and sign.

Exclusive to this workshop is a comprehensive manual that is used as a reference and guide throughout the sessions. The manual is based on accumulated knowledge gathered over 40 years in the construction industry. It is a valuable and effective tool that contains not only practical how-to’s, checklists and templates but will also be a foundation for new processes and procedures back in the office or on the jobsite.

Who Should Attend:

Subcontractors, general contractors, contract administrators, estimators in the construction industry.

Virtual Classroom Sessions:

2 sessions of 3 hours each

This workshop is worth 1 Gold Seal credit.