

CASE #3: An Agreement between Owner and Structural Engineer as Prime Design Professional

ABSTRACT

This agreement is intended for the Structural Engineer to serve as the Prime Design Professional. It addresses projects which may require other engineering disciplines and architectural services which are more than incidental. Examples are parking garages, warehouses, light industrial buildings, sports facilities and structural renovations. It should be distinguished from CASE # 2 which is to be used when the Structural Engineer of Record has an agreement with the Owner but does not serve as the Prime Design Professional.

As of 2019, all CASE Sample Contract Agreements were legally reviewed by outside counsel and the following changes were made:

What's New:

Termination provision

State-by-state drafting questions and considerations

What's Updated:

Clarified insurance obligations

Modified indemnity provisions

Limitation of liability provisions

Dispute resolution provisions