

ARCHITECT AND ENGINEER LIABILITY

Claims Against Design Professionals

Second Edition

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against a design professional could be barred by the New Hampshire statute of repose as purely economic losses The 2019 AIA updates to the Construction Manager as Constructor CMc documents include a new standard of care that requires the construction manager to exercise reasonable care in performing its Preconstruction Services and contain insurance requirements for the CMc during the preconstruction phase that match the insurance requirements for the architect Effective August 1 2019 a North Carolina law provides critical protections for design professionals when faced with the question of whether they owed a duty to defend the owner of a project A New York City mayor s discretionary conduct in refusing to take the steps necessary to authorize a construction project i e inaction was shielded by legislative immunity A provision of the standard form A201 General Conditions incorporated into a contract further defined the term architect to include the authorized representatives of the listed architect in the contract which permitted a principal as a representative of the architectural firm among those persons able to demand arbitration under the terms of the contract Under Indiana law construction managers owe a duty for job site employee safety in two circumstances when the construction manager has contractually assumed a duty for job site safety or when the construction manager voluntarily assumed a duty for job site safety

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