

75 Albert Street
Suite 400
Ottawa, Ont. K1P 5E7

CANADIAN CONSTRUCTION DOCUMENTS COMMITTEE
CANADIAN CONSTRUCTION DOCUMENTS COMMITTEE
CANADIAN CONSTRUCTION DOCUMENTS COMMITTEE

Tel: (613) 236-9455
Fax: (613) 236-9526
info@ccdc.org

BULLETIN 16

Revised

CCDC 2 – 1994 – NEW PAGES 33R AND 34R

November 1998

At the time of publication of CCDC 2 - 1994 and the accompanying guide, it was clear to the Committee and to the large majority of those in the construction industry dealing with this document that GC 12.2.1.3 and GC 12.2.1.4 restricted the Contractor's continuing liability to an Owner. In the first instance, this relates to claims arising against the Contractor as a result of the Contractor having brought or introduced toxic or hazardous substances and materials to the place of the work; and in the latter instance, to claims arising with respect to substantial defects or deficiencies in the work. It is still the view of the Committee that the proper interpretation of those clauses is to that effect.

It has been suggested to the Committee that there may be those who are attempting to interpret these clauses differently. Out of an abundance of caution, the Committee has recommended that pages 33 and 34 of the contract form be reworded insofar as they relate to GC 12.2.1.3 and GC 12.2.1.4 Accordingly new pages marked 33R and 34R will be found in the document, and copies are attached to this bulletin.

The document will continue to be known as CCDC 2 – 1994.

Association
of Consulting
Engineers
of Canada

Canadian
Construction
Association

Construction
Specifications
Canada

The Royal
Architectural
Institute of Canada

(CCDC bulletins are products of a consensus-building process aimed at balancing the interests of all parties on the construction project. They reflect recommended industry practices. Readers are cautioned that CCDC bulletins do not deal with any specific fact situation or circumstance. CCDC bulletins do not constitute legal or other professional advice. The CCDC and its constituent member organizations do not accept any responsibility or liability for loss or damage which may be suffered as a result of the use and interpretation of these bulletins.)