# CCĐC 46

CCDC

## Guide to CCDC 5B

### Construction Management Contract – for Services and Construction

# 2 0 1 1

CANADIAN CONSTRUCTION DOCUMENTS COMMITTEE CANADIAN CONSTRUCTION DOCUMENTS COMMITTEE CANADIAN CONSTRUCTION DOCUMENTS COMMITTEE The Canadian Construction Documents Committee (CCDC) is a national joint committee responsible for the development, production and review of standard Canadian construction contracts, forms and guides. Formed in 1974 the CCDC is made up of volunteer representatives from:

Public Sector Owners Private Sector Owners Canadian Bar Association (Ex-Officio) \*The Association of Canadian Engineering Companies \*The Canadian Construction Association \*Construction Specifications Canada \*The Royal Architectural Institute of Canada

\*Committee policy and procedures are directed and approved by the four constituent national organizations.

For general information on the Canadian Construction Documents Committee (CCDC), documents published by the CCDC, and the development and proper usage of CCDC standard documents, refer to the CCDC website (www.ccdc.org).

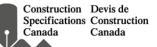
This Guide is provided as a service to the industry for general information only. It is not intended that anything in this Guide constitute legal advice, and the reader must not use the Guide for that purpose. Qualified legal counsel should always be consulted in connection with any specific issues arising in the particular circumstances of each case. CCDC is not responsible for any errors or omissions.

### CCDC Copyright 2011

Must not be copied in whole or in part without the written permission of the CCDC.









#### TABLE OF CONTENTS

#### AGREEMENT BETWEEN OWNER AND CONSTRUCTION MANAGER – FOR SERVICES AND CONSTRUCTION

A-1	The Services and the Work
A-2	Agreements and Amendments
A-3	Description of the Project
A-4	Contract Documents
A-5	Construction Manager's Fee
A-6	Reimbursable Expenses for the Services
A-0 A-7	Cost of the Work
A-8	
A-0 A-9	Options
A-9 A-10	Payment
	Receipt of and Addresses for Notices in Writing
A-11	Language of the Contract
A-12	Succession
SCHEDULE	ES TO THE AGREEMENT
A1	Services and Compensation
A2	Reimbursable Expenses Applicable to Schedule A1
В	Time-based Rates for Personnel Employed by the Construction
	Manager
	•
DEFINITIO	
1.	Class A Construction Cost Estimate
2.	Class B Construction Cost Estimate
3.	Class C Construction Cost Estimate
4.	Class D Construction Cost Estimate
5.	Change Directive
6.	Change Order
7.	Construction Cost
8.	Construction Cost Estimate
9.	Construction Documents
10.	Construction Equipment
11.	Construction Manager
12.	Construction Manager's Fee
13.	Consultant
14.	Contract
15.	Contract Documents
16.	Contract Time
17.	Cost of the Work
18.	Drawings
19.	Guaranteed Maximum Price
20.	Notice in Writing
21.	Owner
22.	Place of the Work
23.	Price of the Services
24.	Price of the Work
25.	Product
26.	Project
20. 27.	Services
28.	Shop Drawings
28. 29.	
	Specifications Subcontractor
30.	Substantial Performance of the Work
31.	
32.	Supplemental Instruction
33.	Supplier
34.	Temporary Work
35.	Value Added Taxes
36.	Work
37.	Working Day
GENERAL	CONDITIONS
PART 1	GENERAL PROVISIONS
GC 1.1	Contract Documents
GC 1.2	Law of the Contract
GC 1.2 GC 1.3	Rights and Remedies
GC 1.4	Assignment
GC 1.5	Performance of the Services
GC 1.6	Project Representatives
50 1.0	r ojeet representati es

#### PART 2 ADMINISTRATION OF THE CONTRACT

GC 2.1 Owner's Responsibilities

- GC 2.2 Authority of the Consultant
- GC 2.3 Consultant's Responsibilities
- GC 2.4 Review and Inspection of the Work
- GC 2.5 Defective Work

### **PART 3 PERFORMANCE OF THE SERVICES AND EXECUTION OF THE WORK**

GC 3.1 Control of the Wor
---------------------------

- GC 3.2 Construction by Owner or Other Contractors
- GC 3.3 Temporary Work
- GC 3.4 Review of Drawings, Specifications and Material and Finish Schedules
- GC 3.5 Construction Schedule
- GC 3.6 Supervision
- GC 3.7 Subcontractors and Suppliers
- GC 3.8 Labour and Products
- GC 3.9 Documents at the Site
- GC 3.10 Shop Drawings
- GC 3.11 Use of the Work
- GC 3.12 Cutting and Remedial Work
- GC 3.13 Cleanup
- PART 4 ALLOWANCE
- GC 4.1 Cash Allowances

#### PART 5 PAYMENT

- GC 5.1 Financing Information Required of the Owner
- GC 5.2 Accounting and Audit
- GC 5.3 Progress Payment for the Services
- GC 5.4 Progress Payment for the Work
- GC 5.5 Substantial Performance of the Work
- GC 5.6 Payment of Holdback Upon Substantial Performance of the Work
- GC 5.7 Progressive Release of Holdback for the Work
- GC 5.8 Final Payment for the Work
- GC 5.9 Withholding of Payment for the Work
- GC 5.10 Non-Conforming Work

#### PART 6 CHANGES

- GC 6.1 Owner's Right to Make Changes
- GC 6.2 Change Order
- GC 6.3 Change Directive
- GC 6.4 Concealed or Unknown Conditions
- GC 6.5 Delays
- GC 6.6 Claims for a Change in Construction Manager's Fee for the Services, the Price of the Work or the Guaranteed Maximum Price

#### PART 7 DEFAULT NOTICE

GC 7.1	Owner's Right to Perform the Work or Terminate the Contract
GC 7.2	Construction Manager's Right to Suspend the Work or
	Terminate the Contract

#### PART 8 DISPUTE RESOLUTION

- GC 8.1 Authority of the Consultant
- GC 8.2 Negotiation, Mediation and Arbitration
- GC 8.3 Retention of Rights

#### PART 9 PROTECTION OF PERSONS AND

- PROPERTY
- GC 9.1 Protection of Work and Property
- GC 9.2 Toxic and Hazardous Substances
- GC 9.3 Artifacts and Fossils
- GC 9.4 Construction Safety GC 9.5 Mould
- JC 7.5 Would

#### PART 10 GOVERNING REGULATIONS

- GC 10.1 Taxes and Duties
- GC 10.2 Laws, Notices, Permits, and Fees
- GC 10.3 Patent Fees
- GC 10.4 Workers' Compensation
- PART 11 INSURANCE CONTRACT SECURITY
- GC 11.1 Insurance
- GC 11.2 Contract Security

#### PART 12 INDEMNIFICATION, WAIVER OF CLAIMS AND WARRANTY GC 12.1 Indemnification

- GC 12.1 Indemnification GC 12.2 Waiver of Claims
- GC 12.3 Warranty

#### APPENDIX STIPULATED PRICE OPTION