



FOR IMMEDIATE RELEASE

EJCDC Releases New, 2021 Construction Manager as Advisor Series Documents

ALEXANDRIA, Va., September 8, 2021— The Engineers Joint Contract Documents Committee (EJCDC®) today released the EJCDC® 2021 *Construction Manager as Advisor Series*.

This series is completely new to EJCDC. The EJCDC® 2021 *Construction Manager as Advisor Series* (CM as Advisor Series) is intended for projects in which the Owner's primary representative during construction will be the Construction Manager as Advisor (CM). As such the CM as Advisor Series is an alternative to the use of the EJCDC *Construction Series*, in which the Engineer that prepared the design subsequently serves as the Owner's construction contract administrator. The CM as Advisor Series is comprised of contract documents, administrative forms, bonds, bidding and procurement documents.

The most common and traditional framework for design-bid-build project delivery is one in which the design professional (engineer or architect) provides not only design services but also construction contract administration services as the owner's primary representative during construction. The new CM as Advisor Series serves the needs of projects in which the design professional focuses on core design and technical services—including engineering services that are required during the construction phase, such as technical review of shop drawings—while a construction manager assists the owner with administrative tasks ranging from budgeting to scheduling to quality management.

Several factors inspired EJCDC's development of the CM as Advisor set of documents:

- First and foremost, many infrastructure projects are very complex, often involving multiple construction contracts over a period of years, creating the need for highly specialized administrative services provided by construction management professionals.
- Some public owners are required by local rules to use a third-party (other than the engineer of record) to administer construction contracts, while other owners prefer the third-party approach as standard operating policy.
- In other cases, the expertise that a construction manager can bring to the project during the pre-construction phase, particularly with respect to

scheduling, cost estimating, value engineering, and procurement, is a compelling factor.

- Some project owners conduct construction contract administration using internal construction management teams. When such is the case, the define delineation of services and responsibilities in the EJCDC CM as Advisor Series will be useful as a starting point in setting up appropriate administrative procedures and establishing the construction contracts, and in craft ing the scope of the engineer of record's construction-phase services. manages

EJCDC continues to publish and encourage the use of Owner-Engineer professional services agreements (such as E-500 2020, Agreement between Owner and Engineer for Professional Services) and construction contract documents (specifically the 2018 EJCDC Construction Series documents) that fit the traditional framework in which the design engineering firm provides construction contract administration services. This framework is often the most efficient and seamless approach, and is well suited to a broad array of engineered facilities projects. The CM as Advisor Series is offered for those design-bid-build projects where an alternative is appropriate.

At the heart of the CM as Advisor Series is EJCDC CMA-501 (2021), Agreement between Owner and Construction Manager as Advisor. This agreement is based on standard professional services contract principles, and addresses the schedule for rendering services, insurance and indemnification, the standard of care, and the scope of CM's services. The scope is set out in a comprehensive exhibit that is coordinated with the scope of Engineer's services, to avoid duplication of effort.

Another key document in the new CM as Advisor Series is EJCDC E-500 (CMA), Agreement between Owner and Engineer for Professional Services (when Owner retains a Construction Manager as Advisor). The terms and conditions of this specialized document closely track those of the traditional E-500; however, E-500 (CMA) notably contains a modified scope of services that highlights coordinated Engineer-CM activities during the final design phase (for example, a cooperative approach to developing Division 01 administrative specifications) and the primary administrative role of the CM during the construction phase, while at the same time preserving the Engineer's control over design and technical issues throughout the project.

Most of the remainder of the 2021 CM as Advisor Series documents are modeled on counterpart documents in the EJCDC Construction Series, with modifications made to accommodate the role of the CM as Advisor during the bidding/procurement process and the construction phase. For example, EJCDC's flagship Standard General Conditions document, C-700 (2018), has been modified for CM as Advisor and published as CMA-700, Standard General Conditions of the Construction Contract—Construction Manager as Advisor Series.

Finally, purchasers of the CM as Advisor series will receive copies of several standard C-Series bond forms that did not require modification for the CM as Advisor process.

Since 1975, EJCDC has developed and updated fair and objective standard documents that represent the latest and best thinking in contractual relations for engineering design and construction projects. EJCDC documents are prepared by a committee of project stakeholders that include owners, contractors, funding entities, attorneys, professional liability insurers, and sureties. EJCDC documents represent and distribute risk fairly and equitably among all parties to engineer-led construction projects.

EJCDC documents are specifically written for public and private infrastructure and engineered facilities projects in the United States. Downloaded in MS Word format, EJCDC documents are easily modified to conform to the unique goals and regulatory requirements of each project.

EJCDC is a joint venture of major organizations of professional engineers:

- the American Society of Civil Engineers (ASCE);
- the National Society of Professional Engineers (NSPE); and
- the American Council of Engineering Companies (ACEC).

Buy EJCDC documents online at www.ejcdc.org.

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