



AIA Releases Green Forms

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In May, the American Institute of Architects (“AIA”) released new contract forms intended to assist Owners, Contractors, and Architects with drafting contracts for projects with sustainability-based goals. Sustainable contracting, similar to green construction, uses resources responsibly and efficiently. The goal of sustainable contracting is for this generation to meet its needs, while not compromising the ability of future generations to meet theirs. These contract forms take AIA’s D503-2011 Guide for Sustainable Projects, which was released in 2011, a step further. They actually modify AIA’s 2007 contract forms to more directly address sustainable project goals.

The new A101-2007 SP, A201-2007 SP, A401-2007 SP, B101-2007 SP, and C401-2007 SP contract forms are for projects using design-bid-build. AIA has not yet created contract forms for these delivery methods. But the model contract language contained in these forms can still be utilized for sustainable projects using alternative delivery methods, such as design/build. For example, these new contract forms define terms specific to sustainable projects, which may be added to forms for other delivery methods. Such contract terms include “Sustainable Objective,” “Sustainable Measure,” “Sustainability Plan,” “Sustainability Certification,” “Sustainability Documentation,” and “Certifying Authority.”

The other new form, the B214-2012, is AIA’s new LEED certification exhibit, updating the B214-2007. The B214-2012 can be added to a B101 Owner-Architect Agreement if the Architect will also perform LEED certification services. Alternatively, it can serve as the basis for a separate agreement between the Owner and a LEED consultant for the project. Unlike the other new forms, which have broadly discuss sustainable project goals, the B214-2012 applies only to projects seeking LEED certification.

Owners, Contractors, and Architects involved in sustainability and green building projects should review these new contract forms. Even if you choose not to use AIA’s green forms, they can be helpful. The new AIA forms provide a good start for including sustainability goals in your [construction](#) agreements. Alternatively, they may reveal holes in your agreements which you thought already covered sustainability goals.