



2019 AIA CONTRACT & DOCUMENT SUMMARY

This white paper summarizes changes to AIA contracts, and related documents, for Architect/Engineer (A/E) and Contractor/Construction Manager (CM) that will be implemented on **August 22, 2019**. AIA documents were reviewed and updated to better align with policies, to clarify procedures, and to incorporate best practices across standardized processes. Major changes from the documents include:

- Clarified A/E and CM responsibilities during design and bidding.
- A Performance Bond is required when executing a change order to accept the Guaranteed Maximum Price (GMP) proposal.
- Expanded terms and conditions based on the A201 General Conditions into the Small Contract family.

Refer to the GEN.30 Facilities Professional Technical Selection Guidelines and GEN.40 Facilities Construction Contractor Selection Guidelines in the [eManual](#) for additional information. Previous document versions have been removed from the eManual and archived. If you need a document, please contact your [Program Manager](#). Contracts executed prior to August 22, 2019 do not need to be revised or modified to match the new terms.

Document Project Families

Contracts and related document are organized on the following pages as a “family” based on three project types. It is important to understand that A/E and contractor/construction manager are structured to be used as a family and cannot be mixed.

1. Standard Design/Bid/Build Project
2. Construction Manager at Risk Project
3. Small Design/Bid/Build Project

Within the three project families are two series of AIA documents, along with the eManual document number:

- AIA **A** series: Construction
 - A101-2017 Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum and A101 Project Attachment
 - A105- 2017 Standard Short Form of Agreement Between Owner and Contractor and A105 Project Attachment
 - A133-2009 Standard Form of Agreement Between Owner and Construction Manager as Constructor where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price

- and A133 Project Attachment
- A201- 2017 General Conditions of the Contract for Construction
- AIA **B** series: Architect/Engineer (A/E)
 - B101 2017 Standard Form of Agreement Between Owner and Architect and B101 Project Attachment
 - B105-2017 Standard Short Form of Agreement Between Owner and Architect and B105 Project Attachment
 - B133–2014 Standard Form of Agreement Between Owner and Architect, Construction Manager as Constructor and B133 Project Attachment

Document Structure

To simplify contract execution, all contracts for A/E or Construction are based on AIA document with a project attachment. Documents are available as:

- **AIA document** (PDF)
 - Modified with Minnesota State’s revisions for terms and conditions to address laws, policies and best practices
 - Language cannot be altered
- **Project Attachment** (word)
 - Created as an attachment to AIA document as a template
 - Unique project data to be inserted into the template

In the following tables, the A/E documents are highlighted in blue and construction documents are highlighted in orange. Changes to contract documents are called an **amendment** for A/E and a **change order** for construction or CM.

1. Standard Design/Bid/Build Project Documents

Design/Bid/Build (D/B/B) is the traditional delivery method used for the majority of Minnesota State projects. Using this method, the lowest responsible bidder is awarded the project.

Threshold Requirements for Usage

- Construction amount over \$100K. *Contracts can also use for lower thresholds*

Contract and Attachment Documents

Document Name	eManual	Document Purpose
AIA Document B101-2017*	ST.30	Agreement between Owner and Designer (A/E): General Terms
B101 Project Attachment*	ST.31	Attachment for Agreement between Owner and Designer (A/E): Unique project terms to be inserted into template
B101 Project Attachment*	RM.25	Attachment for Agreement between Owner and Designer (A/E) for use with Roof Replacement projects: Unique project terms to be inserted into template
AIA Document A101-2017	ST.70	Agreement between Owner and Contractor: General Terms
A101 Project Attachment	ST.71	Attachment for Agreement between Owner and Contractor: Unique project terms to be inserted into template
AIA Document A201-2017	CC.30	General Terms included in bid documents.

*Facilities P/T consultant Master Contract can be used for fees up to \$100K

Contract Change Documents

Document Name	eManual	Document Purpose
Amendment for AIA B101	ST.40	Amendment to Agreement between Owner and Designer (A/E)
Construction Change Order	CC.80	Change Order to Agreement between Owner and Contractor

2. Construction Manager at Risk Project Documents

Construction Manager at Risk (CM@r) continues to gain popularity as an alternate delivery method to reduce risk for Minnesota State on large complex projects. CM allows the construction manager, similar role as general contractor, to be selected during the early design phase. As defined by Minnesota Statute 16C.34, the selection is based on a three-step process of qualifications, project approach and fee proposal, and interview. After the Guaranteed Maximum Price (GMP) is established, bid documents are completed and issued to pre-qualified subcontractors.

Contract and Attachment Documents

Document Name	eManual	Document Purpose
AIA Document B133-2014	CM.30	Agreement between Owner and Designer (A/E):General Terms
B133 Project Attachment	CM.31	Attachment for Agreement between Owner and Designer (A/E): Unique project terms to be inserted into template
AIA Document A133-2009	CM.70	Agreement between Owner and Construction Manager: General Terms
A133 Project Attachment	CM.71	Attachment for Agreement between Owner and Construction Manager: Unique project terms to be inserted into template
A133 Change Order for GMP	CM.80	Change Order to Agreement between Owner and Construction Manager accepting the Gurarnteed Maximum Price proposal
AIA Document A201-2017	CC.30	General Terms included in bid documents

Contract Change Documents

Document Name	eManual	Document Purpose
Amendment for AIA B133	CM.40	Amendment to Agreement between Owner and Designer (A/E)
Change Order for GMP	CM.80	Accept the Construction Manager's proposal for a GMP

3. Small Design/Bid/Build Project Documents

Small Design/Bid/Build (Small D/B/B) contracts are created to parallel standard D/B/B contracts with streamlined terms. Applicable AIA A201 terms and conditions were incorporated into AIA A105 construction contract.

Threshold Requirements for usage

- Construction amount under \$100K

Contract and Attachment Documents

Document Name	eManual	Document Purpose
AIA Document B105-2017*	SM.30	Agreement Between Owner and Designer
B105 Project Attachment*	SM.31	Attachment for Agreement between Owner and Designer (A/E): Unique project terms to be inserted into template
AIA Document A105-2017	SM.70	Agreement between Owner and Contractor (Includes AIA A201 terms)
A105 Project Attachment	SM.71	Attachment for Agreement between Owner and Contractor: Unique project terms to be inserted into template

*Facilities P/T consultant Master Contract can be used for fees up to \$100K

Contract Change Documents

Document Name	eManual	Document Purpose
Amendment for AIA B105-2017	SM.40	Amendment to Agreement between Owner and Designer (A/E)
Change Order	CC.80	Change Order to Agreement between Owner and Contractor