

AIA DOCUMENT A107-1997

Abbreviated Standard Form of Agreement Between Owner and Contractor for Construction Projects of Limited Scope where the basis of payment is a STIPULATED SUM

GENERAL INFORMATION

PURPOSE. AIA Document A107-1997, an abbreviated form, is intended for use on construction projects of limited scope where the basis of payment is a stipulated sum (fixed fee) and where the complexity and length of AIA Documents A107-1997, Owner-Contractor Agreement, and A201-1997, General Conditions of the Contract for Construction, are not required.

RELATED DOCUMENTS. This document contains abbreviated general conditions, and is not intended to be used with a separate general conditions document. A107-1997 is used as one part of the Contract Documents that record the Contract for Construction between the Owner and Contractor. The other Contract Documents are:

- Supplementary Conditions
- Drawings
- Specifications
- Modifications

Although the AIA does not produce standard documents for Supplementary Conditions, Drawings or Specifications, a variety of model and guide documents are available, including AIA's MASTERSPEC and AIA Document A901, Guide for Supplementary Conditions.

If AIA Document A107-1997 is to be used on a project with AIA Document A901-1997, B101-1997, B102-1997, B103, B104, B107, B107.1, C101-1997 or C102-1997, appropriate modifications should be made with the assistance of legal and insurance counsel. Such modifications will be needed because each of these documents reference AIA Document A201, General Conditions of the Contract for Construction, while A107-1997 contains its own general conditions.

DISPUTE RESOLUTION—MEDIATION AND ARBITRATION. This document contains provisions for mediation and arbitration of claims and disputes. Mediation is a non-binding process, but is mandatory under the terms of this agreement. Arbitration is mandatory under the terms of this agreement and binding in most states and under the Federal Arbitration Act. In a minority of states, arbitration provisions relating to future disputes are not enforceable but the parties may agree to arbitrate after the dispute arises. Even in those states, under certain circumstances (for example, in a transaction involving interstate commerce), arbitration provisions may be enforceable under the Federal Arbitration Act.

The AIA does not administer dispute resolution processes. To submit disputes to mediation or arbitration or to obtain copies of the applicable mediation or arbitration rules, write to the American Arbitration Association or call (800) 778-7879. The American Arbitration Association may also be contacted at <http://www.adr.org>.

WHY USE AIA CONTRACT DOCUMENTS? AIA contract documents are the product of a consensus-building process aimed at balancing the interests of all parties on the construction project. The documents reflect actual industry practices, not theory. They are state-of-the-art legal documents, regularly revised to keep up with changes in law and the industry—but they are written, as far as possible, in everyday language. Finally, AIA contract documents are flexible: they are intended to be modified to fit individual projects, but in such a way that modifications are easily distinguished from the original, printed language.

For further information on the AIA's approach to drafting contract documents, see AIA Document A191, Document Drafting Principles.



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