

IN-LB

Inch-Pound Units

SI

International System of Units

Responsibility in Concrete Construction—Guide

Reported by ACI Committee 132

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Responsibility in Concrete Construction—Guide

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Responsibility in Concrete Construction—Guide

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Michelle L. Wilson

Consulting Members

Eldon G. Tipping

Amy M.R. Trygestad

The responsibilities of each party in a concrete construction project should be adequately described in the contracts between the parties, including the responsibility for the owner's project objectives. The party controlling that process (usually the owner or the owner's representative) must ensure that the responsibilities of the parties are clear, coordinated, and consistent. Clarity and consistency in the responsibilities defined in the contracts will reduce friction in executing a construction project and reduce the incidence of legal disputes.

This guide identifies and suggests the allocation of responsibilities to various parties involved in concrete construction in the United States; however, the guidance presented may be applicable to contractual relationships addressing concrete construction in other parts of the world. This guide can also be useful in assessing existing contractual documents to determine if they are adequate and balanced with respect to the responsibilities associated with concrete construction.

The responsibilities outlined in this guide, where not required by law, may be modified by contract language or engineer of record (EOR) specification.

Keywords: concrete construction; contracts; owner; responsibility.

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CHAPTER 1—INTRODUCTION AND SCOPE

1.1—Introduction

The responsibilities of each party in a concrete construction project, including the responsibility for the owner's project objectives such as (in no order) functionality, schedule, and sustainability, should be adequately described in the contracts between the parties. The party controlling that process (usually the owner or an owner's representative) must ensure that the responsibilities of the parties are clear, coordinated, and consistent. Clarity and consistency in the responsibilities defined in the contracts will reduce disputes.

1.2—Scope

This guide describes the recommended responsibilities of various parties involved in the design and construction of concrete structures in the United States. While the document is primarily directed to projects in the United States, the guidance presented may be applicable to contractual relationships addressing concrete construction in other parts of the world. This guide is not intended to supersede contracts between the parties. If there are inconsistencies between the parties' contracts and responsibilities defined in this guide, then the contracts between the parties govern the relationships and responsibilities. This guide evaluates the balance of the responsibilities associated with concrete construction.

CHAPTER 2—DEFINITIONS

Please refer to the latest version of ACI Concrete Terminology for a comprehensive list of definitions. Definitions provided herein complement that resource.

agency construction manager—entity that manages the process of a construction project on behalf of the owner without physically delivering a construction project (*AIA/MBA Best Practices Guide 2023*).

concrete producer—entity that produces concrete and delivers it to the project in a freshly mixed and unhardened state.

construction manager at risk—entity that acts as a consultant to the owner in the development and design phases and acts as the equivalent of a general contractor during the construction phase to deliver a project within the cost and terms of the contract documents.

design/builder—person or entity that undertakes a combination of design and construction for an entire project or a significant portion of a project.

general contractor—person or entity under contract with the owner, responsible for overseeing a construction project, providing the material, labor, equipment, and services necessary for the construction of the project.