

CONCEALED/UNKNOWN CONDITIONS

- Type 1 – CD's depict condition incorrectly
- Type 2 – CD's silent regarding condition, but it is of an unusual nature
- Notice to Architect before conditions disturbed
- Equitable adjustment of price and time
- Effect of disclaimer in contract unclear

SUBCONTRACTING

- Prime Contractor remains liable
- Subs not responsible for other subs (except their own lower tier subs)
- Subs have contract claim versus the GC, but not the Owner
- Mechanic's liens
 - 90 day notice, 120 day filing deadlines
 - Foreclosure lawsuit
 - Waivers of lien
- GC promises to indemnify owner and bond over lien