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**Contact:** Matthew Cass  
(703) 684-3450, Ext. 1317  
[mcass@asa-hq.com](mailto:mcass@asa-hq.com)

## **New FASA CD-ROMs Help Subs Navigate and Avoid The Perils of AIA's New A201 and A401**

ALEXANDRIA, Va. — Change, as the saying goes, is good. However, changes that incorporate the worst business practices of the industry, including inappropriate shifting of risk to subcontractors, are not. By now it's no secret that the new 2007 editions of the American Institute of Architects' (AIA) A201 and A401 model contract documents contain changes from the 1997 editions that can put subcontractors into financial peril, such as the re-insertion of a mandatory "additional insured" requirement. Because AIA's revised documents will still be widely used on projects around the country, subcontractors will be required to reevaluate their bidding and negotiating strategies. To help subcontractors navigate and avoid the dangers of the revised AIA forms, the Foundation of the American Subcontractors Association (FASA) has produced two new multimedia CD-ROMs — "Total Impact: How the AIA A201-2007 Influences Subcontractor Rights, Responsibilities and Remedies" and "Straight Talk: Bidding and Negotiating the AIA A401-2007 Terms and Conditions" — that are now available through the [Contractors' Knowledge Depot](#).

"ASA chose not to endorse the AIA documents because the 2007 editions incorporated poor business practices from the subcontractor's perspective," said ASA Executive Vice President E. Colette Nelson. "Using either of these new resources can help any subcontractor avoid the pitfalls and risks these new documents present — and, more importantly, secure a better contract."

Dealing separately with the *Document A201-2007 General Conditions of the Contract for Construction* and *Document A401-2007 Standard Form of Agreement Between Contractor*, respectively, the "Total Impact" and "Straight Talk" presentations provide guidance and understanding specifically tailored to the subcontractor's point of view. Led by David Hendrick, Esq., of Hendrick, Phillips, Salzman & Flatt, Atlanta, Ga., "Total Impact" offers subcontractors insight into the A201-2007's provisions and risks, as well as an explanation of how it will interact with newer and older subcontract documents that are on the market. Produced from the third of eight webinars in ASA's 2007-08 "Subcontractor Bidding and Negotiating Advantage Series," this two-hour presentation examines the document's terms for payment, indemnification and insurance, delay damages, design responsibility, dispute resolution and general conditions.

The second CD-ROM, "Straight Talk," addresses the A401-2007's provisions and risks and is led by James Laurie III, Esq., [the Law Office of James P. Laurie III, PLLC](#), Raleigh, N.C.

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In addition, the CD-ROM focuses on the various new negotiating and bidding strategies subcontractors should employ when using the A401-2007 document. Produced from ASA's Dec. 11 webinar, this two-hour presentation offers subcontractors the information they need in order to talk to clients about changes to the new document.

Both CD-ROMs contain an audio-visual recording, a media player to install on your computer, and installation instructions. The cost is \$65 for ASA members and \$95 for nonmembers. To order this resource, or another from the diverse collection of educational products tailored specifically to the needs of subcontractors, visit FASA's Contractors' Knowledge Depot at [www.contractorsknowledgenetwork.org](http://www.contractorsknowledgenetwork.org) or call toll-free 1-888-374-3133.

FASA was established in 1987 as a 501(c)(3) tax-exempt entity to support research, education and public awareness. Through its Contractors' Knowledge Network, FASA is committed to forging and exploring the critical issues shaping subcontractors and specialty trade contractors in the construction industry. FASA works to improve the business practices in the construction industry through research, education and the dissemination of information.

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***Media contacts: Call (703) 684-3450, Ext. 1317, for review copies of the CD-ROMs.***