

# Using the new AIA design-build documents for effective risk management

This document represents a high-level summary of this webinar. You can watch the full webinar recording [here](#).

Design-build projects where the design firm is a subcontractor to the design-build entity can create significant professional liability exposures and uninsurable commercial risks. The AIA Contract Documents program has released a new set of design-build agreements that addresses the significant challenges on design-build projects.

The new documents not only address the issues that make traditional design-build so risky for design professionals, but they include the first AIA progressive design-build documents. Progressive design-build fosters a more collaborative approach where the client, design-builder, and design team work together in phases to agree on a final budget only after the construction documents are at least 60% complete.

This webinar is a discussion between Robin Banks—a design and construction industry attorney with the law firm Goldberg and Banks who is also a consulting legal counsel for the AIA Contract Documents programs, and Frank Musica—Victor's professional liability risk advisor to the committee that created the new progressive design-build documents and revised the traditional design-build contracts. The webinar identifies the challenges and concerns with conventional design-build and how progressive design-build may address those issues by allowing for better-defined scope and objectives and a more cooperative approach in the design process.

The speakers discuss:

- how contractual liability exposure on a design-build project can exceed the design team's normal professional liability to correct harm caused by negligent design.
- how the new generation of design-build contracts address the contractual and professional exposures of the design team.
- the advantages to the design team, design-builder, and client provided by the progressive design-build process and the contract terms and conditions.
- the need to understand the separation of the design team's responsibilities and obligations between the contractual duty to the design-builder as its client and the professional responsibilities to the project owner and public as licensed design professionals.