

Volumetric modular construction: Understanding contractual and professional exposures in the delivery process

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

The construction industry has moved beyond simple “prefab” techniques, and, because of client demands, is using volumetric modular units that are constructed off-site and assembled into a final project. The role of the design professional in designing volumetric modular units can vary because of state law, client requirements, and contractual provisions. The professional liability exposures from volumetric modular construction (VMC) services can arise from the various aspects of design, manufacturing, transport, and assembly of the units. To help manage these risks, the AIA Contract Documents program has generated a series of professional services agreements, construction contracts, and guidelines to assist in the transition to using VMC on projects.

This webinar is a discussion between Robin Banks, a design and construction industry attorney with Goldberg & Banks and consulting legal counsel for the AIA Contract Documents program, and Frank Musica, Victor’s professional liability risk advisor to the documents committee, about the exposures and the treatment of those exposures by the new VMC documents.

The speakers discuss:

- how the new contract forms can structure the contractual liability exposures on a VMC project to match the design team’s normal professional liability under state law;
- how the VMC contracts address the contractual and professional exposures of the design team;
- the advantages to the design team, contractor, and client of using the documents to clarify the roles and responsibilities of the parties during the off-site construction process; and
- where the design team’s responsibilities and obligations are governed by highly varied state laws and where they can be specified by professional services agreements for the design of VMC units.