

Index

ACCELERATION CLAIMS

Delays in performance, **10:18**

ACCELERATION RIGHTS

Contract clauses, **6:15**

ACCEPTANCE

Contract clauses, **1:5, 6:13**

ACCRUAL CONCEPT

Statute of limitations, **5:3**

ADMINISTRATIVE REMEDY

State Prompt Payment Act, **7:13**

AGE DISCRIMINATION IN EMPLOYMENT ACT

Labor and employment, **15:49**

AGGRAVATED CHARGES

Home Repair Fraud Act, **4:23**

AIA

American Institute of Architects, this index

ALLOWANCES

Contract clauses, **6:27**

ALLY DOCTRINE

National Labor Relations Act, **15:13**

ALTER EGO

Multi-employer trust funds, **15:19**

AMBIGUITY

Contract clauses, **1:21**

AMERICAN INSTITUTE OF ARCHITECTS

Construction contracts, generally, **6:1**

Payment bonds, **14:28**

Performance bonds, **14:21**

Statute of limitations of contracts, **5:5**

AMERICANS WITH DISABILITIES ACT

Labor and employment, **15:50**

ANTI-INDEMNITY ACT

See Construction Contract Indemnification for Negligence Act, this index

APPARATUS

Mechanics' liens, **13:17**

APPROVAL

Payment does not constitute, **6:32**

ARBITRATION

Contract clauses, **6:28**

Contract provisions, **8:4, 8:5, 10:35**

Home Repair and Remodeling Act, **4:16**

Joinder of parties, **8:5**

Private projects, **8:4, 8:5**

Statute of limitations, **5:16**

ARCHITECTS AND ENGINEERS

Generally, **16:8 et seq.**

Architectural, Engineering, and Land Surveying Qualifications Based Selection Act, **16:12**

Architecture Practice Act of 1989, **16:11**

Bids, competitive selection, **9:6**

Design-Build Procurement Act, **16:14**

Economic loss doctrine, **16:17**

Licensing requirements, **3:4 to 3:6**

Local Government Professional Services Selection Act, **16:13**

Malpractice, statute of limitations, **5:10**

Professional Engineering Practice Act of 1989, **16:9**

Professional liability, generally, **16:8 et seq.**

Role of, contract clauses, **6:6**

Structural Engineering Practice Act of 1989, **16:10**

**ARCHITECTURAL, ENGINEERING, AND LAND SURVEYING
QUALIFICATIONS BASED SELECTION ACT**

Professional liability, **16:12**

Public design services, **7:21**

ARCHITECTURE PRACTICE ACT OF 1989

Professional liability, **16:11**

ASBESTOS ABATEMENT

Licensing requirements, **3:17**

ASSENT

Formation of contract, mutual assent, **1:7**

ASSIGNMENT

Bond claims, **14:8**

ATTORNEYS FEES

Bond claim suits, **14:12**

Consumer Fraud and Deceptive Practices Act, **4:9**

Home Repair and Remodeling Act, **4:18**

INDEX

AT-WILL EMPLOYMENT

Generally, **2:20, 15:29**

AUDITS

Multi-employer trust funds, **15:17**

AUTHORITY

Defense to contract formation, **1:12**

BAD FAITH

Payment bonds, **14:32**

BANKRUPTCY

Generally, **17:1 to 17:11**

Chapters in bankruptcy, **17:2**

Dischargeability issues, **17:10**

Executory contracts, **17:4**

Fraudulent conveyances, **17:8**

Preferential transfers, **17:7**

Proof of claim, **17:9**

Property of the estate, **17:5**

Reclamation, **17:11**

Stays, automatic, **17:3**

Unexpired leases, **17:4**

Voidable transfers, **17:6 to 17:8**

BANNERING

National Labor Relations Act, **15:9**

BATTLE OF THE FORMS

Contract formation, **1:8**

BELLWOOD

Electrical contractors, **3:36**

BENEFICIARIES

Land trusts, mechanics' liens, **13:12**

Third Party Beneficiaries, this index

BEREAVEMENT LEAVE

Labor and employment, **15:39**

BERWYN

Electrical contractors, **3:35**

Excavation, **3:43**

BID BONDS

Generally, **14:19**

Requirement of, **9:13**

Unilateral mistakes, **14:20**

Withdrawal of bid, **14:20**

BIDS AND BIDDING

Generally, **9:1 to 9:32**

BIDS AND BIDDING—Cont'd

- Alternate plans, **9:14**
- Architects, **9:6**
- Awards, effect of, **9:29**
- Balanced bid, **9:15**
- Bid package requirements, **9:9 to 9:16**
- Bonds. Bid Bonds, this index
- Checklist, **9:11**
- Clarification, **9:12**
- Competitive bids, generally, **9:2 to 9:8**
- Contents of bid package, **9:11**
- Debarment and challenge, **9:19**
- Delays, **9:8**
- Disqualification, **9:20**
- Engineers, **9:6**
- Estoppel to accept bid, **9:28**
- Exceptions, **9:4**
- Information for bidders, **9:9**
- Leases, **9:5**
- Low bid rejection, **9:24**
- Low bids, **9:2, 9:3**
- Manipulating alternates, **9:26**
- Minority owned businesses, **9:18**
- Mistakes, **9:30**
- Multiple prime contractors, **9:7**
- Negotiations after receipt of bids, **9:23**
- Nonresidents, **9:21**
- Package, **9:9 to 9:16**
- Potential delays, **9:8**
- Prequalification lists, **9:17**
- Protest, **9:32**
- Public Projects, this index
- Receipt of bids, **9:22 to 9:32**
- Rejection of bids, **9:24**
- Remedies of unselected, **9:31, 9:32**
- Requirements
 - bid package, **9:9 to 9:16**
 - competitive bidding, **9:4, 9:5**
- Rigging by agency, **9:25**
- Set aside projects, **9:18**
- Subcontractor listings, **9:16**
- Suspension and challenge, **9:19**
- Withdrawal of, **9:27**
- Woman owned businesses, **9:18**

BOND CLAIMS

- Generally, **14:1 to 14.33**

INDEX

BOND CLAIMS—Cont'd

Amounts

over \$50,000, **14:6**

under \$50,000, **14:5**

Assignment, **14:8**

Attorney fees, **14:12**

Federal projects, **14:14 to 14:18**

Information, rights to, **14:10**

Lien bonds, generally, **14:33**

Miller Act, this index

Payment bond requirement, **14:7**

Perfection for first and second tier claimants, **14:9, 14:10**

Priority, **14:8**

Public agency, liability to surety, **14:13**

Suit on bond, **14:11, 14:12**

Surety bonds, generally, **14:2**

Third party beneficiaries, **14:3**

Waiver, **14:8**

BONDS

Bid Bonds, this index

Construction bond exemption, **4:25**

Illinois Public Construction Bond Act, **7:2**

Payment Bonds, this index

Performance Bonds, this index

Private bonds, **14:30**

Security, **9:13**

Surety contracts, **10:31**

Types, **14:19 to 14:32**

BREACH OF CONTRACT

Claims of, **10:3**

Disputes, **10:3**

Rights and remedies, **10:8**

Statute of limitations, **5:7**

Waiver issues, **10:9**

BREACH OF WARRANTY

Statute of limitations, **5:12**

BRISENO DOCTRINE

Employer liability, **11:29**

BROCHURES

Home Repair and Remodeling Act, **4:13**

BUILD ISSUES

Contract clauses, **3:47**

BUILDER'S RISK INSURANCE

Generally, **12:14**

BUILDING AND CONSTRUCTION CONTRACT ACT

Generally, **4:30**

Private projects, **8:6**

BUILDING PERMITS

Generally, **3:46**

BUSINESS AND COMMERCE CODE

Generally, **1:2**

BUSINESS ENTERPRISES

Generally, **2:15**

Minorities, women, and persons with disabilities, **2:17**

BUSINESS ENTITIES

Generally, **2:1 to 2:23**

Close corporations, **2:12**

Corporations, **2:10 to 2:12**

Foreign companies, **2:22**

Foreign states, entities transacting business in, **2:23**

Illinois entities transacting business in other states, **2:23**

Joint ventures, **2:6**

Limited liability companies (LLC), **2:8, 2:9**

Limited partnerships, **2:7**

Partnerships, **2:5**

Piercing the corporate veil, **2:18**

S corporations, **2:11**

Securities law compliance, **2:14**

Small business assistance, **2:16**

Sole proprietorships, **2:4**

Taxation, **2:13**

CAHOKIA

Electrical contractors, **3:37**

Excavation, **3:44**

CANCELLATION

Contract, Consumer Fraud and Deceptive Practices Act, **4:5**

Right, Home Repair and Remodeling Act, **4:14**

CAPACITY

Defense to contract formation, **1:11**

CAUSE

Termination for, **6:10**

CHANGE ORDERS

Claims and disputes, **10:11 to 10:13**

CHECKLIST

Bid package, **9:11**

Private construction projects, **App 8A**

INDEX

CHICAGO

- Excavation, **3:45**
- Minimum wage ordinance, **15:34**

CHOICE OF FORUM

- Contract clauses, **6:11**

CHOICE OF LAW

- Contract clauses, **6:11, 10:33**
- National Labor Relations Act, **15:8**

CHOICE OF VENUE

- Contract provisions, **10:32**

CIVIL RIGHTS ACT OF 1964

- Labor and employment, **15:48**

CLAIMS

- Disputes, this index

CLARIFICATION

- Bids and bidding, **9:12**

CLOSE CORPORATIONS

- Generally, **2:12**

COAL CITY

- Electrical contractors, **3:38**

COLLECTIONS

- Multi-employer trust funds, **15:20**

COLLEGES

- Statute of limitations, actions against state colleges, **5:24**

COMMERCIAL GENERAL LIABILITY INSURANCE

- Generally, **12:3**

COMPLETION

- Contract clauses, **6:13**

COMPLETION OF WORK

- Consumer Fraud and Deceptive Practices Act, **4:7**

COMPLIANCE

- Consumer Fraud and Deceptive Practices Act, **4:8**

CONCURRENT DELAYS

- Generally, **10:20**

CONDITIONS PRECEDENT

- Claims and disputes, **10:5, 10:6**

CONDOMINIUM PROPERTIES

- Mechanics' liens, **13:30**

CONFLICT OF LAWS

Construction Contract Indemnification for Negligence Act, **4:29**

CONSIDERATION

Contracts, **1:6**

CONSTRUCTION BUSINESS IN ILLINOIS

Business Entities , this index

CONSTRUCTION CONTRACT INDEMNIFICATION FOR NEGLIGENCE ACT

Generally, **4:24 to 4:28**

Bond exemption, **4:25**

Conflict of laws, **4:29**

Exemptions, **4:25**

Insurance contract exemptions, **4:25**

Limitations to coverage, **4:28**

Partial indemnity provisions, **4:27**

Self insurance contracts, **4:26**

Third parties indemnified by self insurance contracts, **4:26**

CONSTRUCTION MANAGEMENT

Generally, **7:24 to 7:29**

Bidding on state projects, **7:26**

Definition of construction manager, **7:25**

Evaluation of applications, **7:27**

Licensing and regulations, **3:24**

Negotiation of state contracts, **7:28**

Performance, **7:29**

Public-private partnerships, school construction, **7:31**

Statute of limitations, **5:11**

CONSTRUCTION OF CONTRACTS

Rule of contract construction and interpretation, **1:19 to 1:32**

CONSTRUCTION SITES

See Job Site, this index

CONSUMER FRAUD AND DECEPTIVE PRACTICES ACT

Generally, **4:2 to 4:9**

Attorneys fees, **4:9**

Cancellation clause, **4:5**

Completion of work, **4:7**

Contracts, right of rescission, **4:5**

Coverage, **4:3**

Damages for failure to comply, **4:8**

Deceptive practices, **4:4**

Foreign language transactions, **4:6**

Name change notification, **4:7**

Non-English language transactions, **4:6**

Notifications, **4:7**

INDEX

CONSUMER FRAUD AND DECEPTIVE PRACTICES ACT—Cont'd

- Rescission, right of, **4:5**
- Residence, contract signed at consumer's, **4:5**

CONSUMER RIGHTS

- Brochures, **4:13, 8:11**
- Home Repair and Remodeling Act, this index
- Home Repair Fraud Act, this index
- Statutes. Consumer Fraud and Deceptive Practices Act, this index

CONSUMER RIGHTS BROCHURE

- Private construction contract provisions, **4:13, 8:11**

CONTRACT MANAGERS

- Performance, **7:29**

CONTRACTOR PROMPT PAYMENT ACT

- Generally, **4:31**

CONTRACTORS

- Administrative remedy for contractor's failure to pay, **7:13**
- Demolition, **3:26**
- Elevator, **3:27**
- Fire safety, **3:31**
- General contractors, **3:23**
- Insurance policies, **12:11**
- Liability for delays, **10:19**
- Mechanics liens on residential property, **13:34**
- Multiple prime contractor bidding, **9:7**
- Plumbing, **3:28**
- Pressure vessel, **3:25**
- Residential, **3:30**
- Roofing, **3:32**
- Security systems, **3:31**
- State Prompt Payment Act, **7:12, 7:13**
- Subcontractors, this index
- Wells, **3:29**

CONTRACTS

- Generally, § **1:1 to 1:32; 6:1 to 6:51** and see lines throughout this index
- Acceleration rights, **6:15**
- Acceptance, **1:5, 6:13**
- Allowances, **6:27**
- Ambiguity, **1:21**
- Arbitration, **6:28**
- Architects, role of, **6:6**
- Battle of the forms, **1:8**
- Beneficiaries, third-party, **1:23, 6:18**
- Breach of Contract, this index
- Building and Construction Contract Act, **4:30**
- Cancellation, **4:5**

CONTRACTS—Cont'd

- Choice of forum, **6:11**
- Choice of law, **6:11**
- Claims. Disputes, this index
- Clauses, **6:2 to 6:51**
- Completion, **6:13**
- Consideration, **1:6**
- Construction and interpretation, rules of, **1:19 to 1:32**
- Contractor Prompt Payment Act, **4:31**
- Coordination of work, **6:5**
- Cost plus clauses, **6:20**
- Course of dealings, **1:25**
- Course of performance, **1:25**
- Custom and usage, **1:26**
- Damages, liquidated, **6:16**
- Defenses, this index
- Delays, **6:37, 6:38**
- Design-build contract, **7:23**
- Disputes, this index
- Entirety of contract, **1:22**
- Extra work, **6:25**
- Fair dealing, implied obligation of, **1:30**
- Financing, right to approve, **6:29**
- Flow through clauses, **6:8**
- Formation, **1:3 to 1:9**
- Good faith, implied obligation of, **1:30**
- Handwritten terms over printed, **1:27**
- Illinois Business and Commerce Code, **1:2**
- Implied contracts, **1:31**
- Implied obligations, **1:29, 1:30**
- Implied warranties, **1:28**
- Insurance, **6:12**
- Intent, **1:21**
- Interpretation against drafter, **1:24**
- Investigations, independent, **6:33**
- Letter of intent, **1:9**
- Liquidated damages, **6:16**
- Mechanics' liens, identification of contract, **13:27**
- Mediation, **6:28**
- Mutual assent, **1:7**
- Offer, **1:4**
- Parol evidence, **1:20**
- Payments
 - clause in contract, **6:23**
 - not constitute approval, **6:32**
 - pay-if-paid, **6:14**
 - pay-when-paid, **6:14**

INDEX

CONTRACTS—Cont'd

- Percentage of work, **6:19**
- Permits, **3:46, 6:22**
- Plans, **6:22**
- Portion of work, **6:19**
- Price, **6:20**
- Printed terms, **1:27**
- Privity, **6:17**
- Promissory estoppel, **1:32**
- Quantum meruit, **1:31**
- Repossession, right to, **6:31**
- Rescission, right of, **4:5**
- Responsibilities, **6:7**
- Retainage, **6:9**
- Safety procedures, **6:7**
- Schedules, **6:3**
- Site access, implied obligation of, **1:29**
- Site information, **6:4**
- Specific over general, **1:27**
- Specifications, **1:28, 6:22**
- Stop work, right to, **6:26**
- Subcontractors, this index
- Subrogation, waiver of, **6:36**
- Termination, **6:10**
- Third-party beneficiaries, **1:23, 6:18**
- Time provisions, **6:2, 6:24**
- Unjust enrichment, **1:31**
- Usage, **1:26**
- Warranties, implied, **1:28**
- Work
 - description of, **6:21**
 - protection of, **6:34**
 - unacceptable and unauthorized, **6:35**
- Written terms, **1:27**

CONTRIBUTIONS

- Kotecki cap, **11:27**
- Multi-employer trust funds, **15:16**
- Negligence, **11:26, 11:27**

CONVENIENCE

- Termination for, contract clauses, **6:10**

CONVEYANCES

- Fraud in bankruptcy, **17:8**

COOK COUNTY

- Minimum wage ordinance, **15:35**

COORDINATION

Contract clauses, **6:5**

CO-OWNERS

Mechanics' liens, **13:10**

CORONAVIRUS

Health, **15:62**

CORPORATIONS

Generally, **2:10**

Close corporations, **2:12**

S corporations, **2:11**

COST

Contract clauses, **6:20**

COST PLUS

Contract clauses, **6:20**

COUNTIES

Statute of limitations against, **5:22**

COURSE OF DEALING

Contracts, **1:25**

COURSE OF PERFORMANCE

Contracts, **1:25**

COVENANTS

Restrictive covenants, **2:21**

COVID-19

Health, **15:62**

CRANE OPERATORS

Licensing requirements, **3:18**

CRIMINAL CHARGES

Home Repair Fraud Act, **4:23**

CUSTOM AND USAGE

Contracts, **1:26**

DAMAGES

Consumer Fraud and Deceptive Practices Act, **4:8**

Costs, total, **10:26**

Delays

contract clauses, **6:37, 6:38**

Miller Act, **14:18**

no damages for delay clauses, **8:3, 10:17**

recoverable, **10:15**

Exculpatory clauses, **10:29**

Home Repair and Remodeling Act, **4:18**

Home Repair Fraud Act, **4:22**

INDEX

DAMAGES—Cont'd

- Indemnity provisions, **10:27, 10:28**
- Limitations, **10:30**
- Liquidated, **6:16**

DANGEROUS CONDITIONS

- Premises liability, **11:14, 11:16**

DATES

- Schedules, this index

DAVIS BACON ACT

- Labor laws, **15:26**

DEALING

- Prior dealings, **1:25**

DEBARMENT

- Bidders, **9:19**

DEFAULT

- Subcontractors, **6:47**

DEFENSES

- Generally, **1:10 to 1:18**
- Authority, **1:12**
- Capacity, **1:11**
- Duress, **1:15**
- Fraud, **1:14**
- Frauds, statute of, **1:18**
- Illegality, **1:17**
- Misrepresentation, **1:14**
- Mistake, **1:13**
- Statute of frauds, **1:18**
- Unconscionability, **1:16**

DELAYS

- Generally, **10:14 to 10:20**
- Acceleration claims, **10:18**
- Concurrent delays, **10:20**
- Contract limitations, **10:16**
- Damages, this index
- Liability, contractor, **10:19**

DELIVERY

- Design-build contracts, **7:23**

DEMOLITION CONTRACTORS

- Licensing and regulations, **3:26**

DESIGN BUILD PROCUREMENT ACT

- Public design services, **7:23**

DESIGN DOCUMENTS

Subcontractors, implied duties, **6:41**

DESIGN ISSUES

Contract clauses, **3:47**

DESIGN SERVICES

Licensing requirements, **3:2 to 3:7**

DESIGN-BUILD PROCUREMENT ACT

Professional liability, **16:14**

DISABILITIES

Americans with Disabilities Act, **15:50**

Business enterprise programs for persons with, **2:17**

DISCHARGES

Bankruptcy, **17:10**

DISCIPLINARY ISSUES

Licensing and regulations, **3:10 to 3:14**

DISCLAIMERS

Subcontractors, **6:39**

DISCOVERY DOCTRINE

Statute of limitations, **5:29**

DISCRIMINATION

Age Discrimination in Employment Act, **15:49**

Civil Rights Act of 1964, Title VII, **15:48**

DISPUTES

Generally, **10:1 to 10:35**

Arbitration, this index

Breach of Contract, this index

Change orders, **10:11 to 10:13**

Conditions precedent, **10:5, 10:6**

Extra work, **10:11 to 10:13**

Frustration of purpose, **10:6**

Mediation, contract clauses, **6:28**

Organized labor dispute laws, **15:45**

Performance

claims of, **10:3**

continued, **6:30**

substantial, **10:4**

waiver issues, **10:9**

Plans and specifications, defective, **10:11**

Reading the contract, **10:2**

Satisfaction clauses, **10:7**

Substantial performance, **10:4**

Suit limitation provisions, **10:34**

Suits, **10:6**

INDEX

DOCUMENTS

Implied duty to provide design, **6:41**

DURESS

Defense to contract formation, **1:15**

DUTY

Implied duty to provide design document, **6:41**

Jury duty, **15:43**

Premises liability, **11:15**

EARTHWORK

Excavation, this index

ECONOMIC LOSS DOCTRINE

Generally, **16:15 to 16:18**

ECONOMIC LOSS RULE

Construction defect claims, negligence, **11:38**

ELDERLY PERSONS

Age Discrimination in Employment Act, **15:49**

Home Repair Fraud Act, **4:23**

ELECTRICAL CONTRACTORS

Generally, **3:33 to 3:41**

Bellwood, **3:36**

Berwyn, **3:35**

Cahokia, **3:37**

Chicago, **3:34**

Coal City, **3:38**

Mettawa, **3:39**

Palos Heights, **3:40**

Pittsfield, **3:41**

ELEVATORS

Licensing and regulations, **3:27**

EMPLOYEE PRIVACY

Labor and employment, **15:36**

EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974

Generally, **15:15 to 15:21**

EMPLOYMENT

Labor and Employment, this index

ENFORCEMENT

Home Repair and Remodeling Act, **4:18**

Mechanics' liens, **13:42 to 13:44**

ENGINEERS

Architects and Engineers, this index

ENTIRETY

Contracts, **1:22**

ENVIRONMENT

Toxic Substances Disclosure to Employees Act, **15:24**

ENVIRONMENTAL OCCUPATIONS

Licensing requirements, **3:16 to 3:21**

EQUITABLE ESTOPPEL

Statute of limitations, **5:30**

ERISA

Employee Retirement Income Security Act of 1974 , this index

ERRORS

Mistakes, this index

ESTATE

Bankruptcy, property of estate, **17:5**

ESTOPPEL

Bid acceptance, **9:28**

Equitable, statute of limitations, **5:30**

Promissory estoppel, **1:32**

ETHICS

Public procurement, **7:18**

EXCAVATION

Generally, **3:42 to 3:45**

Berwyn, **3:43**

Cahokia, **3:44**

Chicago, **3:45**

EXCLUSIONS

Insurance, **12:9**

EXCULPATORY CLAUSES

Damages, **10:29**

EXEMPT WAGES

Fair Labor Standards Act, **15:52**

EXEMPTIONS

Construction Contract Indemnification for Negligence Act, **4:25**

EXPERIENCE

Insurance experience modifier, **12:19**

EXPERT TESTIMONY

Breach of standard of care, **16:4**

Motion in limine, **11:36**

EXPRESS WARRANTIES

Subcontractors, **6:39**

INDEX

EXTRA WORK

- Contract clauses, **6:25**
- Disputes, **10:11 to 10:13**

FAIR DEALING

- Implied obligation in contracts, **1:30**

FAIR LABOR STANDARDS ACT

- Generally, **15:51 to 15:55**
- Exempt/Non-Exempt classifications, **15:52**
- Paid time, **15:55**
- Salary basis, **15:53**
- White collar exemptions, **15:54**

FAMILY AND MEDICAL LEAVE ACT

- Labor and employment, **15:57**

FAMILY MILITARY LEAVE ACT

- Labor and employment, **15:41**

FINANCING

- Right to approve, **6:29**

FIRE SAFETY SYSTEMS

- Licensing and regulations, **3:31**

FIXTURES

- Mechanics' liens, **13:17**

FLOW DOWN

- Contract clauses, subcontractors, **6:50**

FLOW THROUGH

- Contract clauses, **6:8**

FORECLOSURE

- Mechanics' liens for public projects, **7:9**

FOREIGN COMPANIES

- Business transactions in Illinois, **2:22**

FOREIGN LANGUAGE TRANSACTIONS

- Consumer Fraud and Deceptive Practices Act, **4:6**

FOREIGN STATES OR COUNTRIES

- Illinois entities transacting business in other states, **2:23**

FORMS

- Contract formation, battle of forms, **1:8**

FRAUD

- Bankruptcy, fraudulent conveyances in, **17:8**
- Consumers. Consumer Fraud and Deceptive Practices Act, this index
- Defense to contract formation, **1:14, 1:18**
- Mechanics' liens claims, **13:39**

FRAUD—Cont'd

Misrepresentation as defense to contract formation, **1:14**

Repairs. Home Repair Fraud Act, this index

GATES

National Labor Relations Act, reserved gate system, **15:12**

GENERAL CONTRACTORS

Licensing and regulations, **3:23**

GENERAL PARTNERSHIPS

Generally, **2:5**

GOOD FAITH

Implied obligation in contracts, **1:30**

GOVERNMENT ENTITIES

Public Entities and Public Projects, this index

GROSS NEGLIGENCE

Licensing and regulations, **3:12**

GUARANTEES

Statute of limitations, **5:14**

HANDWRITTEN

Contract terms over printed terms, **1:27**

HAZARDOUS WASTE

Licensing requirements, **3:18, 3:19**

HEALTH

Affordable Care Act, **15:61**

COVID-19, **15:62**

Occupational Safety and Health Act, this index

Worker health, regulating, **15:22**

HOISTING EQUIPMENT

Licensing requirements, **3:18**

HOME REPAIR AND REMODELING ACT

Generally, **4:10 to 4:18, 8:9**

Arbitration, **4:16**

Attorneys' fees, **4:18**

Coverage, **4:11**

Damages, **4:18**

Enforcement, **4:18**

Insurance requirement, **4:15**

Jury trial right, **4:16**

Private projects, **8:9**

Repairs for weather damage, **4:17**

Right of cancellation, **4:14**

Scam warning signs, **4:13**

Senior citizen, **4:14**

INDEX

HOME REPAIR AND REMODELING ACT—Cont'd

- Waiver of right of jury trial, **4:16**
- Weather damage repairs, **4:17**
- Written contracts, **4:12**

HOME REPAIR FRAUD ACT

- Generally, **4:19 to 4:23**
- Aggravated home repair fraud, **4:23**
- Coverage, **4:20**
- Criminal charges, **4:23**
- Damages, **4:22**
- Penalties, **4:22**
- Senior citizens, **4:23**
- Violations, **4:21, 4:22**

HOT CARGO AGREEMENTS

- National Labor Relations Act, **15:7**

ILLEGALITY

- Defense to contract formation, **1:17**

ILLINOIS, STATE OF

- Statute of limitations
 - action against the State, **5:21**
 - action by the State, **5:27**

ILLINOIS BUSINESS AND COMMERCE CODE

- Contracts, **1:2**

IMMIGRATION REFORM AND CONTROL ACT

- Labor and employment, **15:56**

IMPLIED CONTRACTS

- Generally, **1:31**

IMPLIED WARRANTIES

- Plans, **1:28**
- Professional liability, **16:5**
- Specifications, **1:28**
- Subcontractors, **6:39**

IMPLIED WARRANTY OF HABITABILITY

- Disputes, **10:10**

INCOMPETENCE

- Licensing and regulations, **3:13**

INDEMNIFICATION

- Construction Contract Indemnification for Negligence Act, this index
- Damages, indemnity provisions, **10:27**
- Negligence, **11:30**
- Private construction contract provisions, **8:8**

INJURY

Personal Injuries, this index

INSURANCE

Generally, **12:1 to 12:20**

Additional insured, **12:6**

Affordable Care Act, **15:61**

Bodily injury, **12:8**

Builder's risk, **12:14**

Contract claims and disputes, **10:28**

Contract clauses, **6:12**

Duties of insured, **12:10**

Exclusions, **12:9**

Exemption under Contract Indemnification for Negligence Act, **4:25, 4:26**

Experience modifier, **12:19**

Home Repair and Remodeling Act, **4:15, 4:17**

Inland marine, **12:15**

Liability Insurance, this index

Marine, inland, **12:15**

Motion in limine to bar, **11:34**

Occurrences, **12:5**

Other insurance, **12:7**

Owners protective policies, **12:11**

Professional liability, **12:12**

Property damage, **12:8**

Property insurance, **12:13**

Protective policies, **12:11**

Requirements, private projects, **8:12**

Triggers, **12:4**

Worker's compensation, **12:16, 12:17, 12:20**

Worker's Compensation Act, **12:20**

INTENT

Contracts, **1:21**

Letter of intent, **1:9**

INTERPRETATION

Rule of contract construction and interpretation, **1:19 to 1:32**

INVESTIGATIONS, INDEPENDENT

Contract clauses, **6:33**

JOB SITE

Contracts, site information, **6:4**

Employment working conditions, **15:36**

Implied obligation in contracts, site access, **1:30**

Legal description, contract clauses, **6:4**

Motions in limine, testimony regarding "control" at job site, **11:35**

INDEX

JOINT VENTURES

Generally, **2:6**

JURY AND JURORS

Home Repair and Remodeling Act, right to jury trial, **4:16**

Pattern Jury Instructions, negligence, **11:31, 11:32**

JURY DUTY

Labor and employment, **15:43**

KOTECKI

Employer liability cap on contribution, **11:27**

LABOR AND EMPLOYMENT

Generally, **15:1 to 15:62**

Affordable Care Act, **15:61**

Age Discrimination in Employment Act, **15:49**

Americans with Disabilities Act, **15:50**

At-will employment, **15:29**

Bereavement leave laws, **15:39**

Briseno doctrine, **11:29**

Civil Rights Act of 1964, Title VII, **15:48**

Classification of workers, **15:36**

Discrimination, generally, **15:31, 15:48**

Disputes, organized labor, **15:45**

Employee privacy, **15:36**

Employer liability, **11:24 to 11:29, 12:18**

Employment law, generally, **15:28 to 15:43**

ERISA. Employee Retirement Income Security Act of 1974, this index

Fair Labor Standards Act, this index

Family and Medical Leave Act, **15:57**

Family Military Leave Act, **15:41**

Federal statutes, **15:47 to 15:58**

Immigration Reform and Control Act, **15:56**

Jury duty, **15:43**

Liability insurance, **12:18**

Mechanics' liens, **13:18**

Minimum wage, **15:32, 15:34, 15:35**

National Labor Relations Act, this index

OSHA. Occupational Safety and Health Act, this index

Paid Leave for All Workers Act, **15:38**

Personnel records, review of, **15:46**

Posting, **15:60**

Preemption doctrine, **15:2**

Records

posting, **15:60**

retention requirements, **15:59**

review of personnel records, **15:46**

Retaliation, **15:30**

LABOR AND EMPLOYMENT—Cont'd

- Savings program, **15:33**
- School Visitation Rights Act, **15:44**
- Service Member Employment and Reemployment Rights Act, **15:41**
- Sick leave requirements, **15:37**
- Subcontractors, **6:45**
- Toxic Substances Disclosure to Employees Act, **15:24**
- Uniformed Services Employment and Reemployment Rights Act, **15:58**
- Victims' Economic Security and Safety Act and safety in the workplace, **15:40**
- Voting leave, **15:42**
- Wages, this index
- Working conditions, **15:36**

LAND TRUSTEES

- Mechanics' liens, **13:12**

LANGUAGES

- Foreign language contracts, **4:6**

LAWSUITS

- Bond claims, **14:11, 14:12**
- Miller Act, **14:18**

LEASES

- Bids, **9:5**
- Mechanics' liens, **13:13**
- Unexpired, in bankruptcy, **17:4**

LETTER OF INTENT

- Contracts, **1:9**

LIABILITY

- Contractor delays, **10:19**
- Direct, **11:23**
- Employer. Labor and Employment, this index
- Insurance. Liability Insurance, this index
- Premises Liability, this index
- Third Party Liability, this index
- Vicarious, **8:7**

LIABILITY INSURANCE

- Generally, **12:2**
- CGLI policies, **12:3**
- Employer's, **12:18**
- General policies, **12:3**
- Professional, **12:12**

LICENSING AND REGULATIONS

- Generally, **3:1 to 3:48**
- Architects, **3:4**
- Asbestos abatement contractors, **3:17**
- Construction managers, **3:24**

INDEX

LICENSING AND REGULATIONS—Cont'd

- Crane operators, **3:18**
- Demolition contractors, **3:26**
- Disciplinary issues, **3:10 to 3:14**
- Electrical contractors. *see* Electrical Contractors
- Elevators, **3:27**
- Environmental occupations or professions, **3:16 to 3:21**
- Fire safety systems, **3:31**
- General contractors, **3:23**
- Gross negligence, **3:12**
- Hazardous waste, **3:18, 3:19**
- Hoisting equipment operators, **3:18**
- Incompetence, **3:13**
- Local requirements, **3:3**
- Misconduct, **3:11**
- Plumbing contractors, **3:28**
- Pressure vessel contractors, **3:25**
- Professional design services, **3:2 to 3:7**
- Professional engineers, **3:5**
- Residential contractors, **3:30**
- Safety. Occupational Safety and Health Act, *this index*
- Safety occupations or professions, **3:16 to 3:21**
- Security systems, **3:31**
- Solid waste site operators, **3:20**
- State requirements, **3:3**
- Structural engineers, **3:6**
- Supervision and control, **3:14**
- Surveyors, **3:7**
- Underground storage tanks, **3:21**
- Violations, **3:48**
- Well contractors, **3:29**

LIEN BOND

- Generally, **14:33**
- Substitution of bond for lien, **13:49**

LIENS

- Mechanics' Liens, *this index*
- Worker's compensation, **11:25**

LIMITATION OF ACTIONS

- Statute of Limitations, *this index*

LIMITED LIABILITY COMPANIES (LLC)

- Generally, **2:8**
- Series limited liability companies, **2:9**

LIMITED PARTNERSHIPS

- Generally, **2:7**

LIQUIDATED DAMAGES

Contract clauses, **6:16**

LOCAL GOVERNMENT PROFESSIONAL SERVICES SELECTION ACT

Professional liability, **16:13**

Public design services, **7:22**

LOCAL GOVERNMENT PROMPT PAYMENT ACT

Generally, **7:14, 7:15**

LUMP SUM

Contract clauses, **6:20**

MACHINERY

Mechanics' liens, **13:17**

MALPRACTICE

Architects, **5:10**

Engineers, **5:10**

Statute of limitations, **5:10**

MARINE INSURANCE

Generally, **12:15**

MATERIALS

Mechanics' liens, **13:17, 13:19, 13:48**

Subcontractors, **6:45**

Suppliers, this index

MECHANICS' LIENS

Generally, **13:1 to 13:50**

Abandonment of work, **13:48**

Adjacent or adjoining parcels, **13:31**

Apparatus, **13:17**

Balance due, **13:32**

Beneficiary of land trust, **13:12**

Bid Bonds, this index

Condominium property, **13:30**

Constitutionality of Act, **13:5**

Contractor's notice of claim for residential property, **13:34**

Contracts, identification of, **13:27**

Co-owners, **13:10**

Description of real estate, **13:28 to 13:31**

Enforcement of, **13:42 to 13:44**

Errors in claim or notice, **13:38**

Estates affected, **13:40**

Execution, **13:44**

Fixtures, **13:17**

Forms, **13:17**

Form-work lienable items, **13:17**

Fraudulent notice or claim, **13:39**

Interests affected, **13:40**

INDEX

MECHANICS' LIENS—Cont'd

- Labor, **13:18, 13:19**
- Land trusts, **13:12**
- Last date of furnishing, identification of, **13:27**
- Lessee, **13:13**
- Lessor, **13:13**
- Lien bond
 - generally, **14:33**
 - substitution for lien, **13:49**
- Lienable items, **13:17**
- Machinery, **13:17**
- Materials, **13:17, 13:19, 13:48**
- More than one parcel, **13:31**
- Notice
 - contractor's, **13:34**
 - errors in notice, **13:38**
 - fraudulent notice, **13:39**
 - subcontractors, **13:35, 13:37**
 - sufficiency of notice, **13:36**
- Origin of lien, **13:2**
- Other interested parties, **13:14**
- Owners
 - contract with, necessity of, **13:8**
 - co-owners, **13:10**
 - definition, **13:9**
 - extent of liability, **13:23**
 - § 28 monetary judgment against, **13:46**
- Parties to proceeding, **13:43**
- Payment Bonds, this index
- Perfection of lien claim, **13:25**
- Performance Bonds, this index
- Performance of contract, necessity of, **13:20**
- Performance of subcontract, necessity of, **13:22**
- Persons entitled, **13:15**
- Prime contractor, **13:16**
- Priority of, **13:41**
- Property affected, **13:40**
- Property subject to, **13:4**
- Public projects
 - generally, **7:3 to 7:9**
 - amount of lien, **7:6**
 - eligible services, **7:5**
 - foreclosure, **7:9**
 - perfecting, **7:7**
 - proper parties to perfect claims, **7:4**
 - time requirements, **7:8**
- Purchaser, **13:11**

MECHANICS' LIENS—Cont'd

- Purpose of law, **13:3**
- Real estate description, **13:28 to 13:31**
- Recording claim, time and place, **13:33**
- Recovering of materials, **13:48**
- Release of, **13:50**
- Remedies, **13:44 to 13:4:48, 13:44 to 13:48**
- Right to lien, **13:7 to 13:38**
- Sale, **13:44**
- § 28 monetary judgment against owner and original contractor, **13:40, 13:46**
- Seller, **13:11**
- Services, **13:18, 13:19**
- Statement of claim, requisites and sufficiency, **13:26**
- Statutory construction, **13:6**
- Subcontractors
 - generally, **13:21, 13:22**
 - notice of claim, **13:35, 13:37**
 - subsequent tier, **13:24**
- Substitution of lien bond for lien, **13:49**
- Sworn statements, **13:23**
- Trust funds, **13:47**
- Trustees, **13:12**
- Waivers, **13:50**

MEDIATION

- Contract clauses, **6:28**

METTAWA

- Electrical contractors, **3:39**

MILITARY

- Family Military Leave Act, **15:41**
- Service Member Employment and Reemployment Rights Act, **15:41**
- Uniformed Services Employment and Reemployment Rights Act, **15:58**

MILLER ACT

- Generally, **14:14 to 14:18**
- Delay damages, **14:18**
- Lien claims on public funds, **14:15**
- Notice issues, **14:17**
- Perfection of bond claim, **14:16**
- Suits on bond, **14:18**

MINORITIES

- Business enterprise programs, **2:17**

MINORITY OWNED BUSINESSES

- Set aside projects, **9:18**

MISCONDUCT

- Licensing and regulations, **3:11**

INDEX

MISREPRESENTATION

- Defense to contract formation, **1:14**
- Fraud, this index

MISTAKES

- Bid bonds, unilateral mistakes, **14:20**
- Bids and bidding, **9:30**
- Defense to contract formation, **1:13**
- Mechanics' liens, errors in claim or notice, **13:38**

MONETARY JUDGMENT

- Mechanic's liens, **13:46**
- Remedies, **13:46**

MOTIONS IN LIMINE

- Generally, **11:33 to 11:37**
- Expert testimony, **11:36**
- Insurance at trial, **11:34**
- Post remedial measures, evidence of, **11:37**
- Testimony regarding "control" at job site, **11:35**

MULTI-EMPLOYER TRUST FUNDS

- Generally, **15:15 to 15:21**
- Alter ego, **15:19**
- Audit, rights to, **15:17**
- Collection remedies, **15:20**
- Contributions, **15:16**
- Liability, defense to withdrawal, **15:21**
- Subcontractor issues, **15:18**
- Successorship, **15:19**
- Withdrawal, defense to liability, **15:21**

MUNICIPAL CORPORATIONS

- Statute of limitations against, **5:23**

MUNICIPAL SCHOOL BOARD

- Statute of limitations, **5:25**

MUTUAL ASSENT

- Contract clauses, **1:7**

NAME CHANGES

- Notification under Consumer Fraud and Deceptive Practices Act, **4:7**

NATIONAL LABOR RELATIONS ACT

- Generally, **15:3 to 15:14**
- Ally Doctrine, **15:13**
- Bannering, **15:9**
- Gates, reserved, **15:12**
- Hot cargo agreements, **15:7**
- Jurisdictional disputes, **15:8**
- Picketing, **15:9, 15:10**

NATIONAL LABOR RELATIONS ACT—Cont'd

- Pre-hire agreements, **15:6**
- Protected activities, **15:5**
- Protected persons, **15:4**
- Redress, methods of, **15:14**
- Reserved gate system, **15:12**
- Secondary activities, **15:11**

NEGLIGENCE

- Generally, **11:1 to 11:38**
- Construction Contract Indemnification for Negligence Act, this index
- Contribution, **11:26, 11:27**
- Direct liability, **11:23**
- Economic loss rule and construction defect claims, **11:38**
- Employer liability, **11:24 to 11:29**
- Indemnification, **11:30**
- Kotecki cap, **11:27**
- Liens, worker's compensation, **11:25**
- Motion in limine, **11:33 to 11:37**
- Notice, **11:22**
- OSHA. Occupational Safety and Health Act, this index
- Pattern Jury Instructions, **11:31, 11:32**
- Performance, **5:9**
- Premises Liability, this index
- Statute of limitations, **5:8, 5:9**
- Statute of limitations, negligent performance, **5:9**
- Third party liability, **11:18 to 11:21**
- Trials, **11:31 to 11:38**
- Worker's compensation liens, **11:25**

NEGOTIATION

- Bids and bidding, after receipt of bids, **9:23**
- Construction management, state contracts, **7:28**

NONRESIDENTS

- Bidders, **9:21**

NOTICE

- Change of name, **4:7**
- Commence or complete work, refusal, **4:7**
- Consumer Fraud and Deceptive Practices Act, **4:7**
- Mechanics' Liens, this index
- Miller Act, notice issues, **14:17**
- Negligence, **11:22**
- Private projects, contract provisions, **8:10**

OCCUPATIONAL SAFETY AND HEALTH ACT

- Generally, **11:2 to 11:10, 15:23**
- Adoption by Illinois, **11:4**
- Citation, **11:2**

INDEX

OCCUPATIONAL SAFETY AND HEALTH ACT—Cont'd

- Construction regulations, **11:5**
- Contesting citations, **11:8**
- Hearing procedures, **11:9**
- Historical overview, **11:3**
- Inspections, **11:6**
- Lawsuit, citation admissibility in, **11:10**
- Penalties, types of, **11:7**
- Violations, types of, **11:7**

OCCURRENCES

- Insurance, **12:5**

OFFERS

- Contracts, **1:4**

OPEN AND OBVIOUS CONDITIONS

- Premises liability, **11:16**

ORGANIZED LABOR DISPUTES

- Generally, **15:45**

OSHA

- Occupational Safety and Health Act, this index

OWNERS

- Insurance policies, protective, **12:11**
- Mechanics' liens, extent of liability, **13:23**
- Mechanics' liens, rights to, **13:8 to 13:10**
- Performance bonds, completion of project by owner, **14:23**

PAID LEAVE FOR ALL WORKERS ACT

- Labor and employment, **15:38**

PALOS HEIGHTS

- Electrical contractors, **3:40**

PANDEMIC

- Health, **15:62**

PAROL EVIDENCE RULE

- Contracts, **1:20**

PARTNERSHIPS

- Business entities, **2:5**

PATTERN JURY INSTRUCTIONS

- Negligence, **11:31, 11:32**

PAYMENT

- Contractor Prompt Payment Act, **4:31**
- Labor and employment, practices, **15:32**

PAYMENT BONDS

- Generally, **14:28 to 14:32**

PAYMENT BONDS—Cont'd

- Bad faith, **14:32**
- Compelling payment from surety, **14:31**
- Diversion of funds by principal, **14:29**
- Failure to pay by surety, **14:32**
- Private bonds, **14:30**
- Requirement, bond claims, **14:7**
- Statute of limitations, **5:6**

PAYMENTS

- Contract clauses, **6:23**
- Contracts, this index
- Does not constitute approval, **6:32**
- Local Government Prompt Payment Act, **7:14, 7:15**
- Pay-if-paid clauses, **6:14, 8:2**
- Pay-when-paid clauses, **6:14, 8:2**
- Prompt payment statutes, **7:10 to 7:15**
- State Prompt Payment Act, **7:11 to 7:13**
- Subcontractor schedules, **6:44**
- Withholding
 - generally, **10:21, 10:24**
 - calculation methods, **10:25**
 - pay-if-paid, **10:22**
 - pay-when-paid, **10:22**
 - retainage, **10:23**

PENALTIES

- Home Repair Fraud Act, **4:22**
- Occupational Safety and Health Act, **11:7**

PERCENTAGES

- Contract provision, percentage of work, **6:19**

PERFECTION

- Bond claim, **14:9, 14:10, 14:16**
- Mechanics liens for public projects, **7:7**

PERFORMANCE

- Claims of, in disputes, **10:3**
- Continued, **6:30**
- Course of performance, **1:25**
- Delays, this index
- Negligence, this index
- Substantial, in disputes, **10:4**
- Waiver issues, **10:9**

PERFORMANCE BONDS

- Generally, **14:21 to 14:27**
- Defaulted contractor, completion of contract by, **14:24**
- Do nothing, **14:27**
- Owner, completion of project by, **14:23**

INDEX

PERFORMANCE BONDS—Cont'd

- Rights and obligations, **14:22 to 14:27**
- Surety, completion of contract by, **14:25**
- Surety, tender of a completion contractor by, **14:26**

PERMITS

- Building permits, **3:46**
- Contract clauses, **6:22**

PERSONAL INJURIES

- Insurance, **12:8**
- Statute of limitations, injuries at construction site, **5:19**

PERSONNEL RECORDS

- Labor and employment, review of personnel records, **15:46**

PICKETING

- National Labor Relations Act, **15:9, 15:10**
- Types of, **15:10**

PIERCING THE CORPORATE VEIL

- Generally, **2:18**

PITTSFIELD

- Electrical contractors, **3:41**

PLANS AND SPECIFICATIONS

- Contract clauses, **6:22**
- Defective, claims and disputes, **10:11**
- Implied warranties, **1:28**

PLUMBING CONTRACTORS

- Licensing and regulations, **3:28**

PORTIONS OF WORK

- Contract clauses provision, portion of work, **6:19**

POSSESSOR

- Premises liability, **11:13**

PREEMPTION DOCTRINE

- Labor and employment, **15:2**

PRE-HIRE AGREEMENTS

- National Labor Relations Act, **15:6**

PREMISES LIABILITY

- Generally, **11:1 to 11:17**
- Dangerous conditions, **11:14**
- Duty, existence of, **11:15**
- Possessor defined, **11:13**
- § 343A exceptions, **11:17**
- Statute of limitations, **11:11**

PRESSURE VESSEL CONTRACTORS

Licensing and regulations, **3:25**

PREVAILING WAGE ACT

Public works projects, **15:27**

PRICE

Contract clauses, **6:20**

PRIME CONTRACTOR

Mechanics' liens, **13:16**

Multiple prime contractor bidding, **9:7**

PRINTED TERMS

Contracts, **1:27**

PRIORITY

Bond claims, **14:8**

Mechanics' liens, **13:41**

PRIVATE BONDS

Payment bonds, **14:30**

PRIVATE CONSTRUCTION PROJECTS

Generally, **8:1 to 8:12**

Arbitration, **8:4, 8:5**

Building and Construction Contract Act, **8:6**

Checklist, **App 8A**

Consumer rights brochure, **8:11**

Home Repair and Remodeling Act, **8:9**

Indemnification clause, **8:8**

Insurance, **8:12**

Notification of contract provisions, **8:10**

PRIVITY

Contract clauses, **6:17**

PROCUREMENT

Bids and Bidding, this index

Public projects, **7:18 to 7:19**

PROFESSIONAL DESIGN SERVICES

Licensing requirements, **3:2 to 3:7**

PROFESSIONAL ENGINEERING PRACTICE ACT OF 1989

Professional liability, **16:9**

PROFESSIONAL ENGINEERS

Licensing requirements, **3:5**

PROFESSIONAL LIABILITY

Generally, **16:1 to 16:18**

Architects and Engineers, this index

Contractual, **16:7**

INDEX

PROFESSIONAL LIABILITY—Cont'd

- Economic loss doctrine, **16:15 to 16:18**
- Implied warranties, **16:5**
- Insurance, **12:12**
- Role of design professional, **16:2**
- Standard of care for, **16:3, 16:4**
- Tort liability, **16:6**

PROFESSIONAL LIABILITY INSURANCE

- Generally, **12:12**

PROMISSORY ESTOPPEL

- Contracts, **1:32**

PROPERTY DAMAGE

- Home Repair and Remodeling Act, this index
- Insurance, **12:8**

PROPERTY INSURANCE

- Generally, **12:13**

PROPERTY OF THE ESTATE

- Bankruptcy, **17:5**

PUBLIC CONSTRUCTION BOND ACT

- Public projects, **7:2**

PUBLIC ENTITIES AND PROJECTS

- Generally, **7:1 to 7:31**
- Architectural, Engineering and Land Surveying Qualifications Based Selection Act, **7:21**
- Bids and bidding, **7:16 to 7:19**
- Bond claims, **14:4 to 14:6**
- Construction disputes, **5:17**
- Counties, actions against, **5:22**
- Davis Bacon Act, **15:26**
- Design Build Procurement Act, **7:23**
- Ethical considerations, **7:18**
- Labor laws, **15:25 to 15:27**
- Liability to surety, bond claims, **14:13**
- Local Government Professional Services Selection Act, **7:22, 16:13**
- Mechanics Liens, this index
- Municipalities, actions against, **5:23**
- Preferences in procurement process, **7:19**
- Prevailing Wage Act, **15:27**
- Public Construction Bond Act, **7:2**
- State, actions against, **5:21**
- State, actions by, **5:27**
- Statute of limitations
 - actions against, **5:21 to 5:26**
 - actions by state, **5:27**

PUBLIC-PRIVATE PARTNERSHIPS

Schools, **7:31**

PURCHASER

Mechanics' liens, **13:11**

QUALIFICATIONS

Architectural, Engineering, and Land Surveying Qualifications Based Selection Act, **7:21, 16:12**

Bids and bidding, **9:16 to 9:18, 9:20**

Construction managers, **7:27**

Design-build contracts, **7:23**

Local Government Professional Services Selection Act, **7:22**

QUANTUM MERUIT

Implied contracts, **1:31**

QUASI-PUBLIC AGENCIES

Statute of limitations, **5:26**

REAL ESTATE

Adjacent parcels, mechanics' liens, **13:31**

Condominiums, mechanics' liens, **13:30**

Description for mechanics' liens, **13:28 to 13:31**

Multiple parcels, mechanics' liens, **13:29**

RECLAMATION

Bankruptcy, **17:11**

RECORDS

Labor and Employment, this index

Retention, statute of limitations, **5:2**

Statute of limitations, record retention, **5:2**

REGULATIONS

Licensing and Regulations, this index

RELEASES

Mechanics' liens, **13:50**

REMEDIES

Abandonment of work, **13:48**

Bidder, unselected, **9:31, 9:32**

Collection, multi-employer trust funds, **15:20**

Damages, this index

Mechanics' liens, **13:44 to 3:48, 13:44 to 13:4:48**

Mechanics' liens, monetary judgment, **13:46**

Mechanics' liens, trust funds, **13:47**

Recovering of materials, **13:48**

REMODELING

Home Repair and Remodeling Act, this index

INDEX

REPAIRS

Home Repair and Remodeling Act, this index

REPORTING

Annual and periodic, **2:19**

REPOSE

Statute of limitations, **5:4**

REPOSSESSION

Right to, **6:31**

RESCISSION

Consumer Fraud and Deceptive Practices Act, **4:5**

Right of, **4:5**

RESERVED GATE SYSTEM

National Labor Relations Act, **15:12**

RESIDENTS

Nonresidents as bidders, **9:21**

RESTATEMENT (SECOND) OF TORTS

Third party liability, § 414, **11:18**

RESTRICTIVE COVENANTS

Generally, **2:21**

RETAINAGE

Contract clauses, **6:9**

Payments, **10:23**

RETALIATION

Labor and employment, **15:30**

RETENTION OF DOCUMENTS

Statute of limitations, **5:2**

RIGHT OF CANCELLATION

Home Repair and Remodeling Act, **4:14**

RISK INSURANCE

Builder's risk insurance, **12:14**

ROOFING CONTRACTORS

Licensing and regulations, **3:32**

S CORPORATIONS

Business entities, **2:11**

SAFETY

Contract clauses, **6:7**

Occupational Safety and Health Act, this index

Occupations or professions, licensing requirements, **3:16 to 3:21**

Worker safety, regulating, **15:22**

SALARY

Wages, this index

SATISFACTION CLAUSES

Disputes, **10:7**

SCAM WARNING SIGNS

Home Repair and Remodeling Act, **4:13**

SCHEDULES

Contract clauses, **6:3**

Recording claim, mechanics' liens, **13:33**

Requirements for public liens, **7:8**

SCHOOL VISITATION RIGHTS ACT

Labor and employment, **15:44**

SCHOOLS

Contract considerations and funding, **7:30**

Public-private partnerships, **7:31**

School Construction Act, **7:30**

SECURITIES LAWS

Compliance, **2:14**

SECURITY SYSTEMS

Licensing and regulations, **3:31**

SELECTION

Bids, competitive selection, **9:6**

Qualifications, this index

Remedies of unselected bidders, **9:31, 9:32**

SELLER

Mechanics' liens, **13:11**

SENIOR CITIZENS

Age Discrimination in Employment Act, **15:49**

Home Repair and Remodeling Act, **4:14**

Home Repair Fraud Act, **4:23**

SERVICE MEMBER EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

Labor and employment, **15:41**

SERVICES

Mechanics' liens, **13:18, 13:19**

SET ASIDES

Bids for projects, **9:18**

Small Business Set Aside Program, **2:16**

SICK LEAVE

Requirements in employment law, **15:37**

INDEX

SITES

Personal injuries at site, statute of limitations, **5:19**

SMALL BUSINESS ASSISTANCE

Generally, **2:16**

SOLE PROPRIETORSHIPS

Generally, **2:4**

SOLID WASTE

Licensing requirements, **3:20**

SPECIFICATIONS

Plans and Specifications, this index

STANDARD OF CARE

Design professionals, **16:3**

Professionals, **16:3, 16:4**

STATE COLLEGES

Statute of limitations, **5:24**

STATE PROMPT PAYMENT ACT

Generally, **7:11 to 7:13**

Administrative remedy, **7:13**

Contractors, **7:12, 7:13**

Materials suppliers, **7:12, 7:13**

Subcontractors, **7:13**

STATEMENT OF CLAIM

Mechanics' liens, **13:26**

STATUTE OF FRAUDS

Defense to contract formation, **1:18**

STATUTE OF LIMITATIONS

Generally, **5:1 to 5:31**

Accrual, **5:3**

American Institute of Architects contracts, **5:5**

Arbitration, **5:16**

Bonds, performance, **5:15**

Breach of contract, **5:7**

Breach of warranty, **5:12**

Colleges, state, **5:24**

Construction managers, **5:11**

Construction site injuries, **5:19**

Discovery doctrine, **5:29**

Equitable estoppel, **5:30**

Government entities, **5:17**

Guarantees, **5:14**

Malpractice, **5:10**

Municipal school board, actions against, **5:25**

Negligence, **5:8**

STATUTE OF LIMITATIONS—Cont'd

- Negligent performance, **5:9**
- Payment bonds, **5:6**
- Performance bonds, **5:15**
- Personal injuries, **5:19**
- Premises liability, **11:11**
- Prolonging, **5:28 to 5:31**
- Property damage claims, **5:20**
- Public entities, **5:17**
- Quasi-public agencies, actions against, **5:26**
- Retention of documents, **5:2**
- State, actions commenced by, **5:27**
- Statute of repose, **5:4**
- Tolling, **5:31**
- Tort claims, **5:18**
- Uniform Commercial Code, **5:13**

STATUTE OF REPOSE

- Construction contracts, **5:4**

STATUTES

- Generally, **4:1 to 4:31**
- See also various Acts
- Limitations. Statute of Limitations, this index
- Public design services, **7:20 to 7:23**

STAYS

- Bankruptcy, automatic stay, **17:3**

STOP WORK

- Contract clauses, **6:26**

STRUCTURAL ENGINEERING PRACTICE ACT OF 1989

- Professional liability, **16:10**

STRUCTURAL ENGINEERS

- Licensing requirements, **3:6**

SUBCONTRACTORS

- Generally, **6:39 to 6:50**
- Administrative remedy for contractor's failure to pay, **7:13**
- Bids, listing in, **9:16**
- Commencement of work, **6:46**
- Default, **6:47**
- Description of work, **6:43**
- Design documents, implied duty to provide, **6:41**
- Disclaimers, **6:39**
- Express warranties, **6:39**
- Flow down clauses, **6:50**
- Implied warranties, **6:39**
- Labor, **6:45**

INDEX

SUBCONTRACTORS—Cont'd

- Materials, **6:45**
- Mechanics' Liens, this index
- Multi-employer trust funds, **15:18**
- Notice of claim, mechanics' liens, **13:35, 13:37**
- Payment schedules, **6:44**
- Schedules, **6:49**
- State Prompt Payment Act, **7:12, 7:13**
- Third party beneficiaries of surety bonds, **14:3**
- Time schedules, **6:49**
- Warranties, **6:40, 6:48, 6:49**
- Writing, waiver of requirement, **6:42**

SUBROGATION

- Waiver of, **6:36**

SUBSTANTIAL PERFORMANCE

- Disputes, **10:4**

SUCCESSORSHIP

- Multi-employer trust funds, **15:19**

SUPERVISION AND CONTROL

- Licensing and regulations, **3:14**

SUPPLIERS

- Administrative remedy for contractor's failure to pay, **7:13**
- State Prompt Payment Act, **7:12, 7:13**
- Third party beneficiaries of surety bonds, **14:3**

SURETY BONDS

- Generally, see Bonds, this index
- Claims, generally, **14:2**
- Claims and disputes, **10:31**
- Third party beneficiaries, **14:3**

SURVEYORS

- Architectural, Engineering and Land Surveying Qualifications Based Selection Act, **7:21**
- Licensing requirements, **3:7**

SUSPENSION

- Bidders, **9:19**

TANKS

- Underground, licensing requirements, **3:21**

TAXATION

- Federal taxation of business entities, **2:13**

TERMINATION

- For convenience, **6:10**
- For cause, **6:10**

TERMINATION—Cont'd

Contract clauses, **6:10**

TESTIMONY

Expert Testimony, this index

Motion in limine to bar expert, **11:36**

THIRD PARTIES

Construction Contract Indemnification for Negligence Act, **4:26**

THIRD PARTY BENEFICIARIES

Contract clauses, **6:18**

Contracts, **1:23**

Surety bonds, **14:3**

THIRD PARTY LIABILITY

Contractual control, **11:21**

Control over any part of work, **11:20**

Control over operative details, **11:19**

Restatement (Second) of Torts § 414, **11:18**

TIME

Provisions in contracts, **6:24**

Schedules, this index

Statute of Limitations, this index

TOLLING

Statute of limitations, **5:31**

TORTS

Professional liability, **16:6**

Statute of limitations, **5:18**

TOXIC SUBSTANCES DISCLOSURE TO EMPLOYEES ACT

Generally, **15:24**

TRANSLATIONS

Non-English language contracts, **4:6**

TRIGGERS

Insurance, **12:4**

TRUST FUNDS

Mechanics' liens, **13:47**

TRUSTEES

Land trusts, mechanics' liens, **13:12**

UNCONSCIONABILITY

Defense to contract formation, **1:16**

UNDERGROUND STORAGE TANKS

Leaking, licensing requirements, **3:21**

INDEX

UNIFORM COMMERCIAL CODE

Statute of limitations, **5:13**

UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT

Labor and employment, **15:58**

UNJUST ENRICHMENT

Contracts, **1:31**

VENUE

Contract claims and disputes, **10:32**

VICARIOUS LIABILITY

Generally, **8:7**

VICTIMS' ECONOMIC SECURITY AND SAFETY ACT

Safety in the workplace, **15:40**

VOID CONTRACTS

Anti-Indemnity Act, self-insurance contracts indemnifying third parties, **4:26**

VOIDABLE TRANSFERS

Bankruptcy, **17:6 to 17:8**

VOTING LEAVE

Labor and employment, **15:42**

WAGES

Chicago's minimum wage ordinance, **15:34**

Cook County's minimum wage ordinance, **15:35**

Minimum wage, **15:32, 15:34, 15:35**

Payment practices, **15:32**

Prevailing Wage Act, **15:27**

WAIVERS

Bond claims, **14:8**

Home Repair and Remodeling Act, right of jury trial, **4:16**

Mechanics' liens, **13:50**

Subrogation, **6:36**

WARNING SIGNS OF SCAM

Home Repair and Remodeling Act, **4:13**

WARRANTIES

Breach of warranty, statute of limitations, **5:12**

Express, subcontractor, **6:39**

Implied Warranties, this index

Plans and information, **6:40**

Subcontractors, **6:39, 6:40, 6:48**

WASTE

Hazardous Waste, this index

Solid waste, licensing requirements, **3:20**

WEATHER DAMAGE

Home Repair and Remodeling Act, **4:17**

WELL CONTRACTORS

Licensing and regulations, **3:29**

WHITE COLLAR WORKERS

Fair Labor Standards Act, **15:54**

WITHDRAWAL

Bid bonds, withdrawal of bid, **14:20**

By bidder, **9:27**

WITHHOLDING PAYMENTS

Payments, this index

WOMAN OWNED BUSINESSES

Set aside projects, **9:18**

WOMEN

Business enterprises, **2:17**

WORK

Description of, **6:21**

Protection of, **6:34**

Unacceptable and unauthorized, **6:35**

WORKERS' COMPENSATION

Insurance, **12:16, 12:17, 12:20**

Liens, **11:25**

Workers' Compensation Act, **12:20**

WRITING

Change orders, **10:13**

Contracts, Home Repair and Remodeling Act, **4:12**

Handwritten contract terms, **1:27**

Waiver of requirement, **6:42**