Commercial Agreements: A Lawyer's Guide to Drafting and Negotiating

2026 Edition

By Peter Siviglia

HIGHLIGHTS

- **New Chapter 15E** adds a comprehensive form of contract, with extensive commentary, for the construction of capital equipment. The agreement includes provisions for the buyer's right to monitor the construction and provisions for securing buyer's right to a refund of progress payments that the buyer is required to make. Also included are
  - A. provisions dealing with insuring the equipment during construction, and
  - B. alternate payment arrangements in the event the builder is unable to provide adequate security for a refund of the progress payments.
- § **6:1:** Update on the Federal Trade Commission rule banning certain non-compete clauses in employment agreements.
- Enhancements to **Chapter 17** (Letters of Credit), including new § **17:8** addressing currency considerations.
- Additions and refinements to the other chapters.

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