

Highlights to the 2026-1 Update of Construction and Development Forms

New features and recent developments in this 2026-1 Edition include:

new agreement clauses for engineering services subcontract agreements, including:

- Subcontractor to maintain insurance (see new § 21:38.50);
- Subcontractor's duty of confidentiality (see new § 23:8.50);
- Relation of the parties (see new § 24:21.50);
- Subcontractor's inability to complete—Force majeure (see new § 24:29.50);
- Notices (see new § 24:55.15);
- Exercise and waiver of rights (see new § 24:55.33);
- Severability (see new § 24:55.50);
- Survival (see new § 24:55.66);
- Entirety (see new § 24:55.85);
- Assignment by subcontractor—Obligations not relieved (see new § 24:56.50);
- Termination for subcontractor's material breach (see new § 24:70.50);
- Termination by contractor for convenience (see new § 24:75.50);
- Dispute resolution—Between contractor and subcontractor (see new § 26:9.50);

new forms for financing, construction and services agreements, including:

- Construction loan agreement—Single-family residential dwelling (see new § 12:12.50);
- Pre-Construction agreement between owner and contractor (see new § 28:29.50);
- Hotel project—Design services agreement between construction manager and architect (see new § 34:36.50);
- Proposal for architectural services—Mixed-use development (see new § 34:51.50) and
- Offshore operating agreement (see new § 36:14.50).