

Change Orders During the COVID-19 Pandemic – Managing Unexpected Construction Costs and Time Overruns

“The COVID-19 pandemic has caused cost overruns and project delays that construction owners and contractors could have never imagined before 2020,” write Elizabeth D. Charnowski and Carl R. Pebworth in *Faegre Drinker’s Insights*.

“These unanticipated circumstances can create contract application and interpretation challenges for the unwary construction partner. For example, even if a prime contract expressly requires a specific notice period for change orders, parties can waive or circumvent these requirements in a range of ways. Now, more than ever, prudent construction partners must act carefully to avoid unforeseen impacts. That is especially true when project sites shut down due to executive orders and as work later restarts. Many contractors may now be seeking extra time or compensation for these project delays. How do prudent owners and contractors navigate these uncertain circumstances?”

They provide some considerations to bear in mind.

Read the article.