

Are Contracting Parties Treated the Same When it Comes to Notice Obligations?

Two separate decisions in the United States Court of Federal Claims contain lessons that are generally helpful in all projects involving notice of contract changes, reports **G. Scott Walters** for **Smith, Currie & Hancock**.

“Prudent construction professionals, particularly those doing business with the government, should understand and comply with all notice provisions in their contract. Even if strict notice may not be required, it should be given early and often. Moreover, when notice is received, the prudent contractor must endeavor to understand what it means,” Walters writes.

“The court’s decisions on the notice issues may, at first, appear to contradict each other or to favor one party over the other,” he explains. “A closer look at these two decisions reveals that notice requirements, in the context of federal government construction contracts, can come in multiple forms and notice is not a ‘one size fits all’ proposition.”

Read the article.