

Limiting Liability: Three Clauses to Consider in Construction Contracts

Tara Lynch, writing for Gordon & Rees LLP's **Construction Law Blog**, offers three clauses to consider when writing construction contracts, with an eye to limiting liability and maximizing profits.

One of the clauses covers waiver of consequential damages. "Prudent design professionals and contractors will strike this exception so as not to render the clause meaningless. A well-drafted waiver clause will be mutual, will define which damages are consequential versus direct, and will not contain exceptions," she writes.

She also discusses clauses covering limitations of liability, and a percentage clause involving change orders.

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