

Can You Be Forced to Sign This Contract Modification?

A new U.S. Postal Service change to the standard terms and conditions that apply to its newly awarded Highway Contract Route (HCR) and Contract Delivery Service (CDS) contracts could be unenforceable, according to **David P. Hendel**, writing in the Husch Blackwell **Contractor's Perspective** blog.

The changes apply to existing CDS contracts as well as newly awarded ones. In an email, the Postal Service asked contractors to sign, without any "alterations or additions," a contract modification that incorporated the new terms. If the contractor did not so, the Postal Service's email threatened contract termination, Hendel writes.

He cited problems with the way the changes are presented, including lack of consideration, violation of the implied covenant of good faith and fair dealing, and the legal theory of coercion and duress.

Read the article.