

USING THE HAWAII STANDARD

FORM OF AGREEMENT BETWEEN CONTRACTOR & SUBCONTRACTOR

To Hawaii Standard Subcontract Form users:

The Standard Form of Agreement Between Contractor & Subcontractor, September 1, 2005 Edition, posted on the GCA website is a consensus document compiled by a group of general contractors and specialty contractors in Hawaii. (This is a revision to the July 1, 2005 Edition correcting typographical errors and clarifies time of payment in paragraph 8.2.3.) The General Contractors Association of Hawaii, including its Officers, Directors and Members makes no representation, recommendation or endorsement regarding the suitability or use of this document. Use of this form is at the sole risk of the user. This document has important legal consequences. Consultation with an attorney is encouraged with respect to its application, completion or modification.

The Standard Subcontract Form was specifically developed for the use of Hawaii's building industry. Although there are several standard, national subcontract forms available, it was thought that a document that was fair to both parties and tailored to the Hawaii market was needed. Work began on the form in 2001 and was finally completed in June of 2005.

Use of Form

The form is in 2 parts: the Specific Conditions and the Hawaii Standard General Conditions. Both parts are posted on the GCA website www.qcahawaii.org. It is intended that the first part, Specific Conditions, be tailored to the individual company's needs and desires. The Specific Conditions Form is posted in a **Microsoft Word** format so that it can be easily edited. It is intended that any changes or additions to the terms and conditions contained in the Standard General Conditions be included in this form. Requirements such as insurance coverage and limits can be changed to suit individual requirements.

The Hawaii Standard General Conditions are posted in an **Adobe Acrobat PDF** format that may not be edited. This establishes a standard reference. An edition date is shown and should be used when referencing the Standard General Conditions as updated versions may be adopted from time to time.

The use of the Hawaii Standard General Conditions allows incorporation by reference in the Specific Conditions. It is intended that the Hawaii Standard General Conditions, as a standard form, need not necessarily be attached to the Subcontract Agreement, provided it is referenced and the user deems attachment unnecessary.