



## Contractor Performance Issues Due to Limited Site Access

Challenges to contractors' ability to fulfill their contractual obligations for performance on active construction projects during the current pandemic are numerous and complex.

This [paper](#), authored by attorneys from Gordon & Rees, provides concise advice to contractors to comply with contractual duties and minimize exposure for costs associated with COVID-19 related project delays in these key topic areas:

- Essential and Non-Essential Construction – what is allowable, what is prohibited
- Contractual notice provisions
- Communication with the project team: owner, subcontractors, suppliers
- Protection of the jobsite
- Emergency work including safety provisions, OSHA requirements
- Project status documentation and photography: work in place, material stored, supplier invoices, evidence of potential claims
- Schedule updates and change order requests
- Suppliers and supply chain issues
- Liens and other notices
- Business interruption coverage
- Completion bond potential

[Click here](#) to read the full article.

### Other helpful resources:

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- AGC: [Coronavirus \(COVID-19\)](#)
- Gordon & Rees: [Construction Law Blog](#)
- Gordon & Rees: [“Force Majeure and COVID-19 | Construction Contracts – What You Need to Know”](#) Blog Post
- ENR: Special Report [“Latest Updates on the Coronavirus Pandemic”](#)
- ACEC: [ACEC Coronavirus Resource Center](#)

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*The current coronavirus pandemic is and will undoubtedly continue to impact the design and construction industry. Berkley Construction Professional (Berkley CP) is committed to providing well-sourced risk management advice that is useful to you and your company during this unprecedented time. We understand that each company—and each project—is unique and may face different issues; therefore, a “one size fits all” approach isn't practical.*

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Practice management recommendations should be carefully reviewed and adapted for the particular project requirements, company standards and protocols established by the construction professional.

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