



Where smart architects
manage risk

Contractor Termination Lawsuits: The Architect's Risks and How to Manage Them

We hope you enjoyed the White Paper and have learned much about avoiding Contractor Termination Lawsuits. The following 10 questions cover essential facts about the White Paper you have just read. Please circle your answer to each question, scan the completed test and email it to AIATrust@aia.org along with your name and AIA member number. After we receive your test we will add the Learning Unit to your online transcript and will email the answer sheet with the correct responses to you.

Question 1

In the past, which two legal doctrines shielded architects from liability?

- A. Spearin doctrine and stand your ground law
- B. Economic-loss rule and contributory negligence doctrine
- C. Economic-loss rule and contractual privity

Question 2

What is the most common tort claim asserted by third parties against architects?

- A. Intentional torts
- B. Negligence
- C. Strict liability

Question 3

The Section 552 Restatement of Torts provides an exception to the economic loss doctrine for:

- A. Negligent misrepresentations
- B. Good faith
- C. Comparative negligence

Question 4

Which one of the following milestones does not require an "inspection" by the architect according to the AIA documents?

- A. Substantial completion
- B. Certificate of occupancy
- C. Final completion

Question 5

Which of the following does not impose a duty by the architect to third parties according to the ruling in the case, *Black + Vernoooy vs. Smith*?

- A. The Owner-Architect agreement
- B. Common law
- C. The architect's ability to reject the contractor's work
- D. All of the above

Question 6

Where the architect's design is flawed or specifications are in error, the owner may have a claim against the architect for which of the following?

- A. Negligence
- B. Breach of contract
- C. Either, or a hybrid of the two

Question 7

The California courts found in the case *Beacon Residential Community Association vs. SOM* that the architect could owe a duty to which of the following?

- A. The owner
- B. Future residents of the project
- C. The contractor

Question 8

To succeed on a third-party beneficiary claim, the contractor must prove which of the following?

- A. There is a valid contract between the owner and the architect
- B. There is a valid contract between the owner and the contractor
- C. There is a valid contract between the architect and its consultants

Question 9

Few of the architect's contractual duties create more opportunities for litigation than which of the following?

- A. Project design
- B. Documents preparation
- C. Construction contract administration

Question 10

What may be the most accurate term to describe the architect's actions in conjunction with a certificate for payment?

- A. Visit
- B. Observation
- C. Inspection