

<p style="text-align: center;">OWNER/CONTRACTOR AGREEMENT GUIDE COMMUNITY FACILITIES</p>
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AIA Document **A101-2007 Standard Form of Agreement Between Owner and Contractor where the Basis of Payment is a Stipulated Sum**, with **RD Guide 27, Attachment 3 (2007)**, ‘**Attachment to AIA Document A101-2007**’, should be used in connection with Architectural Projects funded by the USDA/Rural Development. AIA forms are to be provided by the Project Architect.

Notes To The Architect. The Agreement shall be completed as follows:

1. **Article 6.2:** Arbitration is the preferred method of binding dispute resolution.
2. **Article 8.6:** Insert the following language.

“This Agreement is modified and supplemented by RD Guide 27 Attachment 3 (2007), ‘Attachment to AIA Document A101-2007’, attached hereto.”
3. Attach **RD Guide 27, Attachment 3 (2007)**, ‘**Attachment to AIA Document A101-2007**’ to the Owner/Contractor Agreement AIA Document A101-2007. **Do not otherwise modify the body of the Agreement.**
4. **Article 3.3, Attachment 3:** The Liquidated Damages Amount shall be estimated at:
(Contract Sum x Loan Interest Rate) / 365.
5. The Contractor shall provide Performance & Payment Bonds on USDA/RD Forms, equal to 100% of the **Contract Sum**, dated not prior to the date of the Agreement. Surety companies executing Bonds must appear on the current Treasury Circular 570 and be authorized to transact business in Pennsylvania.

Note: A minimum of five (5) fully executed copies of the Agreement (one of which is an **original** as required by copyright law) must be submitted to the RD Area Office for Agency Concurrence. All five (5) copies should have **original** signatures.

Note: Where appropriate, a copy of the resolution or Power-of-Attorney authorizing the individual to act on behalf of the firm or entity should be attached.

Note: **This Instruction Sheet shall not become part of the Agreement.**