

AIA Virginia and ACEC Virginia Collaborate with DGS to Revise Contract Standards for A/E Services

ACEC Virginia and AIA Virginia have been actively working with the Virginia Department of General Services (DGS) to update and clarify the standards that govern the procurement and execution of Architecture and Engineering (A/E) services in the Commonwealth. This collaboration has resulted in key updates to the **CO-3a Terms and Conditions of the A/E Contract**, directly addressing concerns from the A/E community.

Key Revisions and Improvements Include:

- **Refined Standard of Care Language:** One of the most significant updates was the **removal of the phrase “highest standard of care”** from the contract. This revision brings the standard of care in line with industry norms—requiring services to be performed with the care and skill ordinarily used by members of the profession practicing under similar conditions—which eliminates insurability concerns.
- **Updates to Section 32 – Contractual Claims** clarifies and makes explicit how issues beyond the immediate control of the A/E can establish a cause for claim for compensation, and how the process for resolving that claim should proceed.
- **Incorporation of CPSM-Related Language:** Relevant content from **Section 9 of the A/E Manual**, related to **Design Not to Exceed (CPSM)**, has been relocated and integrated into Section 32 of the contract. This realignment ensures that CPSM provisions are directly and clearly addressed within the contractual framework.
- Section 12 establishes the maximum amount of **Professional Liability Insurance** required, regardless of the Design-not-to-exceed Budget.

Additional revisions pertain to requirements for additional insurance, HR training, etc. Members would do well to review the documents in their entirety. For your convenience, a comparative text document, highlighting the recent revisions, can be accessed here [\[link\]](#). To view the updated CO-3a Terms and Conditions in its full and official form, visit the DGS Forms Center at <https://dgs.virginia.gov>.

We appreciate the willingness of DGS leadership to listen and respond to the concerns of industry. We also appreciate the willingness of our members to voice their concerns, apply their expertise and experience, and propose, consider, and refine alternatives.

This successful collaboration highlights the value of continued dialogue between key stakeholders and the A/E industry. Through this work, ACEC Virginia and AIA Virginia continue to advocate for the interests of our members and our professions.

Please continue to keep us apprised of issues that affect our practice and industry. Alert us to issues and/or stakeholders that need to be addressed. We remain committed to the cause and are eager to advocate on your behalf.