

protections into each agreement with the client as well as to coordinate the interior design agreement with those of the other members of the project team.

This change has occurred because owners now recognize that each project is unique, in that to properly ascribe to each of the team members the appropriate responsibilities and liabilities, it is necessary to accurately define all of the variables—the special features needed to match the scope with the project delivery system, and the combination of consultants to be integrated and coordinated to the phased completion dates for separate stages of many projects.

At the outset of each project, the design team must meet with the client and survey what is most critical to them, what factors they most need to see to call the project successful. Even for small and simple projects, the complete investigation calls upon the designer to work with the owner and other project team members to address goal-oriented questions before the design process can effectively begin. If designers identify clients' design and business goals, they can ensure that their agreements with owners contain the requisite legal protections as well as provisions that will coordinate work with other members of the project team. If they adopt a more businesslike approach to the drafting and negotiation of agreements, designers will limit their exposure to liability, be in a better position to meet and exceed their clients' goals, and see more of their projects successfully completed.

Notes

1

Marshall-Schule Associates, Inc. v. Goldman, 137 Misc.2d 1024, 523 N.Y.S.2d 16 (Civ. NY 1987).

2

Florida Administrative Code, Chapter 481, Part I, § 481.203(8).

3

Florida Administrative Code, Chapter 481, Part I, § 481.203(6).

4

Florida Administrative Code, Chapter 481, Part I, § 481.2131.

5

United States v. Ellerbe Bechet, Inc., 976 F. Suppl. 1262 (Dist. Minn. 1997).

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