



Error & Omissions Policy for Design Services



Issued: June 2026

Policy & Procedures

All Contract Types



E/O Policy

OBJECTIVE

The UMass Chan Medical School developed an Error and Omission (E/O) policy to provide structure to how issues are identified, tracked, corrected, and resolved. This policy governs design-related Errors & Omissions that lead to rework, cost, or schedule impacts. This policy aligns with the professional standard of care and applies only to stamped drawings and specifications, and to A/E services, including subconsultants.

RELEVANT CONTRACT ARTICLES

Standard of Care

The Designer agrees that the services provided hereunder shall conform to the standard of care and the practice exercised by other professionals engaged in performing comparable services. The Designer further agrees that the personnel furnishing said services shall be qualified and competent to perform adequately the services assigned to them. The Designer further agrees that the recommendations, guidance, and performance of such personnel shall reflect such standards of care and practice.

2. Definitions

Non-negligent – The error or omission meets the standard of care

Negligent – The error or omission does not meet the standard of care

4. Roles and RACI

Associate Vice Chancellor: Reviewed and approved the validity, cause, and classification

Project Manager (PM): Owns E/O triage, log, notifications, cost capture, and approvals workflow.

A/E (Prime): Provides E/O analysis, corrective design, collaborates on mitigation, and final approves cost recovery.

Contractor: Supplies cost/time impact data and mitigation options.

Project Controls: Coordinates with the Contractor on cost/schedule impacts.

Error & Omission Classification

The Project Manager, in conjunction with the Project Controls representative, will classify the potential E/O into tiers based on severity and impact. Classification will be based on

cost or schedule impact, with either one sufficient. If the potential E/O results in both cost and schedule impacts, the higher Tier will be selected. These tiers are described in the table below.

| | Schedule Impact | Cost Impact |
|---------------|-----------------|---------------------|
| Tier 1 | No Impact | <\$10,000 |
| Tier 2 | 10 Days or less | \$10,001 - \$50,000 |
| Tier 3 | 10+ Days | \$50,001 + |

5. Procedure

1. Identification
 - a. The Project Manager or Construction Manager identifies a potential E/O.
 - b. PM opens an E/O entry in the E/O Log with description, drawing/spec reference, and evidence; assigns provisional cause code (Design Error or Design Omission)
2. Notification to A/E
 - a. Within 2 business days of identification, PM issues a written Notice of Potential E/O to the A/E (email + PMWeb Correspondence), requesting RCA and corrective action.
3. Tier Identification
 - a. The Project Controls resource works in conjunction with the project manager and contractor to identify possible cost and schedule impacts and assigns an initial Tier.
4. A/E Response
 - a. Within 10 business days, the A/E responds to the potential E/O with their review, stance, and corrective action plan
 - i. Tier 1 – Simple memo/email and corresponding Bulletin
 - ii. Tier 2 – Formal memo and corresponding Bulletin
 - iii. Tier 3 – Formal memo, root cause analysis, and corresponding Bulletin
5. Evaluation and Determination
 - a. The project manager evaluates the A/E response and classifies the potential E/O as Negligent or Non-Negligent
 - b. Final response, including financial responsibilities, sent to A/E for confirmation
6. Finalize Cost and Schedule Impacts
 - a. Contractor to issue a change order with the final cost and schedule impacts
 - b. Project Manager to recover the costs in accordance with the consultant contract documents

6. Financial Responsibilities

Non-Negligent E/O's – Funded as per the table below

| % of Overall Change Orders to Construction Contract Amount | Owner | A/E |
|---|--------------|------------|
| 0 to 5% | 100% | |
| 5 % to 10% | 80% | 20% |
| >10% | 70% | 30% |

Negligent E/O's – Funded from A/E Fee and/or Insurance

7. Dispute Resolution

Any Errors or Omissions that are disputed between the parties are to be resolved in accordance with the contract documents.

Sample E/O Log Table

| UMass Chan Medical School | | | | | | | | | | |
|-----------------------------------|-------------|-----------|-----------|-------------|-------|------|-------------|------------------------|----------------|-------------|
| Error and Omission Log - TEMPLATE | | | | | | | | | | |
| ID | Date Opened | Disipline | Reference | Description | Cause | Tier | Cost Impact | Schedule Impact (Days) | Classification | Date Closed |
| 1 | | | | | | | | | | |
| 2 | | | | | | | | | | |
| 3 | | | | | | | | | | |