

Contract Provisions

The National Roofing Legal Resource Center is pleased to provide possible provisions to include in correspondence, proposals and contracts to deal with volatile pricing of roofing, polyisocyanurate and steel products.

- The construction industry is experiencing rapidly escalating and unpredictable prices for petroleum-based roofing products, steel and transportation costs. The pricing of many roofing products is currently subject to sudden and significant changes beyond the control of roofing contractors. Because of the difficulty in obtaining firm prices for petroleum-based or steel products from suppliers, [Name of Roofing Contractor] cannot provide fixed, firm prices for these products for future projects. If there is an increase in the price of petroleum-based or steel products charged to _____ subsequent to making this proposal/contract, the price set forth in this proposal/contract shall be increased to reflect the additional cost to _____ upon _____'s submittal of written documentation of the increase charges.
- Due to rapidly escalating prices and extreme volatility in the pricing of petroleum-based construction products, the price set forth in this proposal/contract applies only to orders that are ordered and paid for within _____ days of the date of this proposal/contract. All other orders shall be subject to change based upon changes in the price material charged to _____.
- _____ shall perform the work described at the price quoted subject to the following adjustment: In the event that the price of any materials to be used in this work should increase by _____ percent or greater from the price at which the material was available to _____ at the time of submission of this proposal/contract, then the price quote shall be increased to reflect the additional cost of the material to _____.
- Due to the extreme price volatility regarding petroleum products, the price quoted in this proposal is valid only for orders placed and paid within the next _____ days. If there is an increase in the price paid by _____ for asphalt, polyisocyanurate, steel or other materials, including transportation charges, the amount of this proposal/contract shall be similarly increased to reflect the increased costs to obtain the materials.
- _____ shall perform the work described herein at the price quoted; provided that in the event the price to the roofing contractor for any materials to be used in this work shall increase by _____ percent or greater than the price relied upon by _____ in preparing and submitting the price quote, then the owner/general contractor agrees that the price quote shall be increased to this same extent.
- Asphalt products, polyisocyanurate insulation, steel products and other roofing products are sometimes subject to unusual and severe price volatility and availability caused by political and economic conditions that are beyond the control of _____. If there is a substantial price increase in these or other roofing products between the date of this proposal and the time when the work is to be performed, the amount of this proposal/contract may be increased to reflect the additional cost to obtain the materials, upon advance notice and submittal of written documentation to the Customer.