

CMAA Policy Statements

CMAA Anti-Trust Statement

It is CMAA's policy to comply in all respects with federal and state anti-trust laws.

Meetings will follow a formal, pre-approved agenda for the purpose of conducting the business of the association. Accordingly, discussion of any matters relating to competition among our members or relating to practices that may restrain trade with third parties is not permitted. These prohibited subjects include prices, allocating territories, boycotts or any other statements that may be construed as anti-competitive.

Delivery System Neutrality – Approved May 21, 1999

CMAA proclaimed itself "Delivery System Neutral" to impress upon owners that professional CMs should assist them in selecting the "best" delivery system for their sophistication and the scope of their project.

ADR Statement – Approved May 2, 2000

CMAA's Board unanimously approved the following statement regarding Alternative Disputes Resolution (ADR):

The Construction Management Association of America (CMAA) supports and encourages disputes avoidance through the use of processes that enable issue resolution at the lowest possible organizational level of the parties involved in a construction project. CMAA recognizes that disputes, and the resolution of disputes, are often a difficult, time-consuming, and disruptive aspect of construction projects.

Participants in construction projects should resolve to avoid litigation by taking advantage of various alternative dispute resolution (ADR) processes to resolve disputes. These include mediation, mini-trial, disputes review board (DRB), partnering, negotiation, and neutral fact-finding.

ADR is a process that relies on consensual court-annexed or contractually mandated procedures. ADR processes used for particular projects should be appropriate to each project and its participants; they should be established and consented to by all participants, and encouraged by the construction manager.

CMAA believes that lengthy arbitration and litigation should be used only as a last resort in resolution of construction related issues.

Statement Opposing Reverse Auctions – Approved May 16, 2004

CMAA opposes reverse auctions for procurement of construction and construction services.