



## **2021 - 2023 Texas Residential Construction Contracts Package**

***(Version 9.0)***

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1. Residential Construction Contract – Fixed Price (For Use with Homes Constructed on the Owner’s Property) **(TAB 1.1)**

**Addenda:**

- Legal Description **(TAB A-1)**
- Not Applicable (TAB A-2)**
- Draw Request Form **(TAB A-3)**
- Notice Regarding Expansive Soils **(TAB A-4)**
- Final Customer Walk-Thru Approval and Punch List **(TAB A-5)**
- Selection / Allowance Schedule **(TAB A-6)**
- Change Order **(TAB A-7)**
- Real Estate Broker’s Fee Addendum **(TAB A-8)**
- Builder’s Disclosure Statement **(TAB A-9)**
- Waiver of the List of Subcontractors and Suppliers **(TAB A-10)**
- Assignment of Manufactured Product Warranties **(TAB A-11)**
- Special Provisions Addendum **(TAB A-12)**
- Green Building Disclosure **(TAB A-13)**
- Express Limited Home Warranty **(TAB A-14)**
- Homeowners Maintenance Guidelines **(TAB A-15)**
- Notice Regarding Heating and Cooling Equipment **(TAB A-16)**

2. Residential Construction Contract – Cost Plus (For Use with Homes Constructed on the Owner’s Property) **(TAB 2.1)**

**Addenda:**

- Legal Description **(TAB A-1)**
- Schedule of Estimated Construction Costs (for use with TAB 2.1 Cost Plus Contract) **(TAB A-2)**
- Draw Request Form **(TAB A-3)**
- Notice Regarding Expansive Soils **(TAB A-4)**
- Final Customer Walk-Thru Approval and Punch List **(TAB A-5)**
- Selection / Allowance Schedule **(TAB A-6)**
- Change Order **(TAB A-7)**
- Real Estate Broker’s Fee Addendum **(TAB A-8)**

Builder's Disclosure Statement (TAB A-9)  
Waiver of the List of Subcontractors and Suppliers (TAB A-10)  
Assignment of Manufactured Product Warranties (TAB A-11)  
Special Provisions Addendum (TAB A-12)  
Green Building Disclosure (TAB A-13)  
Express Limited Home Warranty (TAB A-14)  
Homeowners Maintenance Guidelines (TAB A-15)  
Notice Regarding Heating and Cooling Equipment (TAB A-16)

3.1. Residential Construction Contract – Fixed Price (For Use with Homes Constructed on the Builder's Property) (TAB 3.1)

**Addenda:**

Legal Description (TAB B-1)  
Special Provisions Addendum (TAB B-2)  
Financing Addendum (TAB B-3)  
Addendum for Property Subject to Mandatory Membership in an Owners' Association (TAB B-4)  
Tide Waters Notice (TAB B-5)  
Final Customer Walk-Thru Approval and Punch List (TAB B-6)  
Selection Schedule (TAB B-7)  
Change Order (TAB B-8)  
Real Estate Broker's Fee Addendum (TAB B-9)  
Addendum for Property Located Seaward of the Gulf Intracoastal Waterway (TAB B-10)  
Assignment of Manufactured Product Warranties (TAB B-11)  
Notice Regarding Expansive Soils (TAB B-12)  
Green Building Disclosure (TAB B-13)  
Express Limited Home Warranty (TAB B-14)  
Homeowners Maintenance Guidelines (TAB B-15)  
Notice Regarding Heating and Cooling Equipment (TAB B-16)  
Notice of Obligation to Pay Improvement District Assessment (TAB B-17)

3.2. Residential Construction Contract – Cost Plus (For Use with Homes Constructed on the Builder's Property) (TAB 3.2) **NEW**

**Addenda:**

Legal Description (TAB B-1.1) **NEW**  
Special Provisions Addendum (TAB B-2.1) **NEW**  
Schedule of Estimated Construction Costs (for use with TAB 3.2 Cost Plus Contract) (TAB B-3.1) **NEW**  
Financing Addendum (TAB B-4.1) **NEW**  
Draw Request Form (TAB B-5.1) **NEW**  
Builder's Disclosure Statement (TAB B-6.1) **NEW**  
Waiver of the List of Subcontractors and Suppliers (TAB B-7.1) **NEW**  
Addendum for Property Subject to Mandatory Membership in an Owners' Association (TAB B-8.1) **NEW**

Tide Waters Notice (TAB B-9.1) **NEW**  
Final Customer Walk-Thru Approval and Punch List (TAB B-10.1) **NEW**  
Selection & Allowance Schedule Addendum (TAB B-11.1) **NEW**  
Change Order (TAB B-12.1) **NEW**  
Real Estate Broker's Fee Addendum (TAB B-13.1) **NEW**  
Addendum for Property Located Seaward of the Gulf Intracoastal Waterway (TAB B-14.1) **NEW**  
Assignment of Manufactured Product Warranties (TAB B-15.1) **NEW**  
Notice Regarding Expansive Soils (TAB B-16.1) **NEW**  
Green Building Disclosure (TAB B-17.1) **NEW**  
Express Limited Home Warranty (TAB B-18.1) **NEW**  
Homeowner Maintenance Requirements (TAB B-19.1) **NEW**  
Notice of Obligation to Pay Improvement District Assessment (TAB B-20.1) **NEW**  
Notice Regarding Heating and Cooling Equipment (TAB B-21.1) **NEW**

4. Residential Completed Home Contract (For Use With Completed Homes Constructed on the Builder's Property) (TAB 4.1)

**Addenda:**

Legal Description (TAB C-1)  
Special Provisions Addendum (TAB C-2)  
Financing Addendum (TAB C-3)  
Addendum for Property Subject to Mandatory Membership in An Owners' Association (TAB C-4)  
Tide Waters Notice (TAB C-5)  
Final Customer Walk-Thru Approval and Punch List (TAB C-6)  
Change Order (TAB C-7)  
Real Estate Broker's Fee Addendum (TAB C-8)  
Addendum for Property Located Seaward of the Gulf Intracoastal Waterway (TAB C-9)  
Assignment of Manufactured Product Warranties (TAB C-10)  
Notice Regarding Expansive Soils (TAB C-11)  
Green Building Disclosure (TAB C-12)  
Express Limited Home Warranty (TAB C-13)  
Homeowners Maintenance Guidelines (TAB C-14)  
Notice Regarding Heating and Cooling Equipment (TAB C-15)  
Notice of Obligation to Pay Improvement District Assessment (TAB C-16)

5. Residential Remodeling Contract – Fixed Price (TAB 5.1)

**Addenda:**

Legal Description (TAB D-1)  
Proposal (TAB D-2)  
Draw Request Form (TAB D-3)  
**Not Applicable (TAB D-4)**  
Final Customer Walk-Thru Approval and Punch List (TAB D-5)  
Selection / Allowance Schedule (TAB D-6)

Change Order (TAB D-7)  
Builder's Disclosure Statement (TAB D-8)  
Waiver of List of Subcontractors and Suppliers (TAB D-9)  
Lead-Based Paint Pre-Renovation Form (TAB D-10.1)  
Certified Renovator's Pre-Renovation Form (TAB D-10.2)  
Certified Renovator's Post-Renovation Form (TAB D-10.3)  
EPA Renovate Right Pamphlet (TAB D-10.4)  
Notice of Right of Rescission (TAB D-11)  
Assignment of Manufactured Product Warranties (TAB D-12)  
Special Provisions Addendum (TAB D-13)  
Notice Regarding Expansive Soils (TAB D-14)  
Green Building Disclosure (TAB D-15)  
Express Limited Home Warranty (TAB D-16)  
Homeowners Maintenance Guidelines (TAB D-17)  
Notice Regarding Heating and Cooling Equipment (TAB D-18)

6. Residential Remodeling Contract – Cost Plus (TAB 6.1)

**Addenda:**

Legal Description (TAB D-1)  
Proposal (TAB D-2)  
Draw Request Form (TAB D-3)  
Schedule of Estimated Construction Costs (for use with TAB 6.1 Cost Plus Contract)  
(TAB D-4)  
Final Customer Walk-Thru Approval and Punch List (TAB D-5)  
Selection / Allowance Schedule (TAB D-6)  
Change Order (TAB D-7)  
Builder's Disclosure Statement (TAB D-8)  
Waiver of List of Subcontractors and Suppliers (TAB D-9)  
Lead-Based Paint Pre-Renovation Form (TAB D-10.1)  
Certified Renovator's Pre-Renovation Form (TAB D-10.2)  
Certified Renovator's Post-Renovation Form (TAB D-10.3)  
EPA Renovate Right Pamphlet (TAB D-10.4)  
Notice of Right of Rescission (TAB D-11)  
Assignment of Manufactured Product Warranties (TAB D-12)  
Special Provisions Addendum (TAB D-13)  
Notice Regarding Expansive Soils (TAB D-14)  
Green Building Disclosure (TAB D-15)  
Express Limited Home Warranty (TAB D-16)  
Homeowners Maintenance Guidelines (TAB D-17)  
Notice Regarding Heating and Cooling Equipment (TAB D-18)

7. Residential Remodeling Contract – Short Form (TAB 7.1)

**Addenda:**

Legal Description (TAB D-1)  
Proposal (TAB D-2)

Draw Request Form (TAB D-3)  
**Not Applicable (TAB D-4)**  
Final Customer Walk-Thru Approval and Punch List (TAB D-5)  
Selection / Allowance Schedule (TAB D-6)  
Change Order (TAB D-7)  
Builder's Disclosure Statement (TAB D-8)  
Waiver of List of Subcontractors and Suppliers (TAB D-9)  
Lead-Based Paint Pre-Renovation Form (TAB D-10.1)  
Certified Renovator's Pre-Renovation Form (TAB D-10.2)  
Certified Renovator's Post-Renovation Form (TAB D-10.3)  
EPA Renovate Right Pamphlet (TAB D-10.4)  
Notice of Right of Rescission (TAB D-11)  
Assignment of Manufactured Product Warranties (TAB D-12)  
Special Provisions Addendum (TAB D-13)  
Notice Regarding Expansive Soils (TAB D-14)  
Green Building Disclosure (TAB D-15)  
Express Limited Home Warranty (TAB D-16)  
Homeowners Maintenance Guidelines (TAB D-17)  
Notice Regarding Heating and Cooling Equipment (TAB D-18)

8. Residential Remodeling Contract – Modified Short Form (TAB 7.2)

**Addenda:**

Legal Description (TAB D-1)  
Proposal (TAB D-2)  
Draw Request Form (TAB D-3)  
**Not Applicable (TAB D-4)**  
Final Customer Walk-Thru Approval and Punch List (TAB D-5)  
Selection / Allowance Schedule (TAB D-6)  
Change Order (TAB D-7)  
Builder's Disclosure Statement (TAB D-8)  
Waiver of List of Subcontractors and Suppliers (TAB D-9)  
Lead-Based Paint Pre-Renovation Form (TAB D-10.1)  
Certified Renovator's Pre-Renovation Form (TAB D-10.2)  
Certified Renovator's Post-Renovation Form (TAB D-10.3)  
EPA Renovate Right Pamphlet (TAB D-10.4)  
Notice of Right of Rescission (TAB D-11)  
Assignment of Manufactured Product Warranties (TAB D-12)  
Special Provisions Addendum (TAB D-13)  
Notice Regarding Expansive Soils (TAB D-14)  
Green Building Disclosure (TAB D-15)  
Express Limited Home Warranty (TAB D-16)  
Homeowners Maintenance Guidelines (TAB D-17)  
Notice Regarding Heating and Cooling Equipment (TAB D-18)

9. Independent Contractor and Supplier Agreements

Independent Contractor Base Agreement (**TAB 8.1**)  
Supplier Base Agreement (**TAB 8.2**)  
Addendum to Independent Contractor Base Agreement – Pricing Terms (**TAB 8.22**)  
**NEW**  
Addendum to Independent Contractor Agreement - Non-Solicitation (**TAB 8.23**)  
**NEW**  
Independent Design Professional Base Agreement (**TAB 8.3**)  
Authorization to Obtain Department of Public Safety Criminal History Record (**TAB 8.4**)  
Job Rules Addendum to Independent Contractor Base Agreement (**TAB 8.5**)  
Injury Incident Reporting Form (**TAB 8.6**) **NEW**

10. Indemnity and Affidavit as to Payment of Bills and Release of Liens (**TAB 9.1**)
  
11. Services Agreements
  - Agreement Between Owner and Builder Consultant (**TAB 10.1**)
  - Agreement Between Owner and Builder Consultant-Design Agreement (**TAB 10.2**)
  
12. Residential Partially Completed Home Contract (For Use With Partially Completed Homes Constructed on the Builder's Property) (**TAB 11.1**)  
**Addenda:**
  - Legal Description (**TAB E-1**)
  - Special Provisions Addendum (**TAB E-2**)
  - Financing Addendum (**TAB E-3**)
  - Addendum for Property Subject to Mandatory Membership in An Owners' Association (**TAB E-4**)
  - Tide Waters Notice (**TAB E-5**)
  - Final Customer Walk-Thru Approval and Punch List (**TAB E-6**)
  - Selection / Allowance Schedule (**TAB E-7**)
  - Change Order (**TAB E-8**)
  - Real Estate Broker's Fee Addendum (**TAB E-9**)
  - Addendum for Property Located Seaward of the Gulf Intracoastal Waterway (**TAB E-10**)
  - Assignment of Manufactured Product Warranties (**TAB E-11**)
  - Notice Regarding Expansive Soils (**TAB E-12**)
  - Green Building Disclosure (**TAB E-13**)
  - Express Limited Home Warranty (**TAB E-14**)
  - Homeowners Maintenance Guidelines (**TAB E-15**)
  - Notice Regarding Heating and Cooling Equipment (**TAB E-16**)
  - Notice of Obligation to Pay Improvement District Assessment (**TAB E-17**)
  
13. Agreement for Termination of Contract and Release (**TAB 12.1**)

14. Lien Waivers
  - Conditional Waiver and Release on Progress Payment (**TAB 13.1**)
  - Unconditional Waiver and Release on Progress Payment (**TAB 13.2**)
  - Conditional Waiver and Release on Final Payment (**TAB 13.3**)
  - Unconditional Waiver and Release on Final Payment (**TAB 13.4**)
  
15. Lot Sale Addendum (**TAB 14.1**)
  
16. Architect/Design Professional Addendum (**TAB 15.1**)