

**701—219.8(423) Types of construction contracts.**

**219.8(1)** *Types of construction contracts.* Construction contracts include lump-sum contracts; cost plus contracts; time and material contracts; unit price contracts; guaranteed maximum or upset price contracts; construction management contracts; design-built contracts; and turnkey contracts.

**219.8(2)** *Scope.* A contract for the installation of one or more of the items listed below does not necessarily transform that contract into a construction contract or a contract for reconstruction, alteration, expansion, or remodeling. Thus, for example, hiring a contractor to install a light fixture in an existing building is not, without more, a construction contract or a contract for reconstruction, alteration, expansion, or remodeling.

**219.8(3)** *Examples.* The following is a nonexhaustive list of activities and items that could fall within the scope of a construction contract or a contract for reconstruction, alteration, expansion, or remodeling of a structure. This list should not be used to distinguish machinery and equipment from real property or structures since such a determination is factual.

- Ash removal equipment (installed as distinguished from portable units)
- Automatic sprinkler systems (fire protection)
- Awnings and venetian blinds that become attached to real property
- Boilers (installed as distinguished from portable units)
- Brick work
- Builder's hardware
- Burglar alarm and fire alarm fixtures
- Caulking materials work
- Cement work
- Central air conditioner installation
- Coal handling equipment (installed as distinguished from portable units)
- Concrete work
- Counters, lockers (installed as distinguished from portable units), and prefabricated cabinets
- Drapery installation
- Electric conduit work and items relating thereto
- Electric distribution lines
- Electric transmission lines
- Floor covering that is permanently installed. Subrule 219.3(3) provides information on an exception to this regarding carpeting
- Flooring work
- Furnaces, heating boilers and heating units
- Glass and glazing work
- Gravel work (excluding landscaping)
- Installation of modular homes on foundations
- Lathing work
- Lead work
- Lighting fixtures
- Lime work
- Lumber and carpenter works
- Macadam work
- Millwork installation
- Mortar work
- Oil work
- Paint booths and spray booths (installed as distinguished from portable units)
- Painting work
- Paneling work
- Papering work
- Passenger and freight elevators
- Piping valves and pipe fitting work

Plastering work  
Plumbing work  
Prefabricated cabinets, counters, and lockers (installed as opposed to portable units)  
Putty work  
Refrigeration units (central plants installation as distinguished from portable units)  
Reinforcing mesh work  
Road construction (concrete, bituminous, gravel, etc.)  
Roofing work  
Sheet metal work  
Sign installation (other than portable sign installation)  
Steel work  
Stone work  
Stucco work  
Tile work—ceiling, floor and walls  
Underground gas mains  
Underground sewage disposal  
Underground water mains  
Vault doors and equipment  
Wallboard work  
Wall coping work  
Wallpaper work  
Water heater and softener installation  
Weather stripping work  
Wire net screen work  
Wood preserving work

This rule is intended to implement Iowa Code sections 423.2(1) “c” and 423.3(37).

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