

Seminar Agenda

Understanding Construction Contract Essentials

R. King

Examining contract terminology:

- Parties, consideration, term, performance, substantial performance, breach, remedies, damages

Understanding types of construction contracts:

- Payment method
- Award and selection
- Project delivery system
- Number of primes
- Legal description

Studying roles and relationships of project participants:

- Owners, architects/engineers, construction managers, contractors, subs and suppliers

Exploring the law of construction contract interpretation

Reviewing Bidding Documents

W. G. Guedel

| | |
|--------------|----------|
| Invitation | Bid form |
| Instructions | Bid bond |
| Information | Addenda |

Reviewing Contract Documents

L. Taft

Use of standard forms or custom documents

Types of contracts

Key contract provisions (differing site conditions, indemnification, notice, payment, etc.)

Contract modifications (change orders, directives, etc.)

Performance/payment bonds

Additional contract documents (releases, change order forms, etc.)

Other contract considerations

Understanding Issues in Contract Administration

A. Tramontanas

Insurance and indemnity issues

Chain of command issues

Subcontracts

Payments

Changes and change orders

Substantial and final completion

Breach and pitfalls

Examining Legal Issues and Contract Disputes

T. Berger

Changed conditions

Project documentation

Delays, acceleration

Handling payment claims and final payments

Resolving disputes through mediation, arbitration, litigation

Understanding contractual and statutory warranties

Construction Contract Workshop
Seattle, WA - Friday, November 13, 2015

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PO Box 278
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Learning Objectives

You'll be able to:

Identify different types of construction contracts and understand basic terminology related to performance, breach, remedies and damages.

Examine bidding documents, including bid forms, bid bonds and addenda.

Understand key contract provisions on site conditions, indemnification, and change orders.

Discuss contract administration concerns, including chain of command issues, subcontracts, and payments.

Prevent legal issues and disputes with tips from our knowledgeable faculty.



Construction Contract Workshop



Seattle, WA

Friday, November 13, 2015

Understand basic contract principles and the roles of project participants in contracts and agreements

Review essential bidding documents

Examine contract provisions, including those relating to contract modifications and payments

Learn about insurance and indemnity issues

Explore common legal disputes that arise during construction

Continuing Education Credits

Architects

7.0 HSW PDHs

7.0 AIA HSW Learning Units

Landscape Architects

7.0 HSW PDHs

7.0 LA CES HSW PDHs

Professional Engineers

7.0 CE Hours

Contractors

Voluntary Ed. Opportunity



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Faculty

Russell S. King *Partner, Short Cressman & Burgess, PLLC*
Mr. King’s practice focuses on construction, litigation, and real estate matters. His work includes advising construction industry clients, including owners, design professionals, contractors, and subcontractors on the negotiation and interpretation of contracts, and on the development of form contracts and specifications. He also provides counsel and advice to those clients on dispute avoidance and dispute resolution issues during all phases of project administration and delivery. Mr. King is a member of the Washington State Bar Association, the King County Bar Association and the Construction Financial Management Association.

W. Gregory Guedel *Member, Foster Pepper PLLC*
Mr. Guedel is a member of Foster Pepper’s Construction, Litigation, and Municipal Law practice groups, and for over 20 years his practice has emphasized complex construction, government contracting and business law. He has negotiated and drafted design and construction contracts for billions of dollars for public and private projects throughout the United States, and his litigation work includes all aspects of pre-trial, trial and appellate case management in state, federal and tribal courts. Mr. Guedel provides his clients with analysis, preparation, negotiation and resolution of contract claims, and he drafts and interprets multi-party contracts for project design, construction, and administration. He regularly assists clients with business and construction planning and management, serving government and private-sector

developers. Mr. Guedel is a member of the Construction Law sections of the Washington State and American Bar Associations.

Lindsay K. Taft *Attorney, Ahlers & Cressman PLLC*
Ms. Taft’s practice involves working with general contractors, subcontractors, and suppliers on all aspects of day-to-day operation, contract disputes, bid protests, contract drafting and review, lien and bond claims, REAs, contract claims and appeals, and small business procurement issues. She has represented clients before state and federal agencies, including the Government Accountability Office, the Small Business Administration, the United States Department of Transportation, and the Office of Minority and Women’s Business Enterprises, as well as before various federal and state courts, arbitrators, and hearing officers. Ms. Taft is a member of the Washington State and King County bar associations.

Athan E. Tramountanas *Attorney, Short Cressman & Burgess PLLC*
Mr. Tramountanas focuses his practice on construction litigation and contract law, real estate law, and complex commercial litigation. He advises public and private clients on various issues throughout the construction process, negotiates and drafts design and construction contracts, prepares procurement documents, and represents clients throughout the dispute resolution process in both trial and appellate courts. Mr. Tramountanas also advises and

represents clients through dispute resolution processes on various real estate and landlord-tenant disputes, and he has served as a third-party neutral, assisting parties in resolving their disputes. Prior to law school, Mr. Tramountanas spent several years working in the construction industry as a construction project engineer for a general contractor and developer. He teaches Construction Law for the University of Washington’s Construction Management program and is a frequent speaker and author on a variety of construction law related topics.

Tymon Berger *Partner, Ashbaugh Beal, LLP*
Prior to becoming an attorney Mr. Berger spent ten years as a contractor, the majority of that time managing construction and resolving complex claims across the country for *ENR* Top 20 firms. Today, he represents contractors in disputes over public works and private construction projects. Mr. Berger also helps contractors with bid protests and federal and state lien claims against public and private works. He has represented contractors in disputes involving highways, bridges, reservoirs, pump stations, ball parks, and schools, as well as several high-profile private developments in the Puget Sound area. In addition to litigating construction-related disputes, Mr. Berger advises clients on federal procurement practices and contracting regulations. He is a member of the AGC of Washington’s Legal Affairs Committee and its Local Government Affairs Committee.

About the Seminar

Best Western Plus Executive Inn
200 Taylor Avenue N.
Seattle, WA 98109
(206) 448-9444

Tuition
\$269 for individual registration
\$249 for three or more simultaneous registrations. Each registration includes one copy of *Construction Contract Workshop*.

Receive a reduced tuition rate of \$101 by registering to be our on-site coordinator for the day. For availability and a job description, go online to www.halfmoonseminars.org.

Four Easy Ways to Register Today!
Register online at www.halfmoonseminars.org, mail in registration form to **HalfMoon Education Inc., PO Box 278 Altoona, WI 54720-0278**, fax the form to (715) 835-6066, or call a customer service representative at (715) 835-5900.

Cancellations: Cancel at least 48 hours before the start of the seminar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another seminar or the CD/manual package. You may also send another person to take your place.

Registration
8:00 - 8:30 am
Morning Session
8:30 am - 12:30 pm
Lunch (On your own)
12:30 - 1:30 pm
Afternoon Session
1:30 - 5:00 pm

Continuing Education Credit Information

This seminar is open to the public and offers up to 7.0 HSW continuing education hours to Washington architects and landscape architects. It also offers a 7.0 continuing education opportunity to Washington professional engineers (not required for license renewal). Courses and course providers are not preapproved in Washington.

This seminar approved by the American Institute of Architects for 7.0 HSW Learning Units (Sponsor No. J885) and the Landscape Architect Continuing Education System for 7.0 HSW PDHs.

Washington architects, landscape architects, and engineers with continuing education requirements in other states will be able to apply the hours earned at this seminar, in most cases. Refer to specific state rules to determine eligibility, or contact HalfMoon Education for assistance.

This seminar offers contractors a non-mandatory continuing education opportunity. It has not been approved by any state contractor licensing entity.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

Webinar Series

Retaining Wall and Slope Stabilization Webinar Series

- **Retaining Wall Basics**
Tues., October 6th, 2015, 12:00 to 1:00 pm EDT
- **Geosynthetics and Retaining Walls**
Tues., October 6th, 2015, 1:30 to 3:30 pm EDT
- **Slope Stability and Geosynthetics**
Thurs., October 8th, 2015, 12:00 to 1:30 pm EDT
- **Slope and Retaining Wall Failures, Fixes and Prevention**
Thurs., October 8th, 2015, 2:00 to 3:30 pm EDT

For more information visit:
www.halfmoonseminars.org/webinars/


CD/Manual Package

An audio recording of this seminar is available for \$279 (including shipping). Allow five weeks from the seminar date for delivery. Please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Registration

Construction Contract Workshop

Seattle, WA - Friday, November 13, 2015

| How to Register | | Registrant Information |
|--|--|---|
| Online: www.halfmoonseminars.org | | Name: _____ |
| | | Company/Firm: _____ |
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| Complete the entire form. Attach duplicates if necessary. | | Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred. |
| | | ()  I need special accommodations. Please contact me. |

Tuition

- () **I will be attending the live seminar.** Single Registrant - **\$269.00**. Three or more registrants from the same company registering at the same time - **\$249.00** each.
- () **I am not attending.** Please send me the CD manual package for **\$279.00**. (S&H included. Please allow five weeks from seminar date for delivery)

Checks: Make payable to HalfMoon Education Inc.

Credit Card: *Mastercard, Visa, American Express, or Discover*

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