

Seminar Agenda

Understanding Construction Contract Essentials

B. Jensen

Examining contract terminology:

- Parties, consideration, term, performance, substantial performance, breach, remedies, damages, express warranties, implied warranties, modification, waiver, implied contracts and modifications, third party beneficiaries, reliance and promissory estoppel

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

B. Jensen

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

Reviewing Contract Documents

M. Meldrum

Use of standard forms or custom documents

Agreement

Performance bond

Payment bond

Contract conditions (general and supplementary)

Specifications (Format, CSI 1995 and 2004)

Shop drawings

Contract modifications (change orders, directives, etc.)

Understanding Issues in Contract Administration

J. Case

Insurance and indemnity issues

Chain of command issues

Subcontracts

Changes and change orders

Payments

Substantial and final completion

Breach and pitfalls

Examining Legal Issues and Contract Disputes

M. Meldrum

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
Livonia, MI - Thursday, November, 12, 2015

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PO Box 278
Altoona, WI 54720-0278



Learning Objectives

You'll be able to:

Explain standard construction contract terminology.

Understand the effects of delays and changed conditions.

Discuss contract modifications and shop drawings.

Use both standard forms and custom documents.

Identify potential delays for your projects.

Study contract specifications using CSI MasterFormats 1995 and 2004.

Construction Contract Workshop



Livonia, MI

Thursday, November, 12, 2015

Understand types of construction contracts and contract terminology

Review bidding documents

Discuss the roles and relationships of project participants

Identify chain of command and indemnity issues

Examine resolving disputes through mediation, arbitration and litigation

Learn how to handle payment claims and final payments

Continuing Education Credits

Architects

7.0 HSW Contact Hours

7.0 AIA HSW Learning Units

Professional Engineers

7.0 PDHs

Contractors

Non-Mandatory Cont. Ed.



HalfMoon Education Inc.

WWW.HALFMOONSEMINARS.ORG

Faculty

Barry J. Jensen *Attorney*

Having worked closely with various types of construction related businesses for over 26 years, Mr. Jensen provides clients with practical and insightful advice based on an intimate understanding of the particular needs and concerns of construction related businesses. He regularly assists owners, developers, public agencies, contractors, subcontractors and suppliers with private and public construction contract issues ranging from bidding issues and contract negotiation, through disputes, claims, and where necessary, arbitration or trial. Mr. Jensen will help a client establish good procedures and contract documents to control risk from the beginning of the project. He works with clients during a project to resolve disputes and/or prepare a solid presentation of their position to achieve a favorable result through claims or dispute resolution discussions or procedures. When a dispute cannot be resolved informally, Mr. Jensen provides aggressive and efficient representation through any form of dispute resolution. He has successfully handled legal matters for clients in facilitation, mediation, settlement, arbitration or court litigation in various states and in every common forum for dispute resolution. Mr. Jensen is recognized as a tenacious litigator and a skilled trial attorney. In addition to project related issues, he regularly assists construction clients in developing operating agreements, joint ventures, insurance claims, licensing issues, real estate development, leasing and purchasing, and general business legal concerns. He frequently provides his business contract expertise to clients involved in business outside the construction field as well. He has successfully advised and represented clients in businesses, including automotive

supply, textile manufacturing, aircraft salvage, retail, hospitality, medical, veterinarians' services, and environmental remediation.

Maria L. Meldrum *Partner, Sullivan, Ward, Asher & Patton*

Ms. Meldrum has over 15 years of experience representing clients in the building and construction industries. She is also a licensed civil engineer who brings 10 years of practical experience in design, construction, hydrology/hydraulics and general engineering practice to the practice of law. Ms. Meldrum represents architects, engineers, contractors, land surveyors and geologists in construction, environmental and commercial litigation matters, as well as related transactional matters. She has litigated and arbitrated a wide variety of disputes involving civil, architectural, and structural issues, geotechnical and mechanical design, delay and project management issues, environmental contamination and remediation matters, asbestos-related issues, and marina and coastal engineering design. Her professional skills include advising business entities in matters involving incorporation, mergers and acquisitions and other business-related matters. Ms. Meldrum is a member of the American Arbitration Association Construction Panel, and serves as an arbitrator on both small and complex matters. She is also licensed as an engineer in three states, and is a member of the American Society of Civil Engineers, the National/Michigan Society of Professional Engineers and the Engineering Society of Detroit. Ms. Meldrum speaks on legal/environmental topics, and is a former adjunct professor at Lawrence Technological University.

James R. Case *Attorney, Kerr Russell Attorneys and Counselors*

Mr. Case's practice focuses on commercial, contract, construction, and surety law. In his construction practice, he has provided ongoing representation for numerous design professionals, general contractors, subcontractors, owners, and suppliers in a wide range of business matters, including defense and prosecution of claims relating to damages for delay, differing site conditions, construction change directives, owner interference, design errors/omissions, and contract interpretation in connection with public and private construction projects (commercial, institutional, and industrial). In his surety practice, Mr. Case represents sureties in large and small matters including defaults, litigation, and claims against performance and payment bonds. He serves on the American Arbitration Association's National Roster of Arbitrators and Mediators, and the American Arbitration Association's Large, Complex Case Panel. As a mediator/arbitrator, Mr. Case employs prompt and effective methods of dispute resolution. He has served on numerous arbitration and mediation panels since 1988 and regularly attends alternative dispute resolution continuing education and training. Mr. Case has mediated and arbitrated construction cases involving delay damages, failure to perform, owner interference, design errors/omissions, differing site conditions, construction change directives, payment disputes, and contract interpretation. He has presented papers, articles and speeches at numerous seminars and events in Michigan and nationally. Mr. Case was ranked among *The Best Lawyers in America*®, by Woodward/White, Inc.; was named a "Michigan Super Lawyer" by Thomson Reuters; and was rated a "Top Lawyer" by *dbusiness* Magazine.

About the Seminar

Livonia Marriott
17100 Laurel Park Drive North
Livonia, MI 48152
(734) 462-3100

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 architects and 7.0 PDHs to professional engineers in Michigan. Educators and courses are not subject to preapproval in Michigan.

The American Institute of Architects has approved this event for 7.0 HSW Learning Units (Provider No. J885).

Architects and engineers with continuing education requirements in other states will be able to apply the hours from this program, in most cases. Refer to specific state rules to determine eligibility, or contact HalfMoon Education for assistance. Michigan-specific content is not accepted in Indiana and New York.

This seminar offers a continuing education opportunity to construction contracts. It has not been approved by any state with a continuing education requirement for contractors.

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

Livonia, MI - Thursday, November, 12, 2015

How to Register

Online:

www.halfmoonseminars.org

Phone:

715-835-5900

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715-835-6066

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PO Box 278, Altoona, WI
54720-0278

Complete the entire form.

Attach duplicates if necessary.

Registrant Information

Name: _____

Company/Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

Occupation: _____

Email: _____

Phone: _____

Additional Registrants:

Name: _____

Occupation: _____

Email: _____

Phone: _____

Name: _____

Occupation: _____

Email: _____

Phone: _____

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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