

Seminar Agenda

Understanding Construction Contract Essentials

M. Herbert

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, contractors, subs and suppliers
- Traditional project delivery
- Design-build
- Construction manager at risk

Exploring the law of construction contract interpretation

Reviewing Bidding Documents

C. Meyer

Invitation	Bid form
Instructions	Bid bond
Information	Addenda

Reviewing Contract Documents

C. Copeland III

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

C. Copeland III

Insurance and indemnity issues	Subcontracts
Chain of command issues	Liquidated damages
Payments	
Enforcement of general contractor's obligations	
Substantial and final completion	
Breach and pitfalls	

Examining Legal Issues and Disputes

C. Copeland III

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
Jackson, MS - Thursday, October 1, 2015

Learning Objectives

You'll be able to:

Identify types of construction contracts and examine contract terminology.

Review bidding documents, including the bid form, bid bond, addenda, and more.

Discuss contract documents such as the agreement, payment bonds, performance bonds, conditions and specifications.

Receive tips on contract administration issues, including insurance and indemnity issues, subcontracts, payments, and more.

Learn how to effectively resolve construction disputes through mediation, arbitration and litigation.

Construction Contract Workshop



Jackson, MS
Thursday, October 1, 2015

Explore construction contract essentials

Review bidding documents

Examine specifications, conditions and drawings

Get tips on modifying contracts

Understand insurance and indemnity issues

Study subcontracts and chain of command issues

Examine legal issues and disputes

Continuing Education Credits

Architects

6.5 HSW CEHs

6.5 AIA HSW Learning

Units

Professional Engineers

6.5 PDHs

Contractors

Non-Mandatory Cont. Ed.



Faculty

Mark D. Herbert *Attorney with Jones Walker LLP*

Mr. Herbert is a member of the firm's Business & Commercial Litigation and Construction Practice groups. He received a B.A. degree, *cum laude*, from Millsaps College and a J.D. degree from The University of Mississippi School of Law. Mr. Herbert's practice is nationwide, and he has tried over 200 cases involving construction disputes. He has represented sureties in both payment and performance bond claims, and he is an active panel counsel for a major carrier representing architects and engineers in errors and omissions actions. He has been listed in *The Best Lawyers in America* since 2006, in *Chambers USA-America's Leading Lawyers for Business* in litigation: construction since 2011, and in the 2011 edition of *Mid-South Super Lawyers* in construction/surety. Mr. Herbert is a member of the American Bar Association, the Capital Area Bar Association, the American Arbitration Association (Member, National Panel of Commercial and Construction Arbitrators and Mediators), the Associated Builders and Contractors of Mississippi, the Associated General Contractors of Mississippi, the International Association of Defense Counsel, and the Mississippi Bar Foundation.

Christopher D. Meyer *Attorney with Burr & Forman LLP*

Mr. Meyer practices in the firm's Construction, Commercial Litigation and Financial Services Litigation groups. He represents clients both in trial and on appeal in the state and Federal courts of Mississippi and Florida. Mr. Meyer represents clients throughout the construction industry, including owners, general contractors, architects, engineers,

subcontractors, and suppliers, in state and Federal courts and before American Arbitration Association arbitrators. His experience in the construction area includes actions concerning breaches of construction contracts, construction defects, lien foreclosures, public bid protests, nonpayment, and general liability insurance coverage issues. Mr. Meyer has litigated matters involving projects such as highways, public schools, industrial manufacturing facilities, retail facilities, condominiums, apartment complexes, and subdivision developments.

Clyde X. "Trey" Copeland III *Attorney with Jernigan, Copeland & Anderson, PLLC*

Mr. Copeland is a partner with the law firm of Jernigan Copeland & Anderson, PLLC, in Ridgeland, where he practices general commercial and corporate law, specializing in the areas of construction law and commercial insurance coverage litigation. He is also a trained and practicing mediator, and he is a trained arbitrator as well as a registered lobbyist. In 2014, Mr. Copeland was asked to act as one of the primary drafters, negotiators and lobbyists for the revised Mississippi Construction Lien bill, which passed both houses of the Mississippi Legislature and was signed by the Governor on April 11, 2014. Since that time, he has taken an active lead in promoting the statute and providing a primary source of education to the construction industry on the particulars of the statute. Mr. Copeland speaks at seminars, both public and private, on topics that include construction law, construction defect litigation, and insurance coverage litigation involving construction projects.

About the Seminar

Marriott Jackson
200 East Amite Street
Jackson, MS 39201
(601) 969-5100

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 - 4:30 pm

Continuing Education Credit Information

This seminar open to the public and offers up to 6.5 HSW continuing education hours to Mississippi architects and 6.5 PDHs to Mississippi professional engineers. Educators and courses are not subject to preapproval in Mississippi.

This seminar is approved by the American Institute of Architects for 6.5 HSW Learning Units (Sponsor No. J885).

Mississippi 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 construction contractors a continuing education opportunity. It has not been approved by any state contractor licensing board for continuing education purposes.

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.

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.

August Webinar Series

Technical Writing for Engineers Webinar Series

- **Technical Writing Basics**
Tues., August 11th, 2015, 12:00 - 2:00 PM EDT
- **Planning Documents**
Tues., August 11th, 2015, 2:30 - 4:30 PM EDT
- **Writing Documents**
Wed., August 12th, 2015, 12:00 - 2:00 PM EDT
- **Revising and Editing Documents**
Wed., August 12th, 2015, 2:30 - 4:30 PM EDT

Ethical Issues for Engineers Webinar Series

- **Handling Ethical Issues in Professional Engineering Practice**
Tues., August 25th, 2015, 12:00 - 2:00 PM EDT
- **Resolving Disputes and Handling Ethical Issues in Government Projects**
Tues., August 25th, 2015, 2:30 - 3:30 PM EDT

For more information visit:

www.halfmoonseminars.org/webinars/

Registration

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Jackson, MS - Thursday, October 1, 2015

How to Register

Online:
www.halfmoonseminars.org

Phone:
715-835-5900

Fax:
715-835-6066

Key Code

Mail:
HalfMoon Education Inc.
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*

Credit Card Number: _____

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