

Agenda

Understanding Construction Contract Essentials D. Evans

Examining contract terminology: parties, consideration, term, performance, substantial performance, breach, remedies, damages
Studying roles and relationships of project participants: owners, architects/engineers, construction managers, contractors, subs and suppliers
Understanding the project delivery system: traditional design-bid-build, design-build, construction manager at risk, multiple prime contractor, owner control
Understanding types of construction contracts: lump sum, cost plus, time and materials, unit pricing
Exploring the law of construction contract interpretation

Reviewing Bidding Documents G. Egle

Invitation	Bid form	Instructions
Bid bond	Information	Addenda

Reviewing Project Documents D. Utz

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 K. Shirk

Insurance and indemnity issues
Chain of command issues
Subcontracts
Changes and change orders
Payments
Substantial and final completion
Breach and pitfalls

Examining Contract Changes and Addressing Problems C. Soper

Changed conditions
Project documentation
Delays, acceleration
Handling payment claims and final payments
Resolving disputes through mediation, arbitration, litigation
Understanding contractual and statutory warranties

Comparing Standardized Construction Documents K. Ray

American Institute of Architects
ConsensusDocs
Engineers Joint Contract Documents Committee (EJCDC)

Construction Contract Workshop Denver, CO - Friday, November 22, 2019

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Learning Objectives

You'll be able to:

- Explain** contract terminology and describe the roles of project participants.
- Understand** different types of construction contracts, including lump sum, cost plus, and time and materials.
- Utilize** standard and custom project documents.
- Discuss** insurance and indemnity issues.
- Evaluate** whether to resolve disputes through mediation, arbitration, or litigation.
- Recognize** similarities and differences between AIA, ConsensusDocs, and EJCDC contracts.



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Understand construction contract essentials

Review bidding documents

Discuss contract conditions and modifications

Explore issues in contract administration

Examine contract changes and ways to address problems

Compare standardized construction documents

Continuing Education Credits

Professional Engineers
7.0 PDHs

Architects
7.0 HSW CEHs
7.0 AIA LU|Elective

Contractors
Non-Credit Continuing Ed.

Attorneys
8.0 General Credits



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Daniel E. Evans is a partner in the Denver office of Gordon Rees Scully Mansukhani LLP, practicing in the Construction and Commercial Litigation Practice Groups. He is an experienced litigator and trial attorney with more than 25 years of successfully representing architects, engineers, general contractors, subcontractors, and suppliers in construction matters. He has extensive experience handling construction defects as well as architect and engineer errors and omissions in design. Mr. Evans works on delay/impact, acceleration, inefficiency, cost overrun, Miller Act, and warranty disputes. He also helps his design and construction clients with developing and negotiating their contracts.

Gilbert R. Egle is a partner at Preeo Silverman Green & Egle, P.C., with over 30 years of experience in the practice of law. He actively represents clients in a wide range of business, litigation and construction matters. His construction practice includes representation of owners, general contractors, subcontractors, suppliers and design professionals in contract drafting and negotiations, mechanic’s liens and verified claims, bond claims, arbitration, and litigation involving claims and other construction issues. Mr. Egle is a frequent speaker on construction topics and for a number of years taught classes to contractors on many aspects of construction contracts.

Diane C. Utz is the founder of Utz Construction Law, LLC. Her practice focuses on construction litigation, insurance defense, surety representation, and government contracting in Washington, Idaho, Oregon, and Colorado. Her extensive construction field experience provides a unique, practical insight into the issues that can arise during the construction process. Ms. Utz holds a B.S. degree in Construction Management from Purdue University and a law degree from Seattle University School of Law. In addition to her legal practice, Ms. Utz is also the president of Artemis Construction Management, where she provides owner’s representative services for high-end home and commercial building construction.

Kelley G. Shirk is a member at Hall & Evans, LLC, where she supports the Construction & Design, Public Entity, and Real Estate practice groups. Her trial practice includes construction defect defense, contract and complex commercial litigation disputes, professional liability defense, land use litigation, and other property law disputes. In addition to her litigation background, Ms. Shirk also provides counseling to a variety of public entities, nonprofits, businesses, and corporations, along with representing clients in transactional matters related to real estate law. Her litigation practice provides a unique perspective when allocating risks in contracts to avoid common pitfalls that lead to or escalate litigation.

Christopher P. Soper is Of Counsel at Taylor Anderson LLP. He has handled the litigation, arbitration and mediation of hundreds of construction disputes. His practice also involves the review and negotiation of construction contract documents and counseling while construction projects are ongoing. Mr. Soper has represented owners, general contractors, subcontractors, suppliers and sureties on public and private projects in matters involving breach of contract, fraudulent misrepresentation, cost overruns, delay claims, acceleration claims, inefficiency claims, construction deficiencies, cardinal change claims, bid protests, lien and bond claims, specification disputes, and pay-if-paid/pay-when-paid payment disputes.

Keith Ray is the owner of The Ray Law Firm, LLC, which has a nationwide subrogation practice handling large losses of all types ranging from single family homes to multimillion-dollar fire and water losses at hotels and other commercial properties. His subrogation practice primarily consists of handling property losses involving construction defects, products liability, contract and general negligence claims from the initial scene exam through recovery. He has over 20 years of experience litigating a diverse array of cases in federal and state courts throughout the United States. Mr. Ray is admitted in Colorado and Texas as well as numerous federal district courts and circuit courts of appeals.

Seminar Information

Doubletree By Hilton Denver

3203 Quebec Street
Denver, CO 80207
(303) 321-3333

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

Tuition

\$289 for individual registration
\$269 for three or more registrants from the same company at the same time.

Included with your registration: Complimentary continental breakfast and printed seminar manual.

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

How to Register

- Visit us online at www.halfmoonseminars.org
- Mail-in or fax the attached form to 715-835-6066
- Call customer service 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 self-study package. You may also send another person to take your place.

Continuing Education Credit Information

This seminar is open to the public and offers 7.0 HSW continuing education hours to architects in all states. Educators and courses are not subject to preapproval in Colorado.

This seminar is approved by the American Institute of Architects Continuing Education System for 7.0 LU|Elective (Sponsor No. J885). Only full attendance can be reported to the AIA/CES. Visit www.halfmoonseminars.org for complete AIA/CES information under this course listing.

This course also offers 7.0 PDHs to professional engineers in all states with mandatory continuing education.

HalfMoon Education is an approved continuing education sponsor for engineers in Florida, Indiana (License No. CE21700059), Maryland, New Jersey (Approval No. 24GP00000700), North Carolina, and North Dakota. HalfMoon Education is deemed an approved continuing education sponsor for New York engineers and architects.

This Course is approved for 8.0 general credits for attorneys by the Colorado Supreme Court Office of Continuing Legal and Judicial Education.

This event also offers a non-credit continuing education opportunity to construction contractors. It has not been submitted to any state contractor licensing entity for continuing education approval.

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.

Can't Attend? Order the Manual and Audio from the Live Seminar as a Self-Study Package!

Audio recordings of this seminar are available for purchase starting at \$269. See registration panel for more information and 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

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How to Register		Registrant Information
Online: www.halfmoonseminars.org		Name: _____ Company/Firm: _____ Address: _____ City: _____ State: _____ Zip: _____ Occupation: _____ Email: _____ Phone: _____
Phone: 715-835-5900		Additional Registrants: Name: _____ Occupation: _____ Email: _____ Phone: _____
Fax: 715-835-6066	Code:	Name: _____ Occupation: _____ Email: _____ Phone: _____
Mail: HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278		Name: _____ Occupation: _____ Email: _____ Phone: _____
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 - **\$289.00**. Three or more registrants from the same company registering at the same time - **\$269.00** each.

() **I am not attending.** Please send me the self-study package:

- Downloadable MP3 Audio/PDF Manual for **\$269.00**.
- CD/Manual Package for **\$289.00**. USB/Manual Package **\$289.00**. (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: _____

Expiration Date: _____ CVV2 Code: _____

Cardholder Name: _____

Billing Address: _____

City: _____ State: _____ Zip: _____

Signature: _____

Email: _____