

# Agenda

<b>Facilitating the Project with Effective Construction Contracting</b> Understanding the legal rights/duties of project participants: owners, contractors, design services firms, subcontractors and suppliers Understanding your project delivery system: design-bid-build, design-build, construction manager, construction manager-at-risk Using standard or custom contract documents: AIA, ConsensusDocs, others Understanding key contract concepts and terms: performance, breach, warranties, guarantees, indemnity, damages Modifying contracts and selecting dispute resolution mechanisms	<i>I. Johnson, B. Block</i>
<b>Fundamentals of Iowa Mechanics Liens</b> Persons entitled to ML's      Filing requirements Where and how                Special requirements for residential construction Collecting once the lien is filed	<i>R. Gainer, J. Cutler</i>
<b>Public Improvement Claims and Enforcement</b> State projects and requirements Federal projects and requirements Procedure for enforcement	<i>R. Gainer, J. Cutler</i>
<b>Protecting the Project with Bonds and Insurance</b> Obtaining construction bonds • Performance      • Payment      • Alternatives to bonds Obtaining insurance • Commercial general liability insurance • Builder's risk insurance                • Errors and omissions insurance • Additional/alternative insurance Claims and notice issues	<i>M. Kaufmann</i>
<b>Making Changes and Resolving Disputes during the Construction Process</b> Making changes to the contract and contracted work • Types of changes: ordered and constructive changes • The contract change clause                • Requirements for making changes • Liability issues Solving problems during the construction process • Site conditions      • Delays                • Disruption • Acceleration      • Accidents	<i>K. Caster</i>
<b>Reviewing Accessibility Standards and Compliance</b> What standards apply and when? Federal standards • ADA Standards for Accessible Design • Architectural Barriers Act • Fair Housing Accessibility Guidelines State and local standards and building codes	<i>M. Merritt</i>

## Construction Law

Johnston, IA - Wednesday, February 19, 2020



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## Learning Objectives

### You'll be able to:

- Understand** key contract concepts and terminology.
- Analyze** filing requirements for mechanics liens.
- Consider** state and federal requirements relating to public improvement claims.
- Explain** how to obtain bonds and insurance and how to handle common claims issues.
- Enhance** your ability to solve problems associated with delays, site conditions, and accidents.
- Review** federal accessibility standards such as ADA Standards for Accessible Design, Architectural Barriers Act, and Fair Housing Accessibility Guidelines.



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- Understand** how to facilitate the project with effective contracting
- Identify** the fundamentals of Iowa mechanics liens
- Examine** public improvement claims and enforcement
- Make** changes and resolve disputes during the construction process
- Protect** the project with bonds and insurance
- Review** accessibility standards and compliance

### Continuing Education Credits

<b>Professional Engineers</b> 7.0 PDHs	<b>Iowa Attorneys</b> 7.0 CLE Hours
<b>Architects</b> Non-Credit in Iowa 7.0 AIA LU Elective	<b>Contractors</b> Non-Credit Continuing Ed.



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# Faculty

**Ingrid Johnson** *Attorney at BrownWinick*  
Ms. Johnson is an associate attorney with the BrownWinick law firm and has a general practice including, but not limited to, agribusiness, construction law, employment and labor law, fiduciary litigation, and workers' compensation. Prior to joining BrownWinick, she was an associate attorney at Redfern, Mason, Larsen & Moore, PLC, in Cedar Falls, Iowa. Ms. Johnson graduated from Luther College in 2014, *summa cum laude*, receiving a B.A. degree in English and Political Science. She earned her J.D. degree from the University of Colorado Law School in 2018 and is a member of the Order of the Coif. Ms. Johnson is a member of the Black Hawk County, Polk County and Iowa State Bar Associations. She is also a member of the Polk County Women Attorneys. She serves as a member of Phi Beta Kappa academic honor society.

**Brennan Block** *Attorney at BrownWinick*  
Mr. Block is an associate attorney with BrownWinick and has a general business practice including, but not limited to, entity formation, corporate governance, contract drafting, mergers and acquisitions, securities, growth capital, startups, real estate, utilities and environmental law. He graduated from Creighton University's Heider College of Business in 2016, where he received his B.S. degree, *magna cum laude*, in Business Administration and participated in the 3-3 Pre-Law program. In 2018, Mr. Block received his J.D. degree from the Creighton University School of Law, *magna cum laude*, with a Business Law Certificate. During law school, he was the research editor of the *Creighton Law Review*.

**Robert Gainer** *Attorney at Cutler Law Firm*  
Mr. Gainer's practice is a general litigation practice, focusing on bankruptcy and debtor-creditor law, financial insolvency issues (including foreclosure bank note defense and defense against actions by the IRS and Iowa agencies), and the defense of employers in workers compensation and civil defense matters throughout the state of Iowa. In his litigation practice, he frequently represents clients with contract disputes, issues with banks and lending institutions (including foreclosure and banknote defense), construction payment (including public and private actions through mechanics liens and public improvement bonds), fraud defenses, and collections work.

# Seminar Information

**Stoney Creek Hotel & Conference Center**  
5291 Stoney Creek Court  
Johnston, IA 50131  
(515) 334-9000

**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](http://www.halfmoonseminars.org).

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- Visit us online at [www.halfmoonseminars.org](http://www.halfmoonseminars.org)
- Mail-in or fax the attached form to 715-835-6066
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**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.

**John Cutler** *Attorney at Cutler Law Firm*  
Mr. Cutler joined the Cutler Law Firm in January 2018 after practicing for nine years in Denver, Colorado. While practicing in Colorado, he focused in the areas of business litigation in multiple industries including banking, oil and gas, real estate, collections and others, as well as debtor/creditor and bankruptcy matters. Mr. Cutler has continued that practice at the Cutler Law Firm, and has joined in the Firm's workers' compensation practice.

**Michael Kaufmann** *Attorney at Simmons Perrine Moyer Bergman*  
Mr. Kaufmann is a litigation attorney with a general practice encompassing business and commercial litigation, construction and design, insurance defense, and labor and employment litigation. He has experience assisting clients with a variety of issues, including construction defect and mechanic's lien litigation, trade secrets and business torts, contract disputes, federal civil rights litigation, and insurance coverage disputes. As a current member of the Construction Law Section Council of the Iowa State Bar Association, Mr. Kaufmann stays abreast of legal issues facing Iowa's construction industry.

**Kevin Caster** *Attorney, Senior Vice President at Shuttleworth & Ingersoll*  
Mr. Caster's law practice focuses on commercial litigation, and particularly on construction litigation. Many construction suits involve both claims about professional negligence and claims about the breach of construction contracts. Mr. Caster has written and spoken extensively on many construction law issues, including construction contract law, AIA contracts, implied warranties in construction contracts, economic loss doctrine, the standard of care for design professionals, and construction accidents. He is the author of the Iowa chapter of *State-by-State Guide to Architect, Engineer and Contractor Licensing*, second edition. He is an allied individual member of the American Institute of Architects and a member of the Cedar Rapids Home Builders Association.

**Megan Merritt** *Attorney at Shuttleworth & Ingersoll*  
Ms. Merritt is an associate attorney at Shuttleworth & Ingersoll, P.L.C. She tries cases to judges and juries in state and federal court, protecting the interests of her individual and business clients. Ms. Merritt has represented a broad range of individuals and businesses, including small businesses, large corporations, and insurance companies. She has also worked with city governments to craft and enact local ordinances, maintain compliance with state and federal laws, and create employee policies. Ms. Merritt received her J.D. degree from the University of Iowa College of Law and currently practices in Cedar Rapids, Iowa.

# Additional Learning

**Webinar Series**

**Demolition and Deconstruction**

- **Purposes and Benefits of Demolition and Deconstruction**  
Wed., Jan. 15, 2020, 11:00 AM - 1:00 PM CST
- **Markets/Uses for Deconstructed Materials**  
Wed., Jan. 15, 2020, 1:30 - 3:00 PM CST
- **Material-Specific Deconstruction Methods**  
Thurs., Jan. 16, 2020, 11:00 AM - 12:30 PM CST
- **Planning and Conducting a Deconstruction**  
Thurs., Jan. 16, 2020, 1:00 - 3:00 PM CST

For more information and other online learning opportunities visit:  
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# Registration

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How to Register		Registrant Information
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<b>Complete the entire form.</b> Attach duplicates if necessary.		
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Tuition
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<input type="checkbox"/> CD/Manual Package for <b>\$289.00</b> . <input type="checkbox"/> USB/Manual Package <b>\$289.00</b> . (S&H included. Please allow five weeks from seminar date for delivery)
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