Agenda

Construction Contract Fundamentals  
S. McEown

- Parties, consideration, term, performance, substantial performance, breach, remedies, damages
- Understanding types of construction contracts:
  - Stipulated sum
  - Cost plus fee
  - Design build
  - Construction management
- Understanding roles and relationships of project participants:
- Contract negotiation and drafting

Exploring the law of construction contract interpretation

The Primary AIA Contract Documents  
S. Akin, M. Rossman

- A101-2017 Standard Form of Agreement Between Owner and Contractor (Stipulated Sum)
- A102-2017 Standard Form of Agreement Between Owner and Contractor (Cost Plus Fee with GMP)
- B101 - 2017 Standard Form of Agreement Between Owner and Architect
- A133-2009 Standard Form of Agreement Between Owner and Construction Manager
- Where Construction Manager is also Constructor
- A141 - 2014 Standard Form of Agreement Between Owner and Design Builder
- A401 - 2017 Standard Form of Agreement Between Contractor and Subcontractor
- C401 - 2017 Standard Form of Agreement Between Architect and Consultant

AIA A201: General Conditions  
V. Pollaci

- Overview of new updates to AIA documents
- General provisions
- Project participants: owner, contractor, architect, engineer, subcontractors
- Changes in the work
- Time, payments and completion
- Protection of persons and property, insurance and bonds
- Defects in and correction of work
- Miscellaneous provisions
- Termination, suspension, claims and disputes

Supplemental or Alternate AIA Contract Documents  
J. Thompson

- A103-2017 Standard Form of Agreement Between Owner and Contractor for a Residential or Small Commercial Project
- A104-2017 Standard Abbreviated Form of Agreement Between Owner and Contractor
- A105-2017 Standard Form of Agreement Between Owner and Architect for a Residential or Small Commercial Project
- The "SP" Series for Sustainable Projects
- AIA Contract Documents for Digital Practice
- Case Study: Reviewing Completed Contract Documents for a Sample Project

Learning Objectives

You’ll be able to:

Take an in-depth look at the primary AIA contract documents with our qualified speaking panel.

Analyze new updates to AIA documents.

Identify contract terminology, types of construction contracts, and the roles and relationships of project participants.

Examine supplemental or alternate AIA contract documents.

Review completed contract documents in a sample project case study.
Faculty

Sara Abbott McIown Attorney and Shareholder at Andrews Myers (Houston, TX) Ms. McIown’s practice focuses on the transactional and dispute resolution aspects of construction law. She works with clients in all phases of the construction process with an emphasis on contract drafting and negotiation, dispute avoidance during construction, field management and administration, project closeout, and dispute resolution. Ms. McIown has over a decade of experience trying construction cases to verdict and through appeal, as well as resolving real estate and commercial business disputes. Her legal acumen is complemented by her field experience with a large commercial general contractor prior to law school. This distinctive combination allows her insight into the nuts and bolts of issues that arise before, during and after a project, and the intrinsic capability to support the project community – including general contractors, subcontractors, owners, developers and vendors – in all aspects of construction and development.

Sakib A. Khan Attorney and Principal at Khan Law PLLC (Greater Boston Area, MA) Mr. Khan advises project owners, general contractors, subcontractors, architects, engineers, sureties and contractors on construction-related legal matters. A substantial portion of Mr. Khan’s practice is focused on pre-litigation, dispute avoidance and risk management counseling. This includes construction contract drafting and negotiation and development of strategies for project owners and construction industry clients to address and resolve contract claims for additional time and compensation during the course of the project and without external intervention by legal counsel, much less appearance in court or arbitration. Attorney Khan earned a B.S. degree in Civil Engineering from the Columbia University School of Engineering and Applied Science and a J.D. degree from Boston College Law School. He is admitted to practice law in Massachusetts, New Hampshire and New York.

Matthew Rossmann Attorney at Khan Law PLLC (Greater Boston Area, MA) Mr. Rossmann practices complex commercial litigation with a focus on the construction industry at Khan Law PLLC. Prior to entering private practice, Mr. Rossmann worked in construction industry projects against toxic tort claims, and he represented disability beneficiary claimants before the Social Security Administration. While doing so, he represented claimants in approximately 1000 and S&P 500. Mr. Rossmann has been recognized as a “Top Construction Attorney” by AVVO and has been named as a leader in the “Super Lawyers” magazine every year since 2012. In addition to his legal practice, Mr. Rossmann is also a former chairman of the Nassau County Bar Association’s Construction Law Committee and has lectured and written more than 100 articles on construction law topics, including strategies for mitigating and avoiding loss and lessening effective recovery options.

Jennifer A. Thompson Attorney and Partner at Tzlo Law (Minneapolis, MN) Ms. Thompson has been practicing construction and real estate law her entire legal career. Her work includes multi-party construction litigation as well as multi-party transactional work, including contract negotiation and drafting. Her legal practice involves assisting clients in bidding, contracting, and claims prosecution for both public and private projects. This work includes counselling clients on issues of government contracting, including procurement and government regulations. Ms. Thompson has extensive experience in writing work mechanic’s lien claims, construction defects, and construction contract disputes. She is the legal advisor to the Association of Women Contractors (AWC) and takes great pride in her work representing women-owned construction businesses in matters relating to WBE, DBE, and MBE certifications, as well as other construction and business matters. Ms. Thompson currently serves as the treasurer of the Minnesota State Bar Association (MSBA). She is a member of the MSBA’s Membership Committee and a member of the AIA’s Assembly. Ms. Thompson is also a past-chair of the Construction Law Section of the MSBA.

Vincent T. Pallaci Attorney and Managing Member at Kushnick Pallaci PLLC (Long Island, NY) Mr. Pallaci focuses his practice on complex construction, business, and insurance litigation. He represents general contractors, developers, subcontractors, owners, construction managers, architects and engineers in a wide variety of disputes including defective construction, excavation and property damage litigation, delay, scope of work disputes, mechanic’s lien foreclosures, defective design and FCE violations, construction license agreements, labor law claims and employment claims. Mr. Pallaci has successfully represented clients in arbitration and mediation as well as in state and federal litigation. His clients have ranged from small locally-owned businesses to nationally and internationally known members of the Fortune 1000 and S&P 500. Mr. Pallaci holds the highest possible “AV Preeminent” rating from Martindale Hubble, is recognized as a “Top Construction Attorney” by AVVO and has been named as a leader in the “Super Lawyers” magazine every year since 2012. In addition to his legal practice, Mr. Pallaci is a former chairman of the Long Island Bar Association’s Construction Law Committee and has lectured and written more than 100 articles on construction law topics, including strategies for mitigating and avoiding loss and lessening effective recovery options.

Sakib A. Khan Advocate and Principal at Khan Law PLLC, Greater Boston Area, MA Mr. Khan advises project owners, general contractors, subcontractors, architects, engineers, sureties and contractors on construction-related legal matters. A substantial portion of Mr. Khan’s practice is focused on pre-litigation, dispute avoidance and risk management counseling. This includes construction contract drafting and negotiation and development of strategies for project owners and construction industry clients to address and resolve contract claims for additional time and compensation during the course of the project and without external intervention by legal counsel, much less appearance in court or arbitration. Attorney Khan earned a B.S. degree in Civil Engineering from the Columbia University School of Engineering and Applied Science and a J.D. degree from Boston College Law School. He is admitted to practice law in Massachusetts, New Hampshire and New York.

Webinar Information

Log into Webinar 8:30 - 9:00 am CST
Break 12:00 - 1:00 pm CST
Morning Session 9:00 am - 12:30 pm CST
Afternoon Session 1:00 - 5:00 pm CST
Tuition $299 for individual registration.
$199 for three or more registrants from the same company registering at the same time. Included with your registration: PDF seminar manual.

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

Weblinars are presented via GoToWebinar. Instructions and login information will be provided in an email sent close to the date of the webinar. For more information, please visit our FAQ section of our website, or visit www.gotowebinar.com.

Cancellations: Cancellations will be accepted up to 48 hours before the start of the webinar, and there will be a $50 charge for each registrant.

Email: Signature:

Mail-in or fax the attached form to 715-835-6066
- Checks: Make payable to HalfMoon Education Inc.
- Mastercard, Visa, American Express, or Discover

© 2020 HEI #20 USAIACDW 12 7 WEBR WL