

# Agenda

<b>Public Procurement Law Applicable to Construction Contracting</b> Procurement laws for counties, municipalities, and other local government entities Traditional vs. alternative delivery methods Public/private partnerships	<i>K. Walsh</i>
<b>Bidding on Public Projects</b> Understanding the competitive procurement process Preparing and submitting bids and proposals Considering specification and award protests Communications with the government during the procurement process Protecting proprietary information in bids and proposals	<i>M. Copeland</i>
<b>Labor and Employment Laws</b> Health and safety laws and requirements Labor laws and equal employment opportunity requirements	<i>D. Maya</i>
<b>Contracting in Public Projects</b> Design professional contracts and project management <ul style="list-style-type: none"><li>• Requirements for professional design services contracts</li><li>• Requirements for construction manager contracts</li></ul> Construction contracts - understanding key provisions <ul style="list-style-type: none"><li>• Payments and changes</li><li>• Scope of work and changes</li><li>• Insurance and bonding</li></ul>	<i>J. Morse</i>
<b>Resolving Disputes and Handling Ethical Issues in Government Construction Law</b> Mediation Arbitration Litigation in court Ethical Issues in government construction law <ul style="list-style-type: none"><li>• Conflicts of interest</li><li>• Gifts and favors</li></ul>	<i>R. Markham</i>
<b>Construction Management Issues in Public Projects</b> Handling bond requirements and claims <ul style="list-style-type: none"><li>• Payment bond law</li><li>• Performance bonds</li></ul> Contractor disputes and damages <ul style="list-style-type: none"><li>• Contractual damages provisions</li><li>• Statutory limitations and sovereign immunity</li></ul> Changes, delays and payment claims Subcontracting on public projects	<i>R. Markham</i>

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## Colorado Construction Law for Public Projects

Live, Interactive Webinar - Friday, January 19, 2024

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## Learning Objectives

- You'll be able to:**
- Review** procurement laws for counties, municipalities and other local governments.
  - Comply** with requirements for bidding on public projects.
  - Follow** applicable labor laws and equal opportunity requirements.
  - Understand** key provisions of contracts on public construction projects.
  - Handle** contract changes, work delays, payment claims and contractor disputes.
  - Discuss** subcontracting issues on public projects.



### HalfMoon Education Live Webinars

# Colorado Construction Law for Public Projects

Live, Interactive Webinar - Friday, January 19, 2024



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|---|--|
| <b>Discuss</b> public procurement laws applicable to construction contracting | <b>Examine</b> standard contract provisions on public projects |
| <b>Explore</b> the process for bidding on public projects                     | <b>Prevent</b> disputes and ethics issues                      |
| <b>Review</b> labor and employment laws                                       | <b>Comply</b> with bonding requirements                        |

### Continuing Education Credits

<b>Professional Engineers</b> 6.5-Hour Learning Opportunity	<b>Attorneys</b> Pending
<b>Architects</b> 6.5 HSW CE Hours	



# Webinar Information

<b>Log into Webinar</b> 8:00 - 8:30 am MST	<b>Break</b> 11:45 am - 12:15 pm MST
<b>Morning Session</b> 8:30 - 11:45 am MST	<b>Afternoon Session</b> 12:15 - 4:00 pm MST

**Tuition**  
**\$319** for individual registration.  
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# Credit Information

This webinar is open to the public and is designed to qualify for 6.5 HSW continuing education hours for licensed architects in Colorado. This webinar also offers a 6.5-hour learning opportunity to Colorado engineers.

The Colorado State Board of Licensure for Architects, Professional Engineers and Professional Land Surveyors does not pre-approve continuing education activities. It is within the discretion of the Board to deny credit for any activity that does not meet the continuing education criteria.

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**On-Demand Credits**  
The preceding credit information only applies to the live presentation. This course in an on-demand format may not be eligible for the same credits as the live presentation; please consult your licensing board(s) to ensure that a structured, asynchronous learning format is appropriate.

# Faculty

**Kevin P. Walsh** is a shareholder with Brownstein Hyatt Farber Schreck, LLP in Denver. He has more than a decade of construction litigation and contract drafting experience. He provides practical solutions to clients’ business challenges, and his experience ranges from relatively small disputes to multi-million-dollar claims in state courts, federal courts and arbitration. In his construction-focused practice, Mr. Walsh provides developers and construction professionals with a wide range of legal services, including contract drafting and negotiation; dispute avoidance and de-escalation; mediation, litigation and arbitration; and compliance with public procurement laws. Recent engagements include representing developers and contractors in disputes over defects, delays and payments; using mechanic’s lien rights to secure payment of amounts owed to general contractors and subcontractors; advising special districts concerning their compliance with public bidding requirements for public works projects; preparing a suite of custom form contracts; representing the seller in a dispute over broker commissions; providing real-time advice to owner and contractor clients on active construction projects; and drafting contracts for all aspects of construction on private and public projects. He is also active with the firm’s e-discovery and litigation support services. Mr. Walsh earned his B.A. degree from the University of Colorado and his J.D. degree from DePaul University College of Law.

**Melissa J. “Missy” Copeland** is a partner in the law firm of Schmidt & Copeland, LLC, based out of Columbia, South Carolina, where she focuses her practice on state and local government contracts and business litigation matters. She has extensive experience advising on state and local government contracts, having handled matters dealing with the law of nearly all states as well as Puerto Rico. Ms. Copeland has represented clients across the country before administrative tribunals, state and federal courts, and in arbitration proceedings. She is actively involved in the Public Contract Law Section of the American Bar Association having served on the Section Council, as co-chair of the State and Local Procurement Division, and as co-chair of the State Law Database Coordination Committee. Ms. Copeland was awarded the Donald McL. Davidson Award by the Public Contract Law Section of the American Bar Association in 2011 for her work in the area of state and local procurement. Ms. Copeland is the editor of the *Guide to State Procurement: a 50 State Primer on Purchasing Laws, Processes and Procedures* (2011), 2nd Edition (2016) and 3rd Edition (2022), published by the American Bar Association. She earned her J.D. degree from the University of South Carolina and her B.A. degree from the College of Charleston. Ms. Copeland is licensed to practice in North and South Carolina and is admitted to practice before the U.S. Supreme Court, the 4th U.S. Circuit Court of Appeals, the 11th U.S. Circuit Court of Appeals, the U.S. Court of Federal Claims, the U.S. District Court for the District of South Carolina, the Middle District of North Carolina, the Western District of North Carolina, the Eastern District of Michigan, and the District of Colorado.

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**Danielle Maya** is an accomplished and effective attorney in Denver, with over 20 years’ experience serving the construction industry. Her practice encompasses all areas of construction law including construction defect litigation, lien law, bond law, building code violation defense, OSHA defense, construction license issues, and contract review and drafting. Ms. Maya’s work includes disputes involving construction scheduling, insurance, claims avoidance, and other related matters. She has also handled a wide variety of complex construction disputes involving project delays, construction defects, and differing site conditions. Aside from her construction experience, Ms. Maya assists clients with issues involving workers’ compensation, employment law, corporate law, commercial litigation, insurance, and commercial disputes. Her clients include architects, engineers, subcontractors, product manufacturers, large corporations, small businesses, insurance companies, real estate brokers, insurance agents, home owners’ associations, apartment complexes, and other professionals. She has also served as outside counsel for various engineering and construction firms. Ms. Maya earned her B.S. degree from Southwest Adventist University, and her M.B.A. from Baylor University, and her J.D. degree from Baylor University School of Law.

**Jay L. Morse** is an attorney with McGeady Becher P.C. in Denver. He joined McGeady Becher as a special district attorney in 2021. Mr. Morse received his J.D. degree from the University of Wisconsin Law School on merit-based scholarship. During his legal education, he earned credit towards his degree as a judicial intern in the Wisconsin Supreme Court and as a student associate with the Law & Entrepreneurship Clinic, assisting nascent and early-stage businesses. Before joining the firm, he focused his practice in the areas of commercial real estate and business transactional matters. Prior to his legal career, Mr. Morse promoted U.S. exportation as a commercial service intern with the U.S. Department of Commerce at the U.S. Embassy in Buenos Aires, Argentina. He then took that experience in-house to boost the international sales of a domestic packaging producer. Between his studies and work experience, he lived in South America for two years and speaks Spanish fluently. Mr. Morse is admitted to practice in Colorado, Michigan and Wisconsin.

**Ryan Markham** is an attorney at BBG Construction Law in Greenwood Village. He started his legal career with Chee Markham & Feldman in Honolulu, where he represented owner/developers, general contractors, subcontractors, material suppliers, insurers, and sureties. He has extensive experience in delay claims, mechanic’s and materialman’s liens, bond claims, defects, bid protests, as well as contract review, contract negotiations, and OSHA defense. He also has significant civil trial experience. Mr. Markham was born in Boulder, Colorado, and raised in Kailua, Hawaii. He earned a B.A. degree in Political Science and Economics from Colorado College and his J.D. degree from the University of Hawaii William S. Richardson School of Law. While in law school, he served as president and co-founder of the Federalist Society student chapter as treasurer of the Phi Delta Phi International Legal Honors Fraternity, and received a CALI excellence for the future award for Criminal Law. Mr. Markham is licensed to practice in Colorado, Hawaii, and Minnesota, is licensed to practice in Colorado, Hawaii, and Minnesota.

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