

Agenda

Understanding Construction Contract Essentials 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	<i>D. Fine</i>
Best Practices for Preventing Problems During Construction Communication Documentation Scheduling and cost control Quality assurance/control	<i>B. Salehi</i>
Examining Legal Issues and Contract Disputes Changed conditions Project documentation Delays, acceleration Handling payment claims and final payments Resolving disputes through mediation, arbitration, litigation Understanding contractual and statutory warranties	<i>J. Smith</i>
Understanding Issues in Contract Administration Insurance and indemnity issues Chain of command issues Subcontracts Changes and change orders Payments Substantial and final completion Breach and pitfalls	<i>S. Nudelman</i>
Making Changes to Construction Contracts What types of changes require a change order? Preparing a change order Communicating the change Constructive changes: what happens when a change order does not happen? Best practices for managing changes	<i>S. Nudelman</i>
Reviewing Bidding Documents Invitation Bid bond	<i>P. Lindborg</i> Instructions Addenda Bid form Information

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Construction Contract Workshop

Live, Interactive Webinar - Monday, May 20, 2024

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Learning Objectives

- You'll be able to:**
- Understand** types of construction contracts, including lump sum, cost plus, time and materials, and unit pricing.
 - Examine** bid forms and bid bonds.
 - Explore** contract conditions and insurance and indemnity issues.
 - Discuss** changes and change orders.
 - Use** best practices to prevent problems during the construction phase.



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Your LIVE Education Leader Presents

Construction Contract Workshop

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- Understand** construction contract types and terminology
- Review** bidding documents, contracts and conditions
- Explore** issues in contract administration
- Get tips on** making changes to contracts
- Discuss** handling payment claims and final payments
- Examine** contract disputes

Continuing Education Credits

Professional Engineers* 7.0 PDHs	International Code Council .7 CEUs (Administration)
Architects* 7.0 Non-HSW CE Hours 7.0 AIA LU Elective	

*No credit for NY architects or engineers



Webinar Information

Online - Monday, May 20, 2024

Log into Webinar 8:00 - 8:30 am CDT	Break 12:30 - 1:30 pm CDT
Morning Session 8:30 am - 12:30 pm CDT	Afternoon Session 1:30 - 5:00 pm CDT

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Faculty

David L. Fine is a Partner at Mirick, O'Connell, DeMallie & Lougee, LLP, in Worchester, Massachusetts. He represents and counsels clients in the construction industry, including owners and developers, general contractors and construction managers, specialty trade contractors, suppliers and manufacturers. He represents clients in adverse proceedings such as litigation and arbitration, and he consults regarding risk management, contract preparation and negotiation, and general business advice. Mr. Fine is the chair of his firm's Construction Law Group and the president of the Home Builders and Remodelers Association of Central Massachusetts. He holds several leadership positions in local, regional and national construction trade and bar organizations. Mr. Fine was named a Massachusetts "Super Lawyer" by *Boston Magazine* and *Law & Politics* in 2017 and 2018, and he was named a Massachusetts "Rising Star" for several years prior.

Bayan Salehi is an Associate at Manning Kass in the San Diego office. He is a member of the Construction Law and Construction Defect teams, as well as the Insurance Coverage/Bad Faith team. Prior to joining Manning Kass, Mr. Salehi defended numerous clients and carriers in all aspects of insurance defense including but not limited to construction-related matters, complex commercial litigation, general negligence, premises liability, products liability, and catastrophic injury cases. Further, Mr. Salehi has represented California employers in both single-plaintiff and class/representative actions, as well as providing advice and counsel for drafting handbooks, standalone policies and procedures, and contracts. Mr. Salehi received his undergraduate degree from the University of California, Los Angeles with a B.A. degree in Economics, and received his juris doctorate degree from Loyola Law School, Los Angeles. Mr. Salehi is admitted to practice law in the California State Courts, and the United States District Courts for the Central and Southern Districts of California.

Credit Information

This webinar is open to the public and is designed to qualify for 7.0 PDHs for professional engineers and 7.0 continuing education hours for licensed architects in all states that allow non-HSW course content. *This course is not approved in New York and others states which require HSW course content; please refer to specific state rules to determine eligibility.

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Jason Smith is partner at Seyfarth Shaw LLP, in Washington D.C. Mr. Smith is co-chair of the firm's Washington, D.C. Litigation Practice Group. His practice focuses on the representation of owners, design-builders, design professionals, construction managers, and general contractors in all phases of the construction process. Mr. Smith's pre-construction experience includes drafting and negotiating construction, construction management, and design agreements. Mr. Smith assists clients with pursuing their rights through litigation and alternative dispute resolution. His litigation experience includes all manner of construction and design disputes, including impact and delay claims, construction and design defects, differing site conditions, design negligence, terminations for default, change order and extra work disputes, requests for equitable adjustments, payment and performance bond claims, mechanics' liens, prompt payment and conditional payment disputes, and bid protests. Mr. Smith has substantial experience arbitrating and litigating design and construction claims, with a proven track record of success. He is an advocate for early case assessment and mediation, and he has successfully resolved numerous claims through mediation. Mr. Smith has represented clients in state courts throughout the United States, federal courts, the U.S. Court of Federal Claims, the American Arbitration Association, and in several non-administered arbitrations.

Steven Nudelman is a partner at Greenbaum, Rowe, Smith & Davis LLP in Red Bank, New Jersey. Mr. Nudelman concentrates his practice in construction law. For over 25 years he has represented members of the construction industry across a broad spectrum of matters. As chair of his law firm's Construction Contracting & Risk Management Practice Group, Mr. Nudelman works with owners and developers, construction managers, general contractors, subcontractors and design professionals to prepare and negotiate contract documents for domestic and international construction projects. Mr. Nudelman's construction contracting work helps his clients manage the risk inherent in construction projects so they may adequately protect their interests now to avoid claims and disputes in the future. When claims and disputes are unavoidable, Mr. Nudelman draws upon his wide-ranging experience in construction litigation, representing clients in state and federal courts throughout the New Jersey/New York metropolitan area, as well as in local and international mediations and arbitrations. A graduate of Rensselaer Polytechnic Institute (cum laude) and Brooklyn Law School (cum laude), Mr. Nudelman is admitted to practice law in the state and federal courts of New York (Second Circuit Court of Appeals and Southern & Eastern Districts of New York), and New Jersey (District of New Jersey).

Peter F. Lindborg is a founding partner of Lindborg & Mazor LLP, in Glendale, California, where he leads the firm's construction practice. Lindborg and Mazor acts as general counsel to private entities and as outside counsel to private and public entities. The firm specializes in all facets of real estate and construction, from the negotiating and the documentation stage, through project completion and beyond, including the counseling of clients in claims avoidance and mitigation techniques and the mediation, arbitration and litigation of claims. Mr. Lindborg has been lead counsel in numerous trials and arbitrations involving the prosecution and defense of multi-million dollar construction and real estate claims. He has also represented clients before various state and federal administrative agencies and has appeared in a number of state and federal courts throughout the United States. Mr. Lindborg is a member of the American, California, New Mexico and Los Angeles County Bar Associations.