

# Agenda

<b>Understanding Construction Contract Essentials</b> 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>W. Jackowski</i>
<b>Working With Bidding Documents</b> Invitation Bid form Instructions Bid bond Information Addenda	<i>P. Lindborg</i>
<b>Reviewing Project Documents</b> 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.)	<i>D. Cohen</i>
<b>Handling Issues in Contract Administration</b> Insurance and indemnity issues Chain of command issues Changes and change orders Subcontracts Payments Substantial and final completion Breach and pitfalls	<i>S. Nudelman</i>
<b>Making Changes to Construction Contracts</b> 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>
<b>Resolving Legal Issues and Contract Disputes</b> Changed conditions Project documentation Delays, acceleration Handling payment claims and final payments Resolving disputes through mediation, arbitration, litigation Understanding contractual and statutory warranties	<i>W. Bryant</i>

## Construction Contracting

Live, Interactive Webinar - Tuesday, October 15, 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.

HalfMoon Education Inc.,  
Your LIVE Education Leader Presents

# Construction Contracting

Live, Interactive Webinar - Tuesday, October 15, 2024



- 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
- Resolve** contract disputes

### Continuing Education Credits

- |  |   |
|--|---|
| <b>Professional Engineers</b><br>7.0 PDHs* | <b>International Code Council</b><br>.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 - Tuesday, October 15, 2024

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# Faculty

**Wojciech 'Voytek' Jackowski**  
*Principal and Chair of the Commercial Litigation Practice (North); Offit Kurman*  
Mr. Jackowski is chair of the Commercial Litigation North practice at Offit Kurman. He focuses on commercial and corporate dispute resolution, emphasizing rational or cost-effective business solutions. His diverse practice includes international facets of litigation and dispute resolution, and criminal and civil facets of various international income reporting obligations. Mr. Jackowski has represented entities and individuals in cases involving trade and contract disputes, property loss claims, bankruptcy proceedings, construction issues, commodities and derivatives matters, white-collar crime, personal injury, and claims raising questions under federal labor law. Before joining Offit Kurman, Mr. Jackowski was a Partner in the New York law firm of Menaker & Herrmann LLP.

**Peter F. Lindborg** *Founding partner of Lindborg & Mazor LLP, Glendale, CA*  
Mr. Lindborg is a founding partner of Lindborg & Mazor LLP, 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

**Danielle E. Cohen** *Tesser & Cohen*  
Ms. Cohen is an attorney at Tesser & Cohen in Hackensack, New Jersey. Ms. Cohen focuses her practice on construction litigation and condominium association law. She has represented a diverse range of construction clients, including owners, general contractors, subcontractors and material suppliers. Ms. Cohen has been involved in both prosecuting and defending claims on private and public projects in New Jersey and New York, including delay claims, construction lien and mechanic's lien foreclosure actions, defective work claims, bond claims, prompt payment act claims and trust fund issues. She has also represented condominium associations in the prosecution of construction defect claims, as well as assisted condominium associations with general condominium matters. Ms. Cohen is listed in the New Jersey editions of Super Lawyers, Rising Stars from 2014 through 2021 and in the New Jersey editions of Super Lawyers for 2022 in the field of construction law.

**Steven Nudelman**  
*Partner at Greenbaum, Rowe, Smith & Davis LLP, Red Bank, New Jersey*  
Mr. Nudelman has represented members of the construction industry across a broad spectrum of matters for over 25 years. He works with owners and developers, construction managers, general contractors, subcontractors and design professionals to prepare and negotiate contract documents for construction in the New Jersey and New York metropolitan area. Mr. Nudelman drafts, modifies and negotiates customized contracts, as well as contracts based on standard industry forms from groups such as the American Institute of Architects, Consensus Docs and Design Build Institute of America. 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.

**W. Matthew Bryant** *Saul Ewing LLP*  
Mr. Bryant is Counsel with Saul Ewing LLP, where he focuses his practice on construction law. He writes and negotiates construction contracts for private and public projects, representing participants including owners, architects, engineers, general contractors, and subcontractors. Mr. Bryant resolves construction project performance and payment disputes, including surety bond claims and mechanics lien claims. He also represents owners and contractors in litigation matters including defense and prosecution of breach of contract, warranty, and construction defect claims. Mr. Bryant has defended design professionals against claims of professional negligence. He has written and spoken on many construction-related topics, including contract negotiation, public construction, and licensure of construction professionals. Among other organizations, he is a member of the Steering Committee of the American Bar Association Forum on Construction Law Division 7 for Insurance, Surety, and Liens.

For more information on the presenters:  
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