

Agenda

Construction Contracting Basics

L. Wagner

Examining contract terminology:

- Parties, consideration, term, performance, substantial performance, breach, remedies, damages

Understanding types of design and construction contracts:

- Lump sum
- Cost plus fee
- Design build
- Construction management

Understanding roles and relationships of project participants:

- Owners, architects/engineers, construction managers, constructors, subs and suppliers

Contract negotiation and drafting

Exploring the law of construction contract interpretation

Key contract terms

ConsensusDocs 200* Agreement and General Conditions

A. Burns

Agreement

General provisions

Constructor's responsibilities

Owner's responsibilities

ConsensusDocs 200* Agreement and General Conditions

D. Anderson

Subcontracts

Time

Price

Payment

Indemnity, insurance and bonds

ConsensusDocs 200* Agreement and General Conditions

A. Gibson

Suspension, notice to cure and terminations

Dispute mitigation and resolution

Miscellaneous

Contract documents

ConsensusDocs Workshop: 200* Agreement and General Conditions Between Owner and Constructor
Portland, OR - Wednesday, February 14, 2018

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PO Box 278
Altoona, WI 54720-0278



Learning Objectives

You'll be able to:

Review contract terminology and understand the legal relationships between project participants, including owners, design professionals, constructors and subcontractors.

Examine ConsensusDocs 200* agreement and general conditions, focusing on constructor, owner, and design professional responsibilities.

Discuss subcontracts, pricing, payment provisions, indemnity, insurance and bonds.

Prevent contract disputes, and explore dispute mitigation and resolution techniques.



ConsensusDocs Workshop: 200* Agreement and General Conditions Between Owner and Constructor

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Examine the basics of construction contracting and review contracting terminology

Utilize ConsensusDocs to incorporate best practices and reduce risk

Understand the constructor's and owner's responsibilities

Explore subcontracting and dispute mitigation

Continuing Education Credits

Architects

- 6.5 HSW CE Hours
- 6.5 AIA HSW Learning Units

Professional Engineers

- 6.5 PDHs

Contractors

- 6.5 Commercial CE Hours
- 6.5 Residential Elective CE Hours

Oregon Attorneys

- 6.5 MCLE Hours



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Lawrence A. Wagner *Stewart Sokol & Larkin, LLC, Portland*
Mr. Wagner’s practice emphasizes design and construction law, business law, real estate law, commercial litigation, insurance law, and surety law. Among others, he represents business owners, property owners, developers, contractors, design professionals, appraisers, material suppliers, insurers and sureties. Mr. Wagner handles all areas of development, design and construction disputes including lien claims, bond claims, and design and defect claims, as well as all aspects of commercial litigation. He also represents individuals and entities in various business and real estate matters. In addition to helping clients resolve disputes, Mr. Wagner assists his clients to negotiate and close commercial, design/construction, and real property transactions; helps corporate clients to efficiently maintain and operate their businesses; and advises clients regarding various insurance matters. Mr. Wagner was selected by his peers for inclusion in *The Best Lawyers in America* and *Super Lawyers*.

Andrew T. Burns *Cosgrave Vergeer Kester, LLP, Portland*
Mr. Burns is a member of the Construction Practice Group for Cosgrave Vergeer Kester LLP. He represents contractors, developers, architects and engineers in all types of

Seminar Information

Doubletree Hotel Portland
1000 N.E. Multnomah Street
Portland, OR 97232
(503) 281-6111

Registration
8:00 - 8:30 am

Morning Session
8:30 am - 12:30 pm

Lunch (On your own)
12:30 - 1:30 pm

Afternoon Session
1:30 - 4:30 pm

Tuition
\$279 for individual registration
\$259 for three or more registrations.

Each registration includes a 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.

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

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 CD/manual package. You may also send another person to take your place.

construction litigation and in the prevention of disputes through project management, contract negotiation and risk transfer. He also has significant experience in defending personal injury, products liability, and premises liability litigation. Mr. Burns earned a B.S. degree in Economics from the University of Oregon and a J.D. degree from Northwestern University School of Law, Lewis & Clark College. He is admitted to practice before the Oregon and Washington state bars and the U.S. District Court for Oregon. Mr. Burns is a member of the Oregon Association of Defense Counsel, the Multnomah Bar Association, the American Bar Association, the Defense Research Institute, and the Portland Homebuilders Association. He serves on the American Law Firm Association’s Construction Practice Group Steering Committee.

David A. Anderson *Schwabe, Williamson & Wyatt, PC, Portland*
Mr. Anderson is a creative problem solver with experience in all levels of the dispute litigation cycle. He has resolved and assisted in the resolution of cases in the mediation stage to the trial stage and on to appellate and Supreme Court review. Mr. Anderson’s substantive experience covers commercial litigation and construction litigation, and it includes

Continuing Education Credit Information

This seminar is open to the public and offers 6.5 HSW continuing education hours to architects and 6.5 PDHs to professional engineers in all states, excluding Florida architects. Educators and courses are not subject to preapproval in Oregon.

This seminar is approved by the American Institute of Architects for 6.5 HSW Learning Units (Sponsor No. J885). Only full attendance can be reported to the AIA/CES.

HalfMoon Education is deemed an approved architect continuing education sponsor in New York. HalfMoon Education is an approved continuing education sponsor for engineers in Florida, Indiana, Louisiana, Maryland, New Jersey, New York (NYSED Sponsor No. 35), North Carolina, and North Dakota.

This seminar offers 6.5 continuing education hours to Oregon commercial contractors, 6.5 CE hours (elective) to residential contractors. Educators and courses are not subject to preapproval.

The Oregon State Bar MCLE Committee has approved this course for 6.5 general MCLE hours for attorneys.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

representing financial institutions, general contractors, and land owners in the commercial context. Prior to joining Schwabe, Williamson & Wyatt, Mr. Anderson served a term as a clerk to the Hon. Robert Wollheim of the Oregon Court of Appeals. In doing so, he gained experience behind the scenes assisting a judge in deciding cases before the court.

C. Andrew Gibson *Stoel Rives LLP, Portland*
Mr. Gibson is a partner in Stoel Rives’ Real Estate, Construction, and Design Practice, and he is experienced in drafting and negotiating all forms of project documents, from the design phase through construction, and he regularly assists clients with navigating the typical tricks and traps of contracting and insurance coverage issues. Mr. Gibson helps his clients build successful projects and negotiate and resolve disputes. Licensed in California, Oregon and Washington, he is also a veteran of a variety of legal proceedings and has successfully pursued construction defect claims, insurance and bond claims, bid protests, stop payment notices, mechanic’s liens, real estate disputes, and collection actions through mediation, arbitration, and litigation.

Additional Learning

January Webinar Series

Pumping and Piping System

- **Introduction to Pumps: Operation, Principles and Calculations**
Thurs., Jan. 25, 2018, 12:00 - 2:00 PM CST
- **Design Standards and Codes**
Thurs., Jan. 25, 2018, 2:30 - 3:30 PM CST
- **Piping System Components, Materials and Calculations**
Fri., Jan. 26, 2018, 12:00 - 2:00 PM CST
- **Handling Pump and Piping System Problems**
Fri., Jan. 26, 2018, 2:30 - 3:30 PM CST

For more information visit:
www.halfmoonseminars.org/webinars/

Can’t Attend? Order the CD/Manual Package:

An audio recording of this seminar is available for \$289 (including shipping). Allow five weeks from the seminar date for delivery. Please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Registration

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How to Register		Registrant Information
Online: www.halfmoonseminars.org		Name: _____ Company/Firm: _____ Address: _____ City: _____ State: _____ Zip: _____ Occupation: _____ Email: _____ Phone: _____
Phone: 715-835-5900		Additional Registrants: Name: _____ Occupation: _____ Email: _____ Phone: _____
Fax: 715-835-6066		Name: _____ Occupation: _____ Email: _____ Phone: _____
Mail: HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278		Name: _____ Occupation: _____ Email: _____ Phone: _____
Complete the entire form. Attach duplicates if necessary.		Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred.
() I need special accommodations. Please contact me.		

Tuition

() **I will be attending the live seminar.** Single Registrant - **\$279.00**. Three or more registrants from the same company registering at the same time - **\$259.00** each.

() **I am not attending.** Please send me the CD manual package for **\$289.00**. (S&H included. Please allow five weeks from seminar date for delivery)

Checks: Make payable to HalfMoon Education Inc.

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