

Agenda

Construction Contracting in Traditional and Alternative Project Delivery Systems: Finding the Framework That's Right for the Owner and the Project

Tim Walsh

Legal rights/duties of construction entities: contractors, design services firms, subcontractors and suppliers
Design-bid-build: entering into construction contracts and agreements in the traditional construction process
Design-build: contractor-led, designer-led, joint venture
Construction manager and construction manager-at-risk

Handling Ethical Issues in Construction

Tim Walsh

Avoiding ethical issues during the bidding process
Gifts, favors and the appearance of impropriety
Your duties to your employer, the project owner, and other project participants
Adopting practices that minimize ethics issues

Making Changes and Resolving Disputes during the Construction Process

Benjamin Hegvik

Making changes to the contract and contracted work

- The contract change clause
- Types of changes: ordered and constructive changes
- Requirements for making changes
- Liability issues

Solving problems during the construction process

- Site conditions
- Delays
- Disruption
- Acceleration
- Accidents

Meeting and Exceeding Federal, State and Local Safety Requirements

Portia Kayser

Occupational Safety and Health Administration update
State and local safety regulations
Allocating responsibility for construction site safety
Strategies for maintaining site safety

Improving the Project Outcome with Accurate and Effective Construction Contracting

Jackson Glisson

Understanding contract terminology
Forming contracts
Understanding contract obligations
The law governing construction contracts: the Uniform Commercial Code (UCC) and applicable state laws
Subcontract formation and administration
Performance and payment issues
Breach of contract and default

Construction Law

St. Louis, MO - Friday, January 26, 2018



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Learning Objectives

You'll be able to:

Compare construction project delivery systems, including design-bid-build and design-build.

Prevent ethical issues during bidding and construction.

Handle problems that can arise during the construction process, including differing site conditions and constructive changes.

Implement safety practices that follow OSHA regulations and maintain site safety.

Use construction contracts to improve project outcome.



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Find the construction project delivery system that's right for the project

Avoid ethical issues during bidding and construction

Understand constructive and ordered changes

Comply with federal, state and local safety requirements

Discuss the use of construction contracts to improve project outcomes

Continuing Education Credits

Architects

6.5 HSW CEUs/Contact Hours
6.5 AIA HSW Learning Units

Professional Engineers

6.5 PDHs

Contractors

Non-Credit Continuing Ed.



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Faculty

Tim Walsh *Norton Rose Fulbright, St. Louis*
Mr. Walsh is a member of the Real Estate Practice Group specializing in construction, real estate development and commercial litigation. He represents owners, contractors, and design professionals in the negotiation and drafting of development, design, engineering, construction, and related agreements. He provides advice on partnering and integrated project delivery (IPD) contracts, trade labor and project labor matters, insurance, intellectual property protection, land use and zoning, environmental and building code regulations, professional licensing issues and accessibility laws. Mr. Walsh’s experience also includes the prosecution and defense of construction-related issues, breach of contract, mechanic’s liens, design and construction defects, architectural and engineering design errors and omissions, and performance and payment bonds.

Benjamin Hegvik *Foley & Mansfield, P.L.L.P., St. Louis*
Mr. Hegvik is a member of Foley & Mansfield’s Construction Litigation team where he represents design professionals, contractors, and developers. He has been admitted to practice law in Missouri and Illinois, and has been named as a “Rising

Star” for construction litigation in Missouri in 2015 and 2016. Mr. Hegvik received his juris doctorate degree in 2008 from St. Louis University School of Law where he received the Dean’s Scholarship and also earned a certificate in International and Comparative Law. He received his undergraduate degree from Brigham Young University in 2002.”

Portia Kayser *Fisher Patterson Sayler & Smith, St. Louis*
Ms. Kayser is a partner in the firm. Her practice focuses on litigation and appeals in the practice areas of construction, municipal liability, law enforcement, and business law matters ranging from acting as general/national counsel to litigating complex constitutional claims. She earned her juris doctor and certificate of International and Comparative Law, *cum laude*, from St. Louis University School of Law. Ms. Kayser has been recognized by *Missouri Lawyers Weekly* as a Women’s Justice Award Winner, and she is a frequent speaker on topics ranging from construction contracts to appellate advocacy. While in law school, she served as judicial intern to the Honorable Judge E. Richard Webber of the United States District Court for the Eastern District of Missouri.

Ms. Kayser brings 18 years of business and economic consulting experience to her practice and has an MBA degree in International Management.

Jackson Glisson *Construction Practice Group of Greensfelder, Hemker & Gale, P.C.*
Mr. Glisson is a shareholder in the firm. His practice is concentrated in the area of construction law, including the litigation of construction defect, delay, disruption, acceleration, design defect, and unforeseen site condition claims; procurement disputes; all facets of surety and lien law; contract drafting and negotiation; and pre-litigation dispute resolution and contract close-out. Mr. Glisson is a graduate of the University of Illinois (Urbana-Champaign) where he obtained degrees in Civil Engineering and Law. He is a member of the ABA Forum on Construction Law, the Engineers’ Club of St. Louis, and the AGC of Missouri Supplier/Service Provider Council. Mr. Glisson has served as chair of The Missouri Bar Construction Law Committee and the Bar Association of Metropolitan St. Louis Construction Law Committee.

Seminar Information

Holiday Inn Forest Park
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Continuing Education Credit Information

This seminar is open to the public and offers 6.5 HSW CEUs/contact hours to architects and 6.5 PDHs to engineers in Missouri.
This seminar is approved by the American Institute of Architects for 6.5 HSW Learning Units (Provider No. J885). Only full attendance can be reported to the AIA/CES.

Architects and engineers seeking continuing education credit in other states will be able to claim the hours earned at this seminar, in most cases. Refer to specific state rules to determine eligibility.

This course offers a non-credit continuing education opportunity to construction contractors. It has not been approved by any state contractor licensing entity for mandatory continuing education credit.

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.

Additional Learning

Webinar Series

International Energy Conservation Code
• **International Energy Conservation Code, Part I**
Thurs., Dec. 21, 2017, 8:00 - 11:00 AM CST
• **International Energy Conservation Code, Part II**
Thurs., Dec. 21, 2017, 12:00 - 3:00 PM CST

Seismic Design and Construction
• **Seismology and Building Codes**
Wed., Dec. 27, 2017, 11:00 AM - 3:30 PM CST
• **Seismic Design of Building Structures**
Thurs., Dec. 28, 2017, 11:00 AM - 3:30 PM CST

The Distributed Battery Webinar Series
• **The Distributed Battery Webinar, Part I**
Thurs., Dec. 28, 2017, 11:00 AM - 2:15 PM CST
• **The Distributed Battery Webinar, Part II**
Fri., Dec. 29, 2017, 11:00 AM - 2:15 PM CST

For more information visit:
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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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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.
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