

Agenda

Understanding Construction Contract Essentials *W. M. Bryant*

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

Examining Legal Issues and Contract Disputes *J. Rohlffing*

Changed conditions Project documentation
Delays, acceleration
Handling payment claims and final payments
Resolving disputes through mediation, arbitration, litigation
Understanding contractual and statutory warranties

Reviewing Project Documents *S. Wasser*

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.)

Comparing Standardized Construction Documents *J. Weisberg*

American Institute of Architects ConsensusDocs
Engineers Joint Contract Documents Committee (EJCDC)

Reviewing Bidding Documents *H. Feldman*

Invitation	Bid form	Instructions
Bid bond	Information	Addenda

Understanding Issues in Contract Administration *R. Krauze*

Insurance and indemnity issues	
Chain of command issues	Subcontracts
Changes and change orders	Payments
Substantial and final completion	Breach and pitfalls

Construction Contract Workshop
Springfield, IL - Wednesday, April 25, 2018



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Learning Objectives

You'll be able to:

- Examine** construction contract terminology.
- Understand** contractual and statutory warranties.
- Review** bidding documents, including the bid bond, the bid form, instructions and addenda.
- Discuss** change orders and constructive changes.
- Determine** how to handle payment claims and final payments.
- Compare** standardized construction documents, including AIA and Consensus Docs agreements.



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| Explore the law of construction contract interpretation | Understand issues in contract administration |
| Understand contractual and statutory warranties | Resolve disputes through mediation, arbitration and litigation |
| Review common project documents, including agreements and contract conditions | |

Continuing Education Credits

- Professional Engineers**
7.0 PDHs
- Architects**
7.0 HSW Contact Hours
7.0 AIA HSW Learning Units
- Contractors**
Non-Credit Continuing Ed.



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Faculty

W. Matthew Bryant
Partner with Saul, Ewing, Arnstein & Lehr, LLP in Chicago
Mr. Bryant focuses his practice on construction and commercial litigation. He has represented owners, architects, engineers, contractors, and subcontractors in lawsuits relating to construction defects, mechanics liens, bond claims, delay claims, change order disputes and fraud. Mr. Bryant has represented condominium developers, condominium associations, and unit owners in litigation matters including defense and prosecution of claims alleging violation of state condominium statutes, failure to adequately manage condominium finances, and breach of fiduciary duty claims. He has defended design professionals against claims of professional negligence. Mr. Bryant has also represented businesses in commercial disputes, including issues of corporate ownership and control, breach of fiduciary duty, and non-competition agreements.

James T. Rohlfling
Partner with Saul, Ewing, Arnstein & Lehr, LLP in Chicago
Mr. Rohlfling’s practice is focused in the areas of construction law and business litigation. Since being admitted to the Illinois bar in 1982, he has represented subcontractors, contractors and others in the construction industry. He has led dozens of trials and appeals involving business litigation and construction law. Mr. Rohlfling has drafted and assisted in passing Illinois legislation critical to contractors and the construction industry in general. In addition, he has authored numerous articles on construction law and litigation, and he is frequently invited to speak on commercial litigation and construction law topics before construction industry groups and practicing attorneys. He is general counsel and past president of the Illinois Mechanical & Specialty Contractors Association (IMSCA), the largest organization for subcontractors in Illinois. Mr. Rohlfling is an active member of IMSCA, the Chicago Bar Association’s Construction Law committee, and the Association of Subcontractors and Affiliates in Chicago.

Seminar Information

President Abraham Lincoln Springfield Doubletree
701 East Adams Street
Springfield, IL 62701
(217) 544-8800

Tuition
\$279 for individual registration
\$259 for three or more registrations.
Each registration includes a complimentary continental breakfast and printed seminar manual.

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Stanley N. “Stan” Wasser *Partner with Feldman Wasser in Springfield*
Mr. Wasser has more than 25 years’ experience as an attorney in construction matters. He knows the terminology, concepts, issues, contracts, and documentation of the industry. With a unique combination of government experience as chief counsel to the Illinois Department of Transportation, general counsel to the Illinois Bureau of the Budget, an assistant attorney general, and an Illinois Comptroller’s counsel, Mr. Wasser has deep insight into the regulations, requirements and practices governing public construction. He is also well-versed in labor and contractor-subcontractor disputes, for which he receives many referrals. Putting himself in the client’s shoes means understanding the critical cost-benefit questions that any business must address when faced with a legal challenge.

Justin Weisberg *Attorney with Schuyler, Roche & Crisham, in Chicago*
Mr. Weisberg’s practice focuses on construction law and commercial litigation. He represents private, public, local, and international clients in a variety of construction-related transactions and litigation matters. Mr. Weisberg has a background in professional engineering, giving him added insight and understanding into his client’s cases. His experience has included contract negotiation, counseling, litigation and dispute resolution relating to numerous projects including office, commercial, and residential buildings; nuclear and coal fired power plants; manufacturing facilities, laboratories, water distribution systems, waste water treatment facilities, schools, libraries, stadiums, exposition centers, governmental facilities, roads, bridges, transit stations, refineries, and single family residences. Mr. Weisberg’s work as a registered professional engineer in both Illinois and Florida allows him to utilize his previous engineering experience in his law practice.

Continuing Education Credit Information

This seminar is open to the public and offers 7.0 PDHs to professional engineers and 7.0 HSW contact/CE hours to architects in most states, including Illinois. Educators and courses are not subject to preapproval in Illinois.

The American Institute of Architects has approved this event for 7.0 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 (Approval No. 24GP00000700), New York (NYSED Sponsor No. 35), North Carolina, and North Dakota.

This seminar also offers a non-credit continuing education opportunity to construction contractors. It has not been submitted to any state contractor licensing board for continuing education approval.

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.

Howard Feldman *Partner with Feldman Wasser in Springfield*
Mr. Feldman puts people first. He fought for seven years in the infamous legal trial against the Illinois Department of Transportation (IDOT), which fired 16 employees for their political affiliation. When numerous Illinois prison inmates and their families came to him alleging mistreatment by the corrections system, he was happy to take on the government repeatedly to protect their civil rights. Mr. Feldman has an impressive track record with the Illinois construction industry, where he is well-known for his ability to cut to the heart of matters and achieve business-friendly resolutions quickly. He is aided by in-depth regulatory knowledge acquired during his time as general counsel and special assistant attorney general for the Illinois Capital Development Board, which oversees all state construction projects. Peers respect Mr. Feldman for his compassion and empathy for clients. It is this principled commitment that has made him one of the most highly-regarded attorneys in central Illinois.

Raymond M. Krauze *Partner with K&L Gates in Chicago*
Mr. Krauze focuses his practice in construction law and complex commercial litigation and disputes. He has represented major contractors, subcontractors, design professionals, material suppliers, and condominium associations in all aspects of complex construction litigation, including breach of contract, construction defects and omissions, fraud, express and implied warranties, and mechanics lien claims. He has experience regarding issues arising from the design and construction of commercial and multi-unit residential condominium properties. In addition, Mr. Krauze counsels clients on all manner of construction-related contract drafting and negotiation. In the complex commercial litigation area, he has handled matters involving claims of breach of contract, fraud, and business torts, as well as claims involving violations of federal and state statutes. Mr. Krauze has extensive experience before federal and state courts as well as other alternative dispute resolution forums.

Additional Learning

March Webinar Series

- Solar Photovoltaic Project Design and Development**
- March 7 and 8
- Deep Excavations**
- March 15 and 16
- HEC-RAS**
- March 22 and 23
- Commercial Energy Conservation Code**
- March 28 and 29

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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. () 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)
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