

Agenda

Construction Contract Fundamentals

P.E. Blanton

Contract terminology
• Parties, consideration, term, performance, substantial performance, breach, remedies, damages
Understanding types of construction contracts:
• Stipulated sum • Cost plus fee
• Design build • Construction management
Understanding roles and relationships of project participants:
• Owners, architects/engineers, construction managers, contractors, subs and suppliers
Contract negotiation and drafting
Exploring the law of construction contract interpretation

The Primary AIA Contract Documents

R. Starnes

A101-2017 Standard Form of Agreement Between Owner and Contractor (Stipulated Sum)
A102-2017 Standard Form of Agreement Between Owner and Contractor (Cost Plus Fee with GMP)
B101-2017 Standard Form of Agreement Between Owner and Architect
A133-2009 Standard Form of Agreement Between Owner and Construction Manager Where Construction Manager is also Constructor
A141-2014 Standard Form of Agreement Between Owner and Design Builder
A401-2017 Standard Form of Agreement Between Contractor and Subcontractor
C401-2017 Standard Form of Agreement Between Architect and Consultant

AIA A201: General Conditions

J. Tolbert

Overview of new updates to AIA documents
General provisions
Project participants: owner, contractor, architect, engineer, subcontractors
Changes in the work
Time, payments and completion
Protection of persons and property, insurance and bonds
Defects in and correction of work
Miscellaneous provisions
Termination, suspension, claims and disputes

Supplemental or Alternate AIA Contract Documents

W. Gardner

A105-2017 Standard Form of Agreement Between Owner and Contractor for a Residential or Small Commercial Project
A107-2017 Standard Form of Agreement Between Owner and Contractor for a Project of Limited Scope
B105-2017 Standard Form of Agreement Between Owner and Architect for a Residential or Small Commercial Project
The “SP” Series for Sustainable Projects
AIA Contract Documents for Digital Practice

Case Study:

B. Wilson

Reviewing Completed Contract Documents for a Sample Project

AIA Contract Document Workshop
Arlington, TX - Wednesday, January 30, 2019

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Learning Objectives

You'll be able to:

Learn about types of construction contracts and the relationships of project participants.

Study the primary AIA contract documents.

Review AIA A201 general conditions of the contract for construction.

Study supplemental or alternate AIA contract documents.

Review completed contract documents for a sample project.



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Continuing Education Credits

Professional Engineers

7.0 PDHs

Contractors

Non-Credit Continuing Ed.

Architects

7.0 HSW CEPHs/CE Hours

7.0 AIA HSW Learning Units



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Patrick E. “Gene” Blanton *Partner at Slates Harwell LLP in Dallas*
Mr. Blanton is a construction attorney who represents all participants involved in project development and dispute resolution. He has experience in negotiating contracts between owners and general contractors on large retail projects, resolving disputes during the course of construction, and litigating claims after final completion. He strives to maintain the progress of the project if at all possible and to identify risk management approaches that allocate risk to those in the best position to account for the inherent risk in each project.

Ryan A. Starnes *Partner at Libby Sparks Willis Starnes PLLC in Dallas*
Mr. Starnes aggressively represents clients in a broad range of litigation matters, and has significant experience in construction law, commercial litigation, and intellectual property disputes. He enjoys providing effective counsel to clients and takes pride in being quick to respond to client inquiries. His litigation and courtroom experience have helped him develop a unique skill set in counseling clients in construction contracts, trademark filings, entity formations, employment agreements, and other transactional matters. His primary objective in any matter is to efficiently solve his client’s problems. Mr. Starnes was named a Top Attorney under 40, by *D Magazine* 2018; and a Rising Star in *Texas Super Lawyers* (2015 – 2018).

Joe D. Tolbert *Director at Brackett & Ellis, P.C., in Fort Worth*
Mr. Tolbert has represented businesses and individuals for more than 27 years. He counsels clients on a variety of business issues and has an active trial practice in the areas of commercial litigation and construction law. Mr. Tolbert is board certified in Construction Law by the Texas Board of Legal Specialization, a mark of excellence and a distinguishing accomplishment achieved by fewer than 100 practicing attorneys in the state of Texas. Board certified attorneys in Construction Law are specialists in transactions and relationships among contractors,

subcontractors, suppliers, owners, architects, engineers, governmental entities, insurers, sureties and lenders regarding development, design and construction on public and private projects.

William “Bill” I. Gardner *Shareholder at Macdonald Devin P.C. in Dallas*
Mr. Gardner represents businesses, entrepreneurs, and design professionals in complex litigation, construction, and land use matters throughout Texas. His practice focuses on construction litigation, government and private contracts, the defense of professional liability claims against design professionals, and overcoming regulatory obstacles faced by owners and developers in the use of land. His construction practice encompasses all phases of the contracting process for public and private contracts, from bidding and contract negotiation throughout administration and performance, to claims and litigation. His extensive experience and success in professional liability matters has earned him inclusion on the Texas Rising Stars list for four years in a row. Mr. Gardner earned his J.D. degree from St. Mary’s School of Law after graduating from the Honors College at Baylor University.

Bo Wilson *Attorney with Ferguson Braswell Fraser Kubasta PC in Plano*
Mr. Wilson practices civil litigation and represents clients across a broad field of industries. He has extensive experience handling disputes relating to complex commercial transactions, construction law, real estate development, and oil and gas. He works closely with his clients to achieve their goals and provides counseling on contract negotiations, corporate regulations, entity formations, collection practices, and business dispute resolution. With a passion for community service, Mr. Wilson also hosts legal clinics for multiple veterans organizations in the Dallas area, serves as a certified attorney ad litem in the Dallas County Probate and Family Courts, and volunteers with Community Partners of Dallas.

Seminar Information

The Bob Duncan Center
2800 South Center Street
Arlington, TX 76014
(817) 465-6661

Tuition
\$279 for individual registration
\$259 for three or more registrants from the same company at the same time.

Included with your registration:
Complimentary continental breakfast and printed seminar manual.

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 self-study package. You may also send another person to take your place.

Continuing Education Credit Information

This seminar is open to the public and offers 7.0 PDHs to professional engineers and 7.0 HSW continuing education hours (CEPHs) to architects in all states, except Florida architects. Educators and courses are not subject to pre-approval in Texas.

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 an approved continuing education sponsor for engineers in Florida, Indiana (License No. CE21700059), Maryland, New Jersey (Approval No. 24GP00000700), New York (NYSED Sponsor No. 35), North Carolina, and North Dakota. HalfMoon Education is deemed an approved continuing education sponsor for New York architects.

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

Additional Learning

Webinar Series

- Deep Foundations**
- **Deep Foundation Site Evaluation**
Weds., Dec. 12, 2018, 11:00 AM - 12:00 PM CST
 - **Overview of Deep Foundations**
Weds., Dec.12, 2018, 12:30 - 2:00 PM CST
 - **Deep Foundation Pile Design**
Thurs., Dec. 13, 2018, 11:00 AM - 12:30 PM CST
 - **Deep Foundation Installation and Testing**
Thurs., Dec. 13, 2018, 1:00 - 2:00 PM CST

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

Can’t Attend? Order the Manual and the Audio from the Live Seminar as a Self-Study Package!
An audio recording of this seminar is available for \$289. Allow four 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

AIA Contract Document Workshop

Arlington, TX - Wednesday, January 30, 2019

How to Register		Registrant Information
Online: www.halfmoonseminars.org		Name: _____
		Company/Firm: _____
		Address: _____
		City: _____ State: _____ Zip _____
Phone: 715-835-5900		Occupation: _____
		Email: _____
		Phone: _____
Fax: 715-835-6066		Additional Registrants:
Code:		Name: _____
		Occupation: _____
		Email: _____
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		Email: _____
		Phone: _____
Mail: HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278		
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 self-study package for \$289.00 .	
☐ Downloadable MP3 Audio/PDF Manual	
☐ CD/Manual Package	
(Please allow four weeks from seminar date for delivery)	
Checks: Make payable to HalfMoon Education Inc.	
Credit Card: <i>Mastercard, Visa, American Express, or Discover</i>	
Credit Card Number: _____	
Expiration Date: _____	CVV2 Code: _____
Cardholder Name: _____	
Billing Address: _____	
City: _____	State: _____ Zip: _____
Signature: _____	
Email: _____	

