

Agenda

Understanding Construction Contract Essentials

D. Waltz

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

Reviewing Bidding Documents

D. Waltz

Invitation	Bid form	Instructions
Bid bond	Information	Addenda

Reviewing Project Documents

D. Waltz

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.)

Understanding Issues in Contract Administration

M. Bernlohr

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

Examining Legal Issues and Contract Disputes

M. Bernlohr

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

Handling Ethical Issues in Construction Contracting

D. Waltz

Promoting impartial, merit-based award of construction contracts
Ensuring honesty, integrity, fair-dealing and quality assurance
Creating a system of internal practices promoting contract compliance and ethical practices

Construction Contract Workshop

Charleston, WV - Tuesday, April 23, 2019

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Learning Objectives

You'll be able to:

Understand types of construction contracts: lump sum, cost plus, time and materials, and unit pricing.

Examine bid documents, including bid forms, instructions and bid bonds.

Review project documents, including agreements and general contract conditions.

Examine insurance and indemnity issues, chain of command issues and other contract administration issues.

Get tips resolving disputes through mediation, arbitration and litigation.

Handle ethical issues and promote impartial, merit-based award of construction contracts.



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Explore construction contract types including lump sum, cost plus and unit pricing

Review bidding documents: invitation, bid form, instructions, etc.

Understand issues in contract administration

Review agreements and contract conditions

Get tips on making changes to contracts

Learn how to handle ethical issues in construction contracting

Continuing Education Credits

Professional Engineers

7.0 PDHs

Contractors

Non-Credit Continuing Ed.

Architects

7.0 Continuing Ed. Hours (HSW)

7.0 AIA HSW Learning Units



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Danielle M. Waltz is a member of Jackson Kelly in the Charleston, West Virginia, office. She is a member in the banking, construction, and government industry groups, focusing primarily on litigation and government relations. Ms. Waltz has a wide range of legal experience, including handling complex multi-party construction matters and litigating commercial banking cases. With many of her clients in the construction industry, she knows the business side of construction as well as the law. Ms. Waltz is a natural problem solver who enjoys helping her clients find solutions to their issues, which oftentimes requires tenacity and out-of-the-box thinking. Ms. Waltz has published and lectured on construction matters, including authoring the West Virginia portion of the 2009 *Defense Research Institute Desk Reference*. She is extensively involved in the Defense Research Institute Construction Law Group, holding several leadership positions through the years, including National Seminar Chair. She also has a great deal of experience in government relations – providing services for local, state, and national business clients. Her government relations clients count on her to help them navigate the passage or defeat of legislation and to develop rapport with elected officials and government agencies. Ms. Waltz is the perfect person for this, as she’s a people-person who likes connecting with others. She has a definite knack for bringing people together for mutually beneficial partnerships. Ms. Waltz is a proud native of West Virginia’s Northern Panhandle and takes fierce pride in its signature DiCarlo’s Pizza. She holds her undergraduate degree in Mathematics from West Virginia University and likes solving math problems for fun. She also holds a law degree from WVU, so it’s no surprise she’s a big fan of WVU sports.

Seminar Information

Four Points by Sheraton Charleston
600 Kanawha Blvd. East
Charleston, WV 25301
(304) 344-4092

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 - 5:00 pm

Tuition
\$289 for individual registration
\$269 for three or more registrants from the same company at the same time.
Included with your registration: *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 self-study package. You may also send another person to take your place.

Mark W. Bernlohr is a member of Jackson Kelly in the Akron, Ohio, office. He is a member in the construction, energy and oil & gas industry groups, focusing primarily on litigation and commercial litigation. Mr. Bernlohr’s experience and knowledge has allowed him to represent a wide swath of clients with great success, and his legal track record speaks volumes. He has more than 25 years of trial experience involving the litigation of commercial, oil and gas, and construction issues, and he has extensive jury and bench trial experience throughout the state of Ohio. Mr. Bernlohr’s business law experience includes litigating many cases involving commercial interests, such as shareholder and partner disputes, non-compete and employment agreements, misappropriation of trade secrets, and fraud and injunction cases. He also has represented the interests of equipment leasing and finance companies and banks, as well as several large oil and gas exploration companies in defense of oil and gas leasing rights. He routinely represents contractors, owners, developers, architects, and suppliers in the prosecution and defense of construction claims, which have ranged from public and private projects to breach of contract to bid disputes and liens. Mr. Bernlor’s enthusiasm for his work is undeniable, because when he isn’t practicing the law, he’s teaching it. He has served as an adjunct professor at the University of Akron since 2010, teaching a course about the legal aspects of construction. Whether in the courtroom or in the classroom, he is a consummate professional who proudly represents the Jackson Kelly team. His experience and dedication to his areas of practice not only benefit the firm, but also his clients and students who continue to learn from him every day.

Continuing Education Credit Information

This seminar is open to the public and offers 7.0 PDHs to professional engineers and 7.0 HSW (Public Protection) continuing education hours to architects in all states. Educators and courses are not subject to preapproval in West Virginia.

The American Institute of Architects has approved this course 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 construction contractors. It has not been reviewed by any state contractor licensing entity for continuing education purposes.

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
National Electrical Code

- **National Electrical Code, Part I**
Wed., March 6, 2019, 11:00 AM - 3:30 PM CST
- **National Electrical Code, Part II**
Thurs., March 7, 2019, 11:00 AM - 3:30 PM CST
- **National Electrical Code, Part III**
Fri., March 8, 2019, 11:00 AM - 3:30 PM CST

Commercial Solar Peaker Batteries

- **Commercial Solar Peaker Batteries, Part I**
Wed., March 13, 2019, 11:00 AM - 3:15 PM CDT
- **Commercial Solar Peaker Batteries, Part II**
Thurs., March 14, 2019, 11:00 AM - 2:15 PM CDT

Handling Ethical Issues in Professional Engineering Practice
Fri., March 15, 2019, 11:00 AM - 12:00 PM CDT

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

Can’t Attend? Order the Manual and Audio from the Live Seminar as a Self-Study Package!
Audio recordings of this seminar are available for purchase starting at \$269. See registration panel for more information and please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Registration

Construction Contract Workshop
Charleston, WV - Tuesday, April 23, 2019

How to Register

Online:
www.halfmoonseminars.org

Phone:
715-835-5900

Fax:
715-835-6066

Code:

Mail:
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PO Box 278, Altoona, WI
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Complete the entire form. Attach duplicates if necessary.

Registrant Information

Name: _____

Company/Firm: _____

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City: _____ State: _____ Zip: _____

Occupation: _____

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Additional Registrants:

Name: _____

Occupation: _____

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Phone: _____

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Occupation: _____

Email: _____

Phone: _____

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 - **\$289.00**. Three or more registrants from the same company registering at the same time - **\$269.00** each.

() **I am not attending.** Please send me the self-study package:

- ☐ Downloadable MP3 Audio/PDF Manual for **\$269.00**.
- ☐ 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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