

Agenda

Facilitating the Project with Effective Construction Contracting *J. Donofrio*

Understanding the legal rights/duties of project participants:
owners, contractors, design services firms, subcontractors and suppliers
Understanding your project delivery system: design-bid-build, design-build,
construction manager, construction manager-at-risk
Using standard or custom contract documents: AIA, ConsensusDocs, others
Understanding key contract concepts and terms: performance, breach,
warranties, guarantees, indemnity, damages
Modifying contracts and selecting dispute resolution mechanisms

Protecting the Project with Bonds and Insurance *J. Donofrio*

Obtaining construction bonds
• Performance • Payment
• Alternatives to bonds
Obtaining insurance
• Commercial general liability insurance
• Builder's risk insurance
• Errors and omissions insurance
• Additional/alternative insurance
Claims and notice issues

Making Changes and Resolving Disputes During the Construction Process *R. Robinson*

Making changes to the contract and contracted work
• Types of changes: ordered and constructive changes
• The contract change clause
• Requirements for making changes
• Liability issues
Solving problems during the construction process
• Site conditions • Delays • Disruption
• Acceleration • Accidents

Participating in the Bidding Process *P. Fitzgerald*

Understanding competitive bidding requirements
Reviewing bid package
Prequalification of bidders, bid bonding
Submitting bids
Handling errors and changes

Complying with Safety Requirements *M. Barnaby*

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

Construction Law
North Haven, CT - Tuesday, May 7, 2019



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Learning Objectives

You'll be able to:

- Explore** key concepts and terms related to construction contracts.
- Understand** project delivery systems as well as legal rights/duties of project participants.
- Solve** problems during the construction process.
- Maintain** site safety, and comply with OSHA regulations.
- Make** changes to contracts and contracted work.
- Obtain** construction bonds and insurance, including general liability, errors and omissions and builder's risk insurance.



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- Facilitate** projects with effective construction contracting
- Understand** the legal rights and duties of project participants
- Make** changes and resolve disputes during the construction process
- Protect** the project with bonds and insurance
- Get** tips on using standard and custom contract documents
- Comply** with safety requirements

Continuing Education Credits

Professional Engineers 6.5 Continuing Ed. Hours	Contractors Non-Credit Continuing Ed.
Architects 6.5 HSW Continuing Ed. Hours 6.5 AIA HSW Learning Units	



Faculty

Jeffrey M. Donofrio *Managing Partner of Ciulla & Donofrio, LLP*
Mr. Donofrio has been practicing construction law, municipal law and commercial litigation in Connecticut since 1990. Mr. Donofrio and his firm represent a variety of public and private entities, including municipalities, utilities, financial institutions, contractors, trade contractors, developers, financial institutions and project owners. He regularly presents construction law seminars to a variety of audiences on topics including construction contracts, claims, litigation, ADR, and collection techniques.

Richard C. Robinson *Attorney with Pullman & Comley LLC*
Mr. Robinson practices in the area of business litigation including the litigation of construction and employment disputes. He heads the firm’s Construction Law and Litigation Section. Mr. Robinson has successfully resolved hundreds of business litigation cases, both through trial and settlement.

Paul Fitzgerald *Attorney with Michelson, Kane, Royster & Barger, P.C.*
Mr. Fitzgerald practices in the areas of construction and surety law, where he handles a broad range of construction-related matters on behalf of subcontractors, contractors, public and private owners, and sureties. He has extensive experience litigating cases in state and federal court, and he has resolved many disputes in arbitration and mediation. Mr. Fitzgerald frequently drafts, reviews and negotiates construction contracts. Since 2002, Mr. Fitzgerald has been a contributing author on the topic of mechanic’s liens for the “Connecticut Bar Association Annual Construction Case Law Summary.” He also has given many presentations to construction trade

groups and professional organizations on the topics of mechanic’s liens, payment bonds, and general payment issues in the construction industry. Mr. Fitzgerald also serves as a legal advisor to the Connecticut Subcontractors Association. He is admitted to practice before the state and federal courts of Connecticut and Massachusetts. Mr. Fitzgerald has been included in both the Connecticut and New England Super Lawyers® Rising Star lists in the area of construction litigation (2010, 2014, 2015). He was also listed as a New England and Connecticut Super Lawyer® in the area of construction litigation in 2017.

Michael J. Barnaby *Managing Member of the Law Offices of Michael J. Barnaby, LLP*
Mr. Barnaby practices exclusively in the area of construction law, representing general, sub and specialty contractors; suppliers; construction managers; sureties; public and private owners; homeowners; design professionals; and other entities involved in the construction industry in litigation, arbitration, mediation, public and private construction contracts, mechanics liens, surety law, administrative proceedings, business law, OSHA law, labor law, and environmental law. He has previously presented lectures to various construction industry professionals and organizations on topics ranging from the mechanics lien law to advanced construction law. Prior to law school, he was a construction superintendent for an internationally-recognized construction manager and he has first-hand experience on multi-million dollar construction projects throughout the tri-state region. Mr. Barnaby received his B.A. degree from Lehigh University and his J.D. degree and Certificate in Environmental Law from Pace Law School. He is a past chair of the Connecticut Bar Association Construction Law Executive Committee.

Seminar Information

Best Western Plus North Haven
201 Washington Avenue
North Haven, CT 06473
(203) 239-6700

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.

Continuing Education Credit Information

This seminar is open to the public and offers 6.5 continuing education hours to professional engineers and 6.5 HSW continuing education hours to architects. Continuing education is not mandatory in Connecticut.

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.

Engineers and architects seeking continuing education credit in other states will be able to apply 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 contractors. It has not been approved by any state contractor licensing entity for required 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

Structural Forensic Engineering

- **Introduction to Forensic Engineering Process**
Wed., March 27, 2019, 11:00 AM -1:00 PM CDT
- **Causes of Failures and the Forensic Engineering Report**
Wed., March 27, 2019, 1:30 -3:30 PM CDT
- **Forensic Examination of Structures and Use in Litigation**
Thurs., March 28, 2019, 11:00 AM -1:00 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

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Mail: HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278		Additional Registrants:
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Complete the entire form. Attach duplicates if necessary.		Occupation: _____
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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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