

Agenda

Construction Contract Fundamentals

J. Dorsey

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

C. Williamson

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

A401 - 2017 Standard Form of Agreement Between Contractor and Subcontractor

AIA A201: General Conditions

J. Spang/ K. Berr

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

M. Bonavitacola

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

AIA Contract Document Workshop

Camp Hill, PA - Friday, July 19, 2019

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Learning Objectives

You'll be able to:

Review the legal rights and duties of various construction entities including contractors, design firms and suppliers.

Utilize standard AIA documents for a variety of different scenarios including agreements between an owner and an architect as well as agreements between contractors and subcontractors.

Understand how to use the A201 General Conditions documents to specify insurance and bonding as well as other construction conditions.

Use AIA contract documents for sustainable projects.



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Examine the roles of owners, designers, construction managers, and contractors in a construction project

Understand the basics of construction contracting

Understand how to utilize the AIA A201 General Conditions documents

Review supplemental AIA contract documents and documents for alternative projects

Discuss how to use AIA contract documents in your digital practice

Continuing Education Credits

Professional Engineers

6.5 PDHs

Architects

6.5 AIA Learning Units

Attorneys

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6.5 Ohio CLE Hours

Contractors

Non-Credit Continuing Ed.



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John Dorsey *Davis Bucco – Conshohocken, PA*

Mr. Dorsey is an attorney with nearly 20 years of litigation and transactional experience in Pennsylvania, New Jersey and Massachusetts. His practice focuses on construction, real estate and commercial matters. Mr. Dorsey comes to Davis Bucco after previously serving as in-house counsel at the Keating Building Company and the Tutor Perini Corporation, where he managed over \$1 billion in subcontractor procurement as well as owner-contactor agreement negotiations, public procurement, litigation and corporate matters. He also served as a senior associate at the law firm Richardson Patel where he litigated complex construction and commercial matters in multiple jurisdictions before opening his own firm to focus on the efficient delivery of legal services to construction, real estate and commercial clients. Mr. Dorsey also served as an assistant attorney general for the Commonwealth of Massachusetts litigating public construction and other public contract disputes. Prior to serving as an assistant attorney general, he served as an assistant commissioner for the Boston Inspection Services Department where he prosecuted distressed property cases and developed policies to implement building, housing and zoning code regulations for the City of Boston.

Carter N. Williamson *Horn Williamson, LLC – Philadelphia, PA*

Mr. Williamson is a construction attorney who represents construction industry clients including contractors, subcontractors, suppliers and owners. He litigates, arbitrates and resolves construction matters from routine disputes to complex, multi-party litigation. Mr. Williamson has negotiated construction contracts with owners and subcontractors, which are valued in excess of \$350M. On a day-to-day basis, he counsels contractors on daily operational and legal matters, including subcontractor pre-qualification, risk assessment, claims analysis, and mitigation of subcontractor defaults. His practice spans the five-county Philadelphia area; he is admitted to practice in the United States District Court for the Eastern District of Pennsylvania, the Third Circuit Court of Appeals, and New Jersey State and Federal courts.

Jason C. Spang *Pepper Hamilton, LLP – Philadelphia, PA*

Mr. Spang focuses his practice on construction-related matters. He represents clients in each phase of the construction process, including contract negotiation and formation, project

counseling and dispute avoidance, and formal dispute resolution. His practice involves public and private construction and both domestic and international projects. Before receiving his law degree, Mr. Spang held various roles in the construction industry, working for a general contractor, a construction manager and a consulting firm. He holds a professional engineering license in the State of New Jersey and is a U.S. Green Building Council LEED® Accredited Professional.

Kristopher Berr *Pepper Hamilton, LLP – Philadelphia, PA*

Mr. Berr focuses his practice on construction-related matters. He counsels and represents owners, construction managers, EPC contractors, general contractors and subcontractors in all phases of the construction process and on a wide range of projects including process plants, mass transit systems, highways, transmission lines, locks and dams, and other commercial and government construction projects. He represents clients in state and federal court litigation and alternative dispute resolution proceedings. Mr. Berr assists clients with risk assessments, contract review and negotiation, and provides counsel on project management issues. A substantial portion of Mr. Berr’s practice involves the drafting and negotiation of design and construction contracts, and the administration of those contracts. Mr. Berr also represents and counsels clients on matters involving federal, state and local government contracts. He advises and represents clients in bid protests and resolves disputes, including the preparation and litigation claims and requests for equitable adjustment (REAs) on federal construction projects.

Mark D. Bonavitacola *Davis Bucco – Conshohocken, PA*

Mr. Bonavitacola is an associate at Davis Bucco, PC, a boutique commercial litigation firm in Conshohocken, Pennsylvania. He represents clients in a broad variety of commercial litigation matters across the construction industry and provides non-litigation assistance in contract negotiations, risk management, information seminars and other areas. Mr. Bonavitacola has past experience representing architects, engineers and other professionals in professional liability suits and has been in construction litigation since 2012. A native of Broomall, Pennsylvania, Mr. Bonavitacola is admitted to practice law in Pennsylvania, New Jersey and the Eastern District of Pennsylvania.



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Tuition

\$289 for individual registration
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Continuing Education Credit Information

This seminar is open to the public and offers 6.5 PDHs to professional engineers in most states and 6.5 non-credit continuing education hours to Pennsylvania architects. Educators and courses for Pennsylvania engineers are not subject to pre-approval in Pennsylvania.

This seminar is approved by the American Institute of Architects for 6.5 Learning Units (Sponsor No. J885). The AIA does not consider the content of this course to be HSW. 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), North Carolina, and North Dakota.

The Pennsylvania CLE Board has approved this program for 6.5 substantive CLE hours for attorneys. The Ohio Supreme Court Commission on CLE has approved this event for 6.5 CLE hours for attorneys.

This program offers a non-credit continuing education opportunity to construction contractors. It has not been submitted to 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.

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 Complete the entire form. Attach duplicates if necessary.		Name: _____	
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Tuition

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