

Agenda

Construction Contract Fundamentals

J. Caravella

- 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

Supplemental or Alternate AIA Contract Documents

K. Silverberg

- 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 A201: General Conditions

V. Pallaci

- 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

The Primary AIA Contract Documents

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- 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

Case Study: Reviewing Completed Contract Documents for a Sample Project

J. Caravella

AIA Contract Document Workshop
Ronkonkoma, NY - Thursday, October 17, 2019

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Learning Objectives

You'll be able to:

- Understand** the primary AIA contract documents and general conditions of the contract for construction.
- Explore** supplemental or alternate AIA contract documents.
- Identify** types of construction contracts and the roles and relationships of project participants.
- Examine** agreements between owner and architect, design builder, and construction manager.
- Review** completed contract documents for a sample project.



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AIA Contract Document Workshop

Ronkonkoma, NY - Thursday, October 17, 2019



- Examine** the primary AIA contract documents and general conditions of the contract for construction
- Learn** about supplemental or alternate AIA contract documents

- Review** construction contract fundamentals
- Study** agreements between owner and architect, design builder, and construction manager
- Evaluate** completed contract documents for a sample project

Continuing Education Credits

- Architects**
 - 7.0 HSW Continuing Ed. Hours
 - 7.0 AIA LU|HSW

- Professional Engineers**
 - 7.0 Continuing Ed. Hours

- Contractors**
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John Caravella *The Law Offices of John Caravella P.C. with offices in Uniondale and Melville, New York, as well as Ft Lauderdale, Florida.*

Mr. Caravella is a construction attorney and formerly practicing project architect, represents architects, engineers, contractors, construction managers, subcontractors and project owners in all phases of pre- and post-construction services. For builders, contractors, construction managers, subcontractors, and design professionals, typical services include the drafting and negotiation of complex New York construction contracts, including AIA form agreements, and public and private mechanics lien or bond claims, as well as trial or arbitration proceedings. For owners, both residential and commercial, services include review and negotiation of contracts for design and construction services, assistance in the replacement of non-performing or under-performing contractors, litigation or arbitration of unlicensed contractor or defective construction claims, and defense of commercial and residential foreclosure or eviction proceedings. He has been awarded the Leadership in Law Award by the *Long Island Business News*, as well as named to its 'Ones to Watch in Long Island Law' list. Mr. Caravella has been invited to speak at industry functions, has been interviewed by local press outlets, has had multiple legal articles published and has been appointed to serve as an arbitrator to the American Arbitration Association Construction Industry Panel of Neutrals. Mr. Caravella is a member of the Nassau County Bar Association Construction Law Committee, the Broward County Bar Association Construction Law Committee, and the New York State Bar Association, and he writes for The Construction Law Blog. He maintains an “open door” office policy and always provides free, no-obligation telephone consultations.



Karl Silverberg *Founding Attorney, Silverberg P.C., Central Islip, New York*

Prior to law school, Mr. Silverberg worked as a professional engineer and has eight years of experience working as a structural engineer on public sector transportation projects. He represents those in the construction chain including owners, general contractors, subcontractors, suppliers, architects, engineers, and construction managers. Mr. Silverberg represents clients in the New York City and the Long Island regions. He handles cases in state court, federal court, bankruptcy court, administrative tribunals and in arbitration. Mr. Silverberg graduated college in 1991 from Rensselaer Polytechnic Institute with a degree in engineering. In 2003, he graduated from St. John's University School of Law in New York and has practiced construction law for over 10 years.



Vincent T. Pallaci *Managing Member, Kushnick Pallaci PLLC, Bohemia, New York*

Mr. Pallaci focuses his practice on complex construction, business and insurance litigation. He represents general contractors, developers, subcontractors, owners, construction managers, architects and engineers in a wide variety of disputes including defective construction, excavation and property damage litigation, delay, scope of work disputes, mechanic's lien foreclosure and defense, defense of OSHA violations, ECB violations, construction license agreements, labor law claims and employment claims. Mr. Pallaci has successfully represented clients in arbitration and mediation as well as state and federal litigation. His clients have ranged from small locally-owned businesses to nationally and internationally known members of the Fortune 1000 and S&P 500. Mr. Pallaci holds the highest possible “AV Preeminent” rating from Martindale Hubble, is recognized as a “Top Construction Attorney” by AVVO and has been recognized as a “rising star” by *Super Lawyers* magazine every year since 2012. In addition to his legal practice, Mr. Pallaci is a former chairman of the Nassau County Bar Association's Construction Law Committee and has lectured and written more than 100 articles on construction law topics, including strategies for mitigating and avoiding loss and effective payment recovery options.

Seminar Information

Courtyard by Marriott Long Island MacArthur Airport 5000 Express Drive South Ronkonkoma, NY 11779 (631) 612-5000	Registration	Lunch (On your own)
	8:00 - 8:30 am	11:15 am - 12:15 pm
	Morning Session	Afternoon Session
	8:30 - 11:15 am	12:15 - 5:00 pm

Tuition
\$289 for individual registration **\$269** for three or more simultaneous registrations.

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. You may also send another person to take your place.

Continuing Education Credit Information

This seminar is open to the public and offers up to 7.0 continuing education hours to professional engineers and 7.0 HSW continuing education hours to architects in all states.

HalfMoon Education is deemed a New York-approved continuing education provider for architects via its affiliation with the American Institute of Architects.

The American Institute of Architects has approved this course for 7.0 LU|HSW (Sponsor No. J885). Only full attendance can be reported to the AIA/CES. Visit www.halfmoonseminars.org for complete AIA information under this course listing. Courses approved by the AIA qualify for New Jersey architects.

Providers of continuing education for New York professional engineers are considered approved, if the provider is approved by the American Institute of Architects Continuing Education System. Courses are considered approved if they contribute to the professional practice of professional engineering in approved subject areas.

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. HalfMoon Education is deemed an approved continuing education sponsor for New York architects.

This event offers a non-credit continuing education opportunity to construction contractors. It has not been approved by any state with a continuing education requirement for contractors.

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.

Registration

AIA Contract Document Workshop
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How to Register		Registrant Information
Online: www.halfmoonseminars.org		Name: _____
		Company/Firm: _____
Phone: 715-835-5900		Address: _____
		City: _____ State: _____ Zip: _____
Fax: 715-835-6066		Occupation: _____
		Email: _____
Code:		Phone: _____
Mail: HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278		Additional Registrants:
		Name: _____
Complete the entire form. Attach duplicates if necessary.		Occupation: _____
		Email: _____
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		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.

Checks: Make payable to HalfMoon Education Inc.

Credit Card: *Mastercard, Visa, American Express, or Discover*

Credit Card Number: _____

Expiration Date: _____ CVV2 Code: _____

Cardholder Name: _____

Billing Address: _____

City: _____ State: _____ Zip: _____

Signature: _____

Email: _____