

Agenda

Understanding Construction Contract Essentials

W. Jackowski

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 Project Documents

J. Escobar

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.)

Ethical Issues in Construction Contracting

S. Nudelman

What is an “ethical contractor”?
Pertinent statutes/regulations governing conduct
Pre-contract issues/bidding
Value of work/financial improprieties
QA/QC/technical abilities
Confidential and proprietary information
Health/safety/welfare Alcohol and drug abuse
Discrimination/harassment Penalties
Licensure Ethics compliance program

Understanding Issues in Contract Administration

T. Bakal

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

R. Angelillo

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

Construction Contract Workshop

White Plains, NY - Thursday, November 21, 2019



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Learning Objectives

You'll be able to:

- Review** common construction documents, including agreements, contract conditions, payment and performance bonds, specifications, and shop drawings.
- Review** common bid documents, including invitation to bid, bid form, instructions, bid bond, information and agenda.
- Understand** contract terminology.
- Define** the roles and responsibilities of all project participants: owners, designers, construction managers, contractors, subcontractors and suppliers.
- Avoid** ethical pitfalls common to construction contracting.
- Assist** in contract administration matters.



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- Differentiate** construction contract types and understand contract terminology
- Discuss** ethical issues in construction contracting
- Examine** contract conditions and get tips on making contract modifications
- Explore** issues in contract administration
- Examine** common problems and resolve disputes

Continuing Education Credits

- Professional Engineers**
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Wojciech ‘Voytek’ Jackowski *Principal, Offit Kurman P.A., New York, New York*
Mr. Jackowski’s practice focuses on commercial and corporate dispute resolution with an emphasis on achieving rational business solutions or cost-effective judicial resolutions of such disputes. In addition to appearing in federal and state courts and before arbitration panels and administrative panels domestically, Mr. Jackowski has experience in international aspects of litigation. He has represented entities and individuals in cases involving trade and contract disputes, property loss claims, bankruptcy proceedings, construction issues, commodities and derivatives matters, whitecollar crime, personal injury, and claims raising questions under federal labor law. He also advises clients on international facets of litigation and dispute resolution. Mr. Jackowski has extensive experience with disputes involving real estate, construction contracts, design and construction defects.

Jeffrey Rhett Escobar *Senior Counsel in the New York office of Norton Rose Fulbright US LLP*
Mr. Escobar concentrates his practice on real estate development, construction transactions and practices and project finance. He provides clients with key insight and in-depth knowledge into every stage of project real estate development, construction and financing. Focusing on the development and construction of commercial real estate and project financed-backed ventures, as well as energy, infrastructure, transportation and renewable energy projects, Mr. Escobar has led hundreds of large and complex vertical and horizontal projects spanning the Americas on behalf of key players in the merchant gas and energy, renewable energy, infrastructure, and commercial real estate industries -- from the construction of a professional sports stadium and the only aerial commuter tramway system in the country in New York City to the development and construction of large luxury apartment communities in Los Angeles County and off shore gas and wind energy facilities in the Gulf of Mexico.

Steven Nudelman *Partner, Greenbaum, Rowe, Smith & Davis LLP*
Mr. Nudelman counsels owners, developers, contractors and suppliers in a wide variety of matters involving public as well as private construction projects in New York and New Jersey. He regularly handles matters in state and federal courts, as well as construction and commercial arbitrations, mediations and disputes before the International Centre for Dispute Resolution. Mr. Nudelman also defends clients against building code violations, fire code violations and other claims brought by local

construction officials in municipal construction boards of appeals in counties and cities throughout New Jersey. Additionally, he assists clients with contract negotiation and drafting, with an emphasis on efficiency and practical results. In addition to his construction and commercial practices, Mr. Nudelman has represented insured owners and lenders prosecuting and defending title insurance claims on behalf of national underwriters.

Todd Bakal *Law Offices of Todd Bakal, White Plains*
Mr. Bakal has helped people with their business and personal legal needs for more than 20 years. During that time, he has focused his practice in the areas of construction, environmental, and general commercial litigation as well as insurance coverage disputes. Outside of the courtroom, Mr. Bakal helps individuals and business owners with real estate, business formation and succession, regulatory work, and trust and estate planning and administration issues. He is a graduate of the University of Michigan, where he double-majored in Philosophy and Computer Science. Mr. Bakal then attended George Washington University Law School. Prior to practicing law, he founded RBI Software, Inc. which specialized in the development of commercial vertical market applications. Mr. Bakal is a member of the New York State Bar Association, the New Jersey State Bar Association, the Westchester County Bar Association, and the New York City Bar Association. He is admitted to the New York and New Jersey bars.

Robert C. Angelillo *Arkin Solbakken LLP, New York City*
Mr. Angelillo is a partner at the law firm Arkin Solbakken LLP in New York City. He is an experienced construction litigator in the state and federal courts of New York and New Jersey. Mr. Angelillo has represented owners, developers, general contractors and subcontractors in all manner of public and private project construction disputes, including payment and performance bond litigation and mechanics’ lien enforcement actions. He has also negotiated and drafted complex commercial and construction contracts. Mr. Angelillo has written extensively on legal matters affecting the construction industry, with articles published in New York Construction, Nassau Lawyer and Mann Report Building and has lectured on construction law and litigation at numerous construction trade associations and bar associations.

Seminar Information

Crowne Plaza White Plains
66 Hale Avenue
White Plains, NY 10601
(914) 682-0050

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

Each registration includes a complimentary continental breakfast and printed seminar manual.

- How to Register**
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Continuing Education Credit Information

This seminar is open to the public and offers up to 7.0 HSW continuing education hours to architects and 7.0 continuing education hours/PDHs to engineers in all states, including 1.0 ethics hour.

HalfMoon Education is deemed a New York-approved continuing education provider for engineers and architects via its registration with the American Institute of Architects Continuing Education System (Regulations of the Commissioner §68.14(i)(2) and §69.6(i)(2)).

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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.

This event offers a non-credit continuing education opportunity to construction contractors. It is not 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

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How to Register		Registrant Information	
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() 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.

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