

Agenda

Understanding Construction Contract Essentials

M. Coffin

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

D. Knight

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

P. Lindborg

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

Examining Contract Changes and Addressing Problems

C. Haskell

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

Litigating the Construction Case

P. Williamson

Evaluating insurance coverage as a prerequisite
Identifying witnesses, gathering documentation, and initial meeting with counsel
Responding to discovery
Preparing for a deposition
Mediation
Trial

Construction Contract Formation, Administration, and Litigation

Santa Barbara (Goleta), CA - Thursday, November 14, 2019

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Learning Objectives

You'll be able to:

Understand contract terminology and the roles of project participants.

Differentiate project delivery systems and types of construction contracts.

Discuss issues in contract administration, including insurance, subcontracts, changes, payments and breach of contract.

Handle contract changes, respond to specific problems, and participate in mediation, arbitration and litigation to resolve disputes.

Discuss the procedure for litigating a construction dispute.



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Understand construction contract essentials
Review project documents
Explore issues in contract administration

Examine contract changes and get tips on how to address problems
Discuss how construction cases are litigated

Continuing Education Credits

Professional Engineers
6.5 PDHs

Contractors
Non-Credit Continuing Ed.

Architects*
6.5 Continuing Ed. Hours (non-credit in California)
6.5 AIA LU|Elective

**does not qualify for California architect accessibility requirement*



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Mark T. Coffin is the founding partner of The Law Office of Mark T. Coffin. His practice includes business, real estate, and tort litigation. His trial experience includes jobsite accidents, construction defect cases, contract claims, property disputes, product liability, auto collisions, and professional liability litigation. Mr. Coffin has served on the boards of the American Association of Architects Santa Barbara Chapter, Santa Barbara Contractor’s Association, Ventura Contractor’s Association, and the Montecito YMCA. He is a past director of the Santa Barbara Bar Association and Barristers’ Club. He regularly speaks and publishes on a variety of legal topics, and serves as a mediator and Judge Pro Tem for the Santa Barbara Superior Court. Mr. Coffin is admitted to practice in all California courts and the U.S. District Court, Central District of California.

Daniel J. Knight is the founding partner of the Law Offices of Daniel J. Knight. As a practicing attorney, lecturer, general engineering and building contractor, plumbing contractor and real estate broker, Professor Knight can truly be considered something of a “renaissance man” in real property-related matters. His law practice focuses on construction law and real property-related legal services with an additional focus on providing expert witness services in disputes ranging from initial consultation, to mediation, arbitration and/or trial. He is an adjunct professor in the Construction Management Department at Cal Poly University, San Luis Obispo, where he instructs, among other courses, Construction Law and Construction Accounting. Professor Knight holds both bachelor’s and master’s degrees in accountancy from Walden University and a juris doctor degree from the Santa Barbara Colleges of Law. Prior to passing the bar and starting his own law practice, he worked his way through college and law school as the owner/operator of a successful construction, house lifting and moving business.

Peter F. Lindborg is a founding partner of Lindborg & Mazor LLP, where he leads the firm’s construction practice. Lindborg and Mazor acts as general counsel to private entities and as outside counsel to private and public entities. The firm specializes in all facets of real estate and construction, from the negotiating and the documentation stage, through project completion and beyond, including

the counseling of clients in claims avoidance and mitigation techniques and the mediation, arbitration and litigation of claims. Mr. Lindborg has been lead counsel in numerous trials and arbitrations involving the prosecution and defense of multi-million dollar construction and real estate claims. He has also represented clients before various state and federal administrative agencies and has appeared in a number of state and federal courts throughout the United States. Mr. Lindborg is a member of the American, California, New Mexico and Los Angeles County Bar Associations.

Christopher E. Haskell is a partner at Price, Postel & Parma LLP. His practice involves complex business litigation focused on construction and real estate disputes. Construction matters involve both private and public works, and include a full range of claims involving architects, engineers, contractors, subcontractors, suppliers, project owners, public agencies, lenders, and bond sureties. He has also counseled general contractors, design professionals, and project owners on preventive construction practices, the drafting of contracts, and other construction documents. Mr. Haskell has taught numerous seminars on construction matters, including on construction contracts, mechanic lien remedies, and green/sustainable construction.

Peter M. Williamson is the founding partner of Williamson Law Firm. He has over 38 years of trial experience and has obtained multiple million-dollar verdicts and settlements (several of them record setting) for his clients. His practice emphasizes litigation involving business matters, construction disputes, the defense of wage and hour claims, and catastrophic injury claims. Mr. Williamson obtained his bachelor’s degree from Rutgers University and his juris doctor degree from Southwestern University School of Law in Los Angeles. He is currently a member of the State Bar of California, the American Board of Trial Advocates, the Los Angeles County Bar Association, Consumer Attorneys of Los Angeles, and American Attorneys for Justice. He has served as an adjunct professor of law at Southwestern Law School. He is also a trained mediator and received part of his mediation training at Pepperdine University’s Straus Institute for Dispute Resolution. Mr. Williamson has been named a Super Lawyer every year since 2010.

Seminar Information

Courtyard Santa Barbara Goleta
401 Storke Road
Santa Barbara (Goleta), CA 93117
(805) 968-0500

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 PDHs to professional engineers and 6.5 continuing education hours to architects in most states with continuing education requirements. This seminar does not qualify for California’s mandated accessibility continuing education requirement for architects. Continuing education is not required of California professional engineers.

The American Institute of Architects Continuing Education System has approved this course for 6.5 LU|Elective (Sponsor No. J885). Only full attendance is reportable to the AIA/CES. Visit www.halfmoonseminars.org for complete AIA/CES information under this course listing.

Engineers and architects seeking continuing education credit outside California will be able to claim the hours earned at this seminar in many cases. Refer to specific state rules to determine eligibility.

This course also offers a non-credit continuing education opportunity to construction contractors. Credit approval is not being sought in any state with a contractor continuing education requirement.

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

Boundaries and Easements Webinar Series

Locating Land Boundaries on Paper (And on the Ground)
Wed., September 25, 2019, 11:00 AM - 12:30 PM CDT

Physical Evidence and Boundaries
Wed., September 25, 2019, 1:00 - 2:30 PM CDT

Easements: Understanding Possessive
Thurs., September 26, 2019, 11:00 AM - 12:30 PM CDT

Disputes: Boundaries, Shared Spaces, and Split Estates
Thurs., September 26, 2019, 1:00 - 2:30 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 Formation, Administration, and Litigation

How to Register	Registrant Information
Online: www.halfmoonseminars.org	Name: _____
Phone: 715-835-5900	Company/Firm: _____
	Address: _____
Fax: 715-835-6066	City:_____ State: _____ Zip_____
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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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	() 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 . ☐ USB/Manual Package \$289.00 .
(S&H included. Please allow five weeks from seminar date for delivery)
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