

Agenda

Understanding Construction Contract Essentials

Key considerations in public versus private construction projects
Project delivery systems: traditional design-bid-build, design-build, performance specifications, construction manager at risk, multiple prime contractors
Roles and relationships of project participants: owners, architects/engineers, construction managers, contractors, subcontractors and suppliers.
“Top ten” contracting issues for construction contracting, including terminology, parties, term, performance, changes, claims, substantial performance, breach, termination, remedies, and damages

E. Luschei
K. Dorse

Reviewing Bidding Documents

Invitation Bid form Instructions
Bid bond Information Addenda

M. Baker

Reviewing Project Documents

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.)

M. Baker

Understanding Issues in Contract Administration

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

A. Carno

Examining Contract Changes and Addressing Problems

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

M. Salamone

Handling Ethical Issues in Construction Contracting

Promoting impartial, merit-based award of construction contracts
Ensuring honesty, integrity, fair-dealing and quality assurance
Creating a system of internal practices promoting contract compliance and ethical practices

M. Salamone

Construction Contract Workshop
Irvine, CA - Wednesday, February 26, 2020

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Learning Objectives

You'll be able to:

Describe the roles and responsibilities of all project participants, including designers, contractors, subcontractors and construction managers.

Discuss bid documents, including invitation to bid, bid form, bid bond and instructions.

Review project documents, including agreements, payment bonds, contract conditions, and specifications.

Recognize ethical pitfalls common to construction contracting and promote ethical practices.

Manage important issues in construction projects, such as change orders, partial payments, changed conditions and delays.



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Understand the roles of construction project participants

Handle the “top ten” contracting issues on construction projects

Review standard construction agreements and conditions

Examine bid documents, including bid forms, instructions and bid bonds

Handle changes and change orders

Promote ethical practices in construction contracting and administration

Continuing Education Credits

Architects

Non-Credit for CA Architects
7.0 AIA LU|HSW

Contractors

7.0 Continuing Education Hours

Professional Engineers

7.0 Continuing Education Hours

* Continuing education
not mandatory in California



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Faculty

Erich R. Luschei is a senior attorney at Theodora Oringher PC who has practiced in construction law for over 30 years. His practice focuses on complex construction litigation and transactions with an emphasis on large infrastructure projects. He represents owners, contractors, design professionals and prime subcontractors in state and federal courts in the United States and in international arbitrations. His clients include the Los Angeles County Metropolitan Transportation Authority, the City of Long Beach, the County of San Bernardino and County of San Bernardino Flood Control District, and the Los Angeles Unified School District. Mr. Luschei has authored numerous construction-related publications and frequently speaks on construction-related topics at industry events.

Kevin A. Dorse is the managing partner at Theodora Oringher, PC. He has been representing business and government clients for over 30 years focusing on complex commercial litigation in a wide variety of industries and issues, including contract disputes, class actions, intellectual property, product liability, insurance coverage, health care, and construction. Mr. Dorse heads the firm's Construction Disputes Group specializing in heavy construction, structures, tunneling, pipelines, and engineering disputes. He has worked on some of the most noteworthy and complex infrastructure projects in Southern California and the country, including the LAUSD and LA Community College school bond construction programs, the LACMTA Hollywood/Vermont Redline Subway Tunnels, the MWD Inland Feeder Project and Arrowhead Tunnels, the Exposition Light Rail Line, 210 Freeway Extension, North Hollywood Redline Subway Tunnels, and Prudhoe Bay Oil Field. Prior to joining Theodora Oringher PC, Mr. Dorse was a partner with the law firm, Jones Day in Los Angeles. He received his undergraduate degree from Brown University in Providence, Rhode Island where he was Phi Beta Kappa, and his juris doctorate degree from the University of Miami School of Law where he was valedictorian.

Michael J. Baker is a practicing construction lawyer and partner at Snell and Wilmer, LLP. He specializes in the representation of owners, designers/engineers and general contractors. He has practiced in this area of law for over 20 years. Mr. Baker is defined by his experience in representing public and private owners, design professionals and contractors in business and contractual matters, as well as in disputes before trial courts, arbitration panels, and mediators involving structured construction projects. Mr. Baker's transactional experience in construction and design related matters includes drafting contracts on behalf of owners, contractors and design teams, concerning all project delivery methods as well as drafting building

program management agreements and construction management agreements for building programs. He is also a seasoned and experienced trial lawyer, having brought to trial for decision or verdict 20 cases in 11 different counties in the State of California.

Anna M. Carno is president of Carno Law Group, a Professional Law Corporation. For over 25 years, her practice has focused on representing those in the construction industry. She has represented the legal interests of general contractors, developers, specialty subcontractors, engineering firms, design professionals, equipment rental companies, trucking companies, and various materialmen and suppliers. Carno Law Group has also developed a niche practice with respects to government contracts and SBE/WBE/MBE/VBE and SBA 8 (a) certification issues. Ms. Carno graduated *cum laude* from Loyola Marymount University, and she received her is doctorate degree from Loyola Law School. She has spoken at numerous seminars regarding construction-related topics and has authored numerous publications regarding construction and litigation.

Mary A. Salamone, a partner at Procopio, Cory, Hargreaves & Savitch LLP, has dedicated her 32-year career exclusively to the specialized area of construction law. She has represented virtually every participant in the building industry on both public and private works of improvement, which affords her a unique perspective to assist in understanding and resolving claims in a cost-effective manner. She has handled multi-million dollar disputes on high profile, complex construction projects. Ms. Salamone is an active member of various trade associations and serves as a neutral with the American Arbitration Association. Ms. Salamone has received an AV Preeminent rating with LexisNexis/Martindale Hubbell, which is given to 2 percent of the lawyers in the country. She has also been repeatedly recognized by both *Chambers USA: America's Leading Lawyers for Business* and by *The Best Lawyers in America* in the field of construction law, and she was selected as a fellow with the Litigation Counsel of America.

Seminar Information

Irvine Marriott
18000 Von Karman Avenue
Irvine, CA 92612
(949) 553-0100

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

Continuing Education Credit Information

This seminar is open to the public and offers a non-credit continuing education opportunity to California architects.

The American Institute of Architects Continuing Education System has approved this activity for 7.0 LU|HSW (Sponsor No. J885). Only full attendance is reportable to the AIA/CES. Visit www.halfmoonseminars.org for complete AIA/CES course information.

This course offers a 7.0-hour non-credit continuing education opportunity to professional engineers licensed in California.

Architects and engineers seeking continuing education credit in other states will be able to claim the hours earned at this seminar, in most cases. Refer to specific state continuing educations 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

Webinar Series

Pumping and Piping Systems

- **Introduction to Pumps: Operation, Principles and Calculations**
Thurs., Feb. 6, 2020, 11:00 AM - 1:00 PM CST
- **Pumping and Piping Design Standards and Codes**
Thurs., Feb. 6, 2020, 1:30 - 2:30 PM CST
- **Piping System Components, Materials and Calculations**
Fri., Feb. 7, 2020, 11:00 AM - 1:00 PM CST
- **Handling Pump and Piping System Problems**
Fri., Feb. 7, 2020 , 1:30 - 2:30 PM CST

For more information and other online learning opportunities visit:
www.halfmoonseminars.org/webinars/

Registration

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How to Register		Registrant Information
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Phone: 715-835-5900		Additional Registrants:
Fax: 715-835-6066	Code:	Name: _____
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Mail: HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278		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.
Complete the entire form. Attach duplicates if necessary.		() 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*

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