

Agenda

Understanding Construction Contract Essentials

G. Strong

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 Bidding Documents

J. Haftek, Jr.

Invitation	Bid form	Instructions
Bid bond	Information	Addenda

Reviewing Project Documents

B. Richards

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

W. Jackowski

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

S. Nudelman

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

Handling Ethical Issues in Construction Contracting

S. Nudelman

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

Construction Contract Workshop

Princeton, NJ - Wednesday, May 20, 2020

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Learning Objectives

You'll be able to:

Understand contract terminology.

Describe the roles and responsibilities of project participants.

Distinguish between different types of construction contracts, such as lump sum, cost plus, time and materials and unit pricing.

Handle construction contract administration issues, including insurance, subcontracts, changes, bonds, liens and payment matters.

Prevent ethical pitfalls common to construction projects by promoting impartial, merit-based aware of construction contracts.



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Understand the roles of construction project participants

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

7.0 New Jersey CE Hours
7.0 AIA LU|HSW

Professional Engineers

7.0 CPC Credits
(1.0 Ethics Hour)

Construction Contractors

Non-Credit CE Opportunity



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Gary Strong *Partner, Seiger Gfeller Laurie, LLP*

Mr. Strong focuses his practice in the areas of construction litigation and professional malpractice defense including representation of design professionals, insurance brokers, real estate agents, lawyers, and accountants in the state and federal courts of New Jersey and New York. He has represented a variety of clients in the construction arena, including project owners, developers, design professionals, general and prime contractors, and specialty trade contractors, in all phases of construction and commercial litigation. Mr. Strong regularly counsels clients during pre-construction and construction phases on issues including contract negotiations, risk management, and disputes. His representation extends to both public and private projects, and addresses payment claims, delay, acceleration, design issues, lien law, bond claims, surety issues, defective work, and wrongful termination.

Joseph R. Haftek, Jr. *Partner, Schenk, Price, Smith, & King, LLP*

Mr. Haftek has represented developers, general contractors, subcontractors, suppliers, construction professionals, design professionals and businesses in both state and federal courts. He has experience in handling all aspects of litigation, including prosecution and defense of bid protests, affirmative and construction lien claims; negotiating, drafting and reviewing contracts; collection services; public and school bid protest and contract law issues; and providing general legal advice and guidance for each phase of the construction process. Mr. Haftek is co-chair of the Firm's Construction Law Practice Group, where he heads the Bid Protest Team, and he is a member of the School Law Practice Group. His knowledge and experience have also been recognized with opportunities as a lecturer to both lawyers and construction industry professionals on topics ranging from construction contracts to public bidding and bid protests.

Barrett L. Richards, CCC, CEP, PSP *Managing Consultant with GREYHAWK*

Mr. Richards, CCC, CEP, PSP, is a managing consultant with GREYHAWK, located in Melville. He has over 15 years of experience in project management oversight, preconstruction and construction cost estimating, project planning and scheduling, and claims and litigation support. He currently serves on

the NYC Bar Construction Law Committee and is a member of the ABA's Forum on Construction Law. He has presented on several construction-related topics to a variety of audiences. Mr. Richards has a B.S. degree in construction management from Brigham Young University in Provo, Utah and earned an M.B.A. degree from Hofstra University.

Wojciech ‘Voytek’ Jackowski *Principal, Offit Kurman P.A.*

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, white-collar crime, personal injury, and claims raising questions under federal labor law. He also advises clients on international facets of litigation and dispute resolution, as well as criminal and civil facets of various international income reporting obligations. Mr. Jackowski has extensive experience with disputes involving real estate, construction contracts, design and construction defects, and the representation of various real estate industry stakeholders in mediations, arbitrations, trials and appeals.

Steven Nudelman *Partner, Greenbaum, Rowe, Smith & Davis, LLP*

Mr. Nudelman concentrates his practice in construction law. For over two decades he has represented members of the construction industry across a broad spectrum of matters. He has defended and asserted claims on behalf of owners, developers, condominium associations, general contractors, design professionals, subcontractors, vendors and sureties involved in public and private construction projects throughout the New Jersey and New York metropolitan area. More specifically, he has extensive experience handling claims related to payment disputes, construction, design and performance defects, errors and omissions/professional malpractice, code violations, delay and disruption, liens, bonds, public contracting and violations under the New Jersey Consumer Fraud Act. Mr. Nudelman also maintains an active transactional practice, drafting, reviewing and negotiating construction contracts for his clients with an emphasis on efficiency and practical results.

Seminar Information

Hyatt Regency Princeton
102 Carnegie Center
Princeton, NJ 08540
(609) 987-1234

Tuition
\$299 for individual registration
\$279 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 7.0 continuing education hours to architects and 7.0 CPCs, including 1.0 ethics hour, to professional engineers licensed in New Jersey.

HalfMoon Education is an approved continuing education sponsor for New Jersey engineers (Approval No. 24GP00000700).

This seminar is approved by the American Institute of Architects Continuing Education System for 7.0 LU|HSW (Sponsor No. J885). Courses approved by the AIA qualify for New Jersey architects. Visit www.halfmoonseminars.org for complete AIA/CES information under this course listing. Only full attendance is reportable to the AIA/CES.

This course offers a non-credit continuing education opportunity to construction contractors. It has not been approved by any state contractor licensing entity.

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

Structural Forensic Engineering

- **Overview of the Role of Forensic Engineering**
Thurs., April 16, 2020, 11:00 - 12:30 PM CDT
- **Forensic Engineering Process and Forensic Engineering Report**
Thurs., April 16, 2020, 1:00 - 3:00 PM CDT
- **Causes of Structural Failures**
Fri., April 17, 2020, 11:00 - 12:30 PM CDT
- **Forensic Examination of Structures and Use in Litigation**
Fri., April 17, 2020, 1:00 - 3:00 PM CDT

For more information and other online learning opportunities 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 \$279. 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 Workshop

Princeton, NJ - Wednesday, May 20, 2020

How to Register	
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Phone: 715-835-5900	
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Complete the entire form. Attach duplicates if necessary.	

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.

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Tuition

() **I will be attending the live seminar.** Single Registrant - **\$299.00**. Three or more registrants from the same company registering at the same time - **\$279.00** each.

() **I am not attending.** Please send me the self-study package:

- ☐ Downloadable MP3 Audio/PDF Manual for **\$279.00**.
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- ☐ USB/Manual Package **\$299.00**.

(S&H included. Please allow five weeks from seminar date for delivery)

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