

Agenda

Construction Contract Fundamentals *A. Ferrini*
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

The Primary AIA Contract Documents *A. Vicknair*
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

AIA A201: General Conditions *E. Abraham*
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

Supplemental or Alternate AIA Contract Documents *M. Blackwell*
A105-2017 Standard Form of Agreement Between Owner and Contractor for a Residential or Small Commercial Project
A104-2017 Standard Abbreviated Form of Agreement Between Owner and Contractor
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

Ethical Issues in Construction Contracting *O. Banks*
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

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AIA Contract Document Workshop
Live, Interactive Webinar - Monday, July 1, 2024

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Learning Objectives

- You’ll be able to:**
- Define** contract terminology and describe the roles and relationships of project participants.
 - Distinguish** between different types of construction contracts, including stipulated sum, cost plus fee and design/build.
 - Explore** primary AIA contract documents, including agreements between owner and contractor and agreements between owner and architect.
 - Discuss** AIA A201 general conditions, including general provisions, changes in work, payments and completion, and defects in and correction of work.
 - Examine** supplemental and alternate AIA contract documents for small projects and sustainable projects.



HalfMoon Education Inc.,
Your LIVE Education Leader Presents

AIA Contract Document Workshop

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- Explore** contract terminology and principles
- Utilize** standard AIA documents for a variety of different scenarios including agreements between an owner and an architect as well as agreements between contractors and subcontractors
- Understand** how to use the A201 General Conditions documents to specify insurance and bonding as well as other construction conditions
- Examine** contract documents for residential small commercial and sustainable projects

Continuing Education Credits

- | | |
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| Professional Engineers
7.0 PDHs* | Architects
7.0 CE Hours (Non-HSW)
7.0 AIA LU Elective* |
| | International Code Council
.7 CEUs (Administration) |
| | *No credit in New York |



Webinar Information

Online - Monday, July 1, 2024

Log into Webinar 8:00 - 8:30 am CDT	Break 12:15 - 12:45 pm CDT
Morning Session 8:30 am - 12:15 pm CDT	Afternoon Session 12:45 - 4:30 pm CDT

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Faculty

Alexander F. Ferrini III *Law Office of Alexander Ferrini PLLC*
Mr. Ferrini served as lead construction contract writer and negotiator for private, corporate, and institutional projects, ranging from school district facility upgrades to the restoration of historic and iconic buildings, new multiuse developments of up to \$500 million, and first-of-their-kind buildings in the New York City area. He has developed novel agreements and strategies to assist owners in moving their projects forward and has resolved complex claims that have paved the way for major new projects in multiple metro locations. Clients benefit from his extensive trial and appellate court experience and his cross-disciplinary approach in addressing their issues. He also has extensive dispute-resolution experience, resolving wide-ranging construction disputes in and out of court, including delay, construction defect, change orders, and lien foreclosure claims, as well as issues regarding mistakes, concealed conditions, bid challenges, and design professional malpractice. Mr. Ferrini taught Construction Law in the LL.M. program at New York Law School and has authored numerous articles on construction and design industry topics. In addition, he serves as a fellow of the Construction Lawyers Society of America, an invitation-only construction lawyer honorary society with membership limited to 1,200 practicing fellows from around the world. He has his own practice, but is also Of Counsel at Olshan Frome Wolosky, LLP.

Andrew Vicknair *Founding Partner at D'Arcy Vicknair in New Orleans, LA*
Mr. Vicknair worked as a software engineer for a major medical manufacturer and as an electrical engineer for a major chemical manufacturer prior to entering law school. He graduated from Louisiana Tech University with a BS degree in both Electrical and Biomedical Engineering and obtained his law degree from Loyola Law School in New Orleans. He has taught Louisiana Construction Law at Loyola law school as an assistant adjunct professor. Mr. Vicknair is licensed to practice law in the states of Louisiana, Texas and New York and is a licensed patent attorney. He regularly uses his prior work experience as a part of his legal practice. He is one of the founding partners at D'Arcy Vicknair, LLC. Mr. Vicknair's primary practice areas include construction law, construction litigation, surety law, and all phases of intellectual property, including litigation, prosecution, and transactional matters. He also practices in commercial litigation and claims related to construction defects, payment disputes, subcontractor claims, owner claims, and claims by general contractors. Mr. Vicknair lectures on construction law topics such as Louisiana lien law and general Louisiana construction law as well as intellectual property law topics, including trademarks, patents and copyrights.

Eric Abraham *Partner at Hill Wallack, LLP, in Princeton, NJ*
Mr. Abraham is a partner in the Princeton office of Hill Wallack LLP. He leads the firm's Complex Litigation practice group, and is a member of the Firm's Banking & Financial Services, Redevelopment and Life Sciences practice groups. Equally skilled in the board room and the court room, Mr. Abraham counsels his clients in a wide variety of practice areas and across industries. Banks, pharmaceutical companies, developers and business owners all rely upon Mr. Abraham's legal advice to solve their most difficult problems. In the development and redevelopment practice areas, Mr. Abraham draws on a wealth of experience in environmental law, land use law, regulatory/administrative law, and construction law to solve his clients' most pressing problems. Mr. Abraham's assignments have included high-profile redevelopment projects in New Jersey's largest cities, disputes relating to water and sewer resource allocation for new developments, complex construction defect suits, and environmental remediation suits. He received his law degree from Seton Hall University School of Law and graduated *cum laude*. During law school, he served as an editor of the *Seton Hall Law Review*. Mr. Abraham is a graduate of Franklin & Marshall College.

Michael S. Blackwell *Partner at Riess LeMieux in New Orleans*
Mr. Blackwell represents a variety of clients, ranging from general contractors, subcontractors, owners, developers, insurers, and sureties in construction and labor issues, to companies involved in sales, acquisitions, corporate governance matters, commercial disputes, and other challenges arising in the commercial arena. He has engaged in significant corporate formation, structuring, and governance matters; sales and acquisitions of assets and ownership interests; contract negotiation and drafting; construction disputes involving delays, terminations for default, payment, asset seizure, fraud, labor and employment issues; and a variety of other disputes that arise during construction. Mr. Blackwell regularly lectures on matters affecting construction clients, on ethics and liability for engineers, and on changes in Louisiana construction law for construction managers.

Olaide A. Banks *Principal attorney at Banks & Associates, PLLC, a Houston-based law firm focused on meeting the needs of government and construction contractors throughout Texas*
Mr. Banks is a trusted advisor for licensed professionals, CEOs and managers in construction firms, and government contractors. Mr. Banks was licensed as a CPA in 2003 and has more than 20 years of experience as a lead accountant and CFO for successful government contractors. He earned his B.B.A. degree with a double major in Accounting and Finance from the Bauer College of Business at the University of Houston, and he secured his J.D. degree from South Texas College of Law. Mr. Banks is a member of the State Bar of Texas, the Association of Corporate Counsel and the American Institute of Certified Public Accountants (AICPA). Mr. Banks is a member of the Construction Law Section of the State Bar of Texas.

Credit Information

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