Construction Law

Overland Park, KS - Thursday, October 26, 2017

Learn about how effective and accurate contracting can improve project outcomes
Discuss how utilize insurance and bonding to protect the owner and the project
Avoid ethical issues in construction

You’ll be able to:

Understand the legal rights and duties of various construction entities including contractors, design firms and suppliers.
Understand contract terminology and contract obligations.
Manage change orders and identify often overlooked change order costs.
Handle problems during the construction process, including differing site conditions, delays and accidents.
Utilize different types of insurance such as general liability insurance, builder’s risk insurance, errors and omissions insurance, etc.

Continuing Education Credits

Professional Engineers
6.5 PDHs
Architects
6.5 PDHs (CE HSW Hours)
6.5 AIA HSW Learning Units
Contractors
Non-Credit Continuing Ed.

Agenda

Construction Contracting in Traditional and Alternative Project Delivery Systems: Finding the Framework That’s Right for the Owner and the Project
G. Gerstner
Legal rights/duties of construction entities: contractors, design services firms, subcontractors and suppliers
Design-bid-build: entering into construction contracts and agreements in the traditional construction process
Design-build: contractor-led, designer-led, joint venture
Construction manager and construction manager-at-risk

Protecting the Owner and the Project: Insurance and Bonding Issues in Construction
R. Pitkin
Types of construction bonds
Performance
Payment
Alternatives to bonds
Types of insurance
Commercial general liability insurance
Builder’s risk insurance
Errors and omissions insurance
Additional/alternative insurance
Claims and notice issues

Making Changes and Resolving Disputes during the Construction Process
R. Rhyne
Making changes to the contract and contracted work
The contract change clause
Types of changes: ordered and constructive changes
Requirements for making changes
Liability issues
Solving problems during the construction process
Site conditions
Delays
Disruption
Accident

Improving the Project Outcome with Accurate and Effective Construction Contracting
J. Kennard
Understanding contract terminology
Forming contracts
Understanding contract obligations
The law governing construction contracts: the Uniform Commercial Code (UCC) and applicable state laws
Subcontract formation and administration
Performance and payment issues
Breach of contract and default

Handling Ethical Issues in Construction
W. DeBaucue
Avoiding ethical issues during the bidding process
Gifts, favors and the appearance of impropriety
Your duties to your employer, the project owner, and other project participants
Adopting practices that minimize ethics issues

Learning Objectives

Understand how to use traditional and alternative project delivery systems
Get tips on making changes and resolving disputes during the construction process
Professional Engineers
6.5 PDHs
Architects
6.5 PDHs (CE HSW Hours)
6.5 AIA HSW Learning Units
Contractors
Non-Credit Continuing Ed.

Attorneys
7.5 Kansas CLE Hours
7.8 Missouri CLE Hours
Richard D. Rhyme Lathrop Gage L.P., Kansas City, MO
Mr. Rhyme is a member of the Construction Law Group of Lathrop Gage LLP. He has more than 40 years of experience in successfully representing contractors, owners, insurance and surety bond companies and other corporate clients in multimillion dollar construction cases, as well as general litigation and commercial law matters. Mr. Rhyme was named "Construction Litigation Lawyer of the Year 2013" by the Best Lawyers in America. He is a Charter Fellow of the Construction Lawyers Society of America. He obtained his J.D. degree, with distinction, from the University of Missouri-Kansas City and his B.S. degree in Business Administration from the University of Missouri. Mr. Rhyme has over 25 years of experience as an arbitrator and mediator.

Jeffrey A. Kennard Scharnhorst Ast Kennard Griffin, PC, Kansas City, MO
Mr. Kennard is a shareholder of Scharnhorst Ast Kennard Griffin, PC, in Kansas City, Missouri. He chairs the firm’s Construction and Design Practice Group and serves as its chief information officer. For more than two decades, Mr. Kennard has represented owners, design-builders, subcontractors, and design professionals of all types and sizes - from publicly-traded international Fortune 500 companies to small local businesses and individuals - on a wide variety of construction-related matters. He has extensive experience as an arbitrator and mediator.

William J. DeBauche Bandy, LLC in Kansas City, MO
Mr. DeBauche is a shareholder of Bandy, LLC in Kansas City, Missouri. He has over 35 years of experience in Kansas City as an attorney, representing parties in construction litigation in state and federal courts, before the Boards of Contract Appeals and in arbitrations. He regularly assists contractors, subcontractors, suppliers and designers with preparation of mechanic’s liens and bond claims, review and preparation of contracts, preparation of arbitration and claim documents, and general day-to-day advice. He has been listed in The Best Lawyers in America for multiple years.

Honors and Accreditations
This seminar is approved by the American Institute of Architects for 6.5 PDHs (0 ethics) and the Missouri Bar for 7.5 CLE hours (0 ethics). For attorneys, this seminar is recognized by the Kansas Pre-Licensing Board for continuing education approval.

For more information visit:
www.halfmoonseminars.org/

© 2017 HEI #17 KSCONLAW 10 26 OVER MB