Learning Objectives

You’ll be able to:

**Review** the legal rights and duties of various construction entities including contractors, design firms and suppliers.

**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.

**Use** AIA contract documents for sustainable projects.

**Examining 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**
- A101-2017 Standard Form of Agreement Between Owner and Contractor (Stipulated Sum)
- B101 - 2017 Standard Form of Agreement Between Owner and Architect
- A133-2009 Standard Form of Agreement Between Owner and Construction Manager Where Construction Manager is also Contractor
- 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**
- 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**
- A105-2017 Standard Form of Agreement Between Owner and Contractor for a Residential or Small Commercial Project
- A107-2017 Standard Form of Agreement Between Owner and Contractor for a Project of Limited Scope
- B105-2017 Standard Form of Agreement Between Owner and Architect for a Residential or Small Commercial Project
- "SP" Series for Sustainable Projects
- AIA Contract Documents for Digital Practice

**Case Study: Reviewing Completed Contract Documents for a Sample Project**

**Examining contract terminology**
- Parties, consideration, term, performance, substantial performance, breach, remedies, damages

**Understanding types of construction contracts:**
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**Case Study: Reviewing Completed Contract Documents for a Sample Project**
Faculty

James McMahon - Partner at Law & McKeeno, Saddle River, NJ
Mr. McMahon is a member of the State Bar of New York, New Jersey, and Massachusetts; in addition to the Federal District Courts of New Jersey, New York, and the Third Circuit Court of Appeals. Prior to undertaking the practice of law, Mr. McMahon worked as a laborer, surveyor, and field engineer for a large civil construction company, working on such projects as the CAT (Big Dig) Project, and the billion-dollar electrification of the Northeast Corridor. He is an active member of the New Jersey Construction Law Section, serving as co-chair of the Section, and he will soon take over the position of chair of the Section. Mr. McMahon is also an active member of the New Jersey Association of General Contractors, and the New Jersey Utility and Transportation Contractors Association, serving on the Association’s Legislative Affairs Committee. He has published many articles in legal and industry publications, including a chapter in Asparte’s Inside the Minds: Government Contract Bid Protest. Mr. McMahon practices in the areas of construction, commercial litigation, and maritime collection actions and has been named a SuperLawyer Rising Star. He has been named one of New Jersey’s 40 Under 40 most accomplished and young dynamic business leaders by New Jersey Business Magazine.

Andrew Carlowicz - Partner at Morgan, Moran, Dunst & Doukas, LLP in New Brunswick, NJ
Mr. Carlowicz serves as co-chair of the firm’s Construction Law Department. He received a B.S. degree from the University of Scranton in 1980, and a J.D. degree from Catholic University of America in 1983. He is corporate counsel for numerous design professional firms throughout New Jersey, and he frequently provides non-litigation counsel to design professionals and construction contractors. Mr. Carlowicz has served as a member of the New Jersey State Bar Association’s Construction Industry Section, and is an associate member of ACEC-NJ. He is an approved arbitrator for construction industry disputes brought before the AAA, and he recently completed the 5-day/40 hour AAA training to become a mediator.

Eric Abraham - Partner of 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 and automotive 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 area, Mr. Abraham draws on a wealth of experience in environmental law, land use, regulatory/administrative law, and construction law to solve his client’s 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 defects 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.

Gary Strong - Partner at Seiger Gfeller Laurie, LLP in Princeton, NJ
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 prior to contractor procurement and construction disputes, including contract negotiations, risk management, and disputes. His representation extends to both public and private projects, and on matters related to delay, acceleration, design issues, lien law, bond claims, surety issues, design defects, and wrongful termination. He has extensive experience in construction law and has appeared in the New Jersey courts and New Jersey’s municipal mechanics’ lien law. Mr. Strong was recently appointed to serve on the Young Leadership Committee of the ACEC. He is editor of the New Jersey Construction Law Newsletter, and is a member of the Construction Law Section of the New Jersey State Bar. He earned his Jurs Doctorate from Rutgers Law School-Newark where he was a member of the Rutgers Law Review.

Seminar Information

Hyatt Regency Princeton 102 Carnegie Center Princeton, NJ 08540 (609) 987-1234
Registration 8:00 - 8:30 am Morning Session 8:30 am - 12:00 pm Lunch (On your own) 12:00 - 1:00 pm Afternoon Session 1:00 - 5:00 pm

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Registration AIA Contract Document Workshop Princeton, NJ - Wednesday, April 11, 2018

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Additional Learning

February Webinar Series

International Mechanical Code • International Mechanical Code Background and Application
Feb. 15, 2018, 11:00 AM - 12:30 PM CST
• Chapters 2-5: Definitions, Regulations and Appendices
Thurs., Feb. 15, 2018, 11:00 AM - 1:30 PM CST
• Chapters 6-10: Ventilation, Appliances
Fri., Feb. 16, 2018, 8:00 AM - 10:30 PM CST
• Chapters 11-15: Refrigeration, Piping and Equipment
Fri., Feb. 16, 2018, 1:30 - 5:00 PM CST

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