

Agenda

Construction Contract Fundamentals

R. Jezdimir

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

C. Hauser

A101-2017 Standard Form of Agreement Between Owner and Contractor (Stipulated Sum)

A102-2017 Standard Form of Agreement Between Owner and Contractor (Cost Plus Fee with GMP)

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 Constructor

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

S. Garbo

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

J. Sier

A105-2017 Standard Form of Agreement Between Owner and Contractor for a Residential or Small Commercial Project

A104-2017 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

AIA Contract Documents for Digital Practice

Case Study:

Reviewing Completed Contract Documents for a Sample Project

J. Sier

AIA Contract Document Workshop
Livonia, MI - Tuesday, January 15, 2019

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PO BOX 278
Altoona, WI 54720-0278



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 small projects and residential projects.



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Understand the basics of construction contracting

Examine the new 2017 updates to AIA contract documents

Understand how to utilize the AIA A201 General Conditions documents

Review AIA documents for small projects and residential projects

Participate in a sample case study using AIA documents

Continuing Education Credits

Professional Engineers

7.0 PDHs

Architects

7.0 HSW Contact Hours

7.0 AIA HSW Learning Units

Contractors

Non-Credit Continuing Ed.



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Faculty

Ryan Jezdimir *Blevins Sanborn Jezdimir Zack PLC, Detroit*

Mr. Jezdimir focuses his practice on construction law and litigation. He has counseled clients at all stages of a construction project—from bid to the final payment. He has prosecuted and defended against substantial extra compensation claims, obtained a multimillion dollar jury verdict against a developer for fraud, and argued before the Michigan Court of Appeals and Supreme Court. Mr. Jezdimir is a member of the State Bar of Michigan and the American Bar Association's Forum on the Construction Industry. He has been selected for inclusion in Michigan Super Lawyers Rising Stars, and as a top construction litigator by the magazine, *DBusiness*.

Christian Hauser *Frasco Caponigro Wineman & Scheible, PLLC, Troy*

Mr. Hauser has extensive experience with the full spectrum of legal tasks associated with a construction project, from negotiating the contract to participating in dispute resolution proceedings, preparing and prosecuting fee and delay claims, and litigating disputes. He has represented a wide variety of clients in the construction area, including suppliers, subcontractors, general contractors, owners, design professionals, and sureties. In addition, he is a member of the American Arbitration Association Panel of Construction Arbitrators and Mediators. An attorney since 1998, as well as a licensed builder in the state of Michigan, Mr. Hauser earned his undergraduate degree from Aquinas College and his J.D. degree from the University of Detroit School of Law. He is licensed to practice law in all state and federal courts in Michigan, as well as in the United States Court of Appeals for the Sixth Circuit and the United States Court of Federal Claims in Washington D.C. Mr. Hauser is a member of Michigan Bar Association (Business Law Section), American Bar Association (Construction Industry Forum), Rochester Bar Association and the Construction Association of Michigan (CAM). He is a frequent lecturer concerning legal issues pertaining to contractors, design professionals and suppliers.

Scott Garbo *Clark Hill, PLC, Detroit*

Mr. Garbo joined Clark Hill's Detroit office after gaining invaluable experience practicing law at a mid-size firm in Denver, Colorado. He is a senior attorney in the Construction Practice Group and is

an adjunct to the Litigation Practice Group. While Mr. Garbo has extensive experience representing businesses and individuals on a wide array of issues, he has specialized in representing developers, contractors, subcontractors, suppliers, architects, engineers, owners, lenders, and insurers on construction projects. He worked for various construction trades while in school, and now applies his first-hand experience in the construction industry to representing his clients. While an undergraduate at Michigan State University, he earned a business degree from the Eli Broad College of Business. He also studied abroad at John Cabot University in Rome, Italy, where he studied international law, international business, and Italian. Mr. Garbo graduated *cum laude* from the University of Detroit Mercy School of Law. While attending law school, he was a member of the Frank Murphy Honor Society for graduating in the top ten percent of his class; contributed to the law journal as a member of the Law Review; and acted as the president of the St. Thomas More Society. Mr. Garbo is licensed in state and federal courts in Michigan and Colorado, and she has appeared pro hac vice in Illinois and New York courts.

John Sier *Kitch Attorneys & Counselors, Detroit*

Mr. Sier concentrates his practice in dispute avoidance and resolution of commercial, health care and construction contract issues as the head of the firm's construction and commercial litigation group. In the construction industry, he analyzes the legal aspects of various project delivery methods and assists in project completion and dispute resolution. In health care, Mr. Sier handles matters involving staff privileges, antitrust, Medicare and third-party payor reimbursement issues as well as consulting on HIPAA Security Rule compliance and cyberliability issues. In commercial matters, he has handled negotiations of supply contracts and dispute avoidance as well as software licensing and intellectual property issues. Mr. Sier received his juris doctor degree and master of arts degree in Mass Communication and Journalism from Drake University Law School and Graduate School in 1986, and his A.B. degree in Political Science and Communications from Loyola University of Chicago in 1983. He has published and presented on construction, health care and commercial issues across the country.

Seminar Information

Livonia Marriott

17100 Laurel Park Drive North
Livonia, MI 48152
(734) 462-3100

Tuition

\$279 for individual registration
\$259 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 or the self-study package. You may also send another person to take your place.

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

Continuing Education Credit Information

This seminar is open to the public and offers 7.0 PDHs to professional engineers and 7.0 HSW continuing education hours to architects in all states, except Florida architects. Educators and courses are not subject to pre-approval in Michigan.

This course has been approved by the American Institute of Architects for 7.0 HSW Learning Units (Provider No. J885). Only full attendance can be reported to the AIA.

HalfMoon Education is an approved continuing education sponsor for engineers in Florida, Indiana (License No. CE21700059), Maryland, New Jersey (Approval No. 24GP00000700), New York (NYSED Sponsor No. 35), North Carolina, and North Dakota. HalfMoon Education is deemed an approved continuing education sponsor for New York architects.

This seminar offers contractors a non-credit continuing education opportunity; it has not been submitted to any state contractor licensing entity for continuing education approval.

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

Residential Energy Code

• **Introduction to the Residential Energy Code and Mandatory Requirements**
Thurs., Dec. 6, 2018, 11:00 AM - 12:30 PM CST

• **IECC Residential Building Envelope Requirements**
Thurs., Dec. 6, 2018, 1:00 - 2:30 PM CST

• **IECC Residential HVAC Requirements**
Fri., Dec. 7, 2018, 11:00 AM - 12:30 PM CST

• **International Energy Conservation Permit Pathways**
Fri., Dec. 7, 2018, 1:00 - 2:30 PM CST

For more information visit:
www.halfmoonseminars.org/webinars/

Can't Attend? Order the Manual and the Audio from the Live Seminar as a Self-Study Package!

An audio recording of this seminar is available for \$289. Allow four weeks from the seminar date for delivery. Please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Registration

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How to Register	
Online: www.halfmoonseminars.org	
Phone: 715-835-5900	
Fax: 715-835-6066	
Mail: HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278	
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. () I need special accommodations. Please contact me.	

Tuition

() **I will be attending the live seminar.** Single Registrant - **\$279.00**. Three or more registrants from the same company registering at the same time - **\$259.00** each.

() **I am not attending.** Please send me the self study package for **\$289.00**.

Downloadable MP3 Audio/PDF Manual

CD/Manual Package

(Please allow four weeks from seminar date for delivery)

Checks: Make payable to HalfMoon Education Inc.

Credit Card: *Mastercard, Visa, American Express, or Discover*

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