Agenda

Construction Contract Interpretation and Risks  M. Baeza, J. Feuille
Consequential damages
Contractual notice provisions
Payment terms
Change orders
Termination
Breach of contract
Election of remedies

OSHA Issues  H. Paoli
Citations and defense of citations
Penalties
Administrative hearings
Handling employee issues

Issues with Bids  R. Feuille, A. Velazquez
Bid bonds
Preferences in governmental bids
Mistakes in bidding
Bid protests

Claims and Contract Disputes  H. Paoli
Liquidated damages
Delay claims
Changed conditions
Handling payment claims and final payments
Resolving disputes through mediation, arbitration, litigation
Understanding contractual and statutory warranties

Issues Involving Design Professionals  R. Feuille, A. Velazquez
Certificates of merit
Errors and omissions insurance
Liability of design professionals
Standard of care
Statutes of limitations and repose
Managing “green” expectations

Liens and Bond Claims  M. Baeza
Asserting liens
Lien releases and waivers
Payment bond claims

Comparing Standardized Construction Documents and Texas Law  J. Feuille, A. Velazquez
American Institute of Architects
ConsensusDocs
Standard forms v. customized documents

Learning Objectives

You’ll be able to:

Understand standard contract clauses on changes, payment, breach of contract and damages.

Discuss the bid process and learn about bid protests.

Examine the contractual responsibilities and liabilities of design professionals.

Explore payment claims, liens and bond claims.

Resolve disputes through mediation, arbitration, and litigation.

Consider the impact of using standardized construction agreements vs. customized documents.

Construction Contract Workshop

San Antonio, TX - Monday, December 17, 2018

Understand standard contract provisions
Discuss the contractual responsibilities of design professionals
Review safety and OSHA issues

Examining common issues with bids, bonds and liens
Handle contract disputes
Compare AIA and ConsensusDocs standard document series

Professional Engineers 6.0 PDHs
Architects 6.0 HSW CEPHs/CE Hours
6.0 AIA HSW Learning Units
Contractors Non-Credit Continuing Ed.
Faculty

Melissa Baiza
Attorney and Shareholder with ScottHulse in El Paso
Ms. Baiza is an attorney in ScottHulse’s Construction Law practice group. She has advised and represented owners, general contractors, subcontractors, and engineers in a variety of construction industry and construction law matters. Ms. Baiza has experience drafting and interpreting construction contracts for owners, general contractors and subcontractors. Ms. Baiza also practices in the area of commercial litigation with experience in a variety of disputes, including breach of fiduciary duty claims, professional liability claims, breach of contract claims, fraud claims, and violations of the Texas Deceptive Trade Practices Act. She is a member of the American Bar Association’s Forum on the Construction Industry and the Texas State Bar’s Construction Law Section. Ms. Baiza is also an active member in the National Association of Women in Construction, El Paso Chapter XXVII, and he is a member of the El Paso Bar Association, the Federal Bar Association, and the El Paso Young Lawyers Association. Additionally, he is a graduate of the 2016 Texas Association of Defense Counsel (TADC) Trial Academy.

Robert R. Feuille
Attorney and Shareholder with ScottHulse in El Paso
Mr. Feuille is primarily involved in the construction law, litigation, creditors’ rights and bankruptcy & restructuring practice groups. He has successfully tried cases in federal court, bankruptcy court, and state court. As a leading El Paso construction attorney and a founding member of ScottHulse’s Construction Law practice group, Mr. Feuille represents owners, contractors, subcontractors, suppliers, construction managers, architects, engineers and sureties in a variety of contexts, both in and out of court, including litigation, arbitration, mediation, appeals, bid contests, lien disputes, claims, contract negotiations and contract drafting. As a member of the firm’s Litigation practice group, he handles a variety of litigations, including construction matters, creditors’ rights, and bankruptcy, and labor and employment law. He is licensed to practice law in both Texas and New Mexico and in several federal courts. Ms. Baiza has represented owners, contractors, and subcontractors in various disputes, including litigation, mediation, lien disputes and contract negotiation and drafting. As a commercial litigator, he has successfully first chaired two jury trials and one bench trial. Mr. Feuille is a graduate of the Greater El Paso Chamber of Commerce’s Leadership El Paso Class XXXII, and he is a member of the El Paso Bar Association, the Federal Bar Association, and the El Paso Young Lawyers Association.

James M. H. Feuille
Associate Attorney with ScottHulse in El Paso
Mr. Feuille practices in the areas of commercial litigation, construction law, creditors’ rights and bankruptcy, and labor and employment law. Mr. Feuille is licensed to practice law in both Texas and New Mexico and in several federal courts. Ms. Baiza has represented owners, contractors, and subcontractors in various disputes, including litigation, mediation, lien disputes and contract negotiation and drafting. As a commercial litigator, he has successfully first chaired two jury trials and one bench trial. Mr. Feuille is a graduate of the Greater El Paso Chamber of Commerce’s Leadership El Paso Class XXXII, and he is a member of the El Paso Bar Association, the Federal Bar Association, and the El Paso Young Lawyers Association. Additionally, he is a graduate of the 2016 Texas Association of Defense Counsel (TADC) Trial Academy.

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 PM - 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 PM - 2:30 PM CST

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