**Agenda**

### Construction Contract Fundamentals  
S. Martin  

- Contract terminology  
- Parties, consideration, term, performance, completion, substantial performance, breach, remedies, damages, liquidated damages, warranty, indemnity  
- Understanding project delivery and types of construction contracts:  
  - Stipulated sum  
  - Cost plus fee  
  - Design build  
  - Construction management  
- Understanding roles and relationships of project participants:  
  - Owner and architect/engineer; prime A/E and sub-consultants; owner and construction manager/general contractor; prime contractor and subcontractors/suppliers  
- Contract negotiation and drafting:  
  - Critical issues: standard of care, scope of work, payment terms, schedule, changes, warranty, indemnity, insurance, default/termination, disputes  
- Primary legal principles applied to construction contract interpretation  
- Enforcement of contract terms, changes, doctrine of substantial performance, time of the essence, statutory constraints on payment and indemnity, dispute resolution, standard of care versus strict compliance with contract  

### The Primary AIA Contract Documents  
S. Khan  

- 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 Contractor  
- A140 - 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  
M. Sams  

- 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  
D. Fine  

- 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  
- The “SP” Series for Sustainable Projects  
- AIA Contract Documents for Digital Practice  
- Case Study: Reviewing Completed Contract Documents for a Sample Project  

### Learning Objectives  

**You’ll be able to:**  

- **Identify** types of construction contracts and the roles and relationships of project participants.  
- **Understand** the primary AIA contract documents and general conditions of the contract for construction.  
- **Examine** agreements between owner and architect, design builder, and construction manager.  
- **Explore** supplemental or alternate AIA contract documents.  
- **Review** completed contract documents for a sample project.  

### Continuing Education Credits  

<table>
<thead>
<tr>
<th>Professional Engineers</th>
<th>Contractors</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.0 PDHs</td>
<td>Non-Credit Continuing Ed.</td>
</tr>
</tbody>
</table>

**Architects**  
7.0 HSW Contact Hours  
7.0 AIA HSW Learning Units
Stan Martin

Owner of Commonsense Construction Law LLC, in Boston, MA

Mr. Martin’s practice focuses on the construction industry, particularly in the areas of contract negotiation, procurement, project performance claims, arbitration and litigation. He has conducted more than 100 construction-related trials. Mr. Martin is a Fellow of the American College of Construction Lawyers and has been an active member of the Associated General Contractors of America (AGC) and AGC of Massachusetts for 20 years. He has served as a lecturer on construction law at the Massachusetts Institute of Technology and at Northeastern University.

Sakib A. Khan, Esq.

in Needham, MA

Mr. Khan advises general contractors, subcontractors, architects, engineers, consultants and owners on construction-related issues. With a B.S. degree in Civil Engineering and Construction Management, Mr. Khan is able to get up-to-speed on both the technical and legal issues of a case quickly, and then formulate an assessment and resolution strategy. He is able to review technical reports, advise direct experts consulting on a case, and apply practical knowledge to interpretation and application of codes, industry standards and regulations. His depth of knowledge and real-world understanding of building and construction are invaluable assets to clients.

Michael P. Sams

Kenney & Sams PC in Boston, MA

Mr. Sams is a founding member and shareholder of Kenney & Sams, P.C. His primary area of practice is construction litigation. Mr. Sams has successfully tried numerous cases before the Massachusetts Superior and District Courts, the United States Department of Labor, the Division of Administrative Law Appeals, and the Department of Industrial Accidents. He has successfully tried bid protest matters before the Attorney General’s Office, and he has handled appeals before the Massachusetts Supreme Judicial Court, the Massachusetts Appeals Court and the United States First Circuit. Mr. Sams has arbitrated matters with the American Arbitration Association and the Office of Consumer Affairs. In addition to his litigation and trial work, he spends considerable time consulting with clients regarding risk management policies and procedures, as well as contract analysis and preparation, all to lessen the potential for future litigation. Mr. Sams chairs the Defense Research Institute’s national Construction Law Committee, and he is general counsel to the Guild Construction Institute. He is former chair of the Boston Bar Association’s Construction Law Committee.

David L. Fine

Partner at Mirick, O’Connell, DeMoll & Lougee, LLP, in Worcester, MA

Mr. Fine represents and counsels clients in the construction industry, including owners and developers, general contractors and construction managers, specialty trade contractors, suppliers and manufacturers. He represents clients in adverse proceedings such as litigation and arbitration, and he consults regarding risk management, contract preparation and negotiation, and general business advice. Mr. Fine is the chair of his firm’s Construction Law Group, the president of the Home Builders and Remodelers Association of Central Massachusetts. He holds several leadership positions in local, regional and national construction trade and bar organizations. Mr. Fine was named a Massachusetts “Super Lawyer” by Boston magazine and Law & Politics in 2017 and 2018, and he was named a Massachusetts “Rising Star” for several years prior.

Additional Learning

Webinar Series

Industrial Stormwater
- Understanding the Federal Industrial Stormwater Program
Thursday, June 27, 2019, 11:00 AM - 12:30 PM CDT

- Examining Stormwater Pollutants and the Development of Total Maximum Daily Loads (TMDLs)
Thursday, June 27, 2019, 1:00 - 2:00 PM CDT

- Creating Stormwater Pollution Prevention Plans (SWPPPs)
Friday, June 28, 2019, 11:00 AM - 12:30 PM CDT

- Implementing Best Management Practices (BMPs), Sampling and Reporting
Friday, June 28, 2019, 1:30 - 2:30 PM CDT

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

Can’t Attend? Order the Manual and Audio from the Live Seminar as a Self-Study Package! Audio recordings of this seminar are available for purchase starting at $269. See registration panel for more information and please refer to state specific licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Registration

AIA Contract Document Workshop

Natick, MA - Wednesday, July 31, 2019

How to Register

Online: www.halfmoonseminars.org

Phone: 715-835-5900

Fax: Code: 715-835-6066

Mail:
HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278

Complete the entire form. Attach duplicates if necessary.

© 2019 HEI #19 MAAIACDW 7 31 NATK TC

Tuition

( ) I will be attending the live seminar, Single Registrant $289.00. Three or more registrants from the same company registering at the same time $269.00 each.

( ) I am not attending. Please send me the self-study package:

☐ Downloadable MP3 Audio/PDF Manual for $269.00.

☐ CD/Manual Package for $289.00. (S&H included. Please allow five weeks from seminar date for delivery)

Checks: Make payable to HalfMoon Education Inc.

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

Credit Card Number:
Expiration Date: CVV2 Code:

Cardholder Name:
Billing Address: City State Zip:
Signature:
Email: