Agenda

Understanding your Construction Contract – W. Davis
The Key to a Successful Project
Contract basics – establishing obligations and assigning risks
Contract forms – “standard” vs. custom forms
Contract modification – be careful!
Key contract provisions for all project participants
- Indemnity, insurance, liability/damage limitations,
- Standard of care, warranties, dispute resolution, etc.

Protecting the Project with Bonds and Insurance – O. Banks
Obtaining construction bonds
- Performance
- Payment
- Alternatives to bonds
Obtaining 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 – D. Ducran
During the Construction Process
Making changes to the contract and contracted work:
- Types of changes: ordered and constructive changes
- The contract change clause
- Requirements for making changes
- Liability issues
Solving problems during the construction process:
- Site conditions
- Disruption
- Acceleration
- Delays

Handling Ethical Issues in Construction – O. Banks
Avoiding ethical issues during the entire project
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

Understanding Legal Issues Relevant to Sustainable Construction – A. Richie
Types of green building certifications
Basics of LEED certification
Standards of care
Contractual duties on LEED/sustainable projects
Litigation involving sustainable projects
Insurance coverage for green building projects

Learning Objectives

You’ll be able to:
Understand key construction contract provisions that apply to all construction project participants.
Obtain construction bonds and insurance and understand how to handle claims.
Manage changes during the construction process, and handle disruptions and delays.
Avoid common ethical issues that arise during all phases of the construction project.
Learn about the different types of green building certifications and contractual duties on sustainable projects.

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Construction Law
Houston, TX - Friday, June 28, 2019

Understand how to use construction contracts to create successful projects.
Protect construction projects with bonds and insurance.
Make changes and resolve disputes during the construction process.
Learn how to handle ethical issues in construction.
Discuss the legal issues relevant to sustainable construction.

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Mr. Davis has significant experience in drafting, reviewing, and negotiating construction contracts. Additionally, Mr. Davis has experience with insurance coverage claims and insurance litigation. He is Board Certified in Construction Law by the Texas Board of Legal Specialization.

Denis G. Ducran
Peckar & Abramson, PLLC, Houston

Mr. Ducran is senior counsel in Peckar & Abramson’s Houston office. A board-certified construction lawyer of Certified Public Accountants (AICPA).

Olaide A. Banks
Olaide A. Banks & Associates, PLLC, Houston

Mr. Banks is the principal attorney at Olaide A. Banks & Associates, PLLC, a Houston-based law firm focused on meeting the needs of government and construction contractors throughout Texas. He is an attorney,Mr. Banks works closely with owners, architects, contractors and subcontractors to provide practical counsel for CEOs and managers of mid-market construction firms and experienced government contractors. Mr. Banks was named a Texas Super Lawyers Rising Star for 2015 and 2016. This award recognizes the top 2.5 percent of attorneys in 40 years of age and younger. He became a licensed CPA in 2001 and has 18 years experience as a lead accountant and CFO for successful government contractors. Mr. Banks is a sought after speaker in the areas of government contract law, and procurement law. He earned his B.B.A. degree with a double major in Accounting and Finance from the Bauer College of Business at the University of Houston, and secured his J.D. degree from South Texas College of Law while working full time as a chief financial officer. Mr. Banks is a member of the State Bar of Texas, Association of Corporate Counsel and the American Institute of Certified Public Accountants (AICPA).

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This seminar is open to the public and offers 7.0 PDHs (1.0 Ethics hour) to professional engineers and 7.0 HSW CEHs/continuing education hours (1.0 sustainable hour) to architects in all states. Educators and courses are not subject to pre-approval requirements to determine if this learning method is eligible for continuing education credit.

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