Agenda

Understanding Construction Contract Essentials
C. Dutton
Examining contract terminology: parties, consideration, term, performance, substantial performance, breach, remedies, damages.
Studying roles and relationships of project participants: owners, architects/engineers, construction managers, contractors, subs, and suppliers.
Understanding the project delivery system: traditional design-bid-build, design-build, construction manager at risk, multiple prime contractor, owner control.
Understanding types of construction contracts: lump sum, cost plus, time and materials, unit pricing.
Exploring the law of construction contract interpretation.

Learning Objectives

You’ll be able to:

Define key contract terminology, describe the types of construction contracts, and explain the roles and relationships of the project participants.

Identify and describe bidding documents and project documents, including standard forms and custom documents.

Recognize and avoid ethical pitfalls common to construction contracting, while ensuring honesty, integrity, fair-dealing and quality throughout the construction process.

Discuss issues in contract administration, including insurance and indemnity, chain of command, changes and change orders, substantial and final completion, breach, subcontracts, and payments, and explore dispute resolution techniques.

Construction Contract Workshop
Cincinnati, OH - Wednesday, October 16, 2019

Explore issues in contract administration
Examine contracts changes and learn how to address problems
Discuss ethical issues in construction contracting

Understanding Issues in Contract Administration
A. Strohm
Insurance and indemnity issues
Chain of command issues
Subcontracts
Payments
Breach and pitfalls

Examining Contract Changes and Addressing Problems
K. Britt
Changed conditions
Project documentation
Delays, acceleration
Handling payment claims and final payments
Resolving disputes through mediation, arbitration, litigation
Understanding contractual and statutory warranties

Handling Ethical Issues in Construction Contracting
J. Houston
Promoting impartial, merit-based award of construction contracts
Ensuring honesty, integrity, fair-dealing and quality assurance
Creating a system of internal practices promoting contract compliance and ethical practices

Understanding Construction Contract Essentials
C. Dutton
Use of standard forms or custom documents
Agreement
Performance bond
Payment bond
Contract conditions (general and supplementary)
Specifications (Format, CSI 1995 and 2004)
Shop drawings
Contract modifications (change orders, directives, etc.)

9 Common Construction Contract Clauses You Need to Know
B. O’Connell
Indemnification
Liquidated damages
Alternative dispute resolution
No damages for delay
Pay-if-paid
Choice of law
Limited liability
Incorporation by reference
Choice of forum

Understanding Project Documents
C. Dutton
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Faculty
Christopher J. Dutton  Senior Associate, Porter Wright Morris & Arthur, LLP
Mr. Dutton is a senior associate in the firm’s Litigation Department focusing on construction and commercial business litigation. He has been involved in the successful resolution of claims in state and federal courts in both Ohio and Kentucky as well as in multiple private arbitrations and mediations. Mr. Dutton’s pre-law background is firmly rooted in the construction industry. In 2005, he received his undergraduate degree in Construction Management from the University of Cincinnati. Mr. Dutton worked for an ENR Top 500 Specialty Contractor as a project manager/estimator before and while attending law school. He has also served as an adjunct professor and volunteer in the University of Cincinnati’s Construction Management program since 2007. Prior to joining Porter Wright, Mr. Dutton worked as a bond attorney for a national surety where he was involved in the investigation and disposition of complex claims against construction payment and performance bonds, and also estate and guardianship bonds.

Brian J. O’Connell  Shareholder, Strauss Troy, LPA
Mr. O’Connell is a member of the Strauss Troy litigation department. He focuses his practice in the areas of complex commercial litigation, construction litigation and tort law. With broad expertise in construction litigation, Mr. O’Connell has represented engineers, architects, contractors and owners in construction-related claims, ranging from cost overruns to property damage, defective work to scope changes, delay to personal injury, and acceleration/liquidated damages. He recognizes and addresses the challenges facing today’s construction industry. Mr. O’Connell has tried cases in state and federal courts across the United States.

J. Alexander Strohm  Associate, Frost Brown Todd, LLC
Mr. Strohm is an associate in the firm’s Construction and Business Litigation practice groups. He helps clients across a variety of industries, focusing on the representation of general contractors in construction disputes, but he also has experience assisting clients in real estate, insurance, and general commercial matters. Mr. Strohm earned his bachelor’s degree in science degree in Construction Management from the University of Cincinnati. He earned his juris doctor degree from the University of Cincinnati College of Law, where he served on the Executive Committee of the Law Review and earned numerous academic distinctions. He has also been published in the area of employment discrimination.

Kent A. Britt  Partner, Vorys, Seyter, Seymour & Pease, LLP
Mr. Britt is a partner in Vorys’ Cincinnati office and a member of the litigation practice group. His practice is focused on business and commercial litigation. He has significant experience representing clients in complex commercial, banking, insurance, construction, employment, ERISA, and shareholder derivative and fiduciary duty litigation. Mr. Britt received his J.D. degree from the University of Cincinnati College of Law and his B.S. degree from Indiana University, Kelley School of Business. He has presented on the issues of alternative dispute resolution, law for design professionals in Ohio, fundamentals of construction law, construction contracts, public competitive bidding and contracting in Ohio, ESI and e-discovery, lender liability, and consumer financial services law.

James D. Houston  Shareholder, Strauss Troy, LPA
Mr. Houston focuses his practice on construction and complex commercial litigation, surety law and OSHA compliance and claim defense. He also assists clients with their labor and employment needs. Mr. Houston’s trial experience includes first chair representation of contractors, design professionals, employers, employees, and business owners in both arbitration and traditional and complex court settings (including actions for punitive injunctive relief). He has also successfully defended employers against various wrongful death and discrimination claims. Mr. Houston also assists his clients with contract drafting and negotiation.

Christopher J. Dutton  Shareholder, Strauss Troy, LPA
Mr. Dutton is a senior associate in the firm’s Litigation Department focusing on construction and commercial business litigation. He has been involved in the successful resolution of claims in state and federal courts in both Ohio and Kentucky as well as in multiple private arbitrations and mediations. Mr. Dutton’s pre-law background is firmly rooted in the construction industry. In 2005, he received his undergraduate degree in Construction Management from the University of Cincinnati. Mr. Dutton worked for an ENR Top 500 Specialty Contractor as a project manager/estimator before and while attending law school. He has also served as an adjunct professor and volunteer in the University of Cincinnati’s Construction Management program since 2007. Prior to joining Porter Wright, Mr. Dutton worked as a bond attorney for a national surety where he was involved in the investigation and disposition of complex claims against construction payment and performance bonds, and also estate and guardianship bonds.

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This seminar is open to the public and offers 7.0 PDHs to professional engineers, including 1.0 ethics hour, and 7.0 HSWS continuing education hours to architects in all states. Educators and courses are subject to approval in Ohio.

This seminar is approved by the American Institute of Architects for 7.0 LU|HSW (Sponsor No. AIA00643). Full attendance can be reported to the AIA/CES. Visit www.halfmoonseminars.org for complete AIA information under this course listing.

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This course offers a non-credit continuing education opportunity to contractors. It has not been approved by any state contractor licensing entity for licensing maintenance.

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.

Registration
Construction Contract Workshop
Cincinnati, OH - Wednesday, October 16, 2019

How to Register
Online:
www.halfmoonseminars.org
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715-835-5900
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Mail:
HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278

Complete the entire form. Attach duplicates if necessary.

For more information visit:
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