Construction Law

Johnston, IA - Wednesday, February 19, 2020

Understand how to facilitate the project with effective contracting
Identify the fundamentals of Iowa mechanics liens
Examine public improvement claims and enforcement
Make changes and resolve disputes during the construction process
Protect the project with bonds and insurance
Review accessibility standards and compliance

Facilitating the Project with Effective Construction Contracting

I. Johnson, B. Block

Understanding the legal rights/duties of project participants: owners, contractors, design services firms, subcontractors and suppliers
Understanding your project delivery system: design-bid-build, design-build, construction manager, construction manager-at-risk
Using standard or custom contract documents: AIA, ConsensusDocs, others
Understanding key contract concepts and terms: performance, breach, warranties, guarantees, indemnity, damages
Modifying contracts and selecting dispute resolution mechanisms

Fundamentals of Iowa Mechanics Liens

R. Gainer, J. Cutler

Persons entitled to ML’s
Filing requirements
Where and how
Special requirements for residential construction
Collecting once the lien is filed

Public Improvement Claims and Enforcement

R. Gainer, J. Cutler

State projects and requirements
Federal projects and requirements
Procedure for enforcement

Protecting the Project with Bonds and Insurance

M. Kaufmann

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 during the Construction Process

K. Caster

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
- Delays
- Disruption
- Acceleration
- Accidents

Reviewing Accessibility Standards and Compliance

M. Merritt

What standards apply and when?
Federal standards
- ADA Standards for Accessible Design
- Architectural Barriers Act
- Fair Housing Accessibility Guidelines
State and local standards and building codes

Learning Objectives

You’ll be able to:
Understand key contract concepts and terminology.
Analyze filing requirements for mechanics liens.
Consider state and federal requirements relating to public improvement claims.
Explain how to obtain bonds and insurance and how to handle common claims issues.
Enhance your ability to solve problems associated with delays, site conditions, and accidents.
Review federal accessibility standards such as ADA Standards for Accessible Design, Architectural Barriers Act, and Fair Housing Accessibility Guidelines.

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