

Agenda

Construction Contracting Basics

J. Dixon

Examining contract terminology:

- Parties, consideration, term, performance, substantial performance, breach, remedies, damages

Understanding types of construction contracts:

- Stipulated sum
- Design build
- Cost plus fee
- Construction management

Understanding roles and relationships of project participants:

- Owners, architects/engineers, construction managers, contractors, subs and suppliers

Contract negotiation and drafting

Exploring the law of construction contract interpretation

The Primary AIA Contract Documents

M. Pangrace,
C. McCain

Overview of the AIA Contract Documents

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 Constructor

A141 - 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

P. Truax

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

M. Pangrace,
C. McCain

A105-2017 Standard Form of Agreement Between Owner and Contractor for a Residential or Small Commercial Project

A107-2007 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

M. Pangrace,
C. McCain

AIA Contract Document Workshop
Cleveland, OH - Tuesday, September 26, 2017

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Learning Objectives

You'll be able to:

Review the legal rights and duties of various project participants including owners, contractors, design firms, and suppliers.

Utilize standard AIA documents for a variety of different scenarios including agreements between an owner and an architect as well as agreements between contractors and subcontractors.

Understand how to use the A201 General Conditions documents to specify insurance and bonding as well as other construction conditions.

Use AIA contract documents for sustainable construction projects.



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Cleveland, OH - Tuesday, September 26, 2017



Understand the basics of construction contracting

Examine the new 2017 updates to the AIA contract documents

Understand how to utilize the AIA A201 General Conditions document

Review supplemental AIA contract documents for small projects and sustainable buildings

Discuss a sample case study that includes completed AIA documents

Continuing Education Credits

Architects

7.0 HSW Continuing Ed. Hours

7.0 AIA HSW Learning Units

Professional Engineers

7.0 PDHs

Construction Contractors

Non-Credit Continuing Ed.



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Faculty

James T. Dixon

Brouse McDowell, LPA, Cleveland, OH

Mr. Dixon is a partner of the law firm of Brouse McDowell, where he is a co-chair of the firm's Real Estate & Construction practice group. Since 1997, Mr. Dixon has represented project developers, property owners, contractors, subcontractors, suppliers, sureties, and design professionals. His work involves contract preparation and negotiation, contract administration, and dispute resolution. Mr. Dixon is a member of the Construction Industry Forum of the American Bar Association and the American Arbitration Association's Panel of Neutrals. He is admitted to practice in California and Ohio state courts and United States District Courts in Ohio and California. Mr. Dixon earned a B.A. degree from Denison University and a J.D. degree from the Case Western Reserve University School of Law, where he served as editor-in-chief of the law review.

Martin J. Pangrace

Brennan, Manna & Diamond, LLC, Akron, OH

Mr. Pangrace is a partner in the Construction Practice Group at Brennan, Manna and Diamond where he focuses on commercial litigation and construction law. He represents architects, engineers, contractors and other construction

industry professionals in state and federal court litigation and in arbitration, mediation and administrative proceedings with respect to liability claims and other business disputes. Mr. Pangrace also assists architects, engineers, and contractors with the negotiation and drafting of construction contracts and other project documents. He is a LEED®-accredited green associate, a member of the American Institute of Architects and a member of the American Society of Civil Engineers. Mr. Pangrace has been recognized as a Rising Star by *Ohio Super Lawyers* magazine from 2010 to 2016 in the field of Construction Law.

Catherine McCain

Brennan, Manna & Diamond, LLC, Akron, OH

Ms. McCain is a member of the litigation practice group at Brennan, Manna and Diamond. She focuses on commercial litigation including technically complex breach of contract cases, fraud, business torts, construction law and alternative dispute resolution. She managed a broad range of commercial litigation, negotiations and business counseling as a former partner in a large law firm in Chicago and served as senior counsel for a Fortune 500 company. Ms. McCain's experience includes representing clients in state and federal court litigation as well as in arbitration and mediation proceedings.

Philip J. Truax

Wickens, Herzer, Panza, Cook & Batista Co., Avon, OH

Mr. Truax chairs the Real Estate & Construction Department and serves on the firm's Executive Committee and Board of Directors. He focuses primarily on construction and real estate matters, and litigating business disputes. Mr. Truax works with contractors, subcontractors, material suppliers, and design professionals to negotiate their contracts; manage project-specific risks; and preserve, pursue, and defend claims in connection with public and private improvement projects. Prior to practicing law, he worked in the field for multiple contractors, giving him invaluable experience in various areas of construction. That practical knowledge has allowed Mr. Truax to develop a practice of advising and counseling clients to assess and manage risk in construction, manufacturing and various other industries. Mr. Truax also routinely represents companies and individuals in commercial disputes, including litigating trade secret, non-competition, and other complex contract and tort claims. Throughout his career, Mr. Truax has litigated and tried numerous actions to judgment in state and federal courts, as well as in private arbitrations. Mr. Truax has been recognized in 2014 through 2017 as an Ohio Super Lawyers Rising Star.

Seminar Information

Hilton Garden Inn Cleveland Airport

4900 Emerald Ct. SW
Cleveland, OH 44135
(216) 898-1898

Registration
8:00 - 8:30 am
Morning Session
8:30 am - 12:00 pm
Lunch (On your own)
12:00 - 1:00 pm
Afternoon Session
1:00 - 5:00 pm

Tuition

\$279 for individual registration
\$259 for three or more registrations.

Each registration includes a complimentary continental breakfast and printed seminar manual.

How to Register

- Visit us online at www.halfmoonseminars.org
- Mail-in or fax the attached form to 715-835-6066
- Call customer service at 715-835-5900

Cancellations: Cancel at least 48 hours before the start of the seminar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another seminar or the CD/manual package. You may also send another person to take your place.

Continuing Education Credit Information

This live lecture presentation is open to the public and offers 7.0 HSW continuing education hours to architects and 7.0 PDHs to professional engineers in all states. Educators and courses are not subject to preapproval in Ohio.

This seminar is approved by the American Institute of Architects for 7.0 HSW Learning Units (Sponsor No. J885). Only full attendance can be reported to the AIA.

HalfMoon Education is deemed an approved architect continuing education sponsor in New York. HalfMoon Education is an approved continuing education sponsor for engineers in Florida, Indiana, Louisiana, Maryland, New Jersey (Approval No. 24GP00000700), New York (NYSSED Sponsor No. 35), North Carolina, and North Dakota.

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

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.

Additional Learning

August Webinar Series

Foundation Damage and Repair

- **Structure Loads, Soil Mechanics, Bearing Capacity and Geo-Environmental Hazards**
Wed., Aug. 16, 2017, 11:00 AM - 12:30 PM CDT
- **Foundation-Wall Design and Construction**
Wed., Aug. 16, 2017, 1:00 PM - 2:30 PM CDT
- **Assessment of Foundation-Slab Damage & Repair Alternatives**
Thurs., Aug. 17, 2017, 11:00 AM - 12:30 PM CDT
- **Assessment of Foundation- Retaining Wall Damage & Repair Alternatives**
Fri., Aug. 17, 2017, 1:00 PM - 2:30 PM CDT

For webinar details visit us online at:
www.halfmoonseminars.com/webinars/

Can't Attend? Order the CD/Manual Package:

A full recording of this seminar is available for \$289, which includes shipping and handling. This learning method does not qualify for the continuing education credit for Ohio architects or engineers. Please allow five weeks from the seminar date for delivery.

Registration

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Cleveland, OH - Tuesday, September 26, 2017

How to Register	
Online: www.halfmoonseminars.org	
Phone: 715-835-5900	
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Complete the entire form. Attach duplicates if necessary.	
Registrant Information Name: _____ Company/Firm: _____ Address: _____ City: _____ State: _____ Zip: _____ Occupation: _____ Email: _____ Phone: _____ Additional Registrants: Name: _____ Occupation: _____ Email: _____ Phone: _____ Name: _____ Occupation: _____ Email: _____ Phone: _____ <small>Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred.</small> <input type="checkbox"/> I need special accommodations. Please contact me.	

Tuition

- I will be attending the live seminar.** Single Registrant - **\$279.00**. Three or more registrants from the same company registering at the same time - **\$259.00** each.
- I am not attending.** Please send me the 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.

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