

Agenda

Understanding Construction Contract Essentials

L. Montz

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

Handling Ethical Issues in Construction Contracting

W. Dulaney III

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

Reviewing Bidding Documents

R. Jezdimir

Invitation Bid form Instructions

Bid bond Information Addenda

Reviewing Project Documents

B. Buzby

Use of standard forms or custom documents

Agreement Performance bond

Payment bond

Contract conditions (general and supplementary)

Shop drawings

Contract modifications (change orders, directives, etc.)

Understanding Issues in Contract Administration

T. Darrow

Insurance and indemnity issues

Chain of command issues Subcontracts

Changes and change orders Payments

Substantial and final completion Breach and pitfalls

Examining Legal Issues and Contract Disputes

T. Darrow

Changed conditions Project documentation

Delays, acceleration

Handling payment claims and final payments

Resolving disputes through mediation, arbitration, litigation

Understanding contractual and statutory warranties

Construction Contract Workshop
Toledo, OH - Wednesday, November 29, 2017

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Learning Objectives

You'll be able to:

Examine contract terminology and review construction contracts used in different project delivery systems.

Review standard project documents including agreements, contract conditions, and bonds.

Consider issues related to contract disputes.

Handle contract administration issues such as changed conditions, delays, and acceleration.

Discuss ways to promote contract compliance and ethical practices.



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Examine contract terminology and types of construction contracts

Review standard forms and various project and bidding documents

Explore contract administration issues such as chain of command, payments and completion

Get tips on contract modifications and change orders

Consider issues related to contract disputes

Discuss ways to promote contract compliance and ethical practices

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

Lane Montz

Cousino Restoration and Cousino Medical Group, Sylvania

Mr. Montz is vice president and general counsel for Cousino Restoration and Cousino Medical Group, one of Ohio's busiest fire and flood restoration contractors, where he primarily practices construction law. He obtained his undergraduate degree in business from the University of Cincinnati in 1990 and his law degree from the University of Toledo in 1993. During his 17 years at Cousino he has steered the company through over 22,000 projects. He is also an undergraduate and graduate studies adjunct lecturer for Bowling Green State University's Construction Management program, where he teaches construction contracting and law, and he was recently appointed to the American Arbitration Association's national Construction Arbitration Panel.

William H. Dulaney, III

Mann Dulaney, LLC, Powell

Mr. Dulaney has maintained a private construction law and real estate practice for over 25 years in the greater Cincinnati, Columbus and Dayton area. During this time he has represented design professionals, owners and contractors in the areas of construction, safety, labor, employment and government/agency regulation. He has represented clients

before the State Board of Registration for Professional Engineers and Surveyors and has spoken before American Society of Civil Engineers (ASCE) Sections statewide regarding legal issues for design professionals. Mr. Dulaney received his B.S. degree in Construction Management from the University of Cincinnati, his M.B.A. degree from Xavier University and his J.D. degree from the University of Dayton. He is admitted to practice law before all state and federal courts in Ohio. He represents other professionals including physicians, pharmacists and nurses regarding licensure issues before their respective state regulating authorities.

Ryan W. Jezdimir

Blevins Sanborn Jezdimir Zack PLC, Detroit

Mr. Jezdimir focuses his practice on construction law and litigation. He has counseled clients at all stages of a construction project—from bid to the final payment. He has prosecuted and defended against substantial extra compensation claims, obtained a multimillion dollar jury verdict against a developer for fraud, and argued before the Michigan Court of Appeals and Supreme Court. Mr. Jezdimir is a member of the State Bar of Michigan and the American Bar Association's Forum on the Construction Industry. He has been selected for inclusion in Michigan Super Lawyers Rising

Stars, and as a top construction litigator by the magazine, *DBusiness*.

Brian L. Buzby

Porter Wright Morris & Arthur LLP, Columbus

Mr. Buzby is a trial attorney with more than 40 years of experience representing clients in court, arbitration, and mediation on a wide range of business disputes. His trial practice emphasizes construction, representing project owners, contractors, and design and engineering professionals on construction projects. Mr. Buzby counsels clients in the areas of real estate, energy, and general business counseling and litigation. He has experience throughout the construction industry in the negotiation and preparation of construction contracts, project performance and the resolution of construction claims and disputes.

Thomas Darrow

Darrow Law LLC, Toledo

Mr. Darrow is the owner of Darrow Law, LLC. He focuses his practice on residential and commercial real estate, construction law and litigation, and general civil litigation. Mr. Darrow also counsels clients in small business law, representing individuals and families in personal injury litigation and negotiations.

Seminar Information

Radisson Hotel at The University Toledo Medical Center

3100 Glendale Avenue
Toledo, OH 43614
(419) 381-6800

Tuition

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

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

Receive a reduced tuition rate of \$101 by registering to be our on-site coordinator for the day. For availability and job description, please visit www.halfmoonseminars.org.

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.

Registration
8:00 - 8:30 am
Morning Session
8:30 am - 12:15 pm
Lunch (On your own)
12:15 - 1:15 pm
Afternoon Session
1:15 - 5:00 pm

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 Ohio. 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/CES.

Architects and engineers seeking continuing education credit outside Ohio will be able to do so, in most cases. Refer to specific state rules to determine eligibility. Course information specific to Ohio is not allowed in Indiana or New York.

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

October Webinar Series

HEC-RAS Webinar Series

• Hydraulic Principles and Application

Thurs., Oct. 26, 2017, 11:00 AM - 1:00 PM CDT

• Working with the HEC-RAS User Interface

Thurs., Oct. 26, 2017, 1:30 - 3:00 PM CDT

• Water Surface Profiling

Fri., Oct. 27, 2017, 11:00 AM - 1:00 PM CDT

• Steady Flow Surface Profile Demonstrations

Fri., Oct. 27, 2017, 1:30 - 3:30 PM CDT

Handling Ethical Issues in Professional Engineering Practice

Fri., Nov. 3, 2017, 11:00 AM - 12:00 PM CDT

For more information visit:

www.halfmoonseminars.org/webinars/

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

A full recording of this seminar is available for \$279, 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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Toledo, OH - Wednesday, November 29, 2017

How to Register	
Online: www.halfmoonseminars.org	
Phone: 715-835-5900	
Fax: 715-835-6066	
Mail: HalfMoon Education Inc., PO Box 278, Altoona, WI 54720-0278	
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: _____ Name: _____ Occupation: _____ Email: _____ Phone: _____	
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.	
() 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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