
Entering into Construction Contracts and Subcontracts

August 22, 2012

Construction Law Seminar presented by HalfMoon LLC

Entering into Construction Contracts and Subcontracts

- Understanding contract terminology
- Forming contracts
- Understanding contract obligations
- The law governing construction contracts: the Uniform Commercial Code (UCC) and applicable state laws
- Subcontract formation and administration
- Performance and payment issues
- Breach of contract and default

Statutory and Contractual Duties of Design Professionals and Contractors in Green Construction

- General scope of duty
- Public buildings
- Contractual duties under AIA contract documents
- Defining the scope of duty

Surety Bonds in Construction

- Surety is not insurance
 - Three party vs. two party contracts
 - Surety is credit
 - Surety does not anticipate loss
 - Principle of indemnification
- Benefits of performance bonds and benefits of payment bonds
 - What is covered
 - Statutory vs. non-statutory bond forms
 - Payment bond notice requirements/time for suit
- Subdivision bonds
 - Core differences of bonds for developers vs. construction contractors
 - Additional/alternative insurance
- Letters of credit in lieu of surety bonds

Building Code Review and Update

- State building codes

Continued

- Fire code
- Energy code
- Local codes and ordinances

Professional Ethics in Construction: Issues and Trends

- What is professional ethics?
- Ethical requirement trends in public contracting – federal and local projects
- Ethical issues in construction
 - Contracting and sub-contracting
 - The design phase – BIM and IPM
 - The construction phase
 - The bid process
 - Payments, liens and lien waivers

Architects 6.0 HSW Contact Hours 7.0 AIA HSW Learning Units

Professional Engineers 7.0 PDHs, including 1.0 ethics hour

Contractors Non-Mandatory Continuing Ed.