

AIA Contracts

This one-day seminar is designed for attorneys, presidents, vice presidents, owners, project managers, architects, engineers, controllers, accountants and contract managers.

! Includes 2007 Updates to
AIA Contract Documents

San Diego, CA
April 24, 2008

Moderator:

Karen A. Holmes, Esq.

Balestreri, Pendleton & Potocki

Jeffrey W. Cavnac, CPCU, RPLU, CRIS

Cavnac & Associates Insurance Brokers

Bennett J. Chin, Esq.

XL Insurance

Laurence R. Phillips, Esq.

McKenna Long & Aldridge LLP

Pamela J. Scholefield, P.E., Esq.

Scholefield Associates, P.C.

Dennis J. Stryker, Esq.

Rick Engineering Company

Continuing education credit:

- IACET 0.65
- CA MCLE 6.50
- PMI 6.50
- AIA 6.50
- CC 1.0
- CPE 8.0

See inside for details.

LORMAN[®]
EDUCATION SERVICES
A DIVISION OF LORMAN BUSINESS CENTER, INC.

Keeping You Current.

Helping You Succeed.[®]

www.lorman.com • customerservice@lorman.com

Critical Issues on the Agenda

8:30 AM – 9:25 AM

Overview of AIA Family of Documents

— Karen A. Holmes, Esq.

9:25 AM – 10:25 AM

Owner-Architect Agreements

— Dennis J. Stryker, Esq.

- B141 and B151
- The Parties' Responsibilities
- Scope of Services
- Cost Estimates
- Site Safety
- Work Product Ownership
- Indemnity
- Limitations of Liability
- Dispute Resolution

10:25 AM – 10:35 AM

Break

10:35 AM – 11:30 AM

Risk Management Implications of the 2007 AIA Documents

— Jeffrey W. Cavnagac, CPCU, RPLU, CRIS

- Contractual Risk Transfer
- Insurance
- Consequential Damages
- Alternative Dispute Resolution
- Ownership of Instruments of Service
- Other Considerations

11:30 AM – 12:00 PM

An Insurance Carrier's Identification of Key Provisions to Address for Architects and Engineers

— Bennett J. Chin, Esq.

12:00 PM – 1:00 PM

Lunch (On Your Own)

1:00 PM – 2:00 PM

General Conditions A201

— Pamela J. Scholefield, P.E., Esq.

- Contract Documents
- Claims and Disputes
- Change Orders
- Notice of Extra Time and Costs
- Termination by Contractor and Termination by Owner

2:00 PM – 2:10 PM

Break

2:10 PM – 3:00 PM

Owner-Contractor Agreements

— Laurence R. Phillips, Esq.

- Pricing Options
- Contract Documents
- Scope of Work and Costs
- Changes in Work
- Notice Requirements
- Payments
- Termination and Suspension

3:00 PM – 3:45 PM

General Contractor-Subcontractor Agreements A401

— Pamela J. Scholefield, P.E., Esq.

- Understanding and Managing Contract Terms
- Incorporation Clauses
- Remedies for Subcontractor Default
- Remedies for Contractor Nonpayment
- Liquidated Damages
- Notices
- Subcontractor's Duty to Defend and Indemnify Claims

3:45 PM – 4:30 PM

ADR

— Jeffrey W. Cavnagac, CPCU, RPLU, CRIS, Bennett J. Chin, Esq., Karen A. Holmes, Esq., Laurence R. Phillips, Esq., Pamela J. Scholefield, P.E., Esq., and Dennis J. Stryker, Esq.

Lorman Education Services reserves the right to modify the agenda and the faculty when circumstances are beyond our control.

Register Now • www.lorman.com

Seminar Highlights

Get ready – the AIA document revisions are here, and they're going to affect your practices.

AIA documents affect every aspect of your project – and they've just been changed in some major ways. You need to know how these revisions will impact how you do your job. Come to this informative seminar and learn how the new documents affect the roles and responsibilities of each participant in the project. You'll explore how recent trends in the industry have helped change dispute resolution provisions, insurance issues and much more. Our expert faculty will guide you through the pros and cons of the revisions, as well as how to avoid potential pitfalls of using the documents. AIA contracts are too important for you to ignore – register today and we'll shed some light on the documents and their revisions.

Benefits for You

- Decipher various elements of the A201
- Know your responsibilities when it comes to insurance requirements
- Determine the pros and cons of the revisions – including dispute resolution and other hot-button issues
- Navigate through the owner-architect agreements with ease
- Avoid the pitfalls of misunderstanding the widely used AIA forms

Professional Manual

You will receive a professionally prepared manual compiled by the faculty specifically for this seminar. The seminar will be recorded. Your registration constitutes your consent to such recording. If you cannot attend, you may order a set of CDs and the accompanying manual from this program by using the registration form on the back panel.

Lorman Bookstore

Visit our online bookstore at www.lorman.com for the thousands of manuals and audio recordings that are available from other Lorman seminars. Our policy is to fill all orders with the most recent editions available. Your bookstore item(s) will be shipped within 3-5 business days, upon receipt of your order.

To order the bookstore items below, see the back panel of the brochure or visit us online for complete ordering capabilities. CE credit information is also available online.

Managing Construction Projects – Bidding, Selection of Contractor, and Protests; Project Security – Bonding and Insurance; Project Performance and Changes – Risk Allocation Terms and Tools in Contracts; Payment Procedures and Lien Claims.

Faculty: Mark J. Rice, McNeil, Silveira, Rice & Wiley; John M. Donley, Donley Construction Consultants; Constance Riedinger, Riedinger Consulting. ©2007. 136 pages.

Item: 367989TMX	CD and Manual	\$139
367989MAN	Manual Only	\$69
367989EMN	E-Manual Only	\$69

The Fundamentals of Construction Contracts: Understanding the Issues – Essential Contract Terms; Claims – When They Can't Be Avoided; Special Issues of Subcontracts; Important Issues in Surety Bonds and Dispute Resolution.

Faculty: Irina J. Drill, Esq., Peter F. Lindborg, Esq., Lindborg & Drill LLP. ©2007. 58 pages.

Item: 372939TMX	CD and Manual	\$149
372939MAN	Manual Only	\$69
372939EMN	E-Manual Only	\$69

Construction Lien Law – The Required Elements of a Lien Claim or Notice; Claims Based Upon Construction on Privately Owned Land Mechanic's Lien and Stop Notice; Threshold Licensing Considerations; Claims Based Upon Public Works Projects; Claims Based Upon Federal Works Projects.

Faculty: David S. Demian, Marks, Golia & Finch, LLP; Jon F. Gauthier, Jon F. Gauthier, APC. ©2007. 138 pages.

Item: 373431TMX	CD and Manual	\$149
373431MAN	Manual Only	\$69
373431EMN	E-Manual Only	\$69

Phone 866-352-9539 • Fax 715-833-3953

Our Distinguished Faculty

Jeffrey W. Cavignac, CPCU, RPLU, CRIS, is president of Cavignac & Associates Insurance Brokers. He graduated from the University of California, Los Angeles, with a degree in economics. Mr. Cavignac received his initial insurance training at Lloyds of London. Subsequently, he spent three years with Industrial Indemnity Company as a property and casualty underwriter. During that time, Mr. Cavignac attained the chartered property and casualty underwriter designation. He was awarded the coveted registered professional liability underwriter designation in 1999. Mr. Cavignac is active in numerous professional and civic organizations.

Bennett J. Chin, Esq., is a claims consultant for XL Insurance. Prior to working for XL, he practiced law as a complex civil litigation attorney for 14 years. Mr. Chin has represented architects, engineers, contractors, developers and property owners in construction defect actions and commercial disputes involving allegations of negligence, breach of warranty and breach of contract. He has also represented manufacturers and suppliers of construction-related products in claims relating to alleged product failures. Mr. Chin is an alumnus of the University of California, Berkeley, and Santa Clara University School of Law.

Karen A. Holmes, Esq., is a principal at Balestreri, Pendleton & Potocki. She has over 25 years of experience as a successful litigator and trial attorney focusing on civil litigation and professional casualty defense matters. The firm's professional clients often turn to Ms. Holmes on matters of contract negotiations, risk management and pre-litigation resolution. She has extensive trial experience before juries, judges and arbitrators. Ms. Holmes has successfully defended business and tort cases for a variety of the firm's clients. She is rated as having achieved the highest rating in the *Martindale-Hubbell Law Directory* and has served as president and board member of the San Diego Defense Lawyers. Ms. Holmes sat as a director and vice president on the board of the San Diego County Bar Association from 2003 to 2006. She is a judge pro tem, as well as arbitrator and mediator for the San Diego Superior Court. Ms. Holmes has been designated as a Southern California San Diego Super Lawyer in construction litigation for 2007. She was one of the top attorneys in 2006 in real estate and construction litigation category as awarded by the *San Diego Daily Transcript*. She earned her J.D. degree from California Western School of Law and her B.A. degree in political science from San Diego State University.

Laurence R. Phillips, Esq., is a partner with McKenna Long & Aldridge LLP's San Diego office. His significant litigation experience includes the representation of contractors, public entities, real estate developers, manufacturers, and other clients and their sureties and insurers in the mediation, arbitration, trial and appeal of complex matters concerning government and private contract disputes, commercial disputes, lease disputes, real estate/land use disputes and construction disputes, including payment and performance bond claims, changed conditions claims, delay and disruption claims, prompt payment issues, stop notice and mechanic's lien claims, latent and patent defects in construction and design, products liability and professional liability. Mr. Phillips has in-depth knowledge of government contracting law and competitive bidding requirements. His range of experience in those fields includes bid protests, subcontractor listing issues, termination issues, Miller Act claims, and actions under the California and federal False Claims Acts. He has been instrumental in successfully defending clients against alleged false claims in excess of \$50 million. Mr. Phillips also has significant experience negotiating and drafting public and private works construction contracts, joint venture agreements, commercial leases, work letters, real estate purchase and sale agreements, escrow instructions and related loan documents. He lectures on issues of contract formation/negotiation and is a contributing author to Aspen Publishers' *Construction Law Update*, which is published annually and distributed nationally. Mr. Phillips received a J.D. degree from Pepperdine University School of Law and a B.A. degree from the University of California, San Diego.

Pamela J. Scholefield, P.E., Esq., of Scholefield Associates, P.C., started her career as an engineer with General Electric, eventually becoming the area manager for a division that worked with contractors involved in large commercial and public works projects. Since she became an attorney, her primary focus has been construction law and the unique issues faced by those in the construction industry. Ms. Scholefield is sought out specifically for more complex and multiparty legal matters such as those involving construction contract interpretations, changes and scope-of-work disputes. Technically proficient, she practices in markets where she is able to capitalize on her already extensive construction industry work experience and her legal training. Ms. Scholefield has spoken before construction trade organizations regarding contract interpretation and how to manage contract terms. She earned a B.S. degree in engineering, with honors, from the University of Florida and holds a professional engineer's license in the state of Colorado. Ms. Scholefield received her law degree, cum laude, from the University of San Diego School of Law, where she was an executive editor for the *San Diego Law Review*. She was named 2007 Top Attorney in Real Estate and Construction Litigation by the *San Diego Daily Transcript*.

Dennis J. Stryker, Esq., is the general counsel for Rick Engineering Company. His department is responsible for all legal aspects of the corporation and its subsidiaries, including business and commercial transactions, litigation, employment and labor issues, and professional liability issues. He also acts as the corporation's risk manager. Mr. Stryker is on the steering committee of the California Minority Counsel Program, the Corporate Pro Bono Advisory Board and the board of directors of the San Diego Volunteer Lawyers Program. Has been appointed by the mayor to the San Diego Relocation Appeals Board. Mr. Stryker serves on the Association of Corporate Counsel's national board of directors.

You could earn a referral bonus by becoming a Lorman partner. Visit www.lorman.com/contact/associations.php or call Nicki Wolff at 800-678-3940.

General Information

San Diego, CA • April 24, 2008

Double Tree Downtown • 1646 Front Street

Registration: 8:00 am – 8:30 am • Session: 8:30 am – 4:30 pm

Lunch Break: 12:00 pm – 1:00 pm (On Your Own)

Contact Lorman for hotel/seminar information at **866-352-9539** (please call hotel for accommodations or directions only). **The facility is wheelchair accessible. Please contact us with any questions.**

Walk-Ins: Call Lorman for final schedule information.

Cancellations: Substitute registrants are welcome and may be named at any time. If you cancel six or more business days in advance, you will receive a full refund, less a \$20.00 service charge. If you cancel within five business days you are not entitled to a cash refund. However, as a courtesy, we will allow you to apply your payment toward any future Lorman seminar within one year from the date you cancel. Your payment is transferable. Please note that if you do not attend and you do not cancel as described above, you are responsible for the entire payment. If Lorman cancels a program, you will receive a full refund. Lorman disclaims any liability for any other direct or compensatory payment.

Copyright Statement: Lorman seminars are copyrighted and may not be recorded or transcribed in whole or part without its express prior written permission. Your attendance at a Lorman seminar constitutes your agreement not to record or transcribe all or any part of it.

Additional Educational Opportunities

Teleconferences: Not able to commit to a full day? Teleconferences are now available. Visit us at www.lorman.com/teleconference for a complete listing of teleconferences.

On-Site Seminars: If you have a group of 10 or more, it may be financially beneficial for you to schedule a seminar at your facility. Contact Lorman or email us at onsite@lorman.com to inquire about on-site seminars on this or other topics.

Electronic Products: To DOWNLOAD the most current information IMMEDIATELY and avoid shipping costs, visit us at www.lorman.com for a complete listing of electronic products.

Continuing Education Credit

Please remember to bring your license number, ID or other necessary information to the seminar. This will ensure timely reporting of continuing education credit. Please see our website at www.lorman.com for further details about continuing education credit information.



Lorman Business Center, Inc. is registered with the AIA Continuing Education System (AIA/CES). This 6.50 hour program offers 6.50 Learning Unit hours, which will be reported directly to the AIA/CES for AIA members.



This seminar has been reviewed and approved for inclusion in the Construction Compliance™ Certification Program and qualifies for 1.0 credit. It has been approved by an advisory board consisting of leading professionals from Duane Morris LLP, Kirkpatrick & Lockhart Nicholson Graham LLP, Exponent, Inc. and PinnacleOne, Inc. Please visit www.lorman.com/certification/cc for more information.

Lorman Business Center, Inc. is a State Bar of California approved MCLE sponsor and this course qualifies for 6.50 CLE hours.

Lorman Business Center, Inc. is a recognized provider registered with the PMI Registered Educational Provider Program (PMI R.E.P.). Lorman Business Center, Inc. accepts and adheres to all PMI R.E.P. Program policies, requirements and rules concerning the provision of professional education activities and materials. This course qualifies for 6.50 PDU's.



Lorman Business Center, Inc. is an Authorized Provider by the International Association of Continuing Education and Training (IACET). Lorman Business Center, Inc. will award 0.65 CEUs to participants who successfully complete this program. Participants must complete an evaluation in order to receive CEUs. Please verify applicability with your professional board before attending.

IACET Learning Objectives

- The attendee will be able to discuss owner-architect agreements.
- The attendee will be able to identify the parties' responsibilities.
- The attendee will be able to discuss alternative dispute resolution.

Lorman Education Services is registered with the **National Association of State Boards of Accountancy (NASBA)** as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Website: www.nasba.org

CPE Credit: Maximum Credit Hours: 8.0 each session (based on a 50 minute credit hour). Field of Study: Management Advisory Services. Prerequisite: None. Level of Knowledge: Intermediate. Teaching Method: Seminar/Lecture. Advance Preparation: None. Delivery Method: Group-Live. Please refer to the information in this brochure for outline, course content and objectives. Upon completion of this course, you will receive a certificate of attendance. Final approval of a course for CPE credit belongs with each state's regulatory board.

AIA Contracts • San Diego, CA • April 24, 2008



A DIVISION OF LORMAN BUSINESS CENTER, INC.



Mail: Detach or photocopy this panel and mail with payment information to:
Lorman Education Services, P.O. Box 509, Eau Claire, WI 54702-0509



Fax: Complete this form, fax entire panel including payment; information to 715-833-3953



Phone: 866-352-9539 (to register or for general questions)



Internet: www.lorman.com **Email:** customerservice@lorman.com

If you need special accommodations, please contact us two weeks in advance of the program.

Seminar Tuition (includes manual)

\$349 for a single registrant \$339 each for two or more from the same organization

To Order Products From This Seminar (If tax-exempt, please include your certificate.)

Please allow four to six weeks after the date of the seminar for delivery.

\$369 CD/manual package + \$7 shipping/handling + applicable sales tax = \$ _____

\$119 manual only + \$7 shipping/handling + applicable sales tax = \$ _____

Lorman Education Services is not approved to offer self-study CPE credit for accountants; therefore, no CPE will be given for this program if ordered as a self-study package.

Names of Attendees (Please print or type)

1. Name _____ Title _____
 Email _____
 2. Name _____ Title _____
 Email _____
 3. Name _____ Title _____
 Email _____
 Firm Name _____
 Address _____ City _____
 State/Zip _____ Telephone (_____) _____ Fax (_____) _____

Approving Manager

Name _____ Title _____
 Email _____
 Check enclosed payable to **Lorman Education Services**
 Charge to credit card ___AE ___MC ___VISA Signature _____
 Card number _____ Exp. Date _____
 © 2008 Lorman Education Services. All rights reserved. ID#371287

Order online today!

Lorman Bookstore (see inside for detailed descriptions)

Please include street and e-mail address for timely and accurate delivery.

Managing Construction Projects	Item Number: 367989
CD and Manual ___ @ \$139	Manual ___ @ \$69
	E-Manual ___ @ \$69
Construction Contracts	Item Number: 372939
CD and Manual ___ @ \$149	Manual ___ @ \$69
	E-Manual ___ @ \$69
Construction Lien Law	Item Number: 373431
CD and Manual ___ @ \$149	Manual ___ @ \$69
	E-Manual ___ @ \$69

Subtotal from above	\$ _____
Shipping & handling (excludes e-manuals)	\$ _____
(\$7.00 first item, \$1.00 each additional)	
Sales tax	\$ _____
TOTAL	\$ _____

Seminar ID: 371287

Please do not remove mailing label even if incorrect.

Presorted Standard
 U.S. Postage Paid
 Permit No. 1877
 Eau Claire, WI

Priority Code: 17129