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Minimizing and Managing Risks and Disputes in Construction in New Jersey

Parsippany, NJ • April 12, 2013

Faculty

Moderator:

Jeffrey B. Kozek

Resolution Management Consultants, Inc.

John E. Clark

Clark Guldin, Attorneys at Law

Jerry L. Thibodeau, PSP

Resolution Management Consultants, Inc.

For more information about our speakers, go to www.lorman.com/ID391015.

Are you asking for construction claims and litigation – without even realizing it?

From preconstruction issues to project closeout, managing the construction process is complex. To maintain control and minimize the risks inherent in the construction process, you must stay current on construction issues and trends.

Whether you are new to the profession or very experienced, this seminar will provide you with the critical information and updates you need to succeed on your next project, such as how to navigate the various project delivery system options and handle change orders. To ensure your future projects are completed on time and within budget, you simply can't afford to miss this seminar.

Benefits for You

- Understand the nuts and bolts of construction contracts
- Avoid common pitfalls by using project scheduling to your advantage
- Resolve disputes ... before they end up in the courtroom
- Find out what you need to know about essential recordkeeping

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Lorman is a registered CM provider. CM credits may be available. Please contact Lorman at 1-866-352-9540 prior to your registration for more details.

Learning Objectives

- You will be able to identify the various time and cost risks inherent in construction projects.
- You will be able to review key contract terms and concepts.
- You will be able to discuss the dispute resolution process.
- You will be able to recognize how the project schedule can provide visibility and control.

For more detailed CE credit information, visit us at www.lorman.com/ID391015 or contact us at 866-352-9540.



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EDUCATION SERVICES

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Seminar Agenda

This seminar will be presented by John E. Clark, Jeffrey B. Kozek and Jerry L. Thibodeau, PSP.

- 8:00 AM – 8:30 AM **Registration**
- 8:30 AM – 8:45 AM **Managing Risk**
- Legal, Cost and Time
- 8:45 AM – 9:00 AM **Contract Delivery Options**
- Traditional Design-Bid-Build
 - Construction Manager At-Risk
 - Multiple Primes
 - Design-Build
- 9:00 AM – 9:30 AM **Key Contract Concepts**
- Bonds
 - Site Investigation
 - Authority
 - Shop Drawing Submittal, Review and Approval
 - Time of Performance
 - Substantial and Final Completion
- 9:30 AM – 10:15 AM **Key Contract Terms**
- Notice
 - Changes
 - Liquidated Damages
 - Differing Site Conditions
 - Termination
 - No Damages for Delay
- 10:15 AM – 10:25 AM **Break**
- 10:25 AM – 11:15 AM **The Construction Schedule**
- The Scheduling Specification

- Bar Chart and Critical Path Method Schedules
 - CPM Applications
 - Schedule Development and Review of the Baseline Schedule and Updates
 - Early Finish Schedules
- 11:15 AM – 12:00 PM **Change Order Management**
- The Change Order Process
 - Full and Final Settlement
 - Reservation of Rights
 - Cumulative Impact of Changes
- 12:00 PM – 1:00 PM **Lunch (On Your Own)**
- 1:00 PM – 2:15 PM **Essential Recordkeeping**
- Daily Reports
 - Meeting Minutes
 - Logs
 - Correspondence
 - Photos and Videos
 - Change Orders
- 2:15 PM – 2:25 PM **Break**
- 2:25 PM – 4:00 PM **Request for Equitable Adjustment**
- Time Extension Entitlement
 - Delay and Disruption Entitlement Approaches
 - Calculating Damages
- 4:00 PM – 4:30 PM **Dispute Resolution Process**
- Claims Avoidance Techniques
 - Litigation, Arbitration and Mediation Options

Presented By:

John E. Clark

- Principal at Clark Guldin, Attorneys at Law
- Formerly general counsel of New Jersey Schools Development Authority
- Represents real estate owners, developers, builders and designers throughout all phases of the development and construction process
- Advises clients concerning construction of facilities for hospital and health care, colleges and universities, K-12 schools, commercial office, retail, industrial and manufacturing, and residential in both the public and private arenas
- Represents clients concerning construction disputes, including construction claims and construction defects, involving mediation, arbitration and litigation
- J.D. and B.A. degrees, Phi Beta Kappa, Rutgers University
- Can be contacted at jclark@jclarkassociates.com

Jeffrey B. Kozek – Moderator

- Founding principal of Resolution Management Consultants, Inc.
- 40 years of experience in construction management and claims analysis for public and private owners, contractors, engineers, financial institutions, insurance companies and the attorneys who represent them

- Served as an expert witness before arbitration panels and the courts
- Writer of many articles, and lecturer in the U.S. and abroad, on the topics of contracts, change orders, scheduling, delay, damages and dispute resolution
- Certified by ACEi as a Certified Forensic Claims Consultant (CFCC)
- J.D. degree, Rutgers School of Law – Camden; B.S. degree in commerce and engineering, Drexel University

Jerry L. Thibodeau, PSP

- Senior consultant with Resolution Management Consultants, Inc.
- Certified as a professional scheduler and planner
- More than 29 years of experience with construction scheduling and CPM scheduling techniques
- Experience encompasses both public and private work
- Served as an expert witness before dispute review boards and courts
- B.S. degree in civil engineering, Temple University
- Can be contacted j.thibodeau@resmgt.com

Yes!
Sign
me up!

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Minimizing and Managing Risks and Disputes in Construction

Parsippany, NJ • April 12, 2013 • Seminar ID: 391015

Purchase Options – Check All That Apply

- Yes!** I would like to attend – \$339 (includes free manual with attendance)
 Add a CD recording of this program – \$99*
 Bring a colleague – \$239 per each additional registrant

I am unable to attend, please send me:

- CD/Manual Package – \$359* Manual Only – \$119*

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\$ _____ Tuition Subtotal
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How Do I Register?

EMAIL: customerservice@lorman.com
 WEBSITE: www.lorman.com/ID391015
 TELEPHONE: 866-352-9539
 FAX: 715-833-3953
 MAIL: Mail this form with payment to:
 Lorman Education Services
 Dept. 5382, P.O. Box 2933
 Milwaukee, WI 53201-2933

Where Is It?

Parsippany Holiday Inn
 Hotel & Suites
 707 U.S. Highway 46 East
 Parsippany, New Jersey
 973-263-2000

Who Should Attend?

This seminar is designed for attorneys, presidents, vice presidents, owners, project managers, engineers, architects, contractors, subcontractors and developers.

GENERAL INFORMATION:

- This seminar may be recorded.
- If you need special accommodations, please contact us two weeks in advance of the program.
- 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.

CANCELLATIONS: Substitute registrants can be named at any time. A full refund, less a \$20 service charge, will be given if notification is given six or more business days in advance. Notification of less than six business days will result in a credit that can be applied to any Lorman products or services. If you do not cancel or attend, you are responsible for the entire payment.

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