

# Fundamentals of Construction Contracts: Understanding the Issues in Pennsylvania

Philadelphia, PA • November 17, 2011 • ID# 387840



**Bring a Colleague –  
Save \$200**

(Includes Free Manual)

Today's economic struggles demand a thorough knowledge of contracts – know your risks before you sign.

Keep your risks to a minimum and your profits to a maximum. Construction contracts can help you do this and much more! Register for this seminar and get a working understanding of contracts to minimize your risk of devastating financial loss in today's uncertain economic climate.

Improve your contract know-how so you can have an advantage in your next contract negotiation. A strong knowledge of contract terms and conditions will help you save money and avoid disputes – so start building that knowledge now. Register today!

## Benefits for You

- Grasp the essentials of key contract provisions
- Minimize heavy losses by incorporating key insurance and indemnification provisions in your contract
- Prevent payment problems on the front end by clearly understanding payment clauses
- Keep your company out of costly litigation – properly address claims and dispute resolution in your contract

Melody Manteufel

## Faculty

### Moderator:

**Michael R. Libor, Esq.**, *Morgan Lewis & Bockius LLP*

**John P. Hartley, Esq.**, *Harvey, Pennington Ltd.*

**Ralph J. Kelly, Esq.**, *McShea Tecce P.C.*

**Patrick Kingsley, Esq.**, *Stradley Ronon Stevens & Young, LLP*

**Robert A. Prentice, Esq.**, *Duane Morris LLP*

For more information about our speakers, go to [www.lorman.com/ID387840](http://www.lorman.com/ID387840).

## Continuing Education Credit

- Credit

### Learning Objectives

- You will be able to explain types of construction contracts.
- You will be able to discuss key contract provisions.
- You will be able to describe contract payment clauses.
- You will be able to identify differing site conditions.

For more detailed CE credit information, visit us at [www.lorman.com/ID387840](http://www.lorman.com/ID387840) or contact us at 866-352-9540.

**REGISTER NOW • [www.lorman.com/ID387840](http://www.lorman.com/ID387840)**

8:00 AM – 8:30 AM	<b>Registration</b>		<b>Surety Overview</b>
8:30 AM – 9:50 AM	<b>Mechanics Liens</b> — <i>Ralph J. Kelly, Esq.</i>	<ul style="list-style-type: none"> <li>• What Is a Mechanics Lien?</li> <li>• Fundamentals</li> <li>• Procedure</li> <li>• Defenses to Claims</li> </ul>	<ul style="list-style-type: none"> <li>• The Distinction Between Bonds and Insurance</li> <li>• The General Agreement of Indemnity</li> <li>• Tripartite Relationship</li> <li>• Bad Faith Claims</li> </ul>
9:50 AM – 10:00 AM	<b>Break</b>		<b>Types of Bonds and Bond Claims</b>
10:00 AM – 11:20 AM	<b>Types of Construction Contracts</b> — <i>Michael R. Libor, Esq.</i>	<ul style="list-style-type: none"> <li>• Fixed Price, GMP, Design/Build, Purchase Orders</li> <li>• Public vs. Private Contracts</li> <li>• Public Bidding Requirements</li> <li>• Competitive Bidding and Bid Protests</li> <li>• Public Contract Debarment and Suspension</li> <li>• Subcontracting and Bids</li> </ul>	<ul style="list-style-type: none"> <li>• Bid Bonds</li> <li>• Payment Bonds</li> <li>• Performance Bonds</li> </ul>
11:20 AM – 12:20 PM	<b>Lunch (On Your Own)</b>		<b>Contract Payment Clauses</b> — <i>Robert A. Prentice, Esq.</i>
12:20 PM – 1:40 PM	<b>Key Contract Provisions</b> — <i>Patrick Kingsley, Esq.</i>	<ul style="list-style-type: none"> <li>• Payment</li> <li>• Scheduling</li> <li>• Changes and Modification</li> <li>• Damages Provision</li> <li>• Claims and Disputes</li> <li>• Indemnification</li> <li>• Termination Provisions and Conditions</li> </ul>	<ul style="list-style-type: none"> <li>• Pennsylvania Prompt Payment Act</li> <li>• Pay If Paid</li> <li>• Pay When Paid</li> <li>• Damage Waivers</li> <li>• Waivers in Exchange for Payment</li> </ul>
			<b>Break</b>
			<b>Change Orders</b> — <i>John P. Hartley, Esq.</i>
			<b>Differing Site Conditions</b>
			<b>Dispute Resolution</b>
			<b>Claims</b>

# Fundamentals of Construction Contracts: Understanding the Issues in Pennsylvania

Philadelphia, PA • November 17, 2011 • ID# 387840

Register Online at [www.lorman.com/ID387840](http://www.lorman.com/ID387840)

## Seminar Tuition (includes free manual with attendance)

- Yes!** I would like to attend. (\$329 per person)  
 **Yes!** I would like to bring a colleague. (\$129 per each additional registrant)  
 **Yes!** I would like the Best Value discount.  
 (\$428 per package [\$329] plus CD recording [\$99\*] of this seminar)

## I am unable to attend but I am interested in:

- CD/Manual Package (\$349\*)  Manual Only (\$119\*)

## Amount Enclosed

\$ \_\_\_\_\_ Tuition Subtotal  
 \$ \_\_\_\_\_ Shipping & Handling (\$8.95 first item, \$1.00 each additional)  
 \$ \_\_\_\_\_ Sales Tax (If tax-exempt, please include your certificate.)  
 \$ \_\_\_\_\_ TOTAL

\*Add \$8.95 shipping & handling plus applicable sales tax to product orders. Please allow four to six weeks after the date of the seminar for delivery.

## Payment Information

Total amount enclosed \$ _____	
<input type="checkbox"/> Check enclosed payable to Lorman Education Services	
<input type="checkbox"/> Charge to credit card __ AE __MC __VISA Signature _____	
Card number _____	Exp. Date _____

## Names of Attendees

PRIORITY CODE (found in the upper right hand corner of your letter)	
NAME	
TITLE	EMAIL
NAME	
TITLE	EMAIL

## Firm Information

FIRM NAME		
ADDRESS		
CITY	STATE	ZIP CODE
TELEPHONE	FAX	WEBSITE

## Approving Manager

NAME	
TITLE	EMAIL

© 2011 Lorman Education Services. All rights reserved.

### GENERAL INFORMATION:

- This seminar may be recorded by Lorman.
- 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.

**LORMAN**  
 EDUCATION SERVICES  
 A DIVISION OF LORMAN BUSINESS CENTER, INC.  
 Keeping You Current. Helping You Succeed.™

## — Best Value —

Receive an additional manual and CD package of this program for only \$99 with your seminar attendance!

## Register Now!

Receive a **FREE** manual  
 – a \$119 value –  
 with your seminar attendance!

### Fundamentals of Construction Contracts



## How Do I Register?

EMAIL: [customerservice@lorman.com](mailto:customerservice@lorman.com)

WEBSITE: [www.lorman.com/ID387840](http://www.lorman.com/ID387840)

TELEPHONE: 866-352-9539

FAX: 715-833-3953

MAIL: Mail this form with payment information to:

Lorman Education Services

Dept. 5382, P.O. Box 2933

Milwaukee, WI 53201-2933

SEMINAR ID: 387840

## Where Is It?

Hotel Information

Philadelphia, PA

## Who Will Be There?

This seminar is designed for attorneys, presidents, vice presidents, owners, project managers, engineers, controllers, accountants, contract managers, architects, facilities managers, contractors, subcontractors and other construction professionals.

## YOUR SEMINAR LEADERS

### John P. Hartley, Esq.

- Attorney with the law firm of Harvey, Pennington Ltd.
- Experience in construction contracting and the representation of owners, contractors, engineers and architects
- Involved in all aspects of commercial construction and government contracting, as well as representing parties in commercial and insurance transactions and disputes
- J.D. degree, Duquesne University; LL.M. degree, Georgetown University Law Center; B.S. degree in civil engineering, University of Pittsburgh

### Ralph J. Kelly, Esq.

- Trial lawyer with the firm of McShea Tecce, P.C.
- More than 20 years of experience representing owners, general contractors, subcontractors, sureties and design professionals
- J.D. degree, University of Pennsylvania Law School; Graduate, magna cum laude, St. Joseph's University
- Can be contacted at rkelly@mcshea-tecce.com or 215-599-0800

### Patrick Kingsley, Esq.

- Partner and co-chair of Construction Practice Group with Stradley Ronon Stevens & Young, LLP
- More than 18 years of experience handling construction matters
- Represents owners, contractors, subcontractors, design professionals and sureties
- Litigated claims including delay, unforeseen site conditions, poor workmanship, defective materials, design errors, acceleration, bid protests, warranty claims, performance bond claims and payment bond claims
- J.D. degree, magna cum laude, University of Pittsburgh School of Law
- Can be contacted at pkingsley@stradley.com or 212-564-8029

### Michael R. Libor, Esq. — Moderator

- Partner in Morgan Lewis & Bockius LLP's Litigation Practice
- Focuses on complex construction law, product liability and insurance recovery, with more than 25 years of experience
- Published and spoken extensively on various construction-related legal topics for industry, professional and legal societies
- J.D. degree, Temple University School of Law; B.S. degree, Drexel University
- Can be contacted at mlibor@morganlewis.com or 215-963-4936

### Robert A. Prentice, Esq.

- Chair of Duane Morris LLP's Construction Group
- Substantial experience in construction litigation, having represented contractors, subcontractors, owners, architects and sureties
- LL.M. degree in constitutional law, Harvard Law School; graduate, Middlebury College; Graduate, University of Michigan Law School
- Can be contacted at raprentice@duanemorris.com or 215-979-1000

## BULLETED BIOGRAPHY GUIDELINES

Information to Include:	Sample:
<ul style="list-style-type: none"> <li>• Position and firm name</li> <li>• Practice areas</li> <li>• Speaking or teaching experience</li> <li>• Awards and recognition (Generally only <i>Best Lawyers</i> or <i>Chambers</i>)</li> <li>• Certifications or licenses</li> <li>• Education</li> <li>• Can be contacted at (phone) or (email)</li> </ul>	<ul style="list-style-type: none"> <li>• Shareholder with Jackson Lewis LLP</li> <li>• Practices labor and employment law</li> <li>• Frequent speaker and author on ADA and FMLA topics</li> <li>• Listed in <i>Chambers USA: America's Leading Lawyers for Business</i> and <i>The Best Lawyers in America</i></li> <li>• Certified general contractor and LEED® AP</li> <li>• J.D. degree, University of Wisconsin Law School; B.A. degree, cum laude, Lawrence University</li> <li>• Can be contacted at 111-111-1111 or john@smith.com</li> </ul>