



# The Contracts They are a Changin': What North Carolina Lawyers Need to Know About the 2017 Amendments to the AIA Contract Documents

2018 Construction Law Section Winter CLE

## LIVE • LIVE WEBCAST

Thursday, February 22, 2018  
NC Bar Center, Cary

## CLE CREDIT: 6.0 Hours

Includes 1.0 Hour of Ethics/  
Professional Responsibility credit

## VIDEO REPLAYS, UPDATES & REGISTRATION

[www.tinyurl.com/CLE655CLP](http://www.tinyurl.com/CLE655CLP)

Planned by the **NCBA Construction Law Section**



**SUMMARY:** Receive an overview of the 2017 changes to The American Institute of Architects (AIA) Contract Documents. Topics covered include a presentation from the AIA itself regarding amendments to their form contracts, the top-10 changes to the AIA A201 General Conditions, key AIA provisions North Carolina lawyers should be aware of or consider modifying, and examples of how certain terms in the AIA documents affect experts and consultants.

This program is designed to:

- Provide a thorough understanding of the changes to the AIA Contract Documents
- Educate attorneys on what additional changes they should consider to the AIA documents
- Demonstrate the impact that an AIA Contract Document can have on a construction project when things go south

The North Carolina Bar Association is accredited by the North Carolina State Bar as a provider of continuing legal education.

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# The Contracts They are a Changin': What North Carolina Lawyers Need to Know About the 2017 Amendments to the AIA Contract Documents 2018 Construction Law Section Winter CLE

#655CLP and #655LWC | Thursday, February 22, 2018

## FOUR WAYS TO REGISTER

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\*Credit cards only. \*\*Please make checks payable to NCBA.

## TUITION | LIVE • WEBCAST • VIDEO REPLAY (VR) | Select format and tuition rate below.

REGISTRANT TYPE	EARLY BIRD TUITION Received one week prior to program date.	REGULAR TUITION Received less than one week prior to program date.	WEBCAST TUITION
NCBA Construction Law Section Member	<b>\$215</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$265</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	<b>\$290</b> <input type="checkbox"/> Webcast
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<input type="checkbox"/> Judge (NCBA Member) <input type="checkbox"/> Clerk of Court (NCBA Member) <input type="checkbox"/> Law Professor (NCBA Member)	These categories do not qualify for Early Bird tuition or include any MCLE fees.	<b>\$75</b> <input type="checkbox"/> Live <input type="checkbox"/> VR (see below)	Choose from the applicable Webcast tuition options above.
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655CLP-B

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## Wednesday, February 21, 2018, 5:00–6:30p

### 5:00p **Early Arrivals Reception**

Whiskey Kitchen

201 W Martin St., Raleigh

Sponsored by Contract Solutions

## Thursday, February 22, 2018, 8:15a–4:15p

### 8:15a **Registration and Continental Breakfast**

(Breakfast included at Live program only)

### 8:55 **Welcome and Introductions**

Christopher K. Behm, Kristen L. Beightol and Parker E. Moore

### 9:00 **The Top-10 Amendments to the AIA A-201 General Conditions**

Melissa D. Brumback

- Changes to the “Owner’s Right to Carry Out the Work”
- How control over construction practices have changed
- New issues relating to scheduling and project delays
- Modification of standard dispute resolution provisions

### 10:00 **AIA Changes from the Designer’s Perspective**

John M. Nunnally

- The AIA 2017 edition has a number of changes to the text from the 2007 edition, that predominantly will benefit architects if properly understood and utilized.
- The 2017 edition has enough positive changes for architects that they should consider switching to this version immediately, rather than continuing to utilize the 2007 version.
- Many changes will impact architects directly; however, the roles and responsibilities of owners and contractors are changed and architects need to understand those changes in order to properly perform their contract administration duties.

### 11:00 **Break**

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### 11:15 **The 2017 AIA Changes: An Overview**

Kenneth W. Cobleigh

- History of the AIA Contract Documents
- How the Sausage is Made: Who (and what) drives the creation and amendment of the AIA documents?
- Overview of the most important changes to the AIA Contract Documents
- Changes in, and additions to, the documents that impact:
  - Insurance requirements and the new insurance exhibit
  - Digital data/building information modeling
  - Sustainable projects

12:15p **Networking Lunch** (included at Live program only)

1:00 **Changing the Changes: Coming to an Agreement Between an Owner and General Contractor When Using the AIA Documents**

**Tracy T. James and Neale T. Johnson**

- Which documents should be used?
- Pitfalls for an owner or a general contractor in using the documents
- How to artfully negotiate changes to the changes
- Forward-looking considerations when negotiating construction contracts using the AIA forms

2:00 **The Real World: How the AIA Form Documents (Can) Impact Experts and Consultants on a Construction Project**

**William D. “Bill” Guernier and Hansell M. Pasco III**

- Termination by owners for convenience
- Audit provisions in the AIA documents
- Beyond the AIA: Adding (or removing) contract terms that can do anything from handcuffing your experts to saving your client money

3:00 **Break**

**Sponsored by MBP**

3:15 **Mastering Conflicts of Interest in Construction Matters\***

**Laura M. Loyek and Warren T. Savage**

- The importance of loyalty, confidentiality and independent judgment in attorney/client relationships
- Conflict of Interest traps that arise in construction engagements, as well as lawyer/client relationships in general
- Prudent practices to put in place in order to avoid malpractice claims and State Bar grievances

4:15 **Adjourn**

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# Program Information



## Planners

- **Christopher K. Behm**, Block Crouch Keeter Behm & Sayed LLP, Wilmington
- **Kristen L. Beightol**, Ragsdale Liggett PLLC, Raleigh
- **Parker E. Moore**, Johnston Allison & Hord PA, Charlotte

## Speakers

- **Melissa D. Brumback**, Ragsdale Liggett PLLC, Raleigh
- **Kenneth W. Cobleigh**, The American Institute of Architects, Washington, DC
- **William D. “Bill” Guernier**, The Kenrich Group LLC, New York
- **Tracy T. James**, Hamilton Stephens Steele + Martin PLLC, Charlotte
- **Neale T. Johnson**, Smith Moore Leatherwood LLP, Greensboro
- **Laura M. Loyek**, Lawyers Mutual Liability Insurance Company of North Carolina, Cary
- **John M. Nunnally**, Ragsdale Liggett PLLC, Raleigh
- **Hansell M. Pasco III**, The Kenrich Group LLC, Raleigh
- **Warren T. Savage**, Lawyers Mutual Liability Insurance Company of North Carolina, Cary

## Hotel Information

Contact hotels directly for reservations at the special NCBA room rate. Rates are based on availability and may sell out.

- **Embassy Suites, 201 Harrison Oaks Boulevard, Cary**  
**Nightly Rate:** \$169 single/double and includes evening manager’s reception and full, cooked-to-order breakfast  
**Reservations:** 919.677.1840 or [www.tinyurl.com/NCBA-Embassy](http://www.tinyurl.com/NCBA-Embassy)  
**NCBA Corporate Account Special Rate Code:** 2691626  
**Please note:** The rates may vary according to guest room availability.
- **TownePlace Suites by Marriott, 120 Sage Commons Way, Cary**  
**Nightly Rate:** \$114 studio queen with sleeper sofa (Sunday–Thursday) and includes complimentary hot breakfast. All rooms have a fully equipped kitchen.  
**Reservations:** 919.678.0005 | **Ask for the NC Bar Association corporate rate.**

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**Construction Law**



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"Timely and well organized."

"Very informative. Good insight into client needs and issues."

-Attendees, 2017 Construction Law Section Winter CLE



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