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

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 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
ONLINE* www.ncbar.org/CLE • PHONE* 800.228.3402 • FAX* 919.677.1774
MAIL** Attn: Accounting–NCBA, P.O. Box 3688, Cary, NC 27519-3688

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

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

<table>
<thead>
<tr>
<th>REGISTRANT TYPE</th>
<th>EARLY BIRD TUITION</th>
<th>REGULAR TUITION</th>
<th>WEBCAST TUITION</th>
</tr>
</thead>
<tbody>
<tr>
<td>NCBA Construction Law Section Member</td>
<td>$215 (see below)</td>
<td>$265 (see below)</td>
<td>$290 (see below)</td>
</tr>
<tr>
<td>NCBA Member</td>
<td>$235 (see below)</td>
<td>$285 (see below)</td>
<td>$310 (see below)</td>
</tr>
<tr>
<td>NCBA Paralegal Division Member</td>
<td>$155 (see below)</td>
<td>$205 (see below)</td>
<td>$230 (see below)</td>
</tr>
<tr>
<td>Non-member</td>
<td>$285 (see below)</td>
<td>$335 (see below)</td>
<td>$360 (see below)</td>
</tr>
<tr>
<td>Full-time LANC Attorney (NCBA Member)</td>
<td>$155 (see below)</td>
<td>$180 (see below)</td>
<td></td>
</tr>
<tr>
<td>1st Year Licensed in NC (NCBA Member)</td>
<td>$99 (see below)</td>
<td>$124 (see below)</td>
<td></td>
</tr>
<tr>
<td>CLE Passport Holder</td>
<td>6 tokens (see below)</td>
<td>6 tokens (see below)</td>
<td></td>
</tr>
</tbody>
</table>

☐ Judge (NCBA Member) ☐ Clerk of Court (NCBA Member) ☐ Law Professor (NCBA Member)

☐ Law Student Division Member ☐ Paralegal Division Student Member

These categories do not qualify for Early Bird tuition or include any MCLE fees.

Choose from the applicable Webcast tuition options above.

VIDEO REPLAY LOCATIONS | To register for a Video Replay, visit this program’s webpage at www.tinyurl.com/CLE655CLP to view all locations and dates, then enter your selection below.

City: __________ Date: __________ Code: #655 __________

REGISTRANT INFORMATION | Please print clearly.

Print Full Name: ____________________________ Firm/Organization Name: ____________________________
Address: ______________________________________
City, State and ZIP: ____________________________ Daytime Phone Number: ____________________________
Email Address: ____________________________
NC State Bar No. (Required for MCLE Credit): ____________________________

PAYMENT | Registration is processed only after payment is received. Please print clearly.

☐ Enclosed is a check, payable to NCBA. ☐ Please charge my credit card.
Card Number: __________ Expiration Date: __________
Total Amount: __________ Signature: __________
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
Sponsored by Stasmayer

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
* Indicates portion providing Ethics/Professional Responsibility credit

FINE PRINT  •  REGISTRATION  Registrations are limited by space, and may include a live video broadcast overflow room. TRANSFERS  Registrants may transfer from a Live program, Video Replay, Webcast, Webinar or Phone/Audio Streaming Program without penalty within three business days after the program date. CANCELLATIONS  Cancellations must be received by 9:00 a.m. the third business day prior to the program to qualify for a refund (less $75 administrative fee). Those not attending will receive the digital program materials in full consideration of tuition paid. MCLE CREDIT  The North Carolina Bar Association is an accredited CLE sponsor under the MCLE Regulations promulgated by the NC State Bar Board of Continuing Legal Education. This program is approved (but not sponsored) by the Board for the designated number of CLE hours. Each attorney must maintain a record of his/her attendance for the NC State Bar annual report. MCLE credit is reported by NCBA only if a NC State Bar number is provided. Your CLE tuition includes mandatory State Bar fees used to support the State Bar’s Mandatory Continuing Legal Education program, the Chief Justice’s Commission on Professionalism and the Chief Justice’s Equal Access to Justice Commission. Your tuition also includes digital access to all program materials. DIGITAL PROGRAM MATERIALS  You will receive a notification email when digital materials are available to download. To retrieve digital materials, log in and select “Your Course Materials” on the CLE website. All of the materials for this program will be available for download in advance of the program. VIDEO REPLAYS  To qualify for the Early Bird tuition, registration must be received one week prior to program date. NC State Bar rules require a minimum number of preregistered active State Bar members. NCBA reserves the right to cancel any video program prior to the program date if registrations do not meet the NC State Bar requirement. Some sites require additional registration or evaluation forms. Visit www.tinyurl.com/CLE655CLP to confirm video replay registration and program start times. CLE credit hours at Video Replays are subject to change. Video replay program attendees may purchase the printed manuscript at cost. Due to printing and shipping times we are unable to accommodate requests for print materials made fewer than seven (7) days prior to any video replay program. PERSONS WITH DISABILITIES  We make every effort to notify registrants when a program is canceled or delayed due to weather. If inclement weather is forecast, please check your local news listings or contact event venue. NCBA programs will follow the work schedule of the hosting institutions, to include delayed openings. CLE SCHOLARSHIPS  A limited number of scholarships are available to members in financial need. Contact Membership Services at 1.800.662.7407 or email akemple@ncbar.org. EVENT SPONSOR AND EXHIBITOR OPPORTUNITIES  Interested in meeting the attendees of this program? Become an exhibitor or sponsor! Contact Jennifer Shapiro at CLESponsorship@ncbar.org for detailed information about these opportunities and their benefits. FOR MORE INFORMATION, VISIT WWW.NCBAR.ORG/CLE.
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
- 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

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
  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.

Sponsors (at time of printing)
- GOLD SPONSORS | Contract Solutions and CCIS Construction Consultants
- SILVER SPONSORS | MBP and Stasmayer

We extend our sincere gratitude to the NCBA Construction Law Section as well as the planners and speakers who volunteer their time and expertise toward the goal of presenting an educational program of the very highest quality.

SAVE MONEY on this CLE program with an NC Bar Association CLE PASSPORT
To learn more or to purchase, visit www.tinyurl.com/CLEPassport
Construction Law

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