How the Law Impacts Your Projects, in the Office and in the Field

Description:

Understand the legal concepts in Texas construction law that everyone in the industry needs to know, from the office to the field.

The construction company, architectural or engineering firm you work for may not have the luxury of having an in-house counsel. Or if they do, the in-house counsel may not be providing the information and explanations you need to understand how the law impacts the construction industry, your business and the role you play for the company you work for. This topic will provide an overview of key legal concepts in Texas construction law that everyone in the industry needs to know, from the office to the field. Project managers, CEOs, contract drafters, negotiators, and on-site representatives will all benefit from this information and the knowledge they gain will impact how they do their job. In this competitive industry, simply doing your job well is not going to advance your career. To stay competitive, you need to understand how your job impacts the company as a whole and the bottom line. By understanding how the law impacts your job, you can stay competitive by saving your company time and money.

This topic will focus on three of the most important areas where construction meets the law: (1) drafting and negotiating contracts; (2) perfecting, prosecuting, and defending lien and bond claims; (3) resolving disputes and efficiently managing litigation. This is your opportunity to gain insights and understanding about the law so that you can be better at your job and help your business. Disputes are expensive and no one likes to pay an attorney. This topic will offer practical advice about what you can do on your projects, from the beginning phases through close-out, to avoid disputes and to save time and money if and when a dispute arises.

Learning Objectives:

- You will be able to describe how to draft and negotiate contracts.
- You will be able to recognize key provisions and concepts.
- You will be able to discuss negotiating settlements and understanding settlement agreements and releases.
- You will be able to review how to defend Texas lien and bond claims.

Contents:

Drafting and Negotiating Contracts, and Knowing What to Look out for in Contracts, From the Owner's, General Contractor's and Subcontractor's Perspectives
- Key Provisions and Concepts, Including Liquidated Damages, Indemnity, No Damages for Delay, Waivers, Dispute Resolution, Choice of Law, Lonergan Doctrine, and Recent Changes in the Law Impacting the Same

Perfecting, Prosecuting, and Defending Texas Lien and Bond Claims

Understanding and Efficiently Managing Litigation
- Causes of Actions Available to the Owner, General Contractor, Subcontractors/Suppliers, and Architects/Engineers
- Trust Fund and Prompt Payment Act
- Damages
- Delay Claims
- The Economic Loss Doctrine
- Insurance
- Statutes of Limitations and Repose
- Practical Advice About What You Can Be Doing Now on Your Projects to Save Time and Money Later If a Dispute Arises and Litigation Ensues

Negotiating Settlements and Understanding Settlement Agreements and Releases

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