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# Practical Construction Law & Risk Issues

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Volume 3, Issue 6 November 2017

#### **Year End Address**

Brian Perlberg, Senior Counsel for Construction Law and

Year End Address

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Contracts, AGC of America

As 2017 comes to a close, the AGC Law-in-Brief marks three years of bringing you the latest and hottest legal issues impacting the construction industry.

Topics covered in this year's issues ranged from arbitration, the economic loss rule, partial lien waivers, and much more as we worked to add more tips and tricks to your construction law toolbox.

Below, you can find an easy to use index of all articles sorted by sequence in this end-of-the year issue. Thanks for reading, and on behalf of the entire ConsensusDocs team we wish you and yours a happy and healthy holiday season, and prosperous 2018!

Onward and Upward, Brian Perlberg

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### First Issue - January 2017

- New Updates to ConsensusDocs Contracts to Reflect Today's Industry Brian Perlberg, ConsensusDocs
- **Empower Your Arbitrator to Allocate or Award Attorney's Fees** Eugene J. Heady, Smith Currie & Hancock, LLP
- Managing the Risks of Subcontract Claims Patrick J. Greene, Jr., Peckar & Abramson, P.C.

• Coming Down the Pipeline: Mitigating the Payment Risk in Oil and Gas Construction Through Lien Claims

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- Construction Liability Without A Contract The Erosion Of The Economic Loss Rule

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• Partial Lien Waivers on Projects: Obtaining Progress Payments While Preserving Claims

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- Methods of Forensic Schedule Delay Analysis Pros and Cons Rolly L. Chambers, Smith, Currie & Hancock LLP
- The Most Litigated Contract Document in Construction Just Got More Complicated

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 ESI – What it is and Why It's Important in Today's Fast, Digital-Oriented Construction Project

R. Sean McDonald, Peckar & Abramson, P.C.

• <u>Economic Loss Doctrine Prevents Contractors from Suing Design Professionals</u>

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• Which Standard Form Design-Build Contract is Right for You and Your Project?
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• Construction Defects – Breach of Contract & Negligence: Same Facts
Alternative Claims

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- Overhead You Can't Do Business Without It Charles W. Surasky, Smith, Currie & Hancock LLP
- International Arbitration Considerations
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- When Surety Cond Incorporates the Contract by Reference, Is the Contract's Arbitration Clause Also Incorporated? The Answer Varies by Jurisdiction.
   Robert E. Heideck & Stephen W. Kiefer, Pepper Hamilton LLP
- ConsensusDocs 10-Year Milestone Marks a Brighter Outlook for the A/E/C Industry

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- Consent Agreements A Trap for the Unwary Levi W. Barrett, Peckar & Abramson
- AGC's Commentary on the AIA A201 Gen Conf. Doc.

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- Caveat Contractor: Your Subcontractor's Employees May be Considered Your Own Employees under State and Federal Labor Laws
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- The AIA A201 Gets A Failing Grade: Consider Alternatives or Modifications
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