

# Agenda

## Public Procurement Law Applicable to Construction Contracting *G. Trif*

Procurement laws for counties, municipalities, and other local government entities  
Traditional vs. alternative delivery methods  
Public/private partnerships  
*J. R. Haftek, Jr.*

## Bidding on Public Projects *G. Trif*

Understanding competitive bidding requirements  
Reviewing bid package  
Prequalification of bidders, bid bonding  
Submitting bids  
*J. R. Haftek, Jr.*

## Sustainable Design and Construction in Public Projects *M.D. Shifton*

Participating in the LEED certification process  
Sourcing local materials  
Sourcing sustainable materials  
Reuse and recycling of construction materials

## Contracting in Public Projects *D. Santomauro*

Design professional contracts and project management  
• Professional design services contracts  
• Construction manager contracts  
Construction contracts - understanding key provisions  
• Scope of work and changes  
• Warranties, guarantees and indemnity  
• Performance and payments

## Construction Management Issues in Public Projects *J. J. Lavin*

Handling bond requirements and claims  
• Payment bond law  
• Performance bonds  
Contractor disputes and damages  
• Contractual damages provisions  
• Statutory limitations and sovereign immunity  
Changes, delays and payment claims  
Subcontracting on public projects

## Handling Ethical Issues in Government Construction Law *J.H. Landgraf*

Ethical Issues in government construction law  
• Conflicts of interest  
• Gifts and favors/pay-to-play  
• Ensuring quality and controlling costs  
• False claims

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## New Jersey Construction Law for Public Projects

Live, Interactive Webinar - Tues., February 23, 2021



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## Learning Objectives

### You'll be able to:

**Comply** with public procurement laws that apply to construction contracting.

**Understand** competitive bidding requirements, and get tips on submitting bids.

**Promote** the use of sustainable materials and practices on public projects.

**Review** standard provisions contained in contracts for public construction projects.

**Learn** to handle bond requirements and claims, and get tips on subcontracting.

**Avoid** ethical issues that can arise during the design and construction of public projects.

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## HalfMoon Education Online Learning New Jersey Construction Law for Public Projects

Live, Interactive Webinar - Tuesday, February 23, 2021



**Discuss** public procurement laws for counties, municipalities and other local government entities

**Examine** the process for submitting bids for public construction projects

**Learn** how to participate in the LEED certification process

**Understand** the key provisions in public construction projects

**Identify** construction management issues in public projects

**Learn** how to handle ethical issues in government construction law

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**International Code Council**  
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**NJ Architects**  
7.0 Pending (non-HSW)



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# Faculty

**Greg Trif** *Founding member of Trif Law LLC*

Mr. Trif has a diverse practice in the areas of construction and complex commercial litigation. His representative clients include private owners, general contractors, subcontractors, utility and heavy highway contractors, renewable energy firms and manufacturers of building products. Mr. Trif regularly prosecutes and defends claims in various federal and state courts, as well as providing arbitration tribunals. He also concentrates in the area of labor disputes, public procurement, bid protests, negotiation of change orders and equitable adjustment claims. Mr. Trif also advises clients in the review, negotiation and drafting of construction contracts, as well providing guidance and counsel in project dispute resolution and project crisis management. Mr. Trif frequently authors articles and lectures to lawyers and construction industry professionals on topics related to the construction industry and construction law.

**Joseph R. Haftek, Jr.** *Partner, Schenk, Price, Smith, & King, LLP*

Mr. Haftek has represented developers, general contractors, subcontractors, suppliers, construction professionals, design professionals and businesses in both state and federal courts. He has experience in handling all aspects of litigation, including prosecution and defense of bid protests, affirmative and construction lien claims; negotiating, drafting and reviewing contracts; collection services; public and school bid protest and contract law issues; and providing general legal advice and guidance for each phase of the construction process. Mr. Haftek is co-chair of the Firm's Construction Law Practice Group, where he heads the Bid Protest Team, and he is a member of the School Law Practice Group. He has been a lecturer to both lawyers and construction industry professionals on topics ranging from construction contracts to public bidding and bid protests.

**Mark D. Shifton** *Partner with Gfeller Laurie*

Mr. Shifton focuses his practice in the areas of complex civil and commercial litigation in the state and federal courts in New Jersey and New York. He represents owners, design professionals, and contractors in cases involving construction disputes and catastrophic property losses, and he has extensive experience representing manufacturers, distributors, and retailers of a wide variety of industrial, consumer, and recreational products, including green building products, in both individual and class actions. Mr. Shifton regularly speaks to various legal, insurance, and industry organizations on various topics such as investigating and defending catastrophic property loss claims, construction defect litigation, and risk management. He also defends professional liability actions brought against attorneys, architects, and engineers, as well as the insurance industry and healthcare professionals. Mr. Shifton also maintains a practice in the area of green building and sustainable development. He has been accredited as a LEED Green Associate by the Green Building Certification Institute.

## Webinar Information

Log into Webinar Break  
8:00 - 8:30 am EST 11:40 am - 12:10 pm EST

Morning Session Afternoon Session  
8:30 - 11:40 am EST 12:10 - 4:20 pm EST

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**Damian V. Santomauro** *Director with Gibbons P.C.*

Mr. Santomauro is an experienced litigator who concentrates in construction matters and defense of consumer class actions. As team leader of the firm's Construction Law & Litigation practice, he has a wide range of experience representing clients in the construction industry. Mr. Santomauro is able to advise designers, contractors, and owners on issues that arise during projects, from procurement to completion, and to vigorously represent clients when disputes occur. In addition, Mr. Santomauro defends clients in class actions involving diverse state and federal consumer protection statutes. Whether providing advice to a client on a troubled construction project in an effort to avoid litigation, or defending a business confronted with significant class action claims, Mr. Santomauro works to address the client's specific needs and to effectively and efficiently resolve the dispute. Mr. Santomauro has also represented clients in numerous complex commercial disputes.

**John J. Lavin** *Founding Partner with Lavin & Associates*

Mr. Lavin focuses his practice on litigation, especially commercial and construction litigation. He comes from a construction family and worked as an electrician from high school through law school. Mr. Lavin's personal understanding of construction projects and passion for building things gives him perspective that other attorneys do not have. He has the knowledge and experience to interpret contract provisions and provide practical guidance to see the project through while best protecting his client's interest. Mr. Lavin has represented clients in both private and public projects, including claims involving the Federal Government. In addition to construction law, he handles the firm's commercial litigation practice. Mr. Lavin also is highly familiar with the New Jersey Consumer Fraud Act and has served as special litigation counsel for municipalities on topics from construction disputes to negotiation of labor contracts.

**James H. Landgraf** *Of Counsel with Dilworth Paxson LLP*

Mr. Landgraf has more than 40 years of experience handling construction contracting, construction litigation, and complex commercial and business litigation. He earned his B.A. degree from Muhlenberg College and his J.D. degree from Rutgers University School of Law. Mr. Landgraf is certified by the New Jersey Supreme Court as a Civil Trial Attorney. Mr. Landgraf is a member of the American Bar Association, New Jersey State Bar Association (member and former Co-Chair, Construction Industry Section; member, Renewable Energy and Clean Tech Committee) and Burlington County Bar Association (Past President). He is a Fellow in the Construction Lawyers Society of America. In his construction law practice, he represents most parties to construction transactions and litigation including public, commercial and residential owners, commercial and residential developers, Homeowner and Condominium associations, general contractors, construction managers, architects and engineers and subcontractors and suppliers.

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Completion certificates will be awarded to participants who complete this event, respond to prompts and earn a passing score (80%) on the quiz that follows the presentation (multiple attempts allowed).

# Registration

## New Jersey Construction Law for Public Projects

Live, Interactive Webinar - Tuesday, February 23, 2021

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