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**PRIOR MMLA ANNUAL PUBLIC CONSTRUCTION  
INFRASTRUCTURE UPDATE ANNUAL PROGRAMS**

**Seminar Topics and Panelists**

<b>YR/#</b>	<b>TITLE</b>	<b>PANELISTS</b>
2011  1 <sup>st</sup> PCU	<p><i>Common Construction Law Issues Faced by Municipal Counsel</i></p> <p>Legal Rules and Principles Recited in Recent Decisions of the Massachusetts Office of the Attorney General Bid Unit ♦ Overview of Issues Regarding Bidder Prequalification, Contractor Certification and Contractor Evaluations Likely to Affect Municipal Counsel ♦ The Division of Capital Asset Management Guidelines for Prequalification of General Contractors and Subcontractors to work on Public Building Construction Projects ♦ Bidding Thresholds Ch. 149 – Public Buildings ♦ Direct Payment Request Format, Substantial Completion ♦ Direct Payment Request Format, Periodic Payment ♦ Emergency Waiver Requests by Public Award Authorities ♦ Useful Websites ♦ Division of Capital Asset Management Standard Contractor Evaluation Form</p>	Christopher Petrini, Esq., Chair Peter Mello, Esq. George Matthews, Esq. Susan Flanagan-Cahill, Esq.
2012  2 <sup>nd</sup> PCU	<p><i>Public Construction Projects—Avoiding Traps for the Unwary</i></p> <p>The Misnomer of Independent Contractors: Overview of Recent Developments in Independent Contractor Law and the Construction Reform Act of 2004 ♦ Drafting and Negotiating Risk Allocation Provisions in Public Construction Contracts on Behalf of Public Owners ♦ Tips for the Public Owner to Manage Problems on Public Construction Projects including utilization of owner’s project manager and owner’s rep, early resolution of disputes, etc.</p>	Christopher Petrini, Esq., Chair Peter Mello, Esq. Christopher Brown, Esq. Walter McDonough, Esq.

YR/#	TITLE	PANELISTS
2013  3 <sup>rd</sup> PCU	<p><i>Protecting the Public Owner: Alternative Delivery Systems, Essential Contractual Protections and What's Next? The Proposals Of the Construction Reform Working Group and Likely Impacts on the Public Owner</i></p> <p>Protecting the Public Owner via a Design-Build Alternative Delivery System ♦ Protecting the Public Owner via a CM At Risk Alternative Delivery System ♦ Framingham Case Study: Review of Essential Contractual Protections Contained in the New Framingham DPW Horizontal construction form ♦ What's Next? Proposals of the Construction Reform Review Committee and Their Potential Impacts on the Public Owner</p>	<p>Christopher Petrini, Esq., Chair Heather White, Esq. Angela Atchue, Esq. Steve Torres, Esq. Brian O'Donnell, Esq.</p>
2014  4 <sup>th</sup> PCU	<p><i>Protecting the Public Owner when Drafting Design and Construction Contracts- Success through Risk Allocation</i></p> <p>AIA Document A101™ ♦ 2007 Standard Form of Agreement between Owner and Contractor where the basis of payment is a stipulated sum ♦ AIA Document A201™ ♦ 2007 General Conditions of Contract for Construction - AIA Document B101™ ♦ 2007 Standard Form of Agreement between Owner and Architect - Proposed Revisions to the AIA Document A201™ - 2007 ♦ Sample Payment Bond, - Sample Performance Bond, Petrini &amp; Associates, P.C. ♦ 10 Things Every Municipal Lawyer Should Know About Public Construction Law ♦ Ten "Do's" and "Don'ts" to Consider in the Procurement and Completion of Public Construction Projects ♦ Insurance Policies and Endorsements to Consider for Public Construction Projects ♦ Drafting and Negotiating Risk Allocation Provisions in Public Construction Contracts on Behalf of Public Owners ♦ Construction Claims Alleging Changed Conditions: What to Do When a Contractor Seeks Additional Compensation for Purported Changed Conditions ♦ Montgomery County, MD's General Conditions of Construction Contract ♦ Request for Proposal (RFP) for architectural/ engineering services for Montgomery County Multi-Service Park ♦ Montgomery County, MD's Performance and Payment Bond forms</p>	<p>Christopher Petrini, Esq., Chair John Markovs, Esq. Roy Cooper, V.P., Arcadis</p>

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2015  5 <sup>th</sup> PCU	<i>Public Construction “Cross Training”:</i>  Construction Procurement ABCs ♦ House Doctor Services for Public Construction Projects ♦ A Decade of Reform ♦ Public Construction Reform – Legislative Amendments ♦ Key Developments in Public Bidding Law After Passage of Construction Reform Act, Chapter 193 of the Acts of 2004 ♦ Jason H. Peterson, <i>The Big Dig Disaster: Was Design-Build the Answer?</i> 40 Suffolk U. L. Rev. 909 (2007) ♦ Selected Pleadings & Orders from <u>Coghlin Electrical Contractors, Inc. v. Gilbane Building Company</u> and <u>Eastern Exterior Wall Systems, Inc. v. Columbia Construction Company</u>	Christopher Petrini, Esq., Chair Peter Mello, Esq. Christopher Brown, Esq. Angela Atchue, Esq. Matthew Feher, Esq. Brian O’Donnell, Esq.
2016  6 <sup>th</sup> PCU	<i>Secrets of a Successful Public Construction Project: Working with Outside Professionals from Design through Project Close-Out:</i>  Prequalification Meeting - Contract Negotiations ♦ Bid Protest to Attorney General Bid Protest Unit ♦ All Hell Breaks Loose ♦ Problems on Project and Retention and Preparation of Construction Delay Expert ♦ Claims Adjudication: Presentation of Claims at Mediation ♦ Selected Bid Protest Decisions ♦ The Waiting is the Hardest Part – Delay Damages in Massachusetts Public Construction	Christopher Petrini, Esq., Chair Deborah Anderson, Esq., AGO Bid Protest Unit Christopher Brown, Esq. Roy Cooper, P.E. Neil Joyce Peter Mello, Esq. Alan Miller James Paolini James Peloquin, Esq.
2017  7 <sup>th</sup> PCU	<i>From All Sides: A Multi-Dimensional Perspective on Current Issues in Public Construction</i>  Overview of Prevailing Wage Enforcement ♦ Update on Risk Allocation Issues ♦ Construction Manager At Risk Projects – Lessons Learned ♦ Keys to a Successful Construction Project – Perspectives from a Contractor’s Attorney ♦ Judge’s Corner: Reflections and Suggestions on Litigating a Construction Case ♦ Sample ACORD™ 25 (March 2016 version) ♦ Sample ISO Additional Insured Endorsements, Insurance Services Offices, Inc. ♦ Sample Payment Bond, - Sample Performance Bond, Petrini & Associates, P.C. ♦ A Blueprint for Successful Construction Mediation, Judge Holtz ♦ The Judge’s Toolbox: Lessons Learned from the Bench in Construction Cases, Judge Holtz	Christopher Petrini, Esq., Chair Kate Watkins, AGO Fair Labor Division Heather Rowe, AGO Chief of Investigations Christopher Brown, Esq. Angela Atchue, Esq. Joel Lewin, Esq. Hon. Nancy Holtz (Ret.)

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2018 8 <sup>th</sup> PCU	<p><i>The Role of Municipal Counsel in Public Construction Agency Practice and Litigation</i></p> <p>Real Estate Issues in Public Construction – Acquiring Interests in Real Estate for Public Construction Projects ♦ Overview of the MSBA Process ♦ Application Process for MSBA Funding ♦ Discovery Strategy in Public Construction Litigation ♦ From the Bench: Litigating Public Construction Cases ♦ Superior Court Rule 20 ♦ Superior Court Civil Statistics for FY2007, FY2012 and FY2017 ♦ Superior Court Administrative Directive 17-1 (BLS)</p>	<p>Christopher Petrini, Esq., Chair Amanda Zuretti, Esq. Dennis Ryan, MSBA General Counsel Mary Pichetti, MSBA Director of Capital Planning Peter Mello, Esq. Hon. Brian A. Davis, Massachusetts Superior Court</p>
2019 9 <sup>th</sup> PCU	<p><i>My Client’s Public Construction Project is in Trouble...Now What?</i></p> <p>Payment Disputes: Payment Bonds &amp; Demands for Direct Payment ♦ Construction Accidents: A Subcontractor’s Employee Was Injured and Sued My Client ♦ The General Contractor Walked Off the Project: Performance Bonds and Takeover Agreements ♦ Design or Construction Defect: Whose Fault is It? / 3D Modeling in Design &amp; Construction ♦ Sample Demand for Defense and Indemnity to Contractor ♦ Sample Demand for Coverage and Defense to Insurer ♦ Sample G.L. c. 93A and 176D Demand Letter to Insurer ♦ Sample Third-Party Complaint against Contractor ♦ Sample Complaint Against Insurer ♦ Tips from an OPM’s Perspective – Minimizing the Impacts of Contractor Default ♦ Sample Performance and Payment Bonds ♦ Sample Takeover Agreement</p>	<p>Christopher Petrini, Esq., Chair Amanda Zuretti, Esq. Christopher Brown, Esq. Paul Griffin, Construction Monitoring Services, Inc. David Ponte, P.E., Arcadis U.S., Inc.</p>

MMLA Annual Public Construction Update Programs 2011-2020

YR/#	TITLE	PANELISTS
2020  10 <sup>th</sup> PCU	<p><i>Construction Projects and the COVID-19 Crisis – A Toolbox for Municipal Officials and Boards</i></p> <p>Regulatory Compliance Under COVID-19 ♦ Chapter 53 of the Acts of 2020 ♦ Application Filing ♦ Extension of Existing Permits ♦ Tolling of Deadlines ♦ Remote Meetings ♦ Issuing and Recording Decisions and Orders ♦ Enforcement ♦ Remote Possibility: Electronic bidding, contract execution and acquisition of interests in real estate ♦ Electronic Bidding ♦ G.L. c. 110G Uniform Electronic Transactions ♦ Remote Notarization under Chapter 71 of the Acts of 2020 ♦ Municipal Board Decisions and Orders ♦ Electronic Plan Endorsements ♦ Electronic Recordings ♦ Tales from the Front Lines: Logistical and Enforcement Issues Regarding COVID-19 Response ♦ COVID-19 and Construction Roundtable Discussion ♦ Continuing Projects and Handling Extra Work/Change Order Issues ♦ Government Shutdowns, Suspensions, Force Majeure and Delay Claims ♦ Considerations for Restarting Suspended Projects</p>	<p>Christopher Petrini, Esq., Chair Michael Terry, Esq. Amanda Zuretti, Esq. Dr. Samuel Wong, Framingham Director of Public Health Christopher Brown, Esq.</p>
2021  11 <sup>th</sup> PCU	<p><i>Diversity, Equity and Inclusion Issues in Public Construction</i></p> <p>Workforce Participation Goals ♦ Prevailing Wages ~ Barbara Dillon DeSouza ♦ Responsible Employer Ordinances ♦ Workplace Safety in Public Construction Contracts</p>	<p>Christopher J. Petrini Dr. Yvonne Spicer, Mayor, City of Framingham Susan Moir Barbara Dillon Desouza, Esq. Analtoly Darov, Esq. Jillian Jagling, Esq.</p>

2021.09.22 Listing of Past Annual Public Construction Update Programs (2700-23)