



Construction Group Out + About

April 2022

Members of Robinson+Cole's Construction Group speak and are published on various construction-related topics, are recognized in the community, and participate in high-profile industry group programs throughout the country. We hope to see you while we are "out and about."

Even when we're away from the office, we continue to follow developments and trends in all areas of construction law and to share our insights on our [Construction Law Zone](#) blog. If you haven't checked out the blog, we encourage you to do so and to sign up to receive e-mails when new content is posted. We welcome your feedback and input on topics you'd like us to cover.

Recent + Upcoming Events

AGC-CT BUILD Connecticut Awards

Robinson+Cole proudly sponsored the AGC-CT Build Connecticut Awards Dinner on March 10 celebrating the achievements of the winners of the AGC-CT awards. This prestigious awards program recognizes construction firms that have completed projects of excellence.

Associated Builder and Contractors of Connecticut Membership Meeting

[Greg Faulkner](#) attended the CT ABC (Associated Builders and Contractors of Connecticut) Membership Meeting on March 31, an in-person networking and recognition event designed to connect with other ABC members, celebrate members' milestones, welcome new members, acknowledge the Accredited Quality Contractors (AQC), and recognize the specialty awards. Robinson+Cole received an award for our membership and commitment to the CT ABC for the past 20 years.

7th Annual Women Who Build Summit

[Greg Faulkner](#) was on the planning committee for the 7th Annual Women Who Build Summit, hosted by the Construction Institute, on April 13-14 at UMass Amherst. The Summit celebrated two inspiring days of educational presentations, motivational stories, confidence-boosting interactions, and networking opportunities. The event brought together women and men to celebrate, explore, connect, share, and inspire the innovators and glass-ceiling breakers of tomorrow.

Joe Barra to Speak at Society of Construction Law North America Program

[Joe Barra](#) will be a co-speaker on "Toward Proactive Claim Management: Avoiding Pitfalls That Lead to Disputes," on April 28. In this virtual program, the panelists will provide practical tips on how to proactively manage construction claims and avoid common pitfalls that can lead to costly disputes. Learn more [here](#).

BIAC "Golf for Thought" Golf Tournament

Robinson+Cole is a longstanding supporter of the Brain Injury Alliance of Connecticut's (BIAC) Golf Tournament and we are pleased once again to sponsor its 36th Annual "Golf for Thought" on May 23. BIAC's primary objective is to support individuals with brain injuries, their families, caregivers and brain injury professionals, while increasing awareness of brain injury and its prevention. Learn more [here](#).

AAA Construction Conference

Robinson+Cole will sponsor this year's American Arbitration Association (AAA) Construction Conference on June 9 in New York City. This year's conference will focus on the growing complexities of construction projects, preventing disputes that often arise in these projects, and creating dispute resolution strategies to mitigate risk and keep projects on track. [Dennis Cavanaugh](#) serves on the AAA Commercial Panel of Neutrals, Connecticut Construction Advisory Committee. Visit the [AAA website](#) for more details.

Honors + Awards

Lisa Andrzejewski Featured in the *New York Real Estate Journal's* "Construction Women to Watch" Spotlight

Congratulations to [Lisa Andrzejewski](#) on being featured in the *New York Real Estate Journal's* (NYREJ) "2022 Women In Construction Spotlight," published on March 22. The Spotlight profiled more than 50 women professionals from across the construction industry. In the Q&A feature, Lisa offers advice to other women entering the construction industry and discusses who within R+C has helped her succeed in her area of practice. Read Lisa's feature [here](#).



Choity Khan Recognized Among New Leaders in the Law by the *Connecticut Law Tribune*

The *Connecticut Law Tribune* will recognize several Robinson+Cole lawyers, including [Choity Khan](#) as New Leaders in the Law, during the publication's annual Connecticut Legal Awards on May 11. The distinction spotlights lawyers under the age of 40 who have excelled in the courtroom, in client service and cultivation, in service to bar associations, and in performing pro bono work or community service in a volunteer capacity.



Choity Khan Elected to SABAC

Congratulations to [Choity Khan](#), who was elected Vice President of the South Asian Bar Association of Connecticut (SABAC) on January 17 as part of a new and diverse group of officers on the Board of Directors. SABAC, formed in 2004, serves as a resource to South Asian lawyers and law students for growth, professional development, networking, and community outreach. Its longstanding commitment and focused efforts have resulted in successfully advancing diversity and inclusion in the Connecticut legal community.

Publications

Doug Mackin Authors Article on Dangers of Outdated Construction Contracts for NASBC Website

A *Construction Law Zone* post authored by [Doug Mackin](#) was re-posted to the National Association of Surety Bond Producers (NASBP) [blog forum](#) on February 10. The article "Recent Court Decision Warns of Dangers of Using Outdated Construction Contracts," examines two key takeaways from a recent case, *Hillhouse v. Chris Cook Construction, LLC*, 325 So. 3d 646 (Miss. 2021), before the Supreme Court of Mississippi. Doug writes that the court found that "the arbitration provision was unenforceable and the parties would have to spend the time and resources to resolve any claims before the appropriate court." Read the full article [here](#).



Fred Hedberg Writes on Material Price Escalation and Engineers' Role

[Fred Hedberg](#) authored "The Engineer's Role in Material Price Escalation on Construction Projects," published in the Winter 2022 issue of *PE* magazine, a publication of the National Society of Professional Engineers. Fred's article outlines various considerations that could prove helpful to engineers in protecting owners from unforeseen price escalations while designing and executing a successful design-bid-build project. Read the full article [here](#).



Performance Bonds Are Subject of Fred Hedberg Article

[Fred Hedberg](#) authored the article "Obligees Need to Understand and Fulfill Their Responsibilities Before Claiming on Performance Bonds," published in the Winter 2021 issue of the *Surety Bond Quarterly*, the professional magazine of the National Association of Surety Bond Producers (NASBP). The article reviews a recent Massachusetts court decision that is consistent with other court decisions around the country that rein in unwarranted claims by project owners. Read the full article [here](#).

Choity Khan's Article on New Public Works Construction Projects Is Re-Posted to NASBP Blog Site

The article "Number of New Public Works Construction Projects to Rise as Infrastructure Investment and Jobs Act Signed into Law," authored by [Choity Khan](#), and first published as a [Construction Law Zone](#) blog post on November 22, 2021, was [re-posted](#) to the blog forum on the website of the National Association of Surety Bond Producers (NASBP) on December 7, 2021. The article addresses the highlights of the \$1.2 trillion Infrastructure Investment and Jobs Act, signed into law by President Biden on November 15, 2021, which reauthorizes surface transportation funds and allocates \$550 billion for new federal spending over the next five years. Read the complete article [here](#).



Joe Barra Quoted in Article on Product Shortages and Rising Costs

[Joe Barra](#) was quoted in the article "From Christmas trees to refrigerators, Vermonters are facing shortages and rising costs," published in the November 14, 2021 issue of the *VT Digger*. The story highlights construction projects in Vermont and across the country that have been affected by labor and material shortages, delays resulting from COVID, bottlenecks in supply chains here and abroad, and other issues plaguing the construction industry. Read the article [here](#).



Presentations

Fred Hedberg Addresses Modular Construction Contracts in Strafford Webinar

[Fred Hedberg](#) co-presented the webinar "Modular Construction Contracts: Integrating Components and Deliveries, Delays, Lien Challenges, and Risk of Loss" hosted by Strafford on February 23. The panel of experienced construction attorneys discussed the unique challenges and risks inherent in prefabrication and modular construction, and offered project management and contract drafting tips for managing those risks; understanding local laws governing the different phases of a modular construction project; obtaining adequate insurance and bonding; preserving and protecting lien rights; and implementing best practices in quality control and record keeping during construction of these unique, and often complex, projects.



Joe Barra Talks Material Shortages-Related Cost Escalation

[Joe Barra](#) presented at the "Material Shortages and Cost Escalation" virtual event, hosted by the Construction Management Association of America New England on February 17. Given COVID-19's impact on the built environment, material shortages and cost escalation are among the biggest challenges currently facing the construction industry. Discussion focused on best practices to employ in addressing and managing these risks in existing and future projects, including increasing recovery of costs; how the project's delivery method dictates this risk; how contract language can be used to allocate the risk; and how the project team can manage to address it.



Greg Faulkner and Marty Onorato Present Webinar on Tracking, Approving School Construction Projects

[Greg Faulkner](#) and [Marty Onorato](#) co-presented the R+C-hosted webinar, "School Construction Projects – Following the Money," on December 7, 2021. They were joined by CohnReznick's Carolyn Kurth. For capital projects of all sizes at colleges and universities, tracking and approving progress payments to contractors requires a knowledge of construction contracting and accounting methods that can be difficult to follow, even for those with experience. The presentation reviewed common compensation concepts and pitfalls and offered suggestions to help keep projects on track.



Robinson+Cole's [Construction Group](#):

[Martin A. Onorato \(Chair\)](#) | [Lisa B. Andrzejewski](#) | [Joseph A. Barra](#)

[Dennis C. Cavanaugh](#) | [Gregory R. Faulkner](#) | [Frederick E. Hedberg](#)

[Choity R. Khan](#) | [Douglas J. Mackin](#)

Construction Law **Zone**

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