COVID-19: Insights and Guidance

An ABC webinar series featuring industry experts to answer your questions about the legal, safety and economic impacts of COVID-19.
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The Impact of COVID-19 on Construction Contract Issues and Obligations

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THE CORONAVIRUS AND CONSTRUCTION PROJECTS GENERALLY

• Effects Generally
• Effects Unique to Federal Contracts
• Effects on the Courts
HAS MY PROJECT BEEN AFFECTED BY THE CORONAVIRUS: ESTABLISHING CAUSATION?

- Labor?
  - Mine?
  - Others?
- Material/Equipment Vendor?
  - UCC
  - Common Law
  - FAR
- Subcontractor(s)?
WHAT IS THE EFFECT ON MY PROJECT CAUSED BY THE CORONAVIRUS: ESTABLISHING DAMAGES?

• Time?
• Cost?
• Productivity?
• Mitigation?
WHAT DOES YOUR CONTRACT SAY?

• Force Majeure
• Changes
  • Cardinal Change
  • Constructive Change
• Suspension of Work
• Termination
• Implied Duty of Good Faith and Fair Dealing
WHAT LAW APPLIES?
PRESERVING YOUR RIGHT TO PAYMENT

- Tracking Costs
- Mechanic’s Liens
- Insurance
SO, WHAT SHOULD I DO?

• The Takeaways
QUESTIONS?

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