

Agenda

Managing Risk in the Practice of Engineering

J. Weisberg

- Identifying engineering risks
- Reviewing consequences of potential risks
- Understanding principles of risk management
- Complying with professional and ethical standards
- Identifying strategies to minimize engineering risk and maximize positive results

Minimizing Risk by Maximizing Compliance with Rules of Professional Conduct

J. Weisberg

- Complying with rules of professional conduct
- Preventing conflicts of interest
- Complying with rules on sealing of documents and plans
- Preventing the unauthorized practice of engineering
- Discussion of ethics hypotheticals/case studies

Understanding How Contracts Can Shift, Reduce (or Increase) Risk

W.M. Bryant

- An overview of contract law and key concepts
- Understanding contract formation and revision
- Recognizing liability exposure under contract
- Reviewing standard contract provisions and understanding their impact on risk
 - Guarantees, warranties and indemnities
- Understanding consequences for delay, disruption, nonperformance, inadequate performance
- Using contract terms to manage risk

Professional Liability Law

J. Baker

- Reviewing the grounds for professional liability claims
- Identifying who can bring a claim
- Examining common sources of professional liability claims
- Reviewing defenses to liability claims
- Determining damages
- Participating in dispute resolution: arbitration, mediation, litigation

Managing Risk with General Liability and Professional Liability Insurance Coverage

B. Schoumacher

- Understanding business insurance coverage:
 - general liability vs. professional liability policies
- Additional insureds: obtaining certificates of insurance
- Understanding insurance policies:
 - Indemnities
 - Assignment
 - Insurance availability
 - Warranties, guarantees and certifications
- Recognizing and responding to claims

Managing Engineering Liability and Risk
Lombard, IL - Thursday, October 25, 2018

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Learning Objectives

You'll be able to:

Identify engineering risks and understand principles of risk management.

Reduce risk by complying with rules of professional conduct.

Review standard contract provisions and understand their impact on risk.

Explain the grounds for professional liability claims and identify who can bring a claim.

Understand the difference between general liability and professional liability insurance policies, and discuss their roles in managing risk.



Managing Engineering Liability and Risk

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Identify potential risks in the practice of engineering and review the consequences

Consider how to minimize risk by maximizing compliance with rules of professional conduct

Learn how contracts can shift, reduce, or increase risk

Understand professional liability law and review common sources of claims

Learn how to manage risk with general liability and professional liability insurance coverage

Continuing Education Credits

This seminar offers 6.0 PDHs to Illinois professional engineers.



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Justin L. Weisberg *Attorney with Schuyler, Roche & Crisham*

Mr. Weisberg’s practice focuses on construction law and commercial litigation. He represents private, public, local, and international clients in a variety of construction-related transactions and litigation matters. Mr. Weisberg has a background in professional engineering, giving him added insight and understanding into his client’s cases. His experience has included contract negotiation, counseling, litigation and dispute resolution relating to numerous projects including office, commercial, and residential buildings; nuclear and coal fired power plants; manufacturing facilities, laboratories, water distribution systems, waste water treatment facilities, schools, libraries, stadiums, exposition centers, governmental facilities, roads, bridges, transit stations, refineries, and single family residences. Mr. Weisberg’s work as a registered professional engineer in both Illinois and Florida allows him to utilize his previous engineering experience in his law practice.

W. Matthew Bryant *Partner with Saul, Ewing, Arnstein & Lehr, LLP*

Mr. Bryant focuses his practice on construction and commercial litigation. He has represented owners, architects, engineers, contractors, and subcontractors in lawsuits relating to construction defects, mechanics liens, bond claims, delay claims, change order disputes and fraud. Mr. Bryant has represented condominium developers, condominium associations, and unit owners in litigation matters including defense and prosecution of claims alleging violation of state condominium statutes, failure to adequately manage condominium finances, and breach of fiduciary duty claims. He has defended design professionals against claims of professional negligence. Mr. Bryant has also represented businesses in commercial disputes, including issues of corporate ownership and control, breach of fiduciary duty, and non-competition agreements.

Jeremy S. Baker *Partner with Schiff Hardin LLP*

Mr. Baker is a construction attorney who emphasizes dispute avoidance and cost-efficient resolution of claims. He represents property owners, developers, architects, engineers, contractors, design-builders, construction managers, material suppliers and lenders in all aspects of design and construction, from contract negotiation through dispute resolution. He provides counsel and advocacy to avoid and resolve disputes involving mechanics liens, mortgage foreclosures, payment and performance bonds, delay, disruption, acceleration and labor productivity, payment, change orders and equitable adjustment of contract, design errors and omissions, construction defects, and insurance coverage. An experienced litigator, Mr. Baker has successfully prosecuted and defended lawsuits in more than 30 state and federal court jurisdictions. He frequently represents clients in American Arbitration Association (AAA) arbitration proceedings and has won binding awards after contested evidentiary hearings. However, Mr. Baker also frequently resolves disputes through non-binding mediation without the need for arbitration or litigation.

Bruce H. Schoumacher *Shareholder with Querrey & Harrow, Ltd.*

Mr. Schoumacher is the group co-chair of Querry & Harrow’s Construction Practice Group, and he also practices in several other areas, including professional liability, product liability, commercial law, insurance, and antitrust. He works with a variety of professionals, including architects, engineers, contractors and manufacturers. Mr. Schoumacher is an author and contributor to a number of publications on construction law and an active speaker in the construction industry, having been featured at more than 140 seminars or meetings of the American College of Construction Lawyers, the American Society of Civil Engineers, the Power Engineering Society, the American Society of Military Engineers, the Society of Illinois Construction Attorneys, the Illinois State Bar Association, the Illinois Institute of Continuing Legal Education, and other groups. He is a fellow of the American College of Construction Lawyers, past president of the Society of Illinois Construction Attorneys, and past chair of the Construction Law Section of the Illinois State Bar Association.

Seminar Information

Hyatt Place Chicago - Lombard/Oak Brook
2340 South Fountain Square Drive
Lombard, IL 60148
(630) 932-6501

Registration
8:00 - 8:30 am
Morning Session
8:30 am - 12:15 pm
Lunch (On your own)
12:15 - 1:15 pm
Afternoon Session
1:15 - 4:00 pm

Tuition

\$279 for individual registration
\$259 for Three or more registrants from the same company at the same time.

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How to Register

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Continuing Education Credit Information

This seminar is open to the public and offers 6.0 PDHs to Illinois professional engineers. Educators and courses are not subject to preapproval in Illinois.

Professional engineers seeking continuing education credit in other states will be able to claim the hours earned at this seminar, in many cases. Refer to specific state rules to determine eligibility.

Attendance will be monitored, and attendance certificates will be available after the seminar for most individuals who complete the entire event. Attendance certificates not available at the seminar will be mailed to participants within fifteen business days.

Can’t Attend? Order the CD/Manual Package:

An audio recording of this seminar is available for \$289 (including shipping). Allow five weeks from the seminar date for delivery. Please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Additional Learning

Webinar Series

International Green Construction Code

- **Introduction to the International Green Construction Code (IgCC)**

Thurs., Sept. 20, 2018, 11:00 AM - 12:30 PM CDT

- **Chapters 4-5: Site Development and Material Use**

Thurs., Sept. 20, 2018, 1:00 - 2:30 PM CDT

- **Chapters 6-9: Energy, Water, Environmental Quality and Building Commissioning**

Fri., Sept. 21, 2018, 11:00 AM - 12:30 PM CDT

- **Chapters 10-11: Existing Buildings**

Fri., Sept. 21, 2018, 1:00 - 2:30 PM CDT

Slope Stabilization and Landslide Prevention

- **Analyzing the Stability of Slopes**

Tues., Sept. 25, 2018, 11:00 AM - 2:15 PM CDT

- **Slope Stabilization Methods**

Thurs., Sept. 27, 2018, 11:00 AM - 2:15 PM CDT

For more information visit:
www.halfmoonseminars.org/webinars/

Registration

Managing Engineering Liability and Risk

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Tuition

() **I will be attending the live seminar.** Single Registrant - **\$279.00**. Three or more registrants from the same company registering at the same time - **\$259.00** each.

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