

Agenda

Managing Risk in the Practice of Engineering

A. West

- 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

Law of Engineering Malpractice

S. Agnew

- 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
- Obtaining insurance coverage for professional liability claims

Managing Risk with General Liability and Professional Liability Insurance Coverage

S. Agnew

- Coverage provided by general liability vs. professional liability policies
- Certificates of insurance and additional insureds
- Indemnities Assignment
- Insurance availability Insurance policies
- Warranties, guarantees and certifications
- Recognizing and responding to design professional claims

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

S. Pharr

- 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

Reducing Risk for Yourself, Your Company and Your Clients

H.A. Bolick II

- Negotiating fair and understandable contract terms
- Maintaining adequate documentation
- Implementing document retention policies and procedures
- Utilizing forms and standard documents
- Communicating with clients and other parties
- Implementing quality control practices
- Using alternative dispute resolution procedures

Managing Engineering Liability and Risk
Charlotte, NC - Friday, April 12, 2019

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Learning Objectives

You'll be able to:

- Identify** engineering risks and understand principles of risk management.
- Examine** common sources of professional liability claims and review defenses to claims.
- Learn** how general liability insurance and professional liability insurance offer protection from different types of risk.
- Review** standard contract provisions and understand their impact on risk.
- Learn** practical techniques for reducing risk for yourself, your company and your clients.



Managing Engineering Liability and Risk

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- Identify** engineering risks and review consequences of potential risks
- Manage** risk with general liability and professional liability insurance coverage
- Review** common sources of professional liability claims and discuss defenses to claims
- Learn** how contracts can shift, reduce or increase risk
- Implement** strategies to minimize risk and maximize positive results

Continuing Education Credits

This seminar offers 6.0 PDHs to North Carolina professional engineers.





Allen West *Hamilton Stephens Steele & Martin, LLC*
Mr. West is licensed to practice law in both North Carolina and South Carolina, and he practices primarily in the areas of construction, business litigation, real estate litigation, and bankruptcy. He regularly negotiates and drafts contracts for construction industry clients and provides practical counsel regarding risk assessment and claims avoidance. Mr. West also has substantial experience representing borrowers and guarantors in loan workouts and foreclosures, including the negotiation of loan modifications and forbearance agreements. Before joining HSSM, Mr. West was with the firm Kilpatrick Stockton. Prior to law school, Mr. West worked as a television reporter covering politics and government for WIS News in Columbia, South Carolina, and prior to that served in the U.S. Marine Corps as a noncommissioned officer. Mr. West also has experience as a senior executive for a leading lighting manufacturing company located in Charleston, South Carolina. Mr. West is a frequent lecturer on various construction related topics including lien law, construction contracts, claims avoidance and public contracting issues, and he has been invited to speak to the UNCC School of Architecture, North Carolina Bar Construction Section, AIA, and design professionals. Mr. West was selected by fellow bar members for inclusion in *Business North Carolina* Magazine’s Legal Elite in construction law.

Stephen Agnew *Insurance Management Consultants, Inc.*
Mr. Agnew is a native of Charlotte who comes from a family of engineers and who’s father is still practicing today. He received his B.S.B.A degree in Finance/Risk Management & Insurance with a minor in Economics from the University of North Carolina at Charlotte. In 2002, he also studied International Business at the University of Copenhagen in Denmark. He is a licensed property & liability insurance agent and is currently working on his Certified Risk Management and Register

Professional Liability Underwriter designations. In his free time he enjoys reading, intramural sports and fishing.

Steve Pharr Pharr Law, PLLC
Mr. Pharr was admitted to the North Carolina bar in 1985, following his graduation from the University Of Virginia School Of Law. He was admitted to the South Carolina Bar in 2008. Mr. Pharr has also been admitted to the U.S. District Court for the Eastern, Middle, and Western Districts of North Carolina, the U.S. District Court for the District of South Carolina, the U.S. Court of Appeals for the First and Fourth Circuits and the U.S. Supreme Court. After 15 years in the litigation section of Kilpatrick Stockton, Mr. Pharr founded the firm of Pharr Law, PLLC, in January 2000. He handles general commercial litigation, construction law, real estate litigation, professional liability and products liability. Mr. Pharr is also a certified superior court mediator.

H. Arthur Bolick II Brooks Pierce
Mr. Bolick represents and advises owners, lenders, developers, design professionals, construction managers, general contractors and subcontractors in drafting and negotiating contracts for all types of commercial and institutional projects. Mr. Bolick is equally comfortable helping a small contractor perfect its agreements as he is representing owners, developers and lenders in multi-million dollar construction projects. Over the last decade, he has negotiated nearly a billion dollars in construction and design contracts, from small commercial buildings and apartment complexes, to larger office buildings and public high schools where eight figure budgets are common. Mr. Bolick has been selected by his peers for inclusion in *The Best Lawyers in America* for construction law (2012-2016).

Seminar Information

Charlotte Marriott South Park
2200 Rexford Road
Charlotte, NC 28211
(704) 364-8220

Tuition
\$289 for individual registration
\$269 for three or more registrants from the same company at the same time.

Included with your registration: Complimentary continental breakfast and printed seminar manual.

Receive a reduced tuition rate of \$101 by registering to be our on-site coordinator for the day. For availability and job description, please visit www.halfmoonseminars.org.

How to Register

- Visit us online at www.halfmoonseminars.org
- Mail-in or fax the attached form to 715-835-6066
- Call customer service at 715-835-5900

Cancellations: Cancel at least 48 hours before the start of the seminar, and receive a full tuition refund, minus a \$39 service charge for each registrant. Cancellations within 48 hours will receive a credit toward another seminar or the self-study package. You may also send another person to take your place.

Continuing Education Credit Information

This seminar is open to the public and offers 6.0 PDHs to professional engineers in most states, including North Carolina. HalfMoon Education is an approved continuing education provider in North Carolina (Sponsor ID: S-0130).

Professional engineers seeking continuing education credit in other states will be able to claim the hours earned at this seminar, in most 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 Manual and Audio from the Live Seminar as a Self-Study Package!
Audio recordings of this seminar are available for purchase starting at \$269. See registration panel for more information and 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

Soil Mechanics and Retaining Wall Design

- **Soil Investigation and Classification**
Wed., Feb. 27, 2019, 11:00 AM -1:00 PM CST
- **Retaining Walls: What They Do and How They Do It**
Wed., Feb. 27, 2019, 1:30 -2:30 PM CST
- **Geosynthetics and Retaining Walls**
Thurs., Feb. 28, 2019, 11:00 AM -1:30 PM CST
- **Retaining Wall Failures and Fixes/Site Layout and Prevention**
Thurs., Feb. 28, 2019, 2:00 -4:00 PM CST

Foundations in Cold Regions

- **Introduction to Cold Regions Foundations**
Thurs., Feb. 21, 2019, 11:00 AM -12:30 PM CST
- **Shallow Foundation Design in Cold Regions**
Thurs., Feb. 21, 2019, 1:00 -2:30 PM CST
- **Deep Foundation Design in Cold Regions**
Fri., Feb. 22, 2019, 11:00 AM -12:30 PM CST
- **Foundation Construction in Cold Regions**
Fri., Feb. 22, 2019, 1:00 -2:00 PM CST

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

Registration

Managing Engineering Liability and Risk

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How to Register	Registrant Information
Online: www.halfmoonseminars.org	Name: _____ Company/Firm: _____ Address: _____ City: _____ State: _____ Zip: _____ Occupation: _____ Email: _____ Phone: _____
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Complete the entire form. Attach duplicates if necessary.	
Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred.	
() I need special accommodations. Please contact me.	

Tuition

- () **I will be attending the live seminar.** Single Registrant - **\$289.00**. Three or more registrants from the same company registering at the same time - **\$269.00** each.
- () **I am not attending.** Please send me the self-study package:
 - ☐ Downloadable MP3 Audio/PDF Manual for **\$269.00**.
 - ☐ CD/Manual Package for **\$289.00**.(S&H included. Please allow five weeks from seminar date for delivery)

Checks: Make payable to HalfMoon Education Inc.

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