

Agenda

Contract Law Primer for Engineers

R. Jezdimir

Reviewing the necessary elements of any contract
Understanding contract “legalese”

- Determining performance
- What constitutes a breach of contract?
- What are damages and remedies?
- Liability-shifting contract provisions: warranties, guarantees and indemnities

Making changes to contracts

Professional Liability Law

M. Sassak

Contractual liability
Negligence liability
Design professional standard of care
Duty of care and identifying who can bring a claim
Examining common sources of professional liability claims
Potential defenses to liability claims
Potential damages
Participating in dispute resolution: negotiations, mediation, arbitration, and litigation

Professional Conduct in Professional Design Practice

B. Tiseo

Education, experience, examination
HSW: Michigan Licensing Law: MCL 299-1980 Article 20
Practice of professional engineering
Person in responsible charge/sealing documents
Firm practice
Standard of care
Prohibited conduct: expired/suspended/revoked license
Continuing education

Professional and General Liability Insurance for Engineers

J. Case

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

Reviewing Recent Changes to and Enforcement of Federal and Michigan Environmental Law

A. Siegal

Michigan cleanup rules and vapor intrusion guidance
Brownfield redevelopment
Stormwater permitting and controls
Watersheds, wetlands, lakes and streams
Recent and anticipated developments at the US EPA and the Michigan Department of Environmental Quality
Recent court decisions of note

Engineering Law and Ethics

East Lansing, MI - Wednesday, March 14, 2018



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Learning Objectives

You'll be able to:

Understand contract terminology and learn what constitutes a breach of contract.

Review common sources of professional liability claims and discuss defenses to liability.

Examine professional conduct issues in professional design practice.

Understand insurance policies, including warranties, guarantees and certifications.

Examine recent and anticipated developments at the US EPA and the Michigan Department of Environmental Quality.



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Review the elements of a contract

Examine common sources of professional liability claims

Discuss professional conduct and explore rules for reviewing and sealing documents

Examine professional and general liability insurance for engineers

Review recent changes in Federal and Michigan environmental law

Continuing Education Credits

This seminar offers professional engineers 6.5 continuing education hours.





Ryan J. Jezdimir
Attorney with Blevins Sanborn Jezdimir Zack PLC in Detroit
Mr. Jezdimir focuses his practice on construction law and litigation. He has counseled clients at all stages of a construction project– from bid to the final payment. Mr. Jezdimir has prosecuted and defended against substantial extra compensation claims, obtained a multimillion dollar jury verdict against a developer for fraud and argued before the Michigan appellate courts. He is a member of the State Bar of Michigan and the American Bar Association’s Forum on the Construction Industry. Mr. Jezdimir has been selected for inclusion in the *Michigan Super Lawyers Rising Stars* publication and as a top construction litigator by the magazine, *DBusiness*.

Mark D. Sassak
Attorney with Deneweth, Dugan and Parfitt, P.C. in Troy
Mr. Sassak concentrates his legal practice in construction, fidelity and surety, commercial contract disputes, insurance disputes, real estate matters and litigation of complex and technical disputes. He is also licensed architect. Mr. Sassak has counseled both public and private owners, developers, contractors, construction managers, subcontractors, material suppliers, sureties, architects, engineers and other design professionals on all aspects of construction issues from project planning through bidding and construction. His legal practice concentrates in all aspects of construction law including contract negotiation, drafting and review, architectural copyright, and construction liens. Mr. Sassak has worked on civil litigation and arbitration of disputes ranging from payment claims, change orders and claims for extra work, to defect claims, errors and omissions claims, delays, differing and unforeseen site conditions, and

disruption and acceleration claims to assisting with and responding to surety bond claims.

Benedetto Tiseo
FAIA, NCARB, President, Owner of Tiseo Architects, Inc in Livonia
After having worked in the construction industry since a young child and after serving two years in the US Army, Mr. Tiseo earned his architectural degree from Lawrence Technological University in Southfield Michigan in 1978, after ten years in night school. He has maintained his own architectural practice since 1980. That same year Mr. Tiseo started his architectural teaching career as an adjunct professor at Lawrence Technological University where he continues teaching to this day. In 1990 he started AIA Michigan’s Government Affairs Committee (along with Fred Butters, FAIA, Esq.) and is still a driving force in that arena. Early on in his career he realized that good design can be appreciated best through the combination of both complexity and technology as related to the practice of architecture. Over the past 38 years Mr. Tiseo has served as an expert witness in over 140 cases in the professional as well as the construction arenas. As an expert witness he prides himself in being involved solely in cases he believes in, whether it be for the plaintiff or defendant.

James R. Case
Member with Kerr Russell Attorneys and Counselors in Detroit
Mr. Case’s practice focuses on commercial, contract, construction, and surety law. In his construction practice, he has provided ongoing representation for numerous design professionals, general contractors, subcontractors, owners, and suppliers in a wide range of business matters, including defense and prosecution of claims relating to damages for delay, differing site conditions, construction change

directives, owner interference, design errors/omissions, and contract interpretation in connection with public and private construction projects (commercial, institutional, and industrial). In his surety practice, Mr. Case represents sureties in large and small matters including defaults, litigation, and claims against performance and payment bonds. He serves on the American Arbitration Association’s National Roster of Arbitrators and Mediators, and the American Arbitration Association’s Large, Complex Case Panel. Mr. Case was ranked among The Best Lawyers in America®, by Woodward/ White, Inc.; was named a “Michigan Super Lawyer” by Thomson Reuters; and was rated a “Top Lawyer” by *Dbusiness* magazine.

Arthur H. Siegal
Partner at Jaffe Raitt Heuer and Weiss in Detroit
Mr. Siegal chairs the firm’s Environmental Practice Group, specializing in environmental law, governmental affairs, energy law and administrative law. For over 25 years, he has successfully represented businesses and individuals dealing with environmental regulations and liabilities and brownfield redevelopment and incentives. Mr. Siegal was one of the drafters of the 2010 Michigan Part 201 “superfund” amendments and chaired the legislative subcommittee of the 2014 Collaborative Stakeholder Initiative which drafted 2016 Public Act 471 dealing with brownfield financial incentives. He recently served on an MDEQ stakeholders group working on rewriting Michigan’s solid waste law. Mr. Siegal also focuses on innovative “green” redevelopment and green energy issues. He earned his Bachelor’s degree with distinction from Wayne State University and is a *cum laude* graduate of the University of Michigan Law School. Mr. Siegal maintains a blog titled *www.michigangreenlaw.com*.

Seminar Information

Marriott at University Place
300 Michigan Agricultural College Ave.
East Lansing, MI 48823
(517) 337-4440

Tuition
\$279 for individual registration
\$259 for three or more registrations.

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How to Register

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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 CD/manual package. You may also send another person to take your place.

Continuing Education Credit Information

This seminar is open to the public and offers 6.5 continuing education hours to Michigan professional engineers in accordance with their administrative rules. Educators and courses are not subject to preapproval in Michigan.

Engineers with continuing education requirements in other states will be able to apply 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 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

January Webinar Series

Designing Solar Roofs and Community Solar

- **Design Your Solar Roof**
Wed., Jan. 24, 2018, 11:00 AM - 2:15 PM CST
- **Community Solar**
Wed., Jan. 31, 2018, 11:00 AM - 2:15 PM CST

Pumping and Piping System

- **Introduction to Pumps: Operation, Principles and Calculations**
Thurs., Jan. 25, 2018, 12:00 - 2:00 PM CST
- **Design Standards and Codes**
Thurs., Jan. 25, 2018, 2:30 - 3:30 PM CST
- **Piping System Components, Materials and Calculations**
Fri., Jan. 26, 2018, 12:00 - 2:00 PM CST
- **Handling Pump and Piping System Problems**
Fri., Jan. 26, 2018, 2:30 - 3:30 PM CST

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

Registration

Engineering Law and Ethics
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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.
- () **I am not attending.** Please send me the CD manual package for **\$289.00**. (S&H included. Please allow five weeks from seminar date for delivery)

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