

Agenda

Distinguishing between Construction Defects and Failures *A. Di Gioia*

- Defining defects
 - Causes of defects: problems with design, materials and/or construction
- Defining failures
 - Causes of failures: deterioration, unintended use, “Acts of God”

Analyzing Defects and Failures for Methodology and Causality *M. Shanok*

- The three phases of a building’s life - breaking in, broken in, and breaking down
- Site conditions and vulnerabilities
- Building design and construction
- Defects and failures in mechanical and electrical systems

The Impact of Design, Supervision, and Inspection on Safety During Construction *M. Shanok*

- Worker safety during construction
- Occupant safety once the facility is occupied

Practices that Prevent Defects and Failures *M. Shanok*

- Involving the owner in reviewing proposed use and preparing construction documents
- Complying with building codes standards and practices
- Choosing materials and construction techniques
- Dealing with sales reps
- Employing new materials and construction techniques
- Monitoring construction
- Discovering and correcting problems before project completion
- Educating the owner - building commissioning, operation and maintenance

Preventing and Resolving Disputes Generated by Defects and Failures *R. Garcia*

- Identifying parties with potential liability
- Understanding theories of liability
- Identifying defenses to liability
 - Timeliness, contractual defenses, crossclaims and counterclaims
- Participating in conflict resolution procedures
 - Mediation, arbitration, litigation
- Reviewing types of damages and how they are calculated
- Insurance coverage issues

Preventing and Addressing Construction Defects and Failures
North Haven, CT - Thursday, June 21, 2018

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Learning Objectives

You’ll be able to:

- Examine** causes of construction defect and failures, including design flaws, deterioration and “Acts of God.”
- Explore** the three phases of a building’s life -breaking in, broken in, and breaking down.
- Engage** in practices that prevent defects and failures.
- Monitor** construction and employ new materials and construction techniques.
- Identify** parties with potential liability, and review defenses to liability.
- Understand** and participate in conflict resolution procedures.



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- Distinguish** between construction defects and failures
- Analyze** defects and failures for methodology and causality
- Learn** practices that prevent defects and failures
- Prevent** and resolve disputes generated by defects and failures
- Discover** and correct problems before project completion

Continuing Education Credits

- Professional Engineers**
6.5 Continuing Ed. Hours
- Architects**
6.5 HSW Continuing Ed. Hours
6.5 AIA HSW Learning Units
- Contractors**
Non-Credit Continuing Ed.





Anita Di Gioia
Principal of Di Gioia Law, in Orange, CT
Ms. Di Gioia focuses her practice on complex civil litigation and in particular, within the construction industry, represents owners, designers and contractors in all stages of their construction projects. She has experience negotiating and drafting construction contracts for all participants in the construction industry and also counsels her clients regarding effective risk management and insurance coverage. Ms. Di Gioia also handles construction claim resolution, whether through alternative dispute resolution or litigation. Ms. Di Gioia is a member of the Connecticut Bar Association and the New Haven County Inn of Court. She is admitted to practice in Connecticut, Louisiana and New York. She obtained her undergraduate degree, *magna cum laude*, from Siena College, and her law degree, *magna cum laude*, from the Tulane University School of Law. Ms. Di Gioia started her own law practice in August 2012. Prior to doing so, she was a partner in the Hartford office of a regional law firm.

Michael Shanok
Principal of Forensic Engineering in Cheshire, CT
Mr. Shanok is an electrical, mechanical and structural engineer. He is registered as a professional engineer in Connecticut and Massachusetts and has held temporary permits to practice engineering in more than half the states of the Union and three foreign countries. He graduated from the US Naval Academy in 1960 and after serving on active duty, gained experience, first as an employee and then as the principal of a design firm, in the operation, design, construction supervision and startup of more than 30 industrial facilities. He reorganized his business in 1982, to specialize in forensic engineering. Among catastrophes his firm has been engaged to investigate were the Derby River Restaurant explosion and fire in December 1985 and the L'Ambiance Plaza construction collapse in April 1987. Over the years, his firm has served more than 2,200 clients, including insurance companies, both plaintiff and defense law firms, and industrial companies.

Raymond Garcia
Principal of Garcia & Milas in New Haven, CT
Mr. Garcia is the founding principal of the firm. Since 2006 he has enjoyed the distinction of being named to the Connecticut Super Lawyers® list for Construction Litigation. He combines 10 years of hands-on construction industry experience with more than 32 years of legal experience litigating complex commercial construction and franchise disputes. Mr. Garcia has tried 50 construction cases to conclusion before courts and juries. He has tried to conclusion over 30 franchise cases. He has conducted successful appeals before state and federal appellate courts. The cases span a wide range of subjects from public works contract claims for additional compensation to claims based on Connecticut unfair trade practices, including franchise and bad faith litigation, based on common law and statutory principles. The trials have been conducted before arbitration panels, juries or to the court sitting without a jury. Mr. Garcia attended John Marshall Law School in Chicago, Illinois. He served as an editor of the *John Marshall Journal of Practice and Procedure*, the school's law review, for two years. In 1979, returning from Chicago to Connecticut, he joined Pullman, Comley, Bradley and Reeves in Bridgeport, Connecticut, as an associate. In 1981 he formed Garcia and Associates, P.C., forerunner of Garcia and Milas, P.C.

Seminar Information

Best Western PLUS North Haven Hotel
201 Washington Avenue
North Haven, CT 06473
(203) 239-6700

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

Each registration includes a 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
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- 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 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 professional engineers and 6.5 HSW continuing education hours to architects in all states, except Florida architects. Continuing education is not mandatory in Connecticut.

HalfMoon Education is deemed an approved continuing education sponsor for New York architects. HalfMoon Education is an approved continuing education sponsor for engineers in Florida, Indiana, Maryland, New Jersey (Approval No. 24GP00000700), New York (NYSED Sponsor No. 35), North Carolina, and North Dakota.

This seminar is approved by the American Institute of Architects for 6.5 HSW Learning Units (Sponsor No. J885). Only full attendance can be reported to the AIA/CES.

This course offers a non-credit continuing education opportunity to contractors. It has not been approved by any state contractor licensing entity for required continuing education credit.

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.

Additional Learning

- Webinar Series**
- Proposal Writing**
- Tues., May 22, 2018, 11:00 AM - 3:30 PM CDT
- Soil Engineering**
- **Introduction to Soil Engineering**
Wed., May 30, 2018, 11:00 AM - 12:30 PM CDT
 - **Design of Excavation Support Systems**
Wed., May 30, 2018, 1:00 - 2:30 PM CDT
 - **Slope Repair Techniques**
Thurs., May 31, 2018, 11:00 AM - 12:30 PM CDT
 - **Soil Engineering After College: Practical Approaches to Foundations and Retaining Structures**
Thurs., May 31, 2018, 1:00 - 2:30 PM CDT

For more information and other online learning opportunities visit:
www.halfmoonseminars.org/webinars/

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.

Registration

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How to Register	
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Complete the entire form. Attach duplicates if necessary.	
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() I need special accommodations. Please contact me.	

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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