

Agenda

Contract Law Primer for Engineers

G. Strong

- 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

A. Carlowicz Jr.

- 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

Understanding Business Insurance Coverage and Policies

M. Vespole

- General liability vs. professional liability policies
Claims made vs. occurrence policies
Admitted insurers vs. surplus lines insurers
Understanding requirements of business contracts and their impact on insurance coverage
Additional insured coverage
Contractual indemnification coverage
Responding to claims
Tendering the defense of a claim or lawsuit
Dealing with insurance brokers and insurance companies

Complying with Rules of Professional Conduct

D. Cohen

- Sealing of documents
Standards for responsible charge of engineering work
Unauthorized practice of engineering
National Society of Professional Engineers’ Code of Ethics

Handling Ethical Issues in Professional Engineering Practice

M. Gardella

- Promoting health and welfare vs. managing risk: complementary or conflicting duties?
Protecting the environment: meeting or exceeding legal requirements
Watching the bottom line: identifying and balancing economic pressures in design and construction

Developments in Federal and New Jersey Environmental Law

S. Humphreys

- Reviewing recent changes to and enforcement of:
- Emerging contaminants and natural resource damages
 - Water quality enforcement
 - Stormwater permitting
- Reviewing recent and anticipated developments at the US EPA and the New Jersey Department of Environmental Protection

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Engineering Law and Ethics
Secaucus, NJ - Tuesday, April 2, 2019

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Learning Objectives

You'll be able to:

Understand contract “legalese” as well as necessary elements of any contract.

Examine common grounds for professional liability claims.

Learn how to recognize and respond to insurance claims.

Discuss ethical issues related to the practice of engineering.

Review recent changes to stormwater permitting and water quality enforcement.



Engineering Law and Ethics

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Explore contract formation and elements of a contract

Learn about professional liability law and grounds for professional liability claims

Discuss professional and general liability insurance for engineers

Comply with the rules of professional conduct and ethics

Review developments in federal and New Jersey environmental law

Continuing Education Credits

New Jersey Professional Engineers
7.0 CPC Credits,
Including 2.0 Ethics Credits



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Faculty

Gary Strong *Seiger Gfeller Laurie, LLP in Princeton, NJ*
Mr. Strong focuses his practice in the areas of construction litigation and professional malpractice defense including representation of design professionals, insurance brokers, real estate agents, lawyers, and accountants in the state and federal courts of New Jersey and New York. He has represented a variety of clients in the construction arena, including project owners, developers, design professionals, general and prime contractors, and specialty trade contractors, in all phases of construction and commercial litigation. Mr. Strong regularly counsels clients during pre-construction and construction phases on issues including contract negotiations, risk management, and disputes. His representation extends to both public and private projects, and he addresses payment claims, delay, acceleration, design issues, lien law, bond claims, surety issues, defective work, and wrongful termination. He has extensive experience in construction lien foreclosure actions involving the New Jersey construction lien law and New Jersey's municipal mechanics' lien law. Mr. Strong was recently appointed to serve on the Young Leadership Committee of the ACEC. He is editor of the *Construction Law Newsletter* of the Construction Law Section of the New Jersey State Bar. He earned his Juris Doctorate degree from Rutgers Law School-Newark where he was a member of the *Rutgers Law Record*.

Andrew J. Carlowicz, Jr. *Hoagland, Longo, Moran, Dunst & Doukas, LLP - New Brunswick, NJ*
Mr. Carlowicz serves as co-chair of his firm's Construction Law Department, and he is a member of the firm's management committee. He received a B.S. degree from the University of Scranton and a J.D. degree from the Catholic University of America. He is corporate counsel for numerous design professional firms and construction contractors throughout New Jersey, and he frequently provides both litigation representation, as well as contract review and non-litigation counsel to his clients. Mr. Carlowicz is a member of the New Jersey State Bar Association's Construction Industry Section, and he has lectured at NJIT, Princeton's School of Architecture, and the New Jersey Superior Court "Judicial College". He is on the panel of both arbitrators and mediators for construction industry disputes brought before the American Arbitration Association, and the New Jersey Superior Court panel of construction claim mediators.

Mark R. Vespole *Wilson Elser Moskowitz Edelman & Dicker - Florham Park, NJ*
Mr. Vespole is a partner based in the New Jersey office of Wilson Elser Moskowitz Edelman & Dicker, an international, full service law firm with 38 offices in the United States. Mr. Vespole focuses his practice on the counseling and representation of financial institutions and corporations and their employees on insurance, corporate raiding, construction accident, products liability and construction defect litigation. He also practices in professional liability of architects, engineers, lawyers, accountants and miscellaneous professionals. Mr. Vespole has been certified by the New Jersey Supreme Court as a civil trial attorney for the

past 30 years and has also been a certified mediator. In addition, he has authored the LEXIS-NEXIS Practice Guide *New Jersey Civil Discovery* (2007-2018 Editions), co-authored the LEXIS-NEXIS Practice Guide *New Jersey Pretrial Practice* (2007-2018 Editions), co-authored LEXIS-NEXIS Practice Guide *New Jersey Insurance Litigation* (2008-2018 Editions), co-authored LEXIS-NEXIS Practice Guide *New Jersey Construction Litigation* (2016-2018 Editions) and wrote a chapter on expert witnesses for the LEXIS-NEXIS Practice Guide *New Jersey Trial, Post-Trial and Appellate Proceedings* (2007 Edition). Additionally, Mr. Vespole has been selected for inclusion in the 2006, 2008, 2009, 2010, 2011 and 2012 New Jersey Super Lawyers® lists. He regularly writes and speaks on issues relating to securities, insurance, construction, professional liability and trial practice and significant cases pending in Courts around the country, including the United States Supreme Court.

Danielle E. Cohen *Tesser & Cohen - Hackensack, NJ*
Ms. Cohen focuses her practice on construction litigation and condominium association law. She has represented a diverse range of construction clients, including owners, general contractors, subcontractors and material suppliers. Ms. Cohen has been involved in both prosecuting and defending claims on private and public projects in New Jersey and New York, including delay claims, construction lien and mechanic's lien foreclosure actions, defective work claims, bond claims, prompt payment act claims and trust fund issues. She has also represented condominium associations in the prosecution of construction defect claims, as well as assisted condominium associations with general condominium matters. Ms. Cohen is co-secretary of the New Jersey State Bar Association, Construction Law Section.

Michael J. Gardella *Kelley Drye & Warren LLP- Parsippany , NJ*
Mr. Gardella is an associate in the firm's Real Estate practice group. He previously was a law clerk to the Honorable Thomas M. Moore, J.S.C. in the New Jersey Superior Court, Chancery Division, where he worked on commercial litigation matters, including breach of contract actions, mortgage and tax sale certificate foreclosures, and shareholder disputes. While in law school, Mr. Gardella interned at the Notre Dame Clinical Law Center's Community Development Clinic, where he advised and drafted legal documents for small businesses and a nonprofit organization.

Steven Humphreys *Kelley Drye & Warren LLP- Parsippany , NJ*
Mr. Humphreys is an attorney with the law firm of Kelley Drye & Warren LLP, where he concentrates his practice on all aspects of environmental law and related counseling of businesses. He advises businesses on regulatory compliance and management of environmental risk in matters arising under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); the federal Resource Conservation and Recovery Act (RCRA); the Clean Air Act; the Clean Water Act; and various other federal, state and local environmental laws, as well as the environmental aspects of business transactions.

Seminar Information

Holiday Inn Secaucus Meadowlands 300 Plaza Drive Secaucus, NJ 07094 (201) 348-2000	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 - 5:00 pm
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Tuition
\$289 for individual registration
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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.

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Additional Learning

Webinar Series
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

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

For more information visit:
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Registration

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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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Fax: 715-835-6066		Phone: _____ () I need special accommodations. Please contact me.
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Complete the entire form. Attach duplicates if necessary.		

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:
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