

Agenda

Contract Law Primer for Engineers

J. Levy

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

W. Siesennop

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

Professional and General Liability Insurance for Engineers

A. Anzelmo

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

Handling Ethical Issues in Professional Engineering Practice

B. Zimmerman

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
Integrating new technologies: identifying and balancing the benefits and risks

Complying with Rules of Professional Conduct

B. Zimmerman

Complying with WAC Chapter A-E 8.04 rules of professional conduct
Sealing of documents
Standards for responsible charge of engineering work
Unauthorized practice of engineering
National Society of Professional Engineers’ Code of Ethics

Developments in Federal and Wisconsin Environmental Law

S. Frye

Reviewing recent changes to and enforcement of:

- Pollution prevention
- Water quality enforcement
- Stormwater permitting
- Watersheds, wetlands, lakes and streams

Reviewing recent and anticipated developments at the US EPA and the Wisconsin Department of Natural Resources

Engineering Law and Ethics 2019

Madison, WI - Wednesday, October 2, 2019

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Learning Objectives

You'll be able to:

Understand key contract concepts and terminology.

Explain differences between general and professional liability insurance policies.

Enhance your ability to comply with WAC rules of professional conduct.

Review regulations on water quality, pollution prevention and stormwater management.

Discuss defenses to liability claims.

Consider strategies for ethically handling economic pressures in design and construction.



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Understand contract law

Identify common causes of professional liability claims

Handle ethical issues in engineering practice

Learn about professional and general liability insurance

Explore developments in environmental law

Follow rules of professional conduct

Continuing Education Credits

This seminar offers Wisconsin professional engineers 7.0 PDHs, including 2.0 professional conduct and ethics hours.



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Faculty

Joshua Levy *Partner at Husch Blackwell*
As the Co-Leader of Husch Blackwell’s Construction and Design Group, Mr. Levy specializes in all aspects of construction law. He regularly assists businesses from the onset of planning to the ribbon cutting ceremony. Mr. Levy has represented clients in more than 50 American Arbitration Association hearings, as well as numerous state and federal court and jury trials. He also has served as an arbitrator on the AAA construction industry panel of neutrals for over 10 years. Mr. Levy provides training to design and construction firms and helps his clients navigate the complexities of all types of projects.

Wayne Siesennop *Partner at Siesennop & Sullivan*
Mr. Siesennop’s practice focuses on construction, products liability, professional malpractice and other related areas. Prior to beginning the full-time practice in law, he received his B.S.M.E. degree, with honors, from the University of Missouri-Rolla; and an MSME degree and a PhD degree in Engineering from the University of Illinois – Urbana. Mr. Siesennop received his J.D. degree from Marquette in 1978. He is a registered professional engineer in the State of Wisconsin. The majority of Mr. Siesennop’s work is representing design professionals and contractors in construction related litigation, and as an arbitrator or mediator. He also represents design professionals in matters with the Wisconsin DSPS. Mr. Siesennop has tried or arbitrated over 100 cases, most involving construction matters. He has 16 appellate court decisions.

Anthony Anzelmo *Partner at Husch Blackwell*
Mr. Anzelmo specializes in product liability, construction law, insurance issues, and tax disputes. He works closely with product manufacturers and construction companies in assessing and managing claims, contracts, tax issues, liability insurance programs and lawsuits. Mr. Anzelmo represents owners, municipalities and general contractors in various liability and construction

Seminar Information

Doubletree by Hilton Madison
525 West Johnson Street
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(608) 251-5511

Tuition
\$289 for individual registration
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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 self-study package. You may also send another person to take your place.

disputes, and in insurance coverage risk management. He uses his background of practical and results-oriented insight in risk management to provide a unique way to handle insurance ligation with his clients.

Brian Zimmerman *Shareholder at Hurtado Zimmerman*
Mr. Zimmerman’s practice focuses in the areas of construction and real estate litigation, alternative dispute resolution, commercial and residential real property, including title and survey analysis, and construction contract preparation and negotiation. He often represents contractors, architects, engineers and project owners in disputes regarding construction defects, delay, warranty claims, theft by contractor claims, right to cure and home improvement practices claims, and construction lien foreclosure. A significant portion of Mr. Zimmerman’s practice involves drafting and negotiating construction contracts through custom and model form contracts (AIA, ConsensusDocs, DBIA, and EJCDC). He has worked as an engineering technician for both private and public entities performing design and survey work on various large transportation, municipal and building construction projects throughout southeastern Wisconsin.

Sean Frye *Attorney at Axley Brynelson*
Mr. Frye specializes in construction and environmental law. While in law school, he worked as a legal research assistant through the Water Law and Policy Initiative at Marquette University Law School. Mr. Frye, also a licensed professional engineer, and he has several years of experience as a civil engineer and construction project leader on a variety of transportation projects, giving him a deep understanding of the clients he represents and challenges that they face. His academic background includes B.S. and M.S. degrees in Civil Engineering. Mr. Frye also served in the US Army as a chemical, biological, radiological and nuclear (Haz-Mat) operations specialist in the 4th Infantry Division at Fort Hood, TX, which included two long-term deployments to Iraq and Kuwait.

Additional Learning

Webinar Series

- Stormwater Infiltration**
- **Infiltration and Soil: Water Science**
Thurs., August 8, 2019, 11:00 AM - 12:30 PM CDT
 - **Infiltrating Stormwater and Maximizing Infiltration**
Thurs., August 8, 2019, 1:00 - 2:30 PM CDT
 - **Improving Infiltration with Low Impact Development Techniques**
Fri., August 9, 2019, 11:00 AM - 12:30 PM CDT

- Structural Design and Ethics**
- **Structural Design: Ethical Issues**
Thurs., August 15, 2019, 11:00 AM - 12:00 PM CDT
 - **Structural Design: Gravity Forces**
Thurs., August 15, 2019, 12:30 - 2:30 PM CDT
 - **Structural Design: Lateral Forces**
Fri., August 16, 2019, 11:00 AM - 12:30 PM CDT
 - **Structural Design: Wind, Seismic and Connections**
Fri., August 16, 2019, 1:00 - 2:30 PM CDT

Proposal Writing
Wed., August 7, 2019, 11:00 AM - 3:30 PM CDT

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

Registration
Engineering Law and Ethics 2019

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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.
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