ABOUT THE 2018 USLAW NETWORK CONSTRUCTION EXCHANGE

Protecting Project Profits. Isn’t that the goal of every project manager? The 2018 USLAW NETWORK Construction Law Exchange will discuss contract, insurance and bonding strategies that project owners and construction professionals can utilize to safeguard against legal perils that threaten the bottom line. During this two-day interactive Exchange, participants will be engaged in discussions regarding the latest industry trends, court decisions, and statutory and regulatory developments affecting approaches to minimizing and shifting risk.

Public-Private Partnerships. The venue for the Exchange will provide a unique opportunity to go behind the scenes of one of the largest, on-going Public-Private ventures. The Denver International Airport is undergoing a massive renovation and expansion. Participants will have the opportunity to meet and talk with the executive team responsible for this project and get a sneak-peek at the work being performed.

This program will be driven by seasoned USLAW attorneys and industry leaders and experts who will guide you through a tailored program. The schedule of events has been designed to maximize educational time while minimizing time out of the office. The host hotel, The Westin Denver International Airport, is centrally located and literally steps from your plane. Attendees can arrive the morning of Monday, September 24 and stay one night, departing the afternoon of Tuesday, September 25.

Please join us at the 2018 USLAW NETWORK Construction Law Exchange for this highly unique program.

CLE AND CE ACCREDITATION

USLAW NETWORK will be offering national CLE credit for attorneys and CE credit for FL and TX adjusters. All states are currently pending and all hours are approved or denied at the discretion of the state boards. We have partnered with CEU Institute as our CE/CLE provider to manage all credits: www.ceuinstitute.net. Should you have questions, please contact accreditation@ceuinstitute.net.
SCHEDULE OF EVENTS

MONDAY
September 24, 2018

11:00 A.M. - 6:00 P.M.
Registration

11:30 A.M. – 12:30 P.M.
Lunch for All USLAW Member
Attorneys and Corporate Partners

12:00 P.M. – 3:00 P.M.
USLAW CONSTRUCTION LAW
ANNUAL BUSINESS MEETING
(USLAW Member Attorneys and
Corporate Partners Only)

3:00 P.M. - 6:00 P.M.
DAY ONE – EXCHANGE SESSIONS
(All Attendees Including
Client Guests)

6:30 P.M.
Departure to Punch Bowl Social

7:00 P.M. – 9:00 P.M
An Evening at Punch Bowl Social

TUESDAY
September 25, 2018

7:00 A.M. – 8:00 A.M.
Breakfast

8:00 A.M. – 12:00 P.M.
DAY TWO – EXCHANGE SESSIONS
INCLUDING TOUR OF DIA
(All Attendees Including
Client Guests)

12:00 P.M.
Lunch to Go for All Attendees
SESSION TOPICS

INTERACTIVE EXCHANGE SESSION TOPICS

Most standard construction contract forms, as well as specialized documents, include contract provisions that anticipate potential threats to the profitability of a construction project and are intended to allocate risk and responsibility on the front end. However, the enforceability and interpretation of these provisions varies by jurisdiction. This landscape is ever-changing as courts and legislatures respond to various economic and policy concerns.

INSPECTION AND INVESTIGATION CLAUSES

These provisions are intended to pass down the obligations of the upstream contractors, architect and engineers to the down-stream or lower-tier sub-contractors. These provisions become critical when a downstream contractor seeks additional compensation or extensions of time due to unforeseen or hidden conditions on the job site or due to problems with the drawings relating to the work. In this session, participants will discuss how often these investigations are actually performed, what happens when something goes wrong, and how the owner, design/engineering professional or construction company can utilize these contract provisions to protect against unexpected costs.

INDEMNITY AND ADDITIONAL INSURED PROVISIONS

Because not all risks can be anticipated and avoided (or they simply aren’t), contract provisions can be utilized to shift the risks to others—typically from the up-stream contractors to the lower-tier subcontractors. However, over the last decade, many courts and legislatures have restricted the effectiveness of these customary provisions through strict interpretation, anti-indemnity statutes, and public policy bans. The matrix across jurisdictions is ever changing. This discussion will include an update on the current status of the enforceability of these provisions and best practices for ensuring successful risk allocation.

INSURANCE AND SURETY PRODUCTS

While contracts among the parties to construction projects can attempt to allocate risks, often outside companies must get involved to “buy off” some of the risk that threatens the profitability of a project, or potentially the viability of a company. Through the use of insurance products, project participants seek to limit their exposure to accidental injuries to both persons and property. Surety bonds insure the promises that an owner will pay for or a contractor will complete the work. Both of these protections are necessary to a successful project. While these financial products have been common place for more than a century, they are ever-changing due to innovation in the financial sector and intervention in the legal sector. In this session, attorneys and industry professionals will discuss new trends and products in these areas and their effectiveness in protecting from catastrophic exposure. In addition, an update will be presented on the most recent court decisions affecting coverage, and how these cases are impacting the insured, the claimant and the carrier. Finally, the participants will discuss the shrinking distinction between surety and insurance and how this affects completion of work and project turn-over.
DISPUTE RESOLUTION

The profitability of full-fledged litigation can consume any expected profit on a project. Whether by rules of procedure, court order or contract agreement, parties are increasingly turning to alternative forums for dispute resolution in construction projects. In this session, participants will discuss pros and cons of many of the frequently utilized ADR procedures as well as some of the emerging trends. In addition to standard arbitration, formats such as Appointed Decision Maker, non-binding arbitration, arbitration on written submission, co-mediation and facilitated negotiation will be discussed.

DIA’S PUBLIC-PRIVATE PARTNERSHIP: THE “OTHER 3P”

It’s hard to believe, but Denver International Airport (DIA) was first opened in 1995. Since the airport’s relocation from the old Stapleton International Airport in central Denver, DIA has undergone several construction projects to expand and to update its facilities, which are now host to over 61,000,000 passenger visits per year, ranking DIA as the 5th busiest airport in the United States. The latest of these projects is the $1.8 billion renovation of the Great Hall, or main terminal building at DIA. (The Westin Hotel is directly adjacent to The Great Hall.)

In order to facilitate this massive renovation project, the City and County of Denver, which owns DIA, entered into a Public-Private Partnership with a number of developer, design and construction professionals to help ensure that the project is completed on time and on budget, thereby “protecting project profits.” Representatives from DIA, including CEO Kim Day and Assistant General Counsel Dan Reimer, will take USLAW attendees through the construction contracting process from beginning to end discussing the key provisions of the final contracts and how those provisions were negotiated with DIA’s private partners. The presentation will include an overview of the scope of renovation project and its current status. (The project is scheduled to commence in the Summer of 2018.) We will conclude with a tour of the Great Hall with the DIA Project Manager to get a first-hand look at the work being done.
COME OUT AND **PLAY!**

AN EVENING AT THE PUNCH BOWL SOCIAL

After an afternoon of USLAW NETWORK Construction Law Exchange Sessions, we take a step back in time and visit the original Denver Airport Tower in Stapleton - now repurposed as a dinner and entertainment venue!

**Join us for a fun-filled evening at Punch Bowl Social** – a unique blend of music, food, games, and beverages in a spirited atmosphere that is the very definition of “come as you are.” No pretentious wine-sniffing and swirling, here you can put your elbows on the tables and roll up your sleeves for bowling, larger than life table games and even virtual reality parlors with over 50 gaming options.

**MONDAY, SEPTEMBER 24, 2018 • TIME: 6:30 PM – 9:00PM**

Transportation will be provided from The Westin Denver Airport

*Casual attire suggested.*
LOCATION
Located moments away from the terminals at The Westin Denver International Airport. Opened in the fall of 2015, this impeccable travel destination showcases 519 rooms, including 35 suites, and an expansive conference center steps from the airport grounds.

ABOUT THE HOTEL
Stunning architectural design, state-of-the-art amenities and a superb location moments from the terminals, The Westin Denver International Airport is an inimitable travel destination. Our direct connection to Denver Airport ensures a seamless arrival and departure, plus links guests to the commuter rail line to downtown Denver’s array of attractions.
WHY USLAW

In today’s global marketplace, legal needs often transcend geographic boundaries. To operate globally, you need to have an edge locally. This requires an in-depth understanding of local cultures, economies, laws, governments, trends and business climates. This kind of edge not only enhances your competitive position, but also allows you to anticipate – and even influence – changes in the market, and to react quickly and effectively.

Clients with these types of complex needs turn to USLAW NETWORK (USLAW) member firms to represent them in the courtroom and the boardroom, next door and across the United States and around the world. USLAW member firms are some of the most highly respected law firms in their respective jurisdictions. Each member firm is admitted only after substantial due diligence and is rigorously reviewed to ensure they meet USLAW quality service standards.

The collective expertise of USLAW member firms is impressive. National and international law firms, while they may have scores of offices, do not have access to the depth of the legal resources available through USLAW. As well, our lawyers know and respect each other. Through friendship, networking and resource-sharing, USLAW attorneys develop the type of cooperation and client-focused service that corporations demand of their legal counsel.
ABOUT USLAW’S CONSTRUCTION LAW PRACTICE GROUP

The members of the USLAW Construction Law Group represent owners, developers, general contractors, subcontractors in all trade specialties, construction managers, design professionals including architects and engineers, construction product manufacturers, and material suppliers. Some of our members also represent insurance companies in connection with construction-related issues.

Collectively, the group’s members provide a wide variety of legal services related to a myriad of construction issues. Construction attorneys with diverse practice areas are brought together in a forum which allows for a sharing of ideas, insights and perspectives. By creating a national forum of experienced construction attorneys and industry representatives actively networking to share information, experiences, resources and business opportunities, our members stay ahead of the curve with respect to current trends and construction market changes and deliver the most efficient and effective service to clients. Through seminars, publications, webinars, and the exchange of expert and research information, our members have access to the most current and comprehensive resources to effectively serve their clients in litigation, transactional matters, risk avoidance, risk reduction and alternative dispute resolution.

Why Choose USLAW Construction Law Firms?

The members of USLAW’s Construction Law Group are uniquely qualified to assist clients in construction-related legal issues and disputes. Our focus is to provide our clients with access to a team of top lawyers who have extensive and practical experience in all aspects of construction law and who are dedicated to helping provide solutions to our clients most pressing and complex construction-related needs. The construction process is more challenging daily with the advent of new construction techniques, new relationships on the job site, insurance issues and other issues that have to be recognized and addressed. Our members provide counseling and representation from the bid/planning phase up through the close of the project and beyond as we strive to provide our clients with the tools to stay abreast of a dynamic and ever changing construction landscape.

Because of our group members experience and depth in this area, individual attorneys in the USLAW Construction Group are well equipped to help our clients in handling numerous and varied types of claims, cases and transactional matters, as well as a variety of construction-related insurance issues. Through our network contacts with the USLAW firms, our members have access to qualified, experienced legal counsel in almost any area of construction and across numerous jurisdictions.
REGISTRATION

CONSTRUCTION LAW EXCHANGE
SEPTEMBER 24 - 25, 2018
THE WESTIN DENVER INTERNATIONAL AIRPORT (COLORADO)

COMPLETE THE INFORMATION BELOW AND EMAIL, FAX OR MAIL TO USLAW.

FULL NAME (E.G., JOSEPH A. SMITH)  NICKNAME ON BADGE

TITLE

COMPANY NAME

ADDRESS

CITY, STATE, COUNTRY, ZIP

PHONE  TAX

EMAIL

CONTINUING LEGAL EDUCATION (CLE) LIST YOUR STATE AND BAR NUMBER

CONTINUING EDUCATION (CE) FOR INSURANCE ADJUSTORS LIST YOUR STATE AND LICENSE NUMBER

☐ YES  I WILL ATTEND THE MONDAY, SEPT 24 EVENING EVENT AT PUNCH BOWL SOCIAL

FOR QUESTIONS, PLEASE CALL
(800) 231-9110
EXT. 3

REGISTRATION DEADLINE:
MONDAY
SEPT 17, 2018

Mail registration form to:
Jennifer Randall
USLAW NETWORK
Construction Law Exchange
3111 N University Drive
Suite 400
Coral Springs, FL 33065

Fax registration form to:
(800) 231-9110

Email registration information to:
jennifer@uslaw.org

Register online at: http://web.uslaw.org/2018-constructionlaw-exchange/

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