



The Northern California Pipe Users Group (PUG) and Lorman Education Services are pleased to offer a special **one-day training course** on:

## Construction Law: How to Plan for a Successful Project

*Held on:*

Friday, October 16th, 2015  
8:30 a.m. to 4:30 p.m.

*At the office of:*

Central Contra Costa Sanitary District (CCCSD)  
5019 Imhoff Place, Martinez, CA 94553

### General Course Information:

#### Description

Attend this seminar and make sure your next project is free of claims and disputes, and learn how to effectively handle these problems when things go wrong. Regardless of how well-planned your construction projects is, unexpected circumstances can impede your success and potentially cost you far more in time and money than you intended.

This seminar, conducted by two leading attorneys in the field of construction law, will provide you with critical insight into the often turbulent construction process, including issues surrounding termination, liens and bond claims. Whether you are starting your first construction project or have years of experience under your belt, this seminar is a must.

#### Training Course Purpose and Background

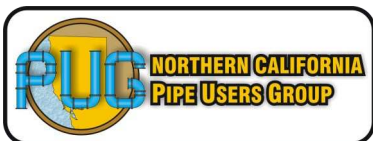
The purpose of this seminar is to assist owners, designers, and builders to (1) improve your productivity and the quality of your finished product; (2) reduce the incidence of conflict and claims; and (3) resolve those claims that cannot be avoided in a fair and equitable manner. You can achieve these goals by improved planning and the training we will provide you in this seminar.

Productivity in construction can be impaired by many factors, including poor design, multiple design changes, deficient leadership, lack of financing, unfair contract terms that assign responsibility and risk inefficiently. Design, leadership, and financing are topics for another training. Our focus in this seminar is on the impact of dealing with the challenges of changes on a project. Changes in scope and time are inevitable but need not represent failures or sources of irreconcilable differences.

This seminar will focus upon learning how to manage the legal aspect **in the midst of change** to achieve optimal efficiency and quality of the finished product.

#### WHO SHOULD ATTEND

- Design Engineers
- Project Managers
- Construction Foremen
- Public Works Engineers
- Construction Managers
- Pipeline Owners
- Contractors
- Specification Writers
- Construction Inspectors
- Anyone else involved in design and construction projects



## ***General Course Information (continued):***

### **Benefits for You:**

- Avoid payment nightmares—efficiently manage the payment process.
- Practical guidance on how to deal with termination.
- Use alternative dispute resolution to your advantage before the dispute ends up in the courtroom.
- Reduce your risk by addressing critical risk factors in your contracts.

### **Learning Objectives:**

- You will be able to review unique issues on public works projects.
- You will be able to discuss claims and change orders.
- You will be able to identify statutory payment remedies.
- You will be able to define dispute resolution.

Stop construction project nightmares in their tracks—get on the right track from the start.

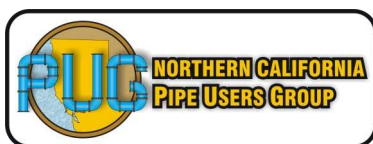
## ***Course Instructors:***

### **Eileen M. Diepenbrock, Esq.**

- Principal in the business and construction litigation department of Diepenbrock Harrison
- Focuses practice on commercial litigation with an emphasis on construction litigation
- Listed in Forbes as one of The 10 Most Dependable™ Litigation Attorneys of California in 2008
- Frequent speaker and writer on construction topics
- B.A. degree, cum laude, University of Santa Clara; J.D. degree, with high honors and Order of the Coif, University of the Pacific McGeorge School of Law
- Can be contacted at emd@diepenbrock.com or 916-492-5000 .

### **William L. Porter, Esq.**

- Principal of Porter Law Group, Inc.
- More than 25 years as a practicing construction attorney
- Chair, SB 189 Attorney Committee that rewrote California construction claim laws
- Founding president: Region Builders, Inc.
- Founding board member: Real Estate and Construction Networking (RECON)
- Can be contacted at 916-381-7868 or bporter@porterlaw.com .



## **Agenda — Morning Session**

**CHECK-IN & REGISTRATION 8:30 TO 9:00 A.M.**

**Eileen Diepenbrock**

9:00 am—10:30 am

Reasons Construction Projects Fail:

- Lack of Resources
- Bad Plans and/or Specifications
- Unqualified Contractors
- Unqualified or Financially Unstable Sub-contractors
- Unrealistic Schedule
- Site Conditions

Available Tools:

- Key Contract Provisions
- Smart Project Planning and Scheduling
- Contract Administration: Being Smart about using the Tools
- Lean Construction/Integrated Project Delivery Agreements

**BREAK 10:30 TO 10:45 A.M.**

**William L. Porter**

10:45 am—11:15 am

Unique Issues on Public Works Projects:

- Competitive Bidding
- Subletting and Subcontracting Fair Practices Act
- Budgetary and Public Funding Restraints
- False Claims Act

**Eileen Diepenbrock**

11:15 am—12:00 pm

Claims and Change Orders:

- Anticipating and Preparing Claims
- Presenting and Receiving Claims

**LUNCH 12:00 TO 1:00 P.M. (PROVIDED)**

## **Agenda — Afternoon Session**

**William L. Porter**

1:00 pm—2:45 pm

Statutory Payment Remedies:

- Right to Stop Work
- Preliminary 20-Day Notice
- Mechanics' Liens
- Stop Notices
- Payment Bond Claims
- Miller Act Claims
- Prompt Payment Status

**BREAK 2:45 TO 3:00 P.M.**

**Eileen Diepenbrock**

3:00 pm—3:30 pm

- Termination
- Warranty Claims, Repairs, Testing

**William L. Porter**

3:30 pm—3:45 pm

Restarting a Stopped Project:

- Owner Bankruptcy/Receivership
- New Financing
- Clearing Liens
- Effect of Bonded Stop Notices
- Bringing Back Subcontractors

**Eileen Diepenbrock and William Porter**

3:45 pm—4:00 pm

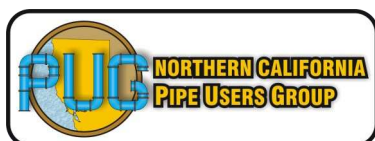
Dispute Resolution:

- Dispute Resolution Board
- Project Neutral
- Direct Negotiation
- Mediation/Arbitration

4:00 pm—4:30 pm Questions and Answers

**WRAP UP — 4:30 P.M.**

**Presented by:**





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***Refreshments and Lunch Provided***

## REGISTRATION FORM

Register only **ONE** person on each registration form. For multiple registrants, please photocopy. Please print your name exactly as you wish it to appear on your name badge. There will be no group discounts available for this seminar.

**ONE DAY REGISTRATION:**

- ☐ I am a PUG member! Enclosed is my \$150 registration fee.  
☐ I am **NOT** a PUG member. Enclosed is my \$250 registration fee.

**Please make checks payable to Pipe User's Group.**

Name \_\_\_\_\_  
Title \_\_\_\_\_  
Agency/Company \_\_\_\_\_  
Address \_\_\_\_\_  
City \_\_\_\_\_  
State \_\_\_\_\_ Zip \_\_\_\_\_  
Phone No. \_\_\_\_\_  
Email \_\_\_\_\_



**A confirmation email will be sent after registration is received.**

- ☐ Please check here if you want your email address added to the PUG e-mail distribution list.

**PAYMENT**

PayPal is now available  
by clicking [Here](#)



**RSVP's must be received by October 9, 2015.**

**Send to:**  
Pipe Users Group  
c/o Brown and Caldwell  
1590 Drew Ave., Suite 201  
Davis, CA 95618  
Attn: Iris Uresti  
Questions? Call (530) 204-5208  
Or email: [iuresti@brwncauld.com](mailto:iuresti@brwncauld.com)