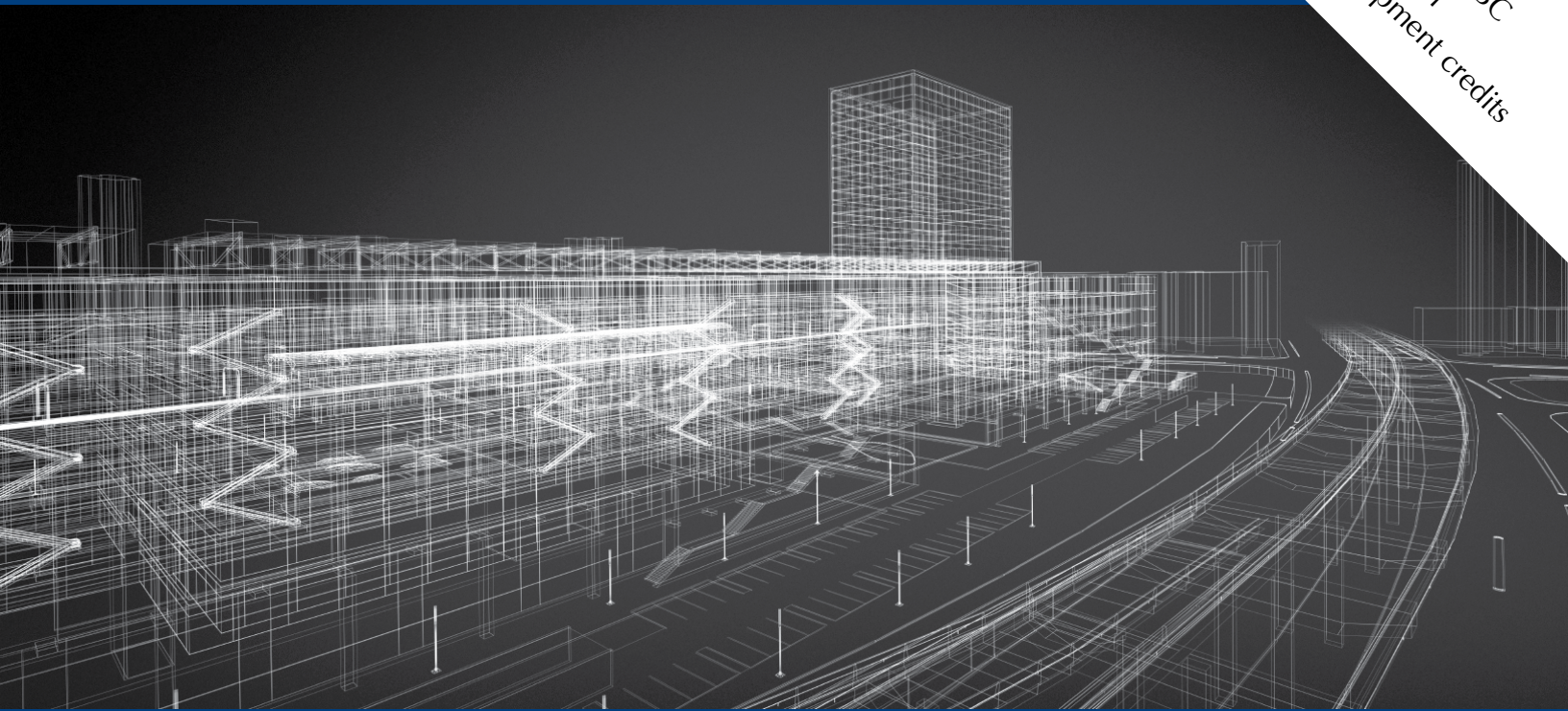




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THE NUTS AND BOLTS OF SUCCESSFUL CONSTRUCTION PROJECTS

Co-Chaired by

Derek A. Brindle, Q.C.
Singleton Urquhart LLP

Thomas G. Krikke, P.Eng.
KPMG LLP

April 10th, 2014 • Pan Pacific Vancouver Hotel • Vancouver, BC

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CO-CHAIRS



Derek A. Brindle, Q.C., Counsel, Singleton Urquhart LLP, Vancouver, BC. Mr. Brindle acts as counsel in litigation, arbitration and alternate dispute resolution involving construction and engineering disputes and in commercial and insurance claims. He has appeared at all levels of the Courts in BC and in the Supreme Court of Canada.

In addition to counsel work, Derek advises clients on construction, contracting, procurement and risk management practices. He is a co-editor of CLE's *British Columbia Builders Lien Practice Manual*. Mr. Brindle is rated "AV" by Martindale-Hubbell, and is listed in the *Best Lawyers in Canada*. He is the President of the Canadian College of Construction Lawyers and has taught as an adjunct professor in UBC Law School construction law courses. He was appointed Queen's Counsel in 2001.



Thomas G. Krikke, P.Eng., Consultant, KPMG LLP, Vancouver, BC. Mr. Krikke is a Professional Engineer with twenty years of industrial experience on large scale heavy industrial construction projects valued up to \$6 billion; working with owners, contractors, consultants, and lawyers on all stages of mega-projects in Canada, USA, and

for International Clients in power (fossil & nuclear), mining, process & petrochemical, pulp & paper, infrastructure, and civil & structural. His experience and expertise include alternate dispute resolution, recovery project management, disputes & claims management (P6, delay & disruption, cost, productivity, etc.), project operation audits (contract, P6 schedule, cost, risk), contract development & compliance, project risk analysis, project systems, and technical SME to corporate internal audit. Recently joining KPMG Canada, Mr. Krikke is working with the Major Projects Advisory Group on large scale distressed project, oversight, and dispute resolution work.

FACULTY



Howard W. Ashcraft, Partner, Hanson Bridgett LLP, San Francisco, CA. Mr. Ashcraft is a partner in the San Francisco office of Hanson Bridgett LLP where he leads the Construction Group and its collaborative project delivery practice. He is a Steering Committee Member of the American Institute of Architects, California Council's (AIACC) Integrated Project Delivery Task Force and was a principal contribution author of the AIACC's *IPD Working Definition* and the AIA/AIACC's *IPD Guide*. He and his team have structured over 30 multi-party contract IPD projects. He is also the procurement workgroup chair for the National Building Information Modelling Standard, an Honorary Member of AIACC and a Fellow of both the American College of Construction Lawyers and the American Bar Foundation. Most recently, Mr. Ashcraft was awarded Lawyer of the Year, Litigation – Construction (2013, San Francisco) by *Best Lawyers in America*®. He holds a bachelor's degree from Stanford and a JD degree from Boalt Hall at UC Berkeley.



Peter V. Badala, Managing Director and West Coast Practice Leader, Navigant Consulting, Inc., San Francisco, CA. Over the past 32 years of practice, Mr. Badala has provided construction advisory services and expert testimony on more than 200 construction projects around the world including major chemical and petrochemical, infrastructure, manufacturing, oil and gas, power and infrastructure projects. His consulting assignments are focused on assisting clients with developing program/project risk management strategies, improving existing project management practices & procedures, project reporting and financial controls based on industry "leading practices" and performing construction cost audits and project performance assessments. As a testifying expert, Mr. Badala's assignments include the preparation or defense of claims for changed/extra work, delay, disruption, deficient design, acceleration, lost productivity, defective work. He has qualified as an expert in various U.S. federal and state courts, numerous international arbitration forums and before the Federal Energy Regulatory Commission and various state regulatory commissions. He is the recipient of Strathmore's *Who's Who Honors* among Construction Experts and the *Who's Who Legal's* leading expert witnesses in the field of commercial arbitration.



Guy Lembach, Partner, Capital Project Services, Deloitte LLP, Calgary AB. Mr. Lembach has 20 years of experience as a professional engineer and a practicing lawyer in the engineering and construction field. He has significant experience with public and private sector clients in providing large capital project advisory related services across the entire project lifecycle. Prior to joining Deloitte, Mr. Lembach worked as a project manager and field engineer and for a litigation firm, defending design professionals, including engineers.

THE NUTS AND BOLTS OF SUCCESSFUL CONSTRUCTION PROJECTS

Construction projects are costly, and unintended, overlooked or unforeseen events and contingencies can lead to cost inflation, frustration and wasted time. When this happens, the ultimate losers are both parties to the construction project. Fortunately, proactive and innovative contract models are evolving in the US and Canada which address these effects and their main causes, including the development and implementation of Integrated Project Delivery (IPD) contract models. How and when to engage these leading practices is essential to the lifecycle success of most projects for the project team, corporate team and all parties.

This program will equip you with tools to identify, reduce and address common problems arising throughout the construction process. You will leave knowing how IPD works to lower project costs for the owner, reduce loss of productivity, costs and related claims, and at the same time provide real incentives and rewards for project participants, including the designer, the construction manager, contractors, trades and suppliers.

This forum features some of North America's top experts in the field of construction claim analysis and the preeminent global practitioner of Integrated Project Delivery to provide you with cutting-edge advice for addressing the most pressing issues facing the construction industry today.

YOU WILL LEARN:

- How to utilize functional assessment, audit and continuous monitoring methods proactively at various time frames of the project life cycle
- How to effectively control costs by focusing on the 10 - 20% that will impact your project and the many other "trickle" charges that routinely plague projects
- Contingency management control techniques and other financial controls
- Schedule and Claims Analysis – how to analyze delays, quantify damages and attribute responsibility
- Schedule Utilization – how to use *Primavera* dimensions and other integrated tools and systems to avoid project timeline issues
- The pros and cons of traditional contract models, and the resulting consequences
- All about the Integrated Project Delivery framework as an alternative to traditional contract models from Howard Ashcraft, the leading global expert on the subject

WHO SHOULD ATTEND:

- Owners and C-Suite Officers
- Engineers and Accountants
- Lawyers
- Project Control Managers, Prime Contract Managers and Claims Consultants
- Designers and Architects
- Construction Managers, Contractors and Suppliers

THE NUTS AND BOLTS OF SUCCESSFUL CONSTRUCTION PROJECTS

— AGENDA —

9:00 Welcome and Introduction

Derek A. Brindle, Q.C.

Singleton Urquhart LLP

Thomas G. Krikke, P.Eng.

KPMG LLP

9:10 Assessments and Audits: What is Going On?!

Peter V. Badala

Navigant Consulting, Inc.

- Trends across Canada, USA, and Global
- Levels of compliance, assurance, and governance
 - Functional Assessment
 - Functional Audit
 - Continuous Assessment (Oversight)
 - Continuous Audit
- Imbalance of risk since 2009 with contracts and project staff on teams
- Application of leading practices for the project and parties

10:00 Cost, Contingency and Financial Controls: What the CFO Doesn't Know (and needs to!)

Thomas G. Krikke, P.Eng.

KPMG LLP

- 80/20 rule and trickle charges
- Contingency control techniques
- Financial controls

10:35 Refreshment Adjournment

10:50 Schedule Analysis – Damage Control When Things Don't Go According to Plan

Guy Lembach

Deloitte LLP

- Claims analysis
 - The project schedule/project plan
 - Schedule analysis
 - Delay claims and damage analysis
 - Results of schedule analysis
- Types of project impacts
- Ways to resolution

11:35 Schedule Utilization – Smart Planning to Minimize Your Risk Up Front

Thomas G. Krikke, P.Eng.

KPMG LLP

- The proactive and preventative application of schedule management to avoid project timeline issues
- *Primavera* dimensions
- Other integrated tools and systems
- Application of leading practices for the project and parties

12:10 Luncheon Adjournment

1:25 Choosing Your Contract Model: The Pros and Cons of Traditional Models

Derek A. Brindle, Q.C.

Singleton Urquhart LLP

- The “ silo ” effect
- Inherent tension between project participants
- An environment for productivity losses and claims
- The ultimate beneficiaries and “ losers ”
- Evolving contract models and project structures

2:00 Integrated Project Delivery (IPD) – Collaborative Planning and Execution

Howard W. Ashcraft

Hanson Bridgett LLP

- What is Integrated Project Delivery?
- When do you choose IPD? (and when not)
- What are the key elements of IPD? (and why)
- IPD processes and behaviors
- Leadership in IPD

3:30 Refreshment Adjournment

3:45 Faculty Roundtable – Lessons Learned

4:45 Chairs' Closing Comments

5:00 Program Concludes

INFORMATION

Four Ways to Register:

1. Telephone us: 604-730-2500 or toll free 877-730-2555
2. Fax us: 604-730-5085 or toll free 866-730-5085
3. Mail your registration form with payment
4. Register at www.pbli.com/1026

Registration: The registration fee is \$725.00 plus GST of \$36.25 totalling **\$761.25** covering your attendance at the program, written materials, a light breakfast and refreshments throughout the day.

Group Discounts: Register four persons from the same organization at the same time and you are entitled to a complimentary fifth registration.

Payment: You may pay by VISA, MasterCard or cheque. Cheques should be made payable to the Pacific Business & Law Institute. Registration fees must be paid prior to the program.

When and Where: Check-in begins at 8:30 a.m. The program starts at **9:00 a.m.** Pan Pacific Vancouver Hotel is located at Suite 300-999 Canada Place in Vancouver, BC. Please call 604-662-8111 for reservations.

Materials: The faculty will prepare papers and/or other materials explaining many of the points raised during this program. Materials will be available for pick-up at the program. Please contact us at registrations@pbli.com if you are unable to attend the program and wish to purchase a set of materials.

Your Privacy: We will keep all information that you provide to us in strict confidence, other than to prepare a delegate list containing your name, title, firm and city for our faculty and the program delegates. We do not share our mailing lists with any non-affiliated organization.

Cancellations: Full refunds will be given for cancellations if notice is received in writing five full business days prior to the program (**April 3rd, 2014**). After that time we are unable to refund registration fees. Substitutions will be permitted. We reserve the right to cancel, change or revise the date, faculty, content or venue of this event.

Course Accreditation: Attendance at this course can be listed for up to **6 hours** of continuing professional development credits with the Law Society of BC.

Registration Form

Pacific Business & Law Institute

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April 10th, 2014

Pan Pacific Vancouver Hotel • Vancouver, BC

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Please indicate your areas of interest for future notifications (select all that apply):

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