

Agenda

Distinguishing between Construction Defects and Failures

Ryan Jezdimir

Defining defects

Causes of defects: problems with design, materials and/or construction

Defining failures

Causes of failures: deterioration, unintended use, "Acts of God"

Error-Proofing Design and Construction

David Arnsdorf

What is error-proofing?

Types of error proofing

Failure analysis

5 Whys

Review of famous failures

Common design errors

Common construction errors

Error-proofing design

Simple design rules to reduce problems

Error-proofing construction

Simple rules to reduce construction errors

Adopting Practices that Reduce Defects and Failures

Matthew Smith

Reviewing proposed use and preparing construction documents

Complying with building codes and standards

Choosing materials and construction techniques

Investigating new materials and construction techniques

Monitoring construction

Correcting problems before project completion

Building commissioning, operation and maintenance

Understanding Liabilities for Defects and Failures

Matthew Smith

Identifying parties with potential liability

Understanding theories of liability

Insurance coverage issues

Resolving Disputes Related to Defects and Failures

Matthew Smith

Identifying defenses to liability

Timeliness, contractual defenses, crossclaims and counterclaims

Participating in conflict resolution procedures

Mediation, arbitration, litigation

Reviewing types of damages and how they are calculated

Preventing and Addressing Construction Defects and Failures
Livonia, MI - Thursday, January 25, 2018

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Learning Objectives

You'll be able to:

Examine causes of construction defects and failures, including design flaws, deterioration and "Acts of God."

Review famous failures and common design errors.

Reduce defects and failures by evaluating new materials, monitoring construction, and correcting problems before project completion.

Resolve disputes generated by defects and failures.

Understand simple rules to reduce construction errors.



Preventing and Addressing Construction Defects and Failures

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Distinguish between construction defects and failures

Learn about error-proofing in design and construction

Explore practices that reduce defects and failures

Identify parties with potential liability

Discuss insurance coverage issues

Continuing Education Credits

Architects

6.5 HSW Continuing Ed. Hours

6.5 AIA HSW Learning Units

Professional Engineers

6.5 PDHs

Contractors

Non-Credit Continuing Ed.



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Faculty

Ryan Jezdimir *Blevins Sanborn Jezdimir Zack PLC, Detroit*
Mr. Jezdimir focuses his practice on construction law and litigation. He has counseled clients at all stages of a construction project – from bid to the final payment. He has prosecuted and defended against substantial extra compensation claims, obtained a multimillion dollar jury verdict against a developer for fraud, and argued before the Michigan Court of Appeals and Supreme Court. Mr. Jezdimir is a member of the State Bar of Michigan and the American Bar Association's Forum on the Construction Industry. He has been selected for inclusion in Michigan Super Lawyers Rising Stars and as a top construction litigator by the magazine, *DBusiness*.

Dave Arnsdorf *Structural Engineer, Greater Detroit Area*
Mr. Arnsdorf is a structural engineer with over 30 years in the industry. He specializes in all types of residential and commercial structural engineering and has extensive experience in wood construction and in evaluating and modifying existing buildings. He is very familiar with the kinds of issues and problems that occur in residential buildings and the most effective and inexpensive fixes. Mr. Arnsdorf is a versatile and resourceful management consultant and Lean Six Sigma coach/facilitator. He has applied lean principals

successfully in a wide variety of settings including office, high and low-volume manufacturing, repair and refit, military, government, and healthcare. He is a certified Air Force Lean trainer. He has particular expertise in applying financial measures to lean projects. He is known for being energetic, tenacious, and innovative, as well being a great teacher and coach/mentor with excellent presentation skills. Mr. Arnsdorf received his bachelor's degree in Architectural Engineering from Pennsylvania State University in 1974 and his master of science degree in Civil Engineering from the University of Michigan in 1984.

Matthew Smith *Attorney with Clark Hill PLC, Lansing*
Mr. Smith is a member of Clark Hill's Construction Practice Group, and he specializes in commercial and construction matters. He is experienced in bankruptcy, creditors' rights, real estate and civil litigation. Mr. Smith is among the five percent of Michigan attorneys selected for inclusion in Michigan Super Lawyers (2012-2017), an honor reserved for those lawyers who have shown excellence in practice. Mr. Smith received a B.A. degree in Financial Administration from Michigan State University in 1991, where he was an athlete and received several scholarships and awards. He joined the United States Marine Corps in 1993 and has achieved the rank of Major.

After receiving his law degree from the University of Detroit Mercy School of Law in 1994, Mr. Smith practiced bankruptcy, real estate and corporate law. In 1995, he returned to active duty in the Marines and attended the Naval Justice School in 1996, receiving certification as a judge advocate in the United States Marine Corps. Mr. Smith served as government counsel, defense counsel, and as a special assistant United States attorney for the Marine Corps' Office of the Staff Judge Advocate in San Diego, California. He returned to Michigan in 1999 to practice creditors' rights law, construction litigation, real estate and corporate law, while also serving in the U.S. Marine Reserves. Mr. Smith authored written materials for several construction seminars, *Creditor's Rights in Chapter 11 Cases* published by Aspatore, a Thomson Reuters Company, and is a regular speaker and instructor for construction seminars and professional conferences. He is admitted to practice in Michigan, the U.S. Sixth Circuit Court of Appeals, the U.S. District Courts for the Eastern and Western Districts of Michigan, the U.S. District Court of California, and the U.S. Navy-Marine Corps Court of Criminal Appeals. Mr. Smith is a member of the American Bar Association, the Ingham County Bar Association and the State Bar of Michigan. He has been selected as a fellow of the Litigation Counsel of America.

Seminar Information

Livonia Marriott
17100 Laurel Park Drive North
Livonia, MI 48152
(734) 462-3100

Registration
8:00 - 8:30 am
Morning Session
8:30 - 11:45 am
Lunch (On your own)
11:45 am - 12:45 pm
Afternoon Session
12:45 - 4:30 pm

Tuition

\$279 for individual registration
\$259 for three or more registrations.

Each registration includes a complimentary continental breakfast and printed seminar manual.

Receive a reduced tuition rate of \$101 by registering to be our on-site coordinator for the day. For availability and job description, please visit www.halfmoonseminars.org.

How to Register

- Visit us online at www.halfmoonseminars.org
- Mail-in or fax the attached form to 715-835-6066
- Call customer service at 715-835-5900

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 CD/manual package. You may also send another person to take your place.

Continuing Education Credit Information

This seminar is open to the public and offers 6.5 HSW continuing education hours to architects and 6.5 PDHs to professional engineers in most states, including Michigan. Educators and courses are not subject to pre-approval in Michigan.

This course has been approved by the American Institute of Architects for 6.5 HSW Learning Units (Provider No. J885). Only full attendance can be reported to the AIA.

Architects and engineers seeking continuing education credit in other states will be able to apply the hours earned at this seminar, in most cases. Refer to specific state rules to determine eligibility.

This seminar offers contractors a non-credit continuing education opportunity; it has not been submitted to any state contractor licensing entity for continuing education approval.

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.

Additional Learning

Webinar Series

International Energy Conservation Code

- **International Energy Conservation Code, Part I**

Thurs., Dec. 21, 2017, 8:00 - 11:00 AM CST

- **International Energy Conservation Code, Part II**

Thurs., Dec. 21, 2017, 12:00 - 3:00 PM CST

Seismic Design and Construction

- **Seismology and Building Codes**

Wed., Dec. 27, 2017, 11:00 AM - 3:30 PM CST

- **Seismic Design of Building Structures**

Thurs., Dec. 28, 2017, 11:00 AM - 3:30 PM CST

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

Can't Attend? Order the CD/Manual Package:

An audio recording of this seminar is available for \$289 (including shipping). Allow five weeks from the seminar date for delivery. Please refer to specific state licensing rules or certification requirements to determine if this learning method is eligible for continuing education credit.

Registration

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How to Register	
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Complete the entire form. Attach duplicates if necessary.	
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Additional Registrants: Name: _____ Occupation: _____ Email: _____ Phone: _____ Name: _____ Occupation: _____ Email: _____ Phone: _____	
Email address is required for credit card receipt, program changes, and notification of upcoming seminars and products. Your email will not be sold or transferred.	
() I need special accommodations. Please contact me.	

Tuition

() **I will be attending the live seminar.** Single Registrant - **\$279.00**. Three or more registrants from the same company registering at the same time - **\$259.00** each.

() **I am not attending.** Please send me the CD manual package for **\$289.00**. (S&H included. Please allow five weeks from seminar date for delivery)

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