



# ALTERNATIVE PROCUREMENT FOR CONSTRUCTION AND CORONAVIRUS IMPACTS UPDATE - WEBINAR

## Friday, June 12, 2020



We have applied for 7 CLE credits (6 Law & Legal Procedure + 1 Ethics)

### SCHEDULE

#### 8:25 a.m. Welcome and Introductions by Program Co-Chairs

*Ron English - Seattle Schools, Retired General Counsel*  
*Brett Hill - Ahlers Cressman & Sleight, Seattle*  
*Bart Reed - Stoel Rives, Seattle*

#### 8:30 a.m. Case Law Updates

Discussion of recent cases of interest, include decisions addressing accord and satisfaction, arbitration, attorney client privilege, claim notice, ethics, incorporation by reference, industrial insurance, insurance, lien and bond claims, service of process, statutes of repose and workplace safety.  
*Paul R. Cressman Jr. - Ahlers Cressman & Sleight, Seattle*

#### 9:30 a.m. Washington Legislative Update

New laws from the 2020 Legislative Session regarding contractors, public works, employment, the environment and other areas. After the session ended, the governor vetoed nearly two dozen bills due to the impacts of COVID-19.  
*Steve Goldblatt - Resolve Disputes, Seattle*  
*Athan Tramountanas - Ogden Murphy Wallace, Seattle*

#### 10:00 a.m. Break

#### 10:15 a.m. Design Build: Past, Present and Future

This presentation will review the legal issues and pitfalls in design-build and delivery in Washington and discuss how to approach design-build projects as we approach a "new normal" in the age of coronavirus and beyond.  
*Robynne Thaxton - Thaxton Parkinson, Mercer island*

#### 11:15 a.m. Highlights from the Seattle Tunnel Litigation

Was the steel well casing a differing site condition? How did the Court deal with the loss of evidence? Was the contractor required to certify subcontractor pass-through claims?  
*Karl Oles - Stoel Rives, Seattle*

#### 12:00 p.m. Construction Law Section Update and Lunch Break

*Amber Hardwick, General Counsel, OAC Services, Seattle (Section Chair)*

#### 12:30 p.m. Judicial Panel - View from the Bench

The distinguished panel will share their perspectives on how the Coronavirus has changed trial and appellate practice and how they will continue to evolve.

*Hon. Beth Andrus - Court of Appeals, Div. I, Seattle*  
*Hon. Jim Rogers - Presiding Judge, King County Superior Court, Seattle*  
*Hon. Catherine Shaffer - King County Superior Court, Seattle*

#### 1:30 p.m. Public Private Partnerships

Recent developments in the use of public private partnerships for construction.  
*James Lynch - Murray Franklyn, Bellevue*

#### 2:00 p.m. Break

#### 2:15 p.m. COVID-19 Impacts on the Construction Industry and Workforce

Discussion of the governor's proclamation, list of essential infrastructure workers, supplemental guidance, process for clarification from the State Department of Commerce, enforcement (local government, law enforcement, LNI, AG, workforce complaints). Discussion of ongoing issues as the construction industry gets back to work, including and delays (force majeure, impracticability and impossibility), damage claims, impacts on materials availability and impacts on the construction workforce  
*Bryce Sinner - Landerholm, Vancouver*

#### 3:00 p.m. Developments in GC/CM Contracting

A discussion of the GC/CM process in Washington, Legislative history, interesting case studies, and caselaw developments.  
*Ellie Perka - Ahlers, Cressman & Sleight, Seattle*

#### 3:30 p.m. Ethics

Ethical considerations during and after a pandemic; or, how I learned to cope . . .  
*Chris Soelling - Soelling Law, Seattle*

#### 4:30 p.m. Adjourn Seminar, with Virtual Social Hour to follow program.

Virtual social hour will be through Zoom conference call. Please be sure to add the social hour to your online registration order.

**Seminar is webcast only. Registrants will be provided login information.**

Registration will be online only at <https://WSBAConstructionLaw2020.eventbrite.com>

*We encourage early registration.*

Section Member, \$120

Section Member, new/govt./small firm, \$95\*

Non-Section member, \$135

Non-section member, new/govt./small firm, \$110\*

Coursebook included with price of tuition.

\*Attorneys who have been admitted to practice in Washington for fewer than five years, or are government employees, or who work at a firm of five lawyers or less, are eligible to receive the reduced tuition.

#### Payment Policies

**Refunds:** Registration fees may be refunded, less \$25 for handling, for written cancellations emailed, by 5 p.m., up to 3 business days before the seminar. No refunds after that date, but you will receive the coursebook. Canceled registrations may not be transferred to other seminars. You may send a substitute (e.g., someone from your firm) in lieu of canceling.

**Questions:** Contact Bart Reed at [bart.reed@stoel.com](mailto:bart.reed@stoel.com)