

CLAIMS SERIES



Thursday
March 17, 2022
8 - 10 AM (PT)

REGISTER (Save on Teams of 3 or more)

E-MAIL: vann@wccc.org (call in CC #)

PHONE: (916) 599-8020

MAIL: Call or e-mail your RSVP - then mail form & list with check payable to **Western Council of Construction Consumers**

2356 Terraza Ribera, Carlsbad, CA 92009

WCCC Member Non-Member

Individual \$ 95 \$ 120

Team 3+ \$ 80 each \$ 105 each

****Add \$10 each after 3/10/22**

No-shows, & cancellations after **3/10/22**, are subject to full fee. You may send Subs.

Name: _____

Title: _____

Firm/ Agency: _____

Address: _____

City/ST/ZIP: _____

Work Ph: _____ Cell: _____

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▶ **TEAMS: Attach List** (w/this info for each)

VISA MC Discover AMEX Check

Name on card: _____

#: _____ Exp _____ Code _____

Billing Address: _____

Signature: _____

Registrants: ___ x Fee \$___ = Total \$_____

Webinar: Concurrent Delay - Is This Still a Contractor's "Get Out of Jail Free Card"?

This presentation uniquely sets forth best practices for both owners and contractors concerning concurrent delays. Since owners generally do not impose late completion damages until the end of the project, frequently a contractor's claim of concurrent delay is not submitted until the project is complete. This webinar explores mechanisms, based on some recent court rulings that owners employ to defeat a contractor's "concurrent delay defense."

This presentation defines the term "concurrent delay"; discusses the background of today's concurrent delay doctrine in U.S. law; explores three recent court cases – two Federal and the third State – that provide owners with some defenses and offers practical advice to owners and contractors when dealing with the issue of concurrent delay.

When owners impose liquidated or actual damages at the end of a delayed project, contractors often respond with allegations of concurrent delay. That is, contractors argue that some or all of the project delay was actually caused either by the owner or an external force, concurrent with the contractor's delays, and therefore all or some of the late completion damages should be forgiven or excused.

Participants will learn:

- The true meaning of the term "concurrent delay"
- background of today's concurrent delay doctrine in U.S. law
- some court-case-based defenses
- practical advice to owners and contractors for dealing concurrent delay

Webinar Outline:

- Introduction
- Define concurrent delay
- The genesis of the Concurrent Delay Doctrine in U.S. law
- Why concurrent delay is important to both owners and contractors
- When most concurrent delay assertions are made on typical projects
- The owners newest defense against concurrent delay assertions
- The impact of these three recent court decisions
- Practical tips for owners who use liquidated damages clauses
- Practical tips for contractors seeking to preserve their rights to concurrent delay issues
- Conclusion / Q & A

Who would benefit most from this program?

Project Owners, Owner Reps, Design Professionals, Engineers, CMs, PMs, FMs, Contractors ...

▶ **Instructor: James G. Zack, Jr.** is Principal of James Zack Consulting, LLC, a construction claims consultancy dedicated to helping Owners and Contractors complete projects in the field, not arbitration or court. He is a recognized, published expert in mitigation, analysis, and resolution or defense of construction claims and disputes. In his 49-year career, he has been involved in public and private projects throughout the U.S. and 39 countries, working with Owners and Contractors on 5,000+ claims. He is Sr. Advisor to Ankura Construction Forum™ and was previously Ex. Dir. of Navigant Construction Forum™; Ex. Dir. of Corporate Claims Management Group at Fluor Corporation; VP at PinnacleOne; and Sr. Construction Claims Consultant for CH2M HILL, Inc. He is a Fellow of AACE, RICS, GPC, SCCSI. His professional certifications include: CCM, CFCC, ECCCS, ECCDA and PMP.