

Division Breakfast Meetings



Friday, October 19, 2012 7:15 AM—8:30 AM

Division 1 and Young Lawyers: The Great Boston Molasses Flood of 1919

On January 15, 1919 a large storage tank in Boston's North End burst, spilling more than two million gallons of molasses. The resulting wave of molasses rushed through the surrounding neighborhood at an estimated 35 mph, killing 21, injuring 150, and causing widespread property damage. Our panel will tell the story of this fascinating episode in Boston's history, focusing on comparing and contrasting the forensic analysis and litigation which was performed then with the way that a similar case would be handled today. Speakers include Nicholas Holmes, Chair of the Construction Industry Practice Group at Nelson, Kinder + Mosseau, PC; Marshal Clark, Senior Associate and forensic engineer for Structural Integrity Associates, Inc; and Robert Ruesch, a partner and Chair of the Trial Department and Construction Law Group at Verrill Dana, LLP.

Back Bay Ballroom A, 2nd Floor

Divisions 2 and 12: Design Professional Insurance – Modern Alternatives to Typical Practice Policies

Would you like to leave Boston knowing more about Professional Liability Insurance? If so, this program is for you. There are an increasing number of options available to project participants to insure against design risk and this program will leave the attendee in a position to know more about the options available to your client whether they are Owners, Contractors or Design Professionals. Program speakers are Suzanne Harness, a principal with Harness Law, and Keith Jurss, a Senior Vice President – Professional Liability with Willis' National Construction Practice.

Back Bay Ballroom C, 2nd Floor

Division 3: Boston's "Big Dig" – Designing for Success

We are pleased to welcome Dr. Thom Neff, P.E., Principal Manager of GHD, Inc., the engineer in charge of all geotechnical and environmental aspects of the "Big Dig," and Dr. Gary Brierley, P.E., President of Brierley & Associates, the geotechnical engineer for the tunnel portion of the "Big Dig." The Central Artery/Tunnel Project (CA/T), known unofficially as the "Big Dig," was the most expensive highway project in the U.S. with construction costs up to \$24.3 billion. The project included rerouting Boston's Central Artery (the chief highway through the city) into a 3.5-mile tunnel. Thom and Gary will discuss the Big Dig from the point of view of engineering accomplishments and the positive impacts for the City of Boston, including the engineering challenges they faced associated with bringing Boston's chief highway underground. The presentation will illustrate the spectacular process of construction as it unfolded.

Beacon D, 3rd Floor

Division 4: Alternative Project Delivery

There is a growing funding crisis in transportation infrastructure in the United States due to the shortfall in public funds and the aging condition of these assets. At the same time there is an ongoing financial crisis and recession in the global economy. These crises are fostering a new importance for public-private partnerships (PPP). PPPs can attract new funding sources and improve project delivery and timing, by utilizing innovative financing and integrated contracting methods. PPPs can vary from a simple design-build contract to a privatization of a facility with many variations in between.

To work best, PPPs are structured to share risk and rewards equitably between the public partner and the private partner. In addition, procurement "process changes" available in PPPs can produce significant savings. A project structure must be established that integrates the necessary elements of environmental review, financing, procurement, design, construction and operations. The PPP process can provide for cost-certain and date-certain project delivery through a single accountable "at risk" entity, representing the interests of the entire project and balancing of cost, scheduling and life cycle.

This presentation will address the recent past as well as what is happening in today's U.S. market for PPP's in infrastructure. The program speaker is Chris Kane (P.E., J.D.), Vice President, Senior Counsel (Alternative Delivery), AECOM of Princeton, New Jersey.

Beacon A, 3rd Floor

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Divisions 5 and 8: Emerging Market and Infrastructure Projects in Brazil

Cecilia Vidigal Monteiro de Barros of Motta, Fernandes, Rocha Advogadas, Sao Paulo, Brazil will speak on the topic emerging market and infrastructure projects in Brazil.

Back Bay Ballroom B, 2nd Floor

Division 7: The Changing World of Project Delivery and Financing – How will Life Cycle Delivery Influence Construction Industry?

As owners (public and private) become increasingly aware that long term operations and maintenance (O&M) costs are 10 times that of initial delivery (design and construction), design and construction firms are increasingly participating in ventures with operators, equipment suppliers, and a range of financing partners. Our breakfast program will consider and discuss how industry structure is evolving, along with effects on the nature of contracts, and the roles of sureties and insurers. Dr. John B. Miller of the Barchan Foundation will present.

Beacon E, 3rd Floor

Division 9: Traps for the Unwary When Submitting a Payment Bond Claim

This presentation will focus on the practical “do’s and don’ts” when submitting a payment bond claim to a surety. The emphasis will not be on a discussion of cases, but rather the necessary steps that must be taken to properly and efficiently submit a claim for proper consideration. Bradford R. Carver and Jonathan C. Burfood, partners in the Boston office of Hinshaw & Culbertson LLP, will present.

Beacon F, 3rd Floor

Please visit the Membership Table in the Republic Ballroom to join the Forum and sign up for Divisions!