

ASFE's BackYard Seminar

PROFESSIONAL PRACTICE 101

The Essentials of Risk Management and Profitability for Project Managers

John P. Bachner, *Bachner Communications, Inc.*

- AGENDA -

- I. AN INTRODUCTION TO ASFE (AND WHAT YOU REALLY DO)
- II. NEGLIGENCE AND THE STANDARD OF CARE
- III. WHAT DO CLIENTS REALLY WANT?
- IV. THE VALUE OF A CLIENT FOR LIFE
- V. WHOSE CLIENT FOR LIFE ARE YOU?
- VI. THE 30-SECOND EXERCISE
- VII. THE ANATOMY (AND COST) OF A LAWSUIT
- VIII. THE CAUSES/TRIGGERS OF DISPUTES, CLAIMS, AND LITIGATION
- IX. CONTRACTS VS. CONTRACT FORMATION
- X. OUR LEGAL SYSTEM IN (VERY) BRIEF
- XI. CONTRACTS AND A FEW KEY ISSUES
- XII. WORDS CAN KILL
- XIII. PROFESSIONAL LIABILITY INSURANCE
- XIV. WRAP-UP

When:	Sunday January 23, 2005	Registration fee:	\$300.00
			per person
Where:	Hilton Austin 500 East 4th Street Austin, TX 78701	Special registration fee for <u>full-</u> <u>Conference registrants:</u>	\$ 50.00
			per person
		<ul style="list-style-type: none">• Registration includes refreshments, lunch, handouts• Participants receive 7 PDHs	

<http://www.asce.org/conferences/geofrontiers05/>

ABOUT THE COURSE

ASFE's *Professional Practice 101: The Essentials of Risk Management and Profitability for Project Managers* is designed for design and environmental professionals and administrative personnel who are involved in project management, who write proposals or reports, who communicate with clients, or who have other responsibilities that will be performed more effectively with a better understanding of basic risk management and professional liability issues. The instructor will prove that you do not really understand what you really do, and will show that what clients really want is something you probably are not providing. The instructor will review the most common triggers to professional liability claims and losses, discuss how to manage the risk involved, and point out the one thing that almost all have in common. The instructor will also address contracts, commonly used words that of themselves can create significant problems, and the risk management attributes (or lack thereof) of professional liability insurance.

ABOUT THE INSTRUCTOR

The seminar leader is **John Philip Bachner**. John is president of Bachner Communications, Inc., a firm that provides a variety of business communication services. John's firm has provided association management services to ASFE since 1973, and John has served as ASFE's executive vice president since then. (John has also served as the chief staff executive of the Consulting Engineers Council of Metropolitan Washington, National Council of Acoustical Consultants, Washington Area Council of Engineering Laboratories, Metropolitan Washington Chapter of the American Society of Heating, Refrigeration, and Air-conditioning Engineers, Design and Construction Quality Institute, CEC/MW Educational Foundation, Intelligent Buildings Institute, Property Management Association, Mid-Atlantic Council of Shopping Center Managers, and the Metropolitan Washington Heat Pump Association, among others.)

John's firm has also provided a variety of consulting services over the years, on a variety of topics. His clients have included engineering firms, architectural firms, contractors, insurance companies, other businesses, and trade and professional associations, as well as foundations of various type. John's book, *Practice Management for Design Professionals*, published by John Wiley and Son, is a text both for ASFE's Fundamentals of Professional Practice course and for various university programs throughout the United States. John has also researched and written a number of ASFE publications, including its contract reference guide, guide to alternative dispute resolution, guide to service as an expert, all of ASFE's case histories, the ASFE *Professional Liability Loss Prevention Education Program*, and much more. All told, John has had published close to 2,000 magazine articles and some 200 books, manuals, texts, and guides.

He authors the "Risky Business" column for *CE News*, the "GeoCurmudgeon" column for *GeoStrata* magazine, the "My Two Cents' Worth" column for *DFI Magazine*, and the "Speaking of Risk" column for *Environmental Protection* magazine. A graduate of Harvard University, John is regarded as a top-flight instructor who keeps participants' attention with a fast-paced, sometimes irreverent presentation style.

ABOUT THE SPONSOR

ASFE/The Best People on Earth sponsors this short course. ASFE is a not-for-profit trade association comprising firms that specialize in "earth engineering" and the related applied sciences; e.g., geoprofessional, environmental, civil engineering, biological, ecological, archeological, infrastructure security, brownfields revitalization, construction management, and construction materials engineering and testing services, among others. ASFE was established in 1969 to develop programs, services, and materials to help its Member Firms profit through professionalism. Evidence exists to support the claim that ASFE has been uniquely successful; that its Member Firms are far less liability-prone than most other firms, and far more profitable.