



**Berkley**  
**Design Professional**  
| a Berkley Company  
**Better By Design®**

# BDP Risk Management Education Catalog

January 2025

## OVERVIEW

### Risk Management Program Overview

Berkley DP's comprehensive risk management program focuses on fundamental areas that impact professional liability, project delivery, and practice management with materials that have been developed by leading architectural and engineering practitioners, insurance specialists, and legal professionals.

Through our library of materials on BDP Risk®, live webinars, and on-demand learning courses, we address risk management essentials such as scope, client/project selection, contracts, and legal issues, as well as key practice topics including leadership, ownership transition, and firm valuation. We also provide tools and guidelines to help our insureds avoid professional liability claims, improve management practices, enhance business performance, and qualify for a 15% risk management education rating credit.\*

**Information:** Practical information in your hands—whenever you need it.

- Available on a Mobile App
- Comprehensive library of risk and practice management articles and whitepapers for a fresh perspective on current issues
- Guidelines, tools, templates, and checklists to use in your everyday project delivery and management
- Robust search feature

**Education & Tracking:** Courses that can help you develop your team members and qualify for a risk management education rating credit.

- 41 on-demand webinars (and counting!)
- New nano eLearning courses
- AIA Learning Units / RCEP Professional Development Hours (some HSW qualified)
- Downloadable certificates of completion on demand
- Participation tracking and reports

**Expertise:** Materials developed by leading subject matter experts.

- Risk and practice management from the practitioner's perspective
- **Ask the Expert!** feature on every article, tool, and course on the LMS—ask a question, and an expert will reply to you, pronto!

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“

*I understand how difficult it is to produce a well-presented topic in a specific amount of time. These [courses] are very well done and there are great takeaways.*

”



## AIA 2017 Contract Documents: Insights and Impacts

This program will provide attendees with an insight into the AIA's revision process, as well as information about the Owner-Architect agreements, which are revised by the Documents Committee on a 10-year cycle. Subject matter experts and practitioners will examine updated agreement language from business, legal, and construction risk perspectives. The program will prepare participants to select appropriate AIA contracts for their particular project and practice, as well as to evaluate the suitability of alternative contract terms. Presenters will introduce the new Sustainable Projects Exhibit and explore the responsibilities of the architect, contractor, and owner.



### Learning Objectives

1. Evaluate the impact the changes to the 2017 AIA Owner-Architect agreements will have on your practice and discuss the rationale driving the changes with key members of the Documents Committee
2. Explore various AIA Owner-Architect agreements to confidently select appropriate AIA Documents based on project size and complexity
3. Examine the changes to 2017 AIA Owner-Architect agreements with respect to the overall format, including the new distinction between supplemental and additional services
4. Learn the history, definitions, and scopes associated with the new Sustainable Projects Exhibit

### Target Audience

Firm principals, contract officers/managers, project managers, and other senior and mid-level professional staff involved in project leadership

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## Alternative Forms of Project Delivery

The purpose of this program is to compare and contrast construction delivery methods and implications for the design professional with insights from the owner's perspective. It includes a thorough review of Design-Bid-Build, Construction Manager as Adviser (CMa), Construction Manager as Constructor (CMc, CMAR, CMGC), and Design-Build. For each of these delivery methods, the program will explore: the relationships of the parties and the contract structures; key features of the delivery method; practice and legal risk considerations for the design professional and owner; and wraps up with the benefits and concerns of the delivery method.



### Learning Objectives

1. Review key features of four major construction delivery methods and the roles and responsibilities of the project constituents
2. Assess the practice and risk considerations of each method
3. Explore the benefits and concerns of each method from the design professional's and owner's perspectives
4. Be able to better explain and recommend an appropriate delivery method to a project owner

### Target Audience

Firm principals, market/segment leaders, branch managers, and other leaders who are involved with developing, implementing, or maintaining standards and procedures

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs





## Claim Case Study Workshop: Doc Outside the Box

This case study workshop centers on a hospital project for the design and construction of a new patient tower, renovation of the emergency room, kitchen, and dining area, and seismic upgrades. Participants will read an extensive case study scenario and work interactively to determine what went wrong and what could have been done differently to reduce liability and deliver a project that met code—as well as the client's expectations.



### Learning Objectives

1. Learn the importance of properly evaluating a project's risk, including the design firm's experience to take on and sufficiently manage a large, complex design and construction project
2. Understand clauses in a client-generated agreement that can make a project "contractually hazardous" and how they can elevate professional liability risk
3. Examine how breakdowns in communication and project management can create schedule delays and cost overruns
4. Acquire tools and strategies to evaluate projects and the design team's capabilities, negotiate fair and balanced contracts with clients and subconsultants, and manage projects

### Target Audience

Firm principals, project managers, branch managers, and technical leaders who are involved with developing, implementing, or maintaining standards and procedures

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs

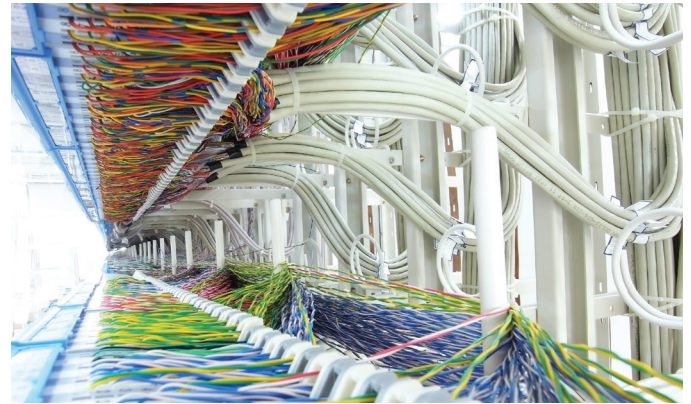


## Claim Case Study Workshop: Subterranean Substitution Blues

This case study workshop follows the design and construction of an enormous data center for a multinational financial services firm.

At full capacity, these systems would generate a substantial amount of heat, so temperature control was a crucial design factor. The project owner (the financial services company) limited or excluded construction observation in an attempt to lower costs. The cost-saving mindset was pervasive, and a subcontractor devised and implemented a material substitution without notifying the owner or the design professional.

The owner discovers the unauthorized substitution and realizes the potential impact—that the data center systems could overheat and fail—and files a claim against the design professionals and contractors.



### Learning Objectives

1. Understand the risk of providing design services without construction phase responsibilities
2. Grasp the impact of the failure to report field observations—whether or not your professional services agreement includes construction phase responsibilities
3. Explore the perils of substitutions in the construction process and the importance of fully vetting proposed substitutions
4. Examine the importance of performing due diligence on all project parties—not just the prime consultant and owner—such as other design professionals, the general contractor, and the trade contractors

### Target Audience

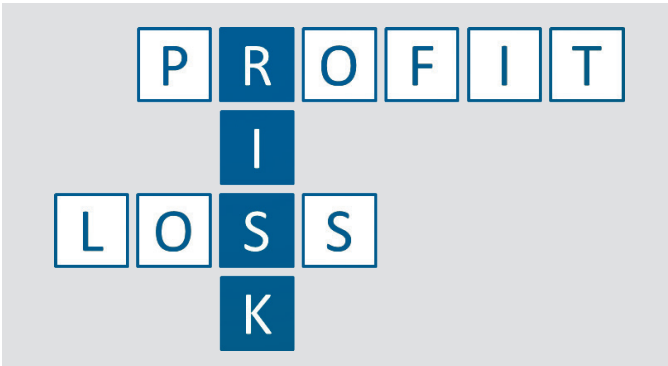
Firm principals, project managers, branch managers, and technical leaders who are involved with developing, implementing, or maintaining standards and procedures

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## Developing a Risk Management Plan for Your Firm

Design firms face risk every day. At times, the practice of architecture or engineering can feel like a minefield. The purpose of this workshop is to help guide design professionals through the process without getting blown up by risk. A proactive Risk Management Plan is an essential element of loss prevention and a key ingredient of a design firm's financial success. When a Risk Management plan is integrated into a firm's culture and embraced by its leadership, it makes a significant positive impact on business performance and longevity. Participants will gain strategies and tools to help them develop an effective plan that contemplates the entire project cycle: from client selection to project inception and through project close-out.



### Learning Objectives

1. Recognize the importance of having a Risk Management Plan
2. Distinguish between two broad types of risk for design professionals and identify the four parts of the risk management model
3. Understand the purpose and composition of a Risk Management Team
4. Learn the seven components of an effective Risk Management Plan:
  - Strategic planning
  - Risk analysis of client, project, team
  - Contract review and negotiation
  - Contract education for the design team
  - Communication and documentation
  - Project and quality management
  - Staff training and development

### Target Audience

Firm principals, market/segment leaders, branch managers, and technical leaders who are involved with developing, implementing, or maintaining standards and procedures

**Learning Units:** 1.0-1.5 AIA CES LUs / 1.0-1.5 RCEP PDHs



## Could This Happen to You? A Compendium of Claim Tales and Lessons Learned

This program tells the tale of four claims. For each claim, the workshop leader will set the stage by describing the project type, delivery method, and parties involved, followed by the problems that arose and technical factors that led to the claim. The resolution and lessons learned of each case will be revealed, including the impact of the design professionals' errors and omissions on the project and its owners/users. These valuable insights will help participants examine and improve their business practices and project controls to avoid similar situations.



### Learning Objectives

1. **Case 1:** Examine how failure to comply with codes and zoning requirements can result in the inability for a client to obtain construction permits and damage the client's ability to complete a project
2. **Case 2:** Understand the importance of change documentation and managing client expectations
3. **Case 3:** Review how design errors, inadequate construction observation, and misrepresentations in the approval of pay applications can impact the client financially, as well as their use of the project
4. **Case 4:** Learn the importance of validating outdated plans before design and performing adequate construction observation can result in damages to city infrastructure

### Target Audience

Principals, Project Managers, Project Leaders, Construction Administrators, Project Engineers, Technical/QA/ Specifications/Risk Management, Senior and Mid-level Professional Staff

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs  
HEALTH, SAFETY, AND WELFARE QUALIFIED



## Could This Happen to You? A Compendium of Claim Tales and Lessons Learned: Season 2

This program tells the tale of four claims. The speakers will set the stage by describing the project type, delivery method, and parties involved, followed by the problems that arose and led to the claim. The final resolution, lessons learned, and health-safety-welfare takeaways of each case will also be revealed. Highlights of the claims include poor business practices, building code noncompliance, lack of communication and documentation, and QA/QC issues. Participants will learn how to avoid or mitigate similar situations.



### Learning Objectives

1. **Case 1:** Examines how the failure to comply with building codes in design and construction can result in significant risks to occupants. In this case, equipment failed due to improperly sized gas lines, and required repair work impacted building occupants as fire-watch safety inspectors had to be onsite during the rework
2. **Case 2:** Uncovers the risks of inadequate construction contract administration, which can result in structural and integrity issues of buildings during and after construction. Factors in this case included the failure to detect numerous construction defects, including lack of rebar in the building walls, and improper certification of pay applications
3. **Case 3:** Explores how deficient bridge design elements, such as improper decking thickness and vertical clearance, as well as seismic code compliance—if left uncorrected—can lead to structural failure and bridge collapse
4. **Case 4:** Reveals the importance of proper documentation regarding site visits and reporting issues/inconsistencies between the construction observed and the project's plans and specifications. In this case, failure to identify discrepancies led to water intrusion and property damage

### Target Audience

Principals, Project Managers, Project Leaders, Construction Administrators, Technical/QA/Specifications/Risk Management, Senior and Mid-level Professional Staff

**Learning Units:** 1.25 AIA CES LUs / 1.25 RCEP PDHs  
HEALTH, SAFETY, AND WELFARE QUALIFIED



## From Scope Creep to Profitability

Change is a key challenge to a basic premise of project management: the control of resources to meet a certain objective by a specific date within a finite budget. Scope creep happens when there is an expansion of services provided without a corresponding increase in the design professional's fees.

Change is inevitable, but scope creep is not. This workshop will help you learn the triggers for change and how to manage the change process to maintain your client relationships—and your firm's profitability.



### Learning Objectives

1. Recognize the causes and consequences of scope creep
2. Gain strategies to prevent scope creep
3. Be able to identify the components of a change management policy
4. Learn how to control change through proactive communication and documentation

### Target Audience

Firm principals, market/segment leaders, branch managers, and technical leaders who are involved with developing, implementing, or maintaining standards and procedures

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs





## Managing Risk through Effective Communication and Documentation

Communication is the life-blood of a project. Good communication can help ensure a project's success, while poor communication can lead to disputes and claims. Documentation is the narrative of the project process. It begins with contract formation and negotiation, flows through kick-off meetings, project initiation, and design, and becomes very formal during the construction phase. Through real-world examples, this program reveals pitfalls and best practices in communication and documentation throughout a project. Participants learn how proactive communication and consistent documentation can help them manage risk and deliver successful projects.



### Learning Objectives

1. Discover how poor documentation and breakdowns in communication can lead to disputes and claims and find out how to establish a proactive communication plan that can be tailored for varying projects
2. Identify documentation triggers and examine best practices in key areas throughout the lifecycle of projects, including contracts, records retention, meetings, email, project performance goals, design technologies, and the construction phase
3. Examine the impact of change on project delivery and learn the key elements of a change management model
4. Be able to create a library of project management templates to establish a consistent documentation management program within their practices

### Target Audience

Firm principals, project managers, and other senior and mid-level professional staff involved in project leadership

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## Managing Risk through Effective Contracts

Your professional services agreement is an essential tool in managing your exposure to risk. An equitable contract fairly apportions risk, while an onerous contract can shift inordinate—and sometimes uninsurable—liability to you. The terms and conditions of the agreement establish the roles and responsibilities of the parties, and the negotiation process provides an opportunity to set reasonable expectations with your client.

This workshop reviews the risk management fundamentals that underlie the development of effective contracts, the contract review process, and key clauses that impact your risk exposure.



### Learning Objectives

1. Learn risk management fundamentals that underscore the importance of a carefully drafted, fair, and equitable professional services agreement
2. Walk through the contract lifecycle from client/project selection through project inception and delivery
3. Explore the top ten areas of a contract that are critical to managing the risk of claims
4. Gain strategies and a checklist that help manage the contract review process

### Target Audience

Firm principals, contract officers/managers, project managers, and other senior and mid-level professional staff involved in project leadership

**Learning Units:** 1.0 AIA CES LUs / 1.0 RCEP PDHs



### Managing the Legal and Practice Issues of BIM

Used properly, BIM can improve a design firm's productivity, quality, and project team relationships. Combined with Integrated Project Delivery, it can add value to the design and construction process through cost modeling and analysis, virtual building coordination, logistics and continuity, digital record documentation, and operations and maintenance.

This workshop explores the investments required in tools and technology, training, and quality management standards, processes, and protocols. Learn about the legal implications of using BIM, including its impact on the Standard of Care, controlling the use of your intellectual property, professional association tools and contract forms to manage BIM, and protecting your firm from professional liability risk.



#### Learning Objectives

1. Understand how project quality, coordination, and efficiency can be improved through enhanced project delivery methods of BIM and IPD
2. Appreciate the synergy between BIM and IPD in collaborative approach to building design and construction including determination of building materials, systems, and methods
3. Understand BIM's impact on the design process including planning, coordination, quality management, and technology
4. Be able to evaluate BIM contractual risks and risk management strategies utilizing digital data protocol and transfer agreements

#### Target Audience

Firm principals, market/segment leaders, branch managers, and technical leaders who are involved with developing, implementing, or maintaining standards and procedures

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



### Navigating Challenges to Design Firm Growth and Expansion

A/E/C firms face multiple exposures to risk and growth by acquisition and their ability to manage multiple offices, coordinate a distributed workforce, streamline documentation, train new staff and implement proper project delivery methods. This program will explore four key areas.



#### Learning Objectives

1. Establish a cohesive risk and practice management philosophy, structure, and operating approach
2. Bring consistency to firm practices (marketing, QA/QC processes and standards, financial and performance measurement)
3. Address insurance, risk, and practice management issues of branch offices and acquisitions
4. Understanding the importance of professional staff development from senior management to employees

#### Target Audience

Firm principals, market/segment leaders, branch managers, and other leaders who are involved with developing, implementing, or maintaining standards and procedures

**Learning Units:** 1.0 AIA CES LUs / 1.0 RCEP PDHs





## Proactive Construction Administration: Strategies, Solutions, and Success

The construction phase is where a project comes to “life,” and the design professional’s role in construction contract administration (CCA) is critical to the success of the project. Simply put: the purpose of CCA is to determine, in general, whether the project is being built in conformance with the design intent.

Using the A201™-2017 as a framework, participants will explore the roles of the client, design professional, contractor, and subcontractors. They will also acquire techniques and strategies to help foster a collaborative environment, identify problems early, lessen project risks, and effectively deliver the project.



### Learning Objectives

1. Recognize that the greatest risks surface during the construction phase of a project, and that proactive CCA can support the continuity, quality, and intent of the design
2. Learn to navigate the roles, responsibilities, authority, and expectations of the project participants and promote a collaborative approach among the project team
3. Understand the importance of facilitating project communications, maintaining clear project records, and identifying/addressing problems in a timely manner
4. Acquire strategies, tools, and techniques to more effectively administer the contract for construction, including the performance of field observation duties and managing client expectations

### Target Audience

Firm principals, market/segment leaders, project managers, and those who are involved with construction administration and site observation

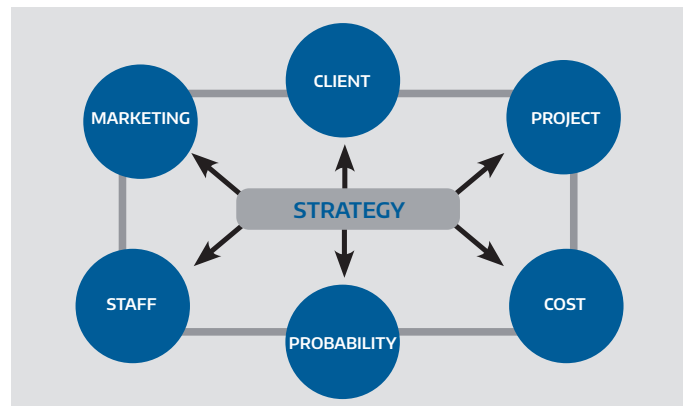
**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## The Go/No-Go Process: Promoting Effective Marketing and Risk Management

You’ll frequently hear insurance companies talk about the Go/No-Go process simply as a means to avoid risk. That’s certainly an important part of the decision-making process, but this practice-focused workshop recognizes that projects are the lifeblood of your business and that your marketing efforts are investments—ones that have significant impact on the bottom line.

Because a structured and systematic Go/No-Go process can help you make decisions more objectively and better manage the cost of marketing new business, we’ve developed a flexible yet strategic approach that encourages active thought and discussion to reach a reasonable conclusion. This workshop addresses the identification of key factors in making the Go/No-Go decision.



### Learning Objectives

1. Learn how to make Go/No-Go decisions with greater objectivity
2. Recognize how marketing decisions must work in concert with strategic goals, revenue objectives, and operational realities
3. Identify the criteria that factor into an objective Go/No-Go decision
4. Understand how to develop a win strategy based on the information that has been gathered

### Target Audience

Firm principals, senior project managers, and any staff involved in the acquisition of clients or projects

**Learning Units:** 1.0 AIA CES LUs / 1.0 RCEP PDHs



## The Go/No-Go Process: Risk Analysis of Client, Project, and Team

The Go/No-Go process is an important component of risk management. Analyzing and understanding the qualifications and capabilities of the client, project, and team are critical to making informed decisions in the pursuit and implementation of A/E projects. A structured and systematic Go/No-Go process can also help you better manage the cost of marketing new business through more objective decision-making. We have developed a flexible yet strategic approach that encourages active thought and discussion to reach a reasonable conclusion. This practice-focused workshop addresses the identification of key factors in making the Go/No-Go decision.



### Learning Objectives

1. Learn how client qualifications impact an architect or engineer's ability to design quality projects
2. Recognize how marketing investments and decisions must work in concert with strategic goals, revenue objectives, and operational realities
3. Identify practice criteria that factor into an objective Go/No-Go decision including contracting, quality management, and construction administration
4. Understand how composition of the project team impacts efficiency of the design team and timeliness and quality of the project delivery process

### Target Audience

Firm principals, market/segment leaders, branch managers, and technical leaders who are involved with developing, implementing, or maintaining standards and procedures

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## The Prime/Subconsultant Team: Strategies for Coordinated Success

At the heart of almost every successful construction project is a well-structured and coordinated design team. By contrast, where the design “team” concept breaks down—or never even really gets started—projects fail, profits evaporate, clients are lost, and claims follow. Drawing upon multiple examples of both success and failure, this 90-minute webinar provides an eight-step model for design team that addresses team selection, the importance of bringing subconsultants into the project early, coordinated contracts, appropriate insurance, a proactive approach to project planning and design coordination, communication and documentation protocols, identifying signs of trouble, and post-project assessments.



### Learning Objectives

1. Understand the consequences of communication and coordination breakdowns in design teams
2. Explore recommendations for the strategic selection of design team members
3. Learn strategies to negotiate comprehensive, fair, and coordinated contracts, and why it's important to insist on and verify adequate insurance
4. Review the benefits and elements of a well-developed project plan, and best practices to identify and resolve coordinate gaps and conflicts

### Target Audience

Firm principals, market/segment leaders, branch managers, and technical leaders who are involved with developing, implementing, or maintaining standards and procedures

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## Understanding AIA Document A201™-2017 General Conditions of Construction Contract

This course will provide a detailed review of AIA Document A201™-2017, General Conditions of the Contract for Construction. A201™-2017 is a keystone document that is used in conjunction with several other AIA contract documents. The A201™-2017 typically applies when owners contract separately with architects and contractors to procure design and construction services. This essential contract document bridges the gap between the owner's separate contracts with the project's architect and contractor.

A201™-2017 is a practical guide for design professionals, owners, and contractors, to provide a framework for effective communication and project management for efficient and successful projects.



### Learning Objectives

1. Explain the contractual relationship among the various construction parties and how the A201™-2017 General Conditions defines the responsibilities, authority, and expectations of each
2. Identify key duties and obligations of the architect to provide administrative, site observation, and technical review in order to determine general conformance of the construction with the design intent and project quality defined by the contract documents
3. Understand the contractor's duties to plan, coordinate, and supervise the construction site in order to promote efficient construction delivery in accordance with the statutes regulations and proper industry standards of the built project
4. Learn how to utilize the A201™ and Sustainable Projects Exhibit as project management tools

### Target Audience

Firm principles, professionals, project managers, market discipline leaders, and construction administration leaders

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## Understanding Your Contract: The Foundation for Successful Projects

Understanding the purpose and content of a professional services agreement is an essential skill in project management. The contract establishes the intent and parameters of the project and confirms the roles, responsibilities, and expectations of the parties. A fair and balanced agreement sets the stage for a productive relationship between you and your client and fosters a positive experience throughout the project.

This comprehensive program provides an overview of risk management fundamentals, the contract review process, and the typical organization of the owner-design professional agreement. You will examine key contract elements: initial project information, scope of services, client responsibilities, cost of the Work, general terms and conditions, and compensation, contractor responsibilities, and specific disclaimers and exclusions.



### Learning Objectives

1. Review risk management fundamentals that underscore the importance of a carefully drafted contract
2. Understand the organization and main components of a professional services agreement
3. Examine five key contract clauses that impact your professional liability risk
4. Review four disclaimers and exclusions that can help define your role and responsibilities—and limit your exposure

### Target Audience

Firm principals, contract officers/managers, project managers, and other senior and mid-level professional staff involved in project leadership

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



Berkley DP policyholders can access courses on BDP Risk®, which is available 24/7. For more information, please refer to the catalog entries, which include program descriptions, learning units, target audiences, and the industry experts we have collaborated with to bring you programs that are **Better By Design®**.



### On-Demand Webinars

We develop on-demand webinars on current and emerging issues—and we do so in partnership with subject matter experts around the country.



### NEW! Nano eLearning Courses

We know how busy you are. So we are developing short eLearning courses, each focused on a single topic. These bite-sized courses will be either 15 minutes or 30 minutes in length, great for accessing on our Go. Learn app for those always on the go.

### On-Demand Courses Coming Soon!

On-demand webinars and nano eLearning courses will be added throughout the year.

Login to [BDPRISK.com](https://bdprisk.com) for the most up-to-date course list.

## NANO eLEARNING COURSES

[Making a Go/No-Go Decision on a Project Takeover](#)

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[Branching Out: Addressing the Risks and Rewards of Opening a Branch Office](#)

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BDP Risk® Offers An Award-Winning Experience in a Mobile App. You can search the LMS for content, read articles, enroll in courses, and download.

### Getting Started:

1. Download the Go.Learn App
2. Enter the full platform URL:  
<https://bdprisk.docebosaa.com>
3. Enter your normal Username and Password

Detailed [Mobile App Instructions](#)

Login to [BDPRISK.com](https://bdprisk.com) for the most up-to-date course list.

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## NANO eLEARNING COURSES

**Making a Go/No-Go Decision on a Project Takeover**

Taking over a project started by another design professional is a risky proposition. In addition to concerns for liability, copyright, and professional responsibility, the Go/No-Go decision will likely be influenced by the identity of the client or the project, by the state of the economy and your business, and by your appetite for risk. This course will help you understand the risks, make a reasoned decision, and be able to protect yourself in contract.

**Learning Units:** 0.5 AIA CES LUs / 0.5 RCEP PDHs

**Branching Out: Addressing the Risks and Rewards of Opening a Branch Office**

There are very few company events that generate as much excitement as opening a new branch office. As an implementation of your firm's growth and expansion strategy, a new branch can expand your firm's reach, signal healthier revenues, and offer positive opportunities for the firm and key personnel. However, turning a new branch office into a long-term successful venture is not always easy. Opening an office in a new territory has many potential pitfalls, whether you are acquiring an existing firm or starting from scratch. This course looks at the risks and potential obstacles to opening and running a branch office and gives you five key strategies for success.

**Learning Units:** 0.5 AIA CES LUs / 0.5 RCEP PDHs

## ON-DEMAND WEBINARS



### Accessibility Issues in Design and Construction

Design professionals face many constraints that go beyond the technical and artistic challenges of any given project. This webinar addresses the legal and practical effects of the myriad accessibility laws, rules, and regulations on the industry. The webinar panelists will discuss the complex, overlapping statutory and regulatory framework that governs this area of law, and will review current cases from around the country that highlight issues that are most relevant to design professionals and their legal representatives. Most importantly, participants will learn actionable steps that design professionals can take to minimize exposure to such issues in the first place.

#### Speakers

**Michael J. Cremonese**, Esq., Member, Burke Cromer Cremonese

**Scott R. Samolovitch**, Esq., Associate, Burke Cromer Cremonese

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



### A/E Contractual Deal Killers

Learn valuable insights into navigating contractual agreements for architects and engineers. Participants will explore top strategies when addressing the most common Deal-Breaker issues. They will also learn the importance of both preferred indemnity language and anti-indemnification statutes along with civil codes. In addition, participants will discover a broad spectrum of critical contracting issues typically arising on projects from the earliest stages of pre-bid negotiation through the post-construction phase.

#### Speakers

**Dion N. Cominos**, Esq., Firmwide Managing Partner, Gordon & Rees LLP

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs



### AIA 2017 Contract Documents: Insights and Impacts

This program will provide attendees with an insight into the AIA's revision process, as well as information about the Owner-Architect agreements, which are revised by the Documents Committee on a 10-year cycle. Subject matter experts and practitioners will examine updated agreement language from business, legal, and construction risk perspectives. The program will prepare participants to select appropriate AIA contracts for their particular project and practice, as well as to evaluate the suitability of alternative contract terms. Presenters will introduce the new Sustainable Projects Exhibit and explore the responsibilities of the architect, contractor, and owner.

#### Speakers

**Ted D. Levin**, P.E., Partner, Morris Polich & Purdy LLP

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.25 AIA CES LUs / 2.25 RCEP PDHs



### Alternative Forms of Project Delivery

The purpose of this program is to compare and contrast construction delivery methods and implications for the design professional with insights from the owner's perspective. It includes a thorough review of Design-Bid-Build, Construction Manager as Adviser (CMa), Construction Manager as Constructor (CMc, CMAR, CMGC), and Design-Build. For each of these delivery methods, the program will explore: the relationships of the parties and the contract structures; key features of the delivery method; practice and legal risk considerations for the design professional and owner; and wraps up with the benefits and concerns of the delivery method.

#### Speakers

**Arlen M. Solocheck**, FAIA, Consulting Architect, Phoenix AZ

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.25 AIA CES LUs / 2.25 RCEP PDHs





## A Design Professional's Guide to Dispute Resolution

In today's complex design and construction environment, disputes will occur. Often the difference between success and failure is whether you have planned for the inevitable. This webinar will show you the root causes that frequently lead to disputes and arm you with strategies to mitigate those situations before the project even begins. You'll learn why it's important to define the dispute resolution process in your contract—and receive sample contract language you can begin using right away. You'll gain insight from a typical dispute resolution flowchart and a deeper understanding of the mechanics, costs, pros, and cons of these common methods: step negotiations, mediation, litigation, and arbitration. Finally, you'll learn how to identify when trouble is brewing on your project and get a roadmap of what to do next.

### Speakers

**Ted D. Levin**, Esq. Member, Clark Hill

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.25 AIA CES LUs / 2.25 RCEP PDHs



## Claim Catastrophes and Lessons Learned

Whether or not you have been involved in litigation, this webinar will be an eye-opener as to how things can go wrong in a design and construction project. The lessons from real claims catastrophes presented by an experienced trial attorney and a licensed architect will show how devastating failures lead to claims. Through the examination of a number of actual claim cases, participants will learn from others' mistakes.

### Speakers

**Brian K. Stewart**, Esq., Hon. AIA Attorney at Law, Collins Collins Muir + Stewart, LLP

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs



## Connectable: Strengthen Team Connection in the New Era of Work

A colossal 72% of global workers feel isolated at least monthly; with 55% saying at least weekly. Remote work, advancing technology, and an always-on work culture are fracturing our relationships resulting in deep disconnection. Ryan Jenkins distills everything you need to know about what's causing today's workforce disconnection and how you can increase connection to boost belonging, engagement, retention, and performance with employees at every level.

### Speakers

**Ryan Jenkins**, CSP, WSJ Bestselling Author & Speaker

**Diane P. Mika**, SVP, Risk Management Officer, Berkley DP

**Learning Units:** 1.25 AIA CES LUs / 1.25 RCEP PDHs



## Could This Happen to You? A Compendium of Claim Tales and Lessons Learned

This program tells the tale of four claims. Each claim includes the project type, delivery method, and parties involved, followed by the problems that arose and technical factors that led to the claim. The resolution and lessons learned of each case will be revealed, including the impact of the design professionals' errors and omissions on the project and its owners/users. These valuable insights will help participants examine and improve their business practices and project controls to avoid similar situations.

### Speakers

**Diane P. Mika**, SVP, Risk Management Officer, Berkley DP

**Cindy Russell**, AVP, Senior Claims Examiner, Berkley Alliance Managers

**Michael Cecere**, AVP, Senior Claims Examiner II, Berkley Alliance Managers

**Liz Molina**, AVP, Senior Claims Examiner, Berkley Alliance Managers

**Derek E. Steffen**, AVP, Senior Claims Examiner, Berkley Alliance Managers

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs  
HEALTH, SAFETY, AND WELFARE QUALIFIED



## Could This Happen to You? A Compendium of Claim Tales and Lessons Learned: Season 2

This program tells the tale of four claims. The speakers will set the stage by describing the project type, delivery method, and parties involved, followed by the problems that arose and led to the claim. The final resolution, lessons learned, and health-safety-welfare takeaways of each case will also be revealed. Highlights of the claims include poor business practices, building code noncompliance, lack of communication and documentation, and QA/QC issues. Participants will learn how to avoid or mitigate similar situations.

### Speakers

**Diane P. Mika**, SVP, Risk Management Officer, Berkley DP

**Anthony Andersen**, SVP, PL Claims Manager, Berkley Alliance Managers

**Lisa McKay** AVP, Senior Claims Examiner, Berkley Alliance Managers

**Liz Molina**, AVP, Senior Claims Examiner, Berkley Alliance Managers

**Mark A. Froehlich**, Esq., AVP, Senior Claims Examiner, Berkley Alliance Managers

**Learning Units:** 1.75 AIA CES LUs / 1.75 RCEP PDHs  
HEALTH, SAFETY, AND WELFARE QUALIFIED



## Design-Build: Boom or Bust? Managing the Risks

As Design-Build increases in popularity, the more likely it is that you will become involved with this delivery method—if you're not already doing so.

Whether you're new to the process or have been working in this arena for some time, this webinar—brought to you by renowned subject matter experts in design practice, professional association contract documents, construction law, and design-build business structuring—demystifies the risks and rewards of design-build.

You'll learn about the variations in which the architect or engineer can be engaged in the process, the key differences from traditional project delivery, and how to protect yourself accordingly.

### Speakers

**Mark C. Friedlander**, Partner at Schiff Hardin, LLP

**Michael C. Bomba**, Director and General Counsel on the AIA Documents Team

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs



## Cyber Liability: Data Security for Design Professionals

The data that design professionals hold on projects, plans and people has great value—and along with that comes significant potential risk. Clients, subconsultants and even contractors rely on the confidentiality, integrity and availability of that data. This webinar identifies specific cyber liability risks related to architects: how they can be attacked, what type of information gets targeted and the potential impact on their firms. Architects and Engineers will learn to secure their firms against attacks and specific strategies to mitigate their risks, including network and device security, account access best practices and system monitoring strategies. They will receive updates on special issues like international data privacy laws and their impact.

### Speakers

**Jonathan Fairtlough**, Managing Director, Kroll

**Alan Brill**, Senior Managing Director, Kroll

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs

“

*The webinar was very educational and I look forward to exploring more resources that BDP Risk provides.*

*Thanks for the seminar, it contained very valuable information.*

”



## Design-Build Public Infrastructure Projects: Risks and Challenges

Design-Build (DB) is increasingly popular as the delivery method of choice for many governmental entities (federal, state, and local) for public infrastructure projects. Those owners are attracted not only to the ability to contract on a fixed-price basis with a design builder who is responsible for both design and construction but also to the opportunity to transfer substantial risk—which would traditionally be retained by the owner—to that design-builder. Many design-builders respond to owner DB RFPs with aggressive pricing proposals and sometimes unrealistic assumptions and expectations as to the details of final design development details and construction cost. What do these owner objectives and design-builder practices in DB procurement and contracting mean for the professional liability risk of consulting engineers and other design professionals engaged as subconsultants to the design-builder? That question and its answer will be the focus of this webinar.

### Speakers

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**David J. Hatem**, PC Partner, Chair, Professional Practices Group

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs



## Design Firm Leadership: 3 Key Skills for Leaders

Architects and Engineers face many issues in the strategic development and perpetuation of their firms. In this technically rigorous and competitive industry, knowledge transfer from senior personnel to less experienced and emerging professionals is becoming increasingly important. Accordingly, developing future firm leaders is critical for firm growth and perpetuation. This workshop focuses on three key areas for leaders: influencing others—even when you lack the formal authority to do so; motivating your team to achieve success; and managing/adapting to change.

### Speakers

**Phil LaRiviere**, President & CEO, PACES, LLC

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs



## Designing for Uncertainty: Resiliency, Climate Change, and Other 21st Century Perils

The practice of architecture and engineering in the 21st century can be forbidding. Today's increasingly complicated and uncertain landscape includes climate change, aging infrastructure, pandemics, and a host of other manmade and natural phenomena. The importance of incorporating adaptation strategies and anticipating extreme weather events are just two areas that are shaping the standard of care for design professionals. Through instruction and actual case examples, this webinar offers valuable insights on applying the principles of resilient design for buildings that are able to withstand extreme weather and remain habitable, infrastructure that supports a sustainable ecosystem, and community design that manages stormwater and mitigates wildfire. Participants will learn strategies for facility planning, HVAC, and other design considerations in the post-Covid-19 built environment, and best practices for performing adjacent structure-design, structural condition assessments, and other inspections.

### Speakers

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Diom N. Cominos**, Esq. Firmwide Managing Partner, Gordon&Rees Scully Mansukhani

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs  
HEALTH, SAFETY, AND WELFARE QUALIFIED

“

*The program demonstrated real expertise in risk management and professional liability, and was relevant and incredibly helpful to us since it was from a practicing design professional's perspective.*

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## Design Professional Email Policies & Best Practices

Email has easily become the most prevalent means of communication used in the construction industry today, especially for design professionals. What would have been communicated in a formal letter, transmittal, or submittal in the “old days” is now frequently communicated in an informal, hastily written email. While email is a fast and effective communication tool, it is legally valid, permanent, and discoverable, and the misuse or abuse of email carries significant risks in the event of a dispute. Few architects and engineers realize that a single, inarticulate email can destroy the defense of an otherwise very defensible claim, resulting in significant liability for the design firm. This on-demand webinar will reveal how emails are used by trial lawyers in a dispute. It will highlight the pitfalls of poor email communication practices and provide you with strategies to avoid or mitigate the associated risks.

### Speakers

**David N. Garst**, B. Arch., J.D., Lewis, Thomason, King, Krieg & Waldrop, P.C.

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 1.75 AIA CES LUs / 1.75 RCEP PDHs



## Developing a Risk Management Plan

A Risk Management Plan is an essential element of loss prevention and a key ingredient of financial success for a design firm. One that is integrated into a firm's culture and embraced by its leadership makes a significant positive impact on business performance and longevity. An effective plan contemplates the entire project cycle: from client selection to project inception and through project close-out. Bottom line: a well-run, well-managed design firm is more profitable and has less exposure to risk. This program offers insight on the benefits of a Risk Management Plan and the building blocks to help you develop one for your firm.

### Speakers

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Diane P. Mika**, SVP, Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs



## Digital Workforce: Strategies to Work, Collaborate & Lead Effectively Across Remote Teams

Mobile technology, ubiquitous connectivity, shifting generational expectations, and now COVID-19 have enabled and even compelled the transition from workplaces to workspaces. Operating in or leading a remote workforce and dispersed project teams requires a different set of tools to sustain relationships and maintain effectiveness. Learn tactics and acquire tools that design professionals can use to boost productivity, quality, communication, and influence in the digital age of work.

### Speakers

**Ryan Jenkins**, Next Generation Speaker

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs



## Enhancing Design Firm Value through Profitability and Effective Business Management

Principals of architectural and engineering firms invest significant personal, professional, and financial resources to establish, develop, and expand their firms. Profitability at the project level is necessary for the overall financial success of the A/E firm and its ability to invest in personnel, quality management standards, and technology that will sustain the firm over the long term. Profitability and sound financial management are key to creating value of the design firm. Beginning with a culture that includes focus on responsible and profitable performance, a firm's strategic plan can guide the development of high-value specialties and a strong market presence in order to thrive and endure as a business. This workshop will help participants understand the strategic, organizational, and management principles and actions that enable profitable performance and value creation. Key Performance indicators (KPIs) including historical operating and balance sheet metrics, and predictive (forward looking) metrics will be analyzed to assist participants in understanding key financial management factors to profitable factors.

### Speakers

**Ian C. Rusk**, ASA, CM&AA, Managing Principal, ROG+Partners, LLC

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## Ethical Challenges & Enigmas for the A/E World

On paper, professional ethics seem simple—just do the right thing. But in the real world ethics can become very complicated for design and construction professionals competing for business and serving competing clients. Frequently, the “conscience clauses” of many new contracts only compound the challenges. This program draws on real life ethical cases from design professionals to illustrate the challenges and corresponding dilemmas. Based on those real world experiences, the program will chart a path to manage those challenges and clear the way for professional success, business stability, and expansion.

### Speakers

**David A. Ericksen**, Esq., Executive Committee, Construction Practice Leader, Severson & Werson

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs  
HEALTH, SAFETY, AND WELFARE QUALIFIED



## From Scope Creep to Profitability

Change is a key challenge to a basic premise of project management: the control of resources to meet a certain objective by a specific date within a finite budget. Scope creep happens when there is an expansion of services provided without a corresponding increase in the design professional's fees or recognition of additional risk exposure. Change is inevitable, but scope creep is not. This webinar will help you learn the triggers for change and how to manage the change process to maintain your client relationships—and your firm's profitability.

### Speakers

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Diane P. Mika**, SVP, Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs



## Ethics for Engineers, Architects, and Other Design Professionals

Ethical behavior is integral to the practice of architecture and engineering, necessitated by the professional's duty to protect the health, safety, and welfare of the public. Making decisions and taking action can be complicated by ethical obligations imposed by multiple bodies: professional association codes of conduct, state practice acts, and licensing board requirements. Using professional association codes of conduct as a framework, this workshop offers a four-step process to make sound ethical decisions and explores real-life ethical cases to illustrate the challenges, dilemmas, and consequences of unethical behavior. In addition, participants will take away six key strategies to avoid ethical problems.

### Speakers

**Brian Sutter**, Esq., Managing Partner, Sugarman Law Firm

**Stephen Davoli**, Esq., Partner, Sugarman Law Firm

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs  
HEALTH, SAFETY, AND WELFARE QUALIFIED



## Managing Project and Financial KPIs to Boost Firm Profitability

Managing projects goes beyond just schedule and deliverables, but also requires a focus on project performance and profitability as well as the overall impact of the project to the bottom line. In this session, attendees will gain insight into top key performance indicators (KPIs), identify industry benchmarks for KPIs, and understand how to leverage the metrics to boost profitability. In this session the presenters will highlight some of the top metrics firms should be tracking to help them succeed. Will dive into the latest benchmarks from the Deltek Clarity A&E Industry Report to highlight where firms are struggling, their successes, and what challenges they may be facing in the near future. Attendees will also walk away with tips for leveraging data to impact project and firm profitability to better position your firm for success.

### Speakers

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Megan Miller**, Director, Product Marketing, Deltek

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## Managing Risk through Effective Communication and Documentation

Communication is the life-blood of a project. Good communication can help ensure a project's success, while poor communication can lead to disputes and claims. Documentation is the narrative of the project process. It begins with contract formation and negotiation, flows through kick-off meetings and project initiation, and becomes very formal during the construction phase. With real world examples, this program reveals pitfalls and best practices in communication and documentation throughout a project. Design professionals are judged by documentation: proposals, contracts, CDs, reports, email, and more. Participants will come to appreciate cautionary words and project templates, examine a proven change-management model, and learn how proactive communication and consistent documentation can help them manage risk and deliver successful projects.

### Speakers

**Diane P. Mika**, SVP, Risk Management Officer, Berkley DP

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## Managing Risk through Effective Contracts

Your professional services agreement is an essential tool in managing your exposure to risk. An equitable contract fairly apportions risk, while an onerous contract can shift inordinate—and sometimes uninsurable—liability to you. The terms and conditions of the agreement establish the roles and responsibilities of the parties, and the negotiation process provides an opportunity to set reasonable expectations with your client.

This on-demand course reviews the risk management fundamentals that underlie the development of effective contracts, the contract review process, and key clauses that impact your risk exposure.

### Speaker

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Diane P. Mika**, SVP, Risk Management Officer, Berkley DP

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## Managing the Legal and Practice Issues of BIM

Used properly, BIM can improve a design firm's productivity, quality, and project team relationships. Combined with Integrated Project Delivery, it can add value to the design and construction process through cost modeling and analysis, virtual building coordination, logistics and continuity, digital record documentation, and operations and maintenance. This course explores the benefits and practice considerations of implementing BIM, as well as the legal implications, including BIM's impact on the Standard of Care, controlling the use of your intellectual property, professional association tools and contract forms, and protecting your firm from professional liability risk.

### Speaker

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## Next Generation Leadership: Proven Strategies to Engage & Develop Millennials at Work

The generational divide at architecture and engineering firms has never been deeper and more daunting than it is today. Having multiple generations working together can become challenging, but overcoming these generational gaps is vital for A/E firm success. In order to thrive tomorrow, A/E firms must embrace and engage the emerging millennial workforce and effectively develop them into 21st-century ready leaders.

### Speakers

**Ryan Jenkins**, Next Generation Catalyst

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs





## Optimal Outcomes in Construction Contract Administration: Managing Risk During Construction

The basic purpose of Construction Contract Administration (CCA) is to determine whether the project is being built in conformance with the design intent. The more complex goal in today's COVID-19 environment is to deliver a project that meets the client's objectives while protecting the design and construction team. Using AIA standard documents as a starting point, this program demonstrates the importance of providing CCA on all constructed projects, particularly as it relates to the Standard of Care and NCARB model law. The program will also explore the roles of the client, design professional, contractor, and subcontractors in CCA activities such as site visits, the perils of substitutions, non-conforming Work, RFI responses, change orders, and more, with a focus on the impact of COVID-19 on these services. Once the pitfalls and challenges are exposed, participants will gain strategies to attain optimal outcomes during construction.

### Speakers

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**James B. Atkins**, FAIA, FKIA, President, Atkins Consulting Solutions

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## P3: Myths and Realities for Design Professionals

Public-Private Partnerships (P3) are not just for toll roads and bridges—they can be an effective delivery method for other project types in the public realm. In a P3, a public entity retains a private entity to finance, design, and build a project that will deliver a benefit to the public. P3 involves a more complex risk analysis in comparison to other design and construction methodologies. The course will help design professionals understand legal and financial risks and benefits—and enable them to be better informed to pursue, plan, and manage the inherent business and contractual risks as P3 project opportunities present themselves.

### Speakers

**Suzanne H. Harness**, Esq., AIA, Harness Law, PLLC

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 1.5 AIA CES LUs / 1.5 RCEP PDHs



## Pre-Construction Services: Cure or Curse?

Third-party review and comment on any design professional's work product can be uncomfortable. It exposes the design to critique, second guessing, and "alternative" views. However, it can also validate and improve the design before any deficiencies lead to economic harm and consequences. Drawn from real-life cases in the media and courts, this program will highlight the potential risk and risk management opportunities emerging from third-party pre-construction design review by other design professionals, contractors, and construction managers. In addition, it will offer corresponding strategies to help you successfully engage in those processes as the designer or the reviewer.

### Speakers

**David A. Ericksen**, Esq., Attorney at Law, Collins + Collins

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs

*Great presentation!  
Thoroughly enjoyed the  
content and definitely learned  
something new. Thanks!*



## Project Risk Engineering for General Contractors

This course was developed to provide participants with a working knowledge of the due diligence and risk engineering recommended practices for a robust and formal risk assessment, project selection, and risk transfer process. A comprehensive risk engineering process is necessary to determine the bid, preconstruction, design development, construction, delivery, and warranty risks associated with a project and to enhance a contractor's ability to achieve an on-time, in budget, fit for purpose, project delivery.

### Speakers

**Timothy R. Brashear** P.E., Officer and Vice President, Construction Services, Rimkus

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 1.25 AIA CES LUs / 1.25 RCEP PDHs



## Real-Life Ethical Situations in Design and Construction

As construction projects, project delivery, and owner expectations become increasingly complex, it is more important than ever for design professionals to make proper decisions based upon professional standards and codes of ethics. In this workshop, participants will review the process of ethical decision making and gain a heightened awareness of ethical issues in day-to-day job functions through the exploration of actual cases and outcomes.

### Speakers

**Mike Bilderbeck**, PE, FASHRAE, Picking

**Jennifer Leach**, PE, LEED AP, BR+A

**Kristin L. Schaefer**, P.E., Schaefer Engineering

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 1.75 AIA CES LUs / 1.75 RCEP PDHs



## The Prime/Subconsultant Team: Strategies for Coordinated Success

At the heart of almost every successful construction project is a well-structured and coordinated design team. By contrast, where the design "team" concept breaks down—or never even really gets started—projects fail, profits evaporate, clients are lost, and claims follow. Drawing upon multiple examples of both success and failure, this program provides an eight-step model for design teams that addresses team selection, the importance of bringing subconsultants into the project early, coordinated contracts, appropriate insurance, a proactive approach to project planning and design coordination, communication and documentation protocols, identifying signs of trouble, and post-project assessments.

### Speakers

**David A. Ericksen**, Esq., Attorney at Law, Collins + Collins

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs



## The Root Factors - Growing Profit and Reducing Risk through Personal and Professional Empowerment

The purpose of this course is to teach personal and professional empowerment strategies to strengthen professionals, influence staffing, improve culture, increase performance, and reduce risk within design firms. Participants will learn these principles through a unique combination of design professional risk management practices and personal and professional empowerment strategies. This program helps staff at all levels of the firm, which can enhance the design experience, project outcomes and client satisfaction.

### Speakers

**Jeffrey M. Hirst**, CIC, Hon AIA Utah, Empowerment Coach, Professional Risk Advisor, Hirst Coaching

**Diane P. Mika**, SVP, Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs



## The Secrets of Successful Strategic Planning

Without a firm's success as a business, the lofty goals of any firm can dwindle to little more than reality-dampened frustrations. Strategic planning has proven to be the single most powerful and highly-leveraged tool to guide firms toward future growth and prosperity. This program will demonstrate what it takes to make strategic planning work for a firm, provide meaningful tips for the planning process, and identify common pitfalls to avoid. However, most firms tend to over-plan but under-implement, with implementation often a firm's biggest stumbling block. Participants will learn how best to convert strategic plans into action: what has worked in other firms; the leader's role and responsibilities; prioritizing within the strategic plan, identifying what your firm can afford to do vs. what it cannot afford not to do; and creating a culture of accountability.

### Speakers

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Raymond Kogan**, AIA, President, Kogan & Company

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs



## Trends in Geotechnical and Engineering Claims

Geotechnical engineering services are foundational to many design and construction projects. Architects and other engineering disciplines frequently rely on geotechnical reports in the performance of their services. This program gives insight to current trends in geotechnical engineering, related design and construction issues, and claims. Through real-life case examples involving serious failures and safety issues, participants will learn how geotechnical reports and recommendations impact the integrity of the design and construction of a project.

### Speakers

**M. Brandon Waddell**, Shareholder, Vincent Lopez Serafino Jenevein, PC

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.25 AIA CES LUs / 2.25 RCEP PDHs  
HEALTH, SAFETY, AND WELFARE QUALIFIED



## Trends in Outsourcing Responsibilities to Architects & Engineers: Maximizing Opportunities & Minimizing Risk of Self-Certifications & Special Inspections

Large municipalities across the country, recognizing the bureaucratic inability to keep up with construction volume, have taken to outsourcing what were once clearly government functions to design professionals. Cities that do not have the resources and cannot keep up with the influx of applications, certifications, violations, or inspections are cutting down their workloads by placing ever greater responsibility on architects and engineers to certify plans, conduct special inspections, and perform façade inspections. In New York City, the Fire Department has even established a program for licensed professionals to certify correction of certain fire alarm system defects, effectively eliminating the need for Fire Department re-inspections of these conditions. While this outsourcing trend presents opportunities for new services and revenue streams for design professionals, the duty of care to protect the health, safety, and welfare through these services cannot be overlooked. This program will review three key areas: fire alarm certification, façade inspection safety program, and special inspections.

### Speakers

**Thomas M. Fleming II**, Esq., Partner, Milber Makris Plousadis & Seiden, LLP

**Patrick F. Palladino**, Esq., Partner, Milber Makris Plousadis & Seiden, LLP

**Jennifer M. Netska**, Esq., Associate, Milber Makris Plousadis & Seiden, LLP

**Learning Units:** 1.75 AIA CES LUs / 1.75 RCEP PDHs  
HEALTH, SAFETY, AND WELFARE QUALIFIED

“

*Very interesting course  
as usual.*

*Excellent guest speaker.*

”





## Understanding AIA Document A201™-2017 General Conditions of Construction Contract

This course will provide a detailed review of AIA Document A201™-2017, General Conditions of the Contract for Construction, and discuss the essential information that design professionals need to understand in order to effectively deliver construction contract administration services. A201™-2017 is a keystone document that is used in conjunction with several other AIA contract documents. The A201™-2017 typically applies when owners contract separately with architects and contractors to procure design and construction services. This essential contract document bridges the gap between the owner's separate contracts with the project's architect and contractor.

A201™-2017 is a practical guide for design professionals, owners, and contractors, to provide a framework for effective communication and project management for efficient and successful projects. Understanding A201™-2017 can promote successful project outcomes, including satisfied owner expectations and minimized disputes.

### Speakers

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Jeremy S. Baker**, Partner, Construction Law Group, Schiff Hardin LLP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RECP PDHs



## Understanding Your Contract: The Foundation for Successful Projects

Understanding the purpose and content of a professional services agreement is an essential skill in project management. The contract establishes the intent and parameters of the project and confirms the roles, responsibilities and expectations of the parties. A fair and balanced agreement sets the stage for a productive relationship between you and your client and fosters a positive experience from project inception through project close-out.

This comprehensive program provides an overview of risk management fundamentals, the contract review process and the typical organization of the owner-design professional agreement, with special consideration given to the context of the project delivery method. You will learn about the use of BIM/digital exchange agreements and protocols, and will explore contract clauses that impact professional responsibility and liability.

### Speakers

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Diane P. Mika**, SVP, Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RECP PDHs

“

*Very informative. I feel the suggested forms and tools will be very beneficial to us and will pass them along to our directors and project managers.*

”



## What You Need to Know about Construction Manager as Constructor (CMc)

Construction Manager as Constructor (CMc), often known in the form of Construction Manager at Risk (CMAR), is an increasingly popular construction delivery method, particularly for large and complex projects with enhanced schedule, and project cost demands. No longer limited to private sector projects, CMc delivery is often utilized for public works building projects where the concurrent input of construction and design professionals can promote positive project outcomes. Learn from experienced owner's representative and design practitioners about key practical and contractual relationships, roles and responsibilities in order to develop strategies to properly allocate and manage risks to achieve successful projects for the benefit of all project participants, building inhabitants and the general public.

### Speakers

**Arlen Solochech**, FAIA, Consulting Architect

**Andrew D. Mendelson**, FAIA, EVP, Chief Risk Management Officer, Berkley DP

**Learning Units:** 2.0 AIA CES LUs / 2.0 RCEP PDHs

“

*Very sound advice from  
very qualified individuals.*

*This webinar was fabulous  
with great presenters  
and content!*

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## Program Leaders

### Andrew D. Mendelson, FAIA

EVP, Chief Risk Management Officer  
amendelson@berkeleydp.com • 312.340.3475

*Andy is a unique resource for Berkley DP and our policyholders because of his 36+ years as a licensed architect, working as a designer, project manager, market leader, contracting officer, CFO, and Director of Practice Management for a large, national multi-disciplinary design firm. Andy served on the AIA Documents Committee for 15 years and is an industry leader in contracting and risk management.*

### Diane P. Mika

SVP, Risk Management Officer  
dmika@berkeleydp.com • 831.293.6243

*Diane has over 25 years of experience in A/E professional liability insurance, focused on risk management and loss prevention education. She holds a bachelor of science degree in organizational behavior and is also a certified instructional designer. In her career, she has led in-depth claims studies to reveal the breakdowns in business practices that can lead to risk exposure. Diane has translated that heightened awareness of the risks that design professionals face into meaningful education and resources that help engineers and architects adopt practices to avoid or mitigate loss.*

## BDP Risk® Learning Management System

BDP Risk® provides 24/7 online access to practical, relevant, and concise content from selected subject matter experts, designed to help you avoid professional liability claims, improve management practices, enhance business performance, and earn risk management education credit.\* **bdprisk.com**

The screenshot displays the BDP Risk Learning Management System website. The interface includes a top navigation bar with a menu icon, the BDP Risk logo, a search bar, and a search engine icon. Below the navigation bar is a 'My Learning Dashboard' section. The main content area is divided into several sections: 'Welcome to BDP Risk' with a Berkley Design Professional logo and award medals; 'Latest Additions' featuring a large image of a clock face and a list of new articles; 'Help & Support' with contact information and logos for AIA Continuing Education Provider and RCEP; 'Certificates of Completion' with a 'MY CERTIFICATES' section; 'Knowledge Library' with a 'KNOWLEDGE LIBRARY' section; 'Courses & Learning Plans' with a 'COURSES & LEARNING PLANS' section; 'Contract Review Resources' with a 'CONTRACT REVIEW RESOURCES' section; 'Mobile App' with a 'MOBILE APP' section; and 'Quick Access' with a 'QUICK ACCESS TOOLS' section. Callouts point to various elements: 'MENU ICON' points to the menu icon; 'SEARCH ENGINE' points to the search bar; 'LATEST ADDITIONS' points to the 'LATEST ADDITIONS' section; 'KNOWLEDGE LIBRARY' points to the 'KNOWLEDGE LIBRARY' section; 'QUICK ACCESS TOOLS' points to the 'QUICK ACCESS TOOLS' section; 'MOBILE APP' points to the 'MOBILE APP' section; 'CONTRACT REVIEW RESOURCES' points to the 'CONTRACT REVIEW RESOURCES' section; 'ON-DEMAND LEARNING' points to the 'COURSES & LEARNING PLANS' section; 'CERTIFICATES OF COMPLETION' points to the 'MY CERTIFICATES' section; and 'HELP & SUPPORT' points to the 'Help & Support' section.

**MENU ICON**

**SEARCH ENGINE**

**LATEST ADDITIONS**

**KNOWLEDGE LIBRARY**

**QUICK ACCESS TOOLS**

**MOBILE APP**

**CONTRACT REVIEW RESOURCES**

**ON-DEMAND LEARNING**

**CERTIFICATES OF COMPLETION**

**HELP & SUPPORT**



**Berkley**  
**Design Professional**  
| a Berkley Company



Berkley Design Professional offers a variety of education programs to help firms improve their risk management and business practices. We are a registered provider with the AIA's Continuing Education System (CES). We are also a registered provider with

the Registered Continuing Education Program (RCEP), which is a nationwide portal for professional development education and record-keeping for engineers, surveyors and related industry professionals. Our on-demand programs qualify for AIA CES Learning Units (LUs) and RCEP Professional Development Hours (PDHs).

*We do not register programs with any individual states. It is the design professional's responsibility to determine whether this activity meets the requirements set forth by his/her state licensing board.*

*Information provided by Berkley Design Professional is for general interest and risk management purposes only and should not be construed as legal advice nor confirmation of insurance coverage. As laws regarding the use and enforceability of the information contained herein will vary depending upon jurisdiction, the user of the information should consult with an attorney experienced in the laws and regulations of the appropriate jurisdiction for the full legal implications of the information.*

*Practice management recommendations should be carefully reviewed and adapted for the particular project requirements, firm standards, and protocols established by the design professional.*

*Products and services are provided by one or more of insurance company subsidiaries of W. R. Berkley Corporation. Not all products and services are available in every jurisdiction, and the precise coverage afforded by any insurer is subject to the actual terms and conditions of the policies as issued.*

*\* Each policy year, firms that participate in one or more Berkley DP education programs qualify for a single 15% risk management education credit that will be included in rating and reflected in the firm's next policy quotation. Please note that the education credit opportunity applies only to primary policies; excess policies are not eligible.*



## **BDP Risk® Learning Management System**

Over the past six years, BDP Risk® has won seven coveted Brandon Hall Group Excellence Awards. These include learning and development awards for "Best Advance in Custom Content," "Best Advance in Creating an Extended Enterprise Learning Program," and "Best Customer Training Program," all of which recognize Berkley DP's significant efforts and successes in developing resources to help our clients enhance business performance and mitigate risk.

## **About Berkley Design Professional**

At Berkley Design Professional, we are Better by Design®. We transform uncertainty into opportunity so our clients can confidently build a better tomorrow. We provide design firms with innovative and comprehensive Architects & Engineers Professional Liability Insurance. We offer state-of-the-art, award-winning risk and practice management guidance and resources that help our policyholders manage their exposures and improve their businesses. Our in-house claims professionals provide fair, results-oriented claims management. Our mission is to relentlessly protect our clients' work, reputation and dreams. Berkley Design Professional is a division of Berkley Alliance Managers, which is a member company of W. R. Berkley Corporation whose rated insurance company members are assigned an A+ (Superior) rating by A.M. Best. [berkleydp.com](http://berkleydp.com)

## **Berkley Design Professional**

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