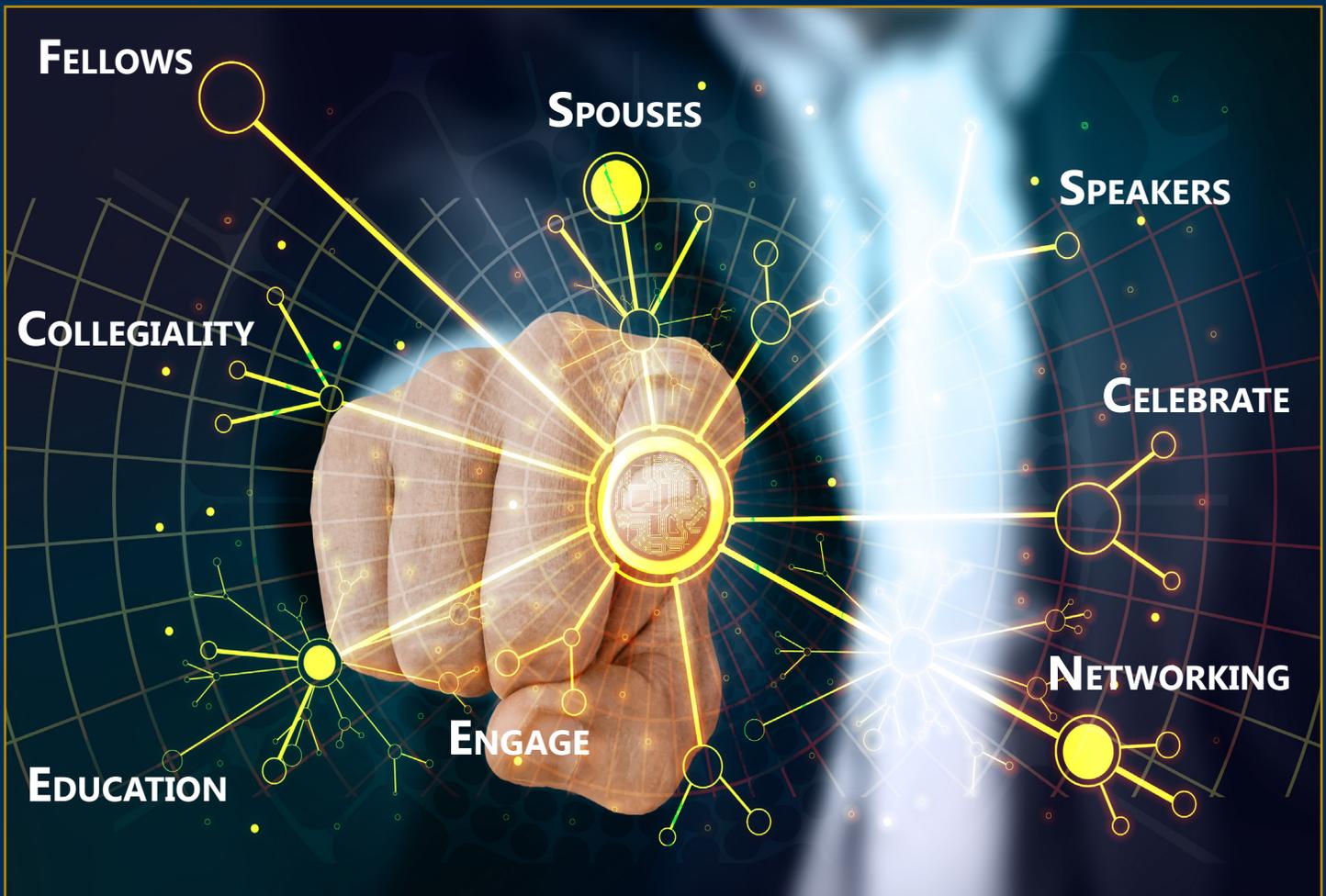


AMERICAN COLLEGE
of CONSTRUCTION LAWYERS

32nd Annual Meeting



March 16-21, 2021

Virtual Conference

TUESDAY, MARCH 16, 2021 *(All times listed in Eastern Daylight Time)*

- 4:00 – 5:00 p.m.** **New Fellows Orientation** (with History Committee and Journal Editor)
- 5:00 – 6:00 p.m.** **Past Presidents Reception for New Fellows**

WEDNESDAY, MARCH 17, 2021 *(All times listed in Eastern Daylight Time)*

- 1:30 – 2:30 p.m.** **Committee Breakout Meetings**
- Membership Committee
 - Professors Committee
- 3:00 – 3:30 p.m.** **Introductory Remarks and Welcome**
Meeting called to order and opening remarks from the President.
John R. Heisse, ACCL President
James S. Schenck, IV, Program Chair
- 3:30 – 4:30 p.m.** **PLENARY 1 – Public Procurement After the Election –
Public Contracts Committee**
Fellow Nick Gaede along with two former Congressional staff people who follow infrastructure issues closely, Mark Van de Water, former Deputy Chief of Staff of the Senate Appropriations Committee, and Jim Dyer, former Staff Director of the House Appropriations Committee, will discuss the expectations for current high-profile infrastructure projects, and the prospects for future projects under the new President and Congress.
- Presenters: James Dyer, Baker Donelson, Washington, DC*
Nick Gaede, Jr., Birmingham, AL
Mark Van de Water, Baker Donelson, Washington, DC
- 4:30 – 4:45 p.m.** **Transition Break**
- 4:45 – 5:45 p.m.** **Committee Breakout Meeting**
- International Committee

THURSDAY, MARCH 18, 2021 *(All times listed in Eastern Daylight Time)*

- 11:00 – 12:00 p.m.** **Committee Breakout Meeting**
- In-House Counsel Committee
- 12:00 – 12:15 p.m.** **Call to Order and Introduction of COVID Topics**
James S. Schenck, IV, Program Chair
- 12:15 – 1:15 p.m.** **PLENARY 2 – Contract Provisions Inspired by the Pandemic –
Documents Committee Survey**
When the COVID-19 pandemic struck, many of us were concerned that new or altered contract language would be needed to deal with work interruption, delays, and the costs of new safety protocols, among other things. Join Christine McAnney and Joel Heusinger of the Documents Committee for a discussion about the survey they recently conducted in the College to learn about new or amended contract provisions Fellows have seen arise during the pandemic.
- Presenters: Joel D. Heusinger, Denver, CO*
Christine M. McAnney, Atlanta, GA
- 1:15 – 1:30 p.m.** **Transition Break**

- 1:30 – 2:30 p.m. PLENARY 3 – Insurance for COVID-related Business Interruption – Insurance Committee**
Join Jocelyn and the Insurance Committee to discuss insurance coverage, if any, related to the pandemic. Jocelyn will explore “pick your poison” scenarios raised by insurance companies, highlight insurance provisions that insureds have tried to invoke to respond to work stoppage and other business impacts, and share the latest on efforts to gain insurance coverage in the pandemic, including a discussion of how courts are reacting to COVID -19 insurance coverage suits.
- Presenters: Jocelyn L. Knoll, Minneapolis, MN
& Members of the Insurance Committee*
- 2:30 – 3:00 p.m. Transition Break**
- 3:00 – 4:00 p.m. PLENARY 4 – Changes to Project Safety Programs for Infection Control – In-House Counsel Committee**
With the onset of the pandemic, infection control has received new emphasis on many job sites and fabrication facilities. While infection control has always been a concern in hospitals and similar settings, now it is a concern on other types of projects as well. Jeff and the In-House Counsel Committee will discuss changes they have seen in project safety programs and site rules, including the impact of this new concern on project economics and the legal challenges they face assuring compliance.
- Presenters: Jeffrey R. Cruz, New York, NY
& Members of the In-House Counsel Committee*
- 4:00 – 4:15 p.m. Transition Break**
- 4:15 – 5:15 p.m. PLENARY 5 – Take Another Look: Bias, Diversity and Inclusion – Diversity Committee**
Please join us for an important discussion we all need to have. Joining us will be Lori Baggett from Carlton Fields in Tampa, Rashida MacMurray-Abdullah from Wiley Rein in Washington, DC and Robert L. Johnson from Gibbons in Newark. All three serve in management roles in their firms, with Rashida and Robert serving as Chief Diversity Officers.
- Presenters: Lori Baggett, Carlton Fields, P.A., Tampa, FL
Robert L. Johnson, Gibbons P.C., Newark, NJ
Rashida MacMurray-Abdullah, Wiley Rein LLP, Washington, DC*
- 5:15 – 6:15 p.m. Informal Social Mixer**
Grab your beverage of choice and hang out with your ACCL colleagues. We will encourage mixing and mingling among the group by randomly assigning attendees to smaller breakout rooms where you will meet new acquaintances and long time friends before shuffling to a new room.

FRIDAY, MARCH 19, 2021 *(All times listed in Eastern Daylight Time)*

- 11:00 – 12:00 p.m. 2022 Annual Meeting – Planning Committee Meeting**
Fellows are invited to attend to listen and/or offer ideas to the planning committee.
- 12:00 – 12:15 p.m. Call to Order and Incoming President Comments**
*James S. Schenck, IV, Program Chair
Anne E. Gorham, ACCL President-Elect*
- 12:15 – 1:45 p.m. PLENARY 6 – Modular Building Discussion**
Lee Davis and special guests Tom Hardiman of the Modular Building Institute and Ron Ciotti at Hinkley Allen are going to provide an update on off-site construction in the United States. As more and more building and facility content is fabricated and assembled off-site, distinctions between construction and manufacturing continue to

FRIDAY, MARCH 19, 2021 (Continued...)

blur, and construction lawyers face numerous challenges to allocate risks and secure performance and payment. Ron Ciotti has been involved in the ConsensusDocs project to draft form contracts for off-site construction and will provide an update on that project.

*Presenters: Ronald Ciotti, Hinckley, Allen & Snyder LLP, Boston, MA
Lee C. Davis, Atlanta, GA
Tom Hardiman, Modular Building Institute, Charlottesville, VA*

1:45 – 2:00 p.m. Transition Break

2:00 – 3:00 p.m. PLENARY 7 – International Service Procurement and Supply Chains – International Committee

Increasingly over the years, services, goods and components for construction projects have been procured from other countries, notwithstanding attempts to give preference to local providers and suppliers. Compared to domestic procurement, contracting internationally requires attention to some unique considerations. The International Committee will lead a discussion on practical issues and considerations in international procurement and focus on the impact of the pandemic on the international supply chains on which the industry has increasingly come to rely.

*Presenters: Paul A. Bruno, Stateline, NV
Wendy K. Venoit, Boston, MA*

3:00 – 3:30 p.m. Transition Break

3:30 – 4:30 p.m. PLENARY 8 – Adjusting to Cultural Differences in ADR – ADR Committee

It is hard enough to overcome the language barrier when negotiating or contracting with persons of another culture, so how do you bridge the silent language every culture has in cross-cultural, international construction projects, mediation, and litigation? This session will (1) discuss the differences between cultures, (2) address how to bridge the differences, and (3) discuss what the construction companies doing business in other countries do to bridge the cultural divide on international construction projects.

*Presenters: Robert S. Peckar, New York, NY
& Members of the ADR Committee*

4:30 – 5:30 p.m. Executive Committee Reception for New Fellows

4:30 – 5:30 p.m. Informal Social Mixer

Grab your beverage of choice and hang out with your ACCL colleagues. We will encourage mixing and mingling among the group by randomly assigning attendees to smaller breakout rooms where you will meet new acquaintances and long time friends before shuffling to a new room.

SATURDAY, MARCH 20, 2021 (All times listed in Eastern Daylight Time)

12:00 – 12:15 p.m. Call to Order

James S. Schenck, IV, Program Chair

12:15 – 1:15 p.m. PLENARY 9 – Hot Tips/Hot Topics

Committee Chair: William G. Geisen, Covington, KY

Join us for another entertaining and interactive discussion of hot topics and trends in the construction industry. Our 2020 Class of Fellows will select and present the hot topics, moderated by the Committee Chair. As far as we can within the virtual presentation format, we will save time to discuss any additional tips or topics provided by the Fellows.

1:15 – 1:30 p.m. Transition Break

1:30 – 2:30 p.m. PLENARY 10 – Ethics Scenarios (1.0 Hour Ethics)

David Keyko, a regular speaker on legal ethics, will quiz the attendees on the correct ethical course of conduct under several scenarios that should be of interest to the College. Come prepared to listen and discuss how you might respond to situations faced by construction lawyers in various contexts, including negotiation, litigation and transactional work. Our hope is that this session will satisfy the Ethics CLE requirements in most states.

Presenter: David Keyko, Pillsbury Winthrop Shaw Pittman LLP, New York, NY

2:30 – 3:30 p.m. Committee Breakout Meeting

- Diversity Committee

3:30 – 3:45 p.m. Transition Break

3:45 – 5:00 p.m. RECOGNITIONS AND INDUCTION OF NEW FELLOWS

- **Recognitions**

John R. Heisse, ACCL President

- **Formal Introduction of New Fellows**

Anne E. Gorham, ACCL President-Elect

5:00 p.m. Past Presidents' Gathering (Following Induction)

SUNDAY, MARCH 21, 2021 (All times listed in Eastern Daylight Time)

2:00 – 3:00 p.m. In Memoriam: Tribute

Fellows, spouses and guests are invited to celebrate the lives of our departed Fellows and their contributions to the profession, the industry and to the College.

3:00 – 3:15 p.m. Transition Break

3:15 – 4:15 p.m. ACCL BUSINESS MEETING

- Election of New Board Members and Officers
- Committee and Task Force Reports
- Remarks by President Gorham
- Adjourn 32nd Annual Meeting

4:15 – 4:30 p.m. Transition Break

4:30 – 6:00 p.m. Board of Governors Meeting

GENERAL INFORMATION

Virtual Conference Details: The 2021 ACCL Annual Meeting will be offered online-only via Zoom or similar virtual event platform with an interactive format. For the best experience, attendees will need access to a computer with a high-speed internet connection, webcam and microphone. Meeting access credentials or login instructions will be sent to registrants by email the week prior to the event. Access to conference materials in digital format will be provided as will opportunities for questions and comments with the session presenters during the event. Sessions are being recorded. By participating you are granting consent for the display of your name, likeness and any questions/comments you may submit for ACCL's use in both the live and recorded versions.

MCLE Credit: This program is pending approval for 10.50 hours MCLE credit (1.0 hour ethics) in Texas, Illinois and California. Session approval and credit hours may vary by state. Attendance will be recorded and/or verified by the meeting platform. MCLE filing instructions will be provided to registered attendees during or after the event.

SPOUSE/GUEST PROGRAM & OPTIONAL EVENTS

FRIDAY, MARCH 19, 2021 *(All times listed in Eastern Daylight Time)***1:00 p.m.****Welcome and Meet the New Fellows' Spouses**

Please join us to welcome and get to know our new Fellows' spouses! We'll introduce each of our new spouses, and each will play *Two Truths and a Lie*, where all of us guess which of their three outrageous claims about themselves is actually false. It's a great way to learn some "fun facts" about our newest members. *This event is included in your spouse/guest registration.*

2:30 – 3:30 p.m.**Book Club ("The Invention of Wings" by Sue Monk Kidd)**

Join us for a lively and informal online discussion of Sue Monk Kidd's best-selling novel, *The Invention of Wings*. Writing at the height of her narrative and imaginative gifts, the author presents a masterpiece of hope, daring, the quest for freedom, and the desire to have a voice in the world – and it is now the newest Oprah's Book Club 2.0 selection.

Hetty "Handful" Grimke, an urban slave in early nineteenth century Charleston, yearns for life beyond the suffocating walls that enclose her within the wealthy Grimke household. The Grimke's daughter, Sarah, has known from an early age she is meant to do something large in the world, but she is hemmed in by the limits imposed on women.

Kidd's sweeping novel is set in motion on Sarah's eleventh birthday, when she is given ownership of ten year old Handful, who is to be her handmaid. We follow their remarkable journeys over the next thirty five years, as both strive for a life of their own, dramatically shaping each other's destinies and forming a complex relationship marked by guilt, defiance, estrangement and the uneasy ways of love.

Inspired by the historical figure of Sarah Grimke, Kidd goes beyond the record to flesh out the rich interior lives of all of her characters, both real and invented, including Handful's cunning mother, Charlotte, who courts danger in her search for something better.

This exquisitely written novel is a triumph of storytelling that looks with unswerving eyes at a devastating wound in American history, through women whose struggles for liberation, empowerment, and expression will leave no reader unmoved.

Kimberly Heckman and Wendy Gibson will lead the discussion. *This event is included in your spouse/guest registration.*

4:00 p.m.**Bridge Tournament** *(Optional Event)*

Calling all bridge enthusiasts! Lynn Cassady will lead the group in an online bridge tournament. This event is offered at no additional cost, *but you must RSVP to be slotted into the tournament in advance.*

5:30 – 6:30 p.m.**Virtual Chocolate Tasting** *(Optional Event – Limited to the first 40 registrants,)*

Who doesn't like chocolate??!! Join us for a chocolate tasting you won't forget. You will receive a tasting kit that includes chocolate samples of 6 different varieties, a tasting notes sheet, and other information about the origins of cocoa used in the samples you receive. This is a live 1-hour tasting on Zoom led by Lumineux Chocolate that covers a brief description of the chocolate-making process followed by an interactive tasting of 6 varieties of chocolate. *This event is included in your spouse/guest registration fee, however advance RSVP before March 5th is required in order to ship the chocolate in advance of the meeting.*

SATURDAY, MARCH 20, 2021 *(All times listed in Eastern Daylight Time)***2:00 – 3:00 p.m.****Mix and Mingle: Spouse Social Hour**

Join us online to visit with old friends and make new ones! We'll meet online, and break into small circles for conversation and catching up. Small circles will be shuffled three times to give us all a chance to chat with a good mix of spouses from our group. *This event is included in your spouse/guest registration.*

3:45 – 5:00 p.m.**Join Your Spouse for the Induction of New Fellows Session**

REGISTRATION FORM:
ACCL 32nd ANNUAL MEETING
March 17-21, 2021 | Virtual Conference

ACCL 32nd Annual Meeting
PO Box 4646, Austin, TX 78765
Fax: (512) 451-2911 / **Online:** www.accl.org

REGISTRANT INFORMATION

Name: _____

Company/Firm: _____

Address: _____ City: _____

State/Province: _____ Zip/Postal Code: _____ Country: _____

Phone: _____ Fax: _____ Email: _____

CONFERENCE REGISTRATION & OPTIONAL EVENT SELECTIONS

Fellows Registration Fee: \$200..... \$ _____

Emeritus Fellows/Honorary Fellows Registration Fee: \$0 (*Advance RSVP Required*)..... No Charge

Spouse/Guest Fee: \$50 *Name of Spouse/Guest:* _____ \$ _____

Includes all spouse activities, however RSVPs for specific events are required below.

Friday Spouse Activities:

Book Club: Free (RSVP Required) **Bridge:** Free (RSVP Required)

Virtual Chocolate Tasting: Free* (*Advance RSVP by March 5th required. Limited to first 40.*)

*Shipping Address for Sampler: _____

Saturday Spouse Activities:

Mix & Mingle: Spouse Social Hour (RSVP Required)

TOTAL DUE..... \$ _____

PAYMENT INFORMATION

Make check payable in U.S. Dollars to "American College of Construction Lawyers"

Please charge my: American Express MasterCard Visa

Credit Card #: _____ Exp. Date: _____ Sec. Code: _____

Name on Card (Please Print): _____

Billing Address (include zip code): _____

Authorized Signature: _____

CANCELLATION/REFUND POLICY: Refunds less a \$25 processing fee will be granted to registrants who cancel on or before March 9, 2021. *No refunds will be granted thereafter.* Some optional event tickets must be pre-purchased or guaranteed by the College on a specific date. Such tickets will not be eligible for refund after that date regardless of when the cancellation notice is received.



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