



School of Risk Management

Resource Guide



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What Is The School of Risk Management?

Comprehensive Risk Management Program

The Victor School of Risk Management is a comprehensive continuing education and risk management program. The e-learning education component provides accredited coursework on risk management topics for design professionals of all types and design firms of all sizes. In addition to the individual courses, a broad selection of pre-selected role-based and discipline-specific curricula are available. Our website, victorinsurance.com/schoolofriskmanagement, also contains a wealth of risk management resources and publications at to help firms manage risks of all types.

CE-Accredited
Courses



Issue Briefs



White Papers



Claims Studies



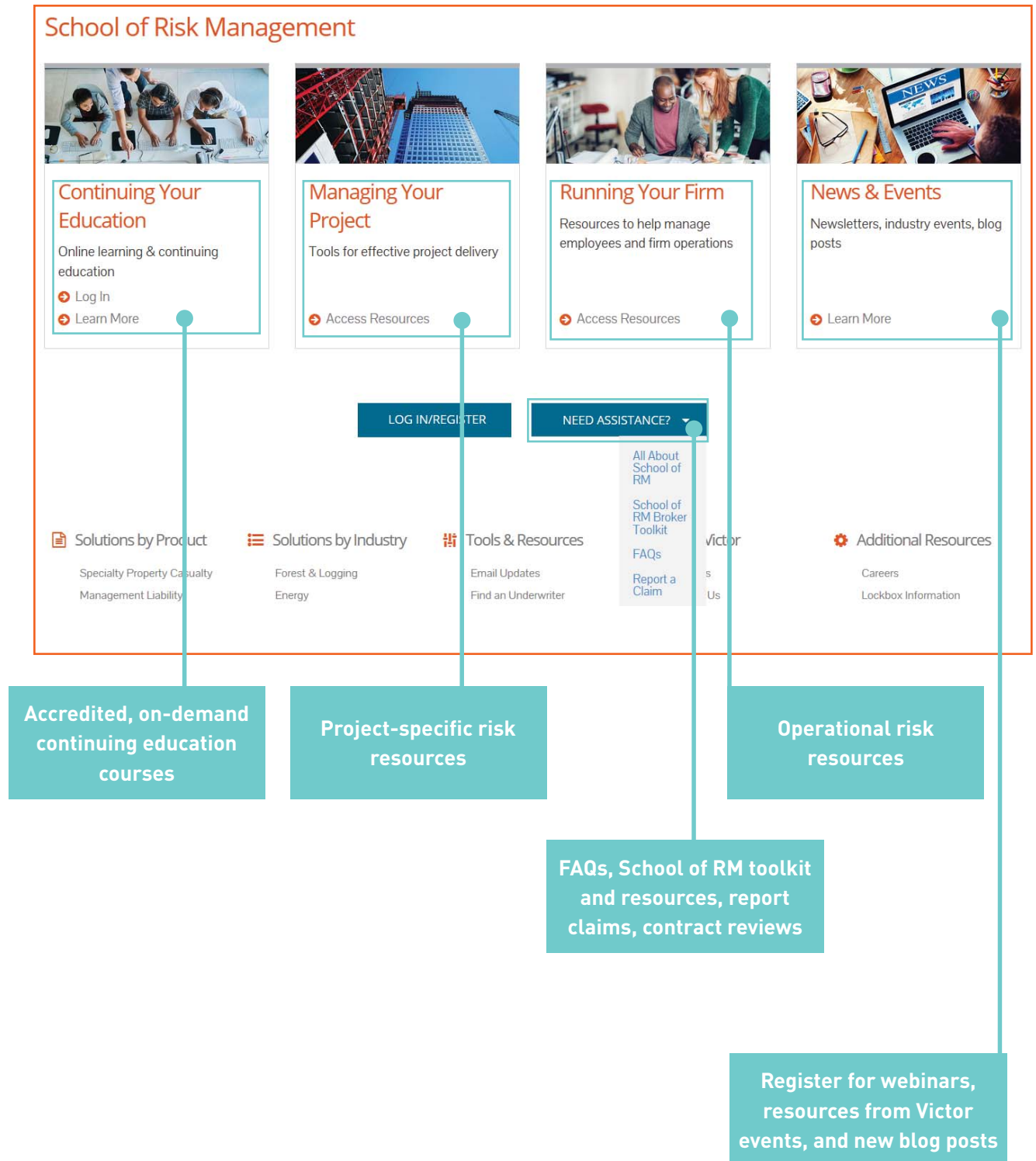
Benchmarking
Resources



Navigating Resources

Finding the Resource for You: Managing Your Project

Risk management publications are organized by project risks and operational risks.



Managing Your Project: Project Opportunity

Resources for firms as they consider project opportunities, broken down by specific project types.

Project Opportunity	Project Delivery	Project Contracts	Design Delivery	Contract Administration
<p>Evaluating a project opportunity requires careful consideration of the risks. Browse here for information on condos and international projects as well as claims studies by project type, discipline, service type, and other miscellaneous topics to help you make the right "go" or "no go" decisions for your firm.</p> <h3>Claims Studies</h3> <p>By Project Type</p> <ul style="list-style-type: none">• Convention Centers• Correctional Facilities• Courthouses• Golf Courses• Healthcare Facilities• Highways and Bridges• Hotels/Motels• Libraries• Mass Transit• Museums• Parking Garages• Religious Facilities• Residential• Retail/Restaurant• Schools• Site Development• Sports Facilities• Tribal Projects• Utility and Petro Chemical• Wastewater <p>By Discipline</p> <ul style="list-style-type: none">• Construction Management• Design-build• Environmental Consultants• Geotechnical• Interior Designers• Landscape Architects• Land Surveyors• Large Architectural Loss• Large Engineering Loss• Mechanical and Electrical Engineers• Structural Engineering• Subconsultants <p>By Service Type</p> <ul style="list-style-type: none">• Commissioning and Facility Management• Construction Contract Administration• Feasibility Studies• Submittals <p>By Problem Area/Miscellaneous</p> <ul style="list-style-type: none">• Contractual Provisions• Employment Practices Liability• Exterior Closures• FHAA and ADA• Foreign Projects• Intellectual Property• John Hancock Building• Non-worker Bodily Injury• Oral Contracts• Pre-Claims Assistance• Public Entity• Small Firms• Surety Claims• Tropicana Hotel Garage Collapse• Worker Bodily Injury <h3>Condos</h3> <ul style="list-style-type: none">• Condo Design Contracts• Condo Design Liability• Fair Housing Accessibility Guidelines <h3>International</h3> <ul style="list-style-type: none">• Going Global: Expanding Your Practice Overseas• International Projects• Managing the Risks of Your International Practice			 <h3>Project Risk Matrix</h3> <p>Risks on all projects need to be calculated and managed carefully to avoid professional liability claims.</p> <p>Project Risk Matrix</p>	

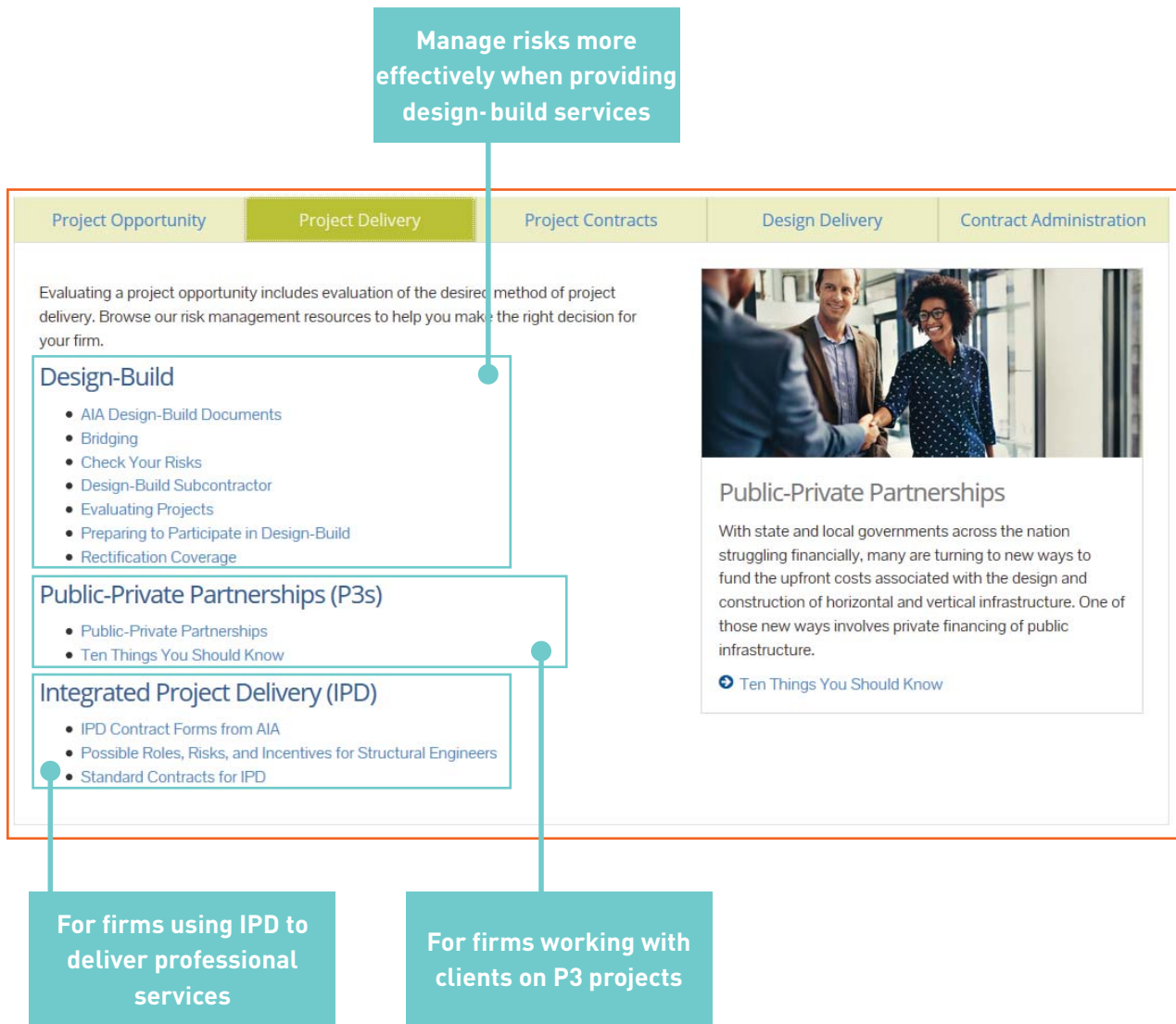
More than 50 individual claim studies on a wide array of topics

Liability issues when designing condo projects

Risk guidance for firms working on international projects

Project Delivery

Resources for firms as they navigate the risks associated with alternative project delivery methods.



Project Contracts

Effectively managing risks through professional services agreements.

Download contract guides to help avoid professional liability exposures

Project Opportunity	Project Delivery	Project Contracts	Design Delivery	Contract Administration
<p>Negotiating the contract for your project requires careful consideration. Whether you want general information/tools to help you manage your review and negotiation process or you're looking for information that is specific to certain provisions, such as indemnification or limitation of liability, we have it for you right here.</p>		<h3>General Information on Contracts</h3> <ul style="list-style-type: none">• FAQ Guide• Managing Risk Through Contract Language• Model Provisions Guide		<h3>Contract Language & Manufacturer Representations</h3> <p>Few design professionals have the ability to independently test and analyze substances, to verify the performance of a manufactured product, and to predict the longevity of a specified component.</p> <p>Contract Language & Manufacturer Representations</p>
		<h3>Standard Industry Agreements</h3> <ul style="list-style-type: none">• AIA Digital Practice Documents• Benefits of ASLA Standard Form Contracts• Comments on ConsensusDocs 420 Design-Build Contract• Differences Between AIA Docs and ConsensusDocs• Summary of ConsensusDocs Contract Revisions• 2014 Version of EJCDC Owner-Engineer Contract	<h3>Articles about commonly used industry standard agreements</h3>	
		<h3>Provision-Specific Issues</h3> <p>Indemnification</p> <ul style="list-style-type: none">• Defending & Indemnifying Clients• Indemnification Issues <p>Limitation of Liability</p> <ul style="list-style-type: none">• Limitation of Liability as Allocation of Risk• Limitation of Liability Provisions• Limitation of Liability: Subconsultants• Limiting Personal Liability for Professional Negligence• Waiver of Subrogation <p>International</p> <ul style="list-style-type: none">• Arbitration Clause in International Project Contracts• Decennial Liability <p>Miscellaneous</p> <ul style="list-style-type: none">• "Arranger" Liability• Client-Selected Consultants• Contract Language and Manufacturer Representations• Lien Rights & Waivers• Liquidated Damages in Professional Services Agreements• Recovering Legal Fees by the Prevailing Party• Third-Party Beneficiary Exposures• Using Client-Supplied Documents• Using Liens as Payment Enforcement	<h3>Articles about specific contract provisions and liability exposures</h3>	

Design Delivery and Contract Administration


Resources for firms for mitigating design phase and construction phase risks.

Common issues firms face when providing design phase services

Project Opportunity	Project Delivery	Project Contracts	Design Delivery	Contract Administration
<p>During the design phase of a project, certain risks should be considered. Browse these risk management resources for design-specific risk issues that are worth evaluating.</p>				
<p>Design Phase</p> <ul style="list-style-type: none">• Asbestos Risks• Client-Selected Consultants• Design Without Construction Phase Services• Relying on Manufacturer Representations• Security Design• Specifying New Products and Technologies				
<p>Sustainability</p> <ul style="list-style-type: none">• Designing for Sustainability• Health Products Declarations & Sustainability Risks• Questions for a Green Project• Risks in Materials Transparency Movement• Sustainable Design Practice Management Precautions				
			 <p>Materials Transparency</p> <p>Requiring materials transparency encourages assessment of the potential lifecycle health and environmental impacts posed by the use of products.</p> <p>➤ Risks in Materials Transparency Movement</p>	

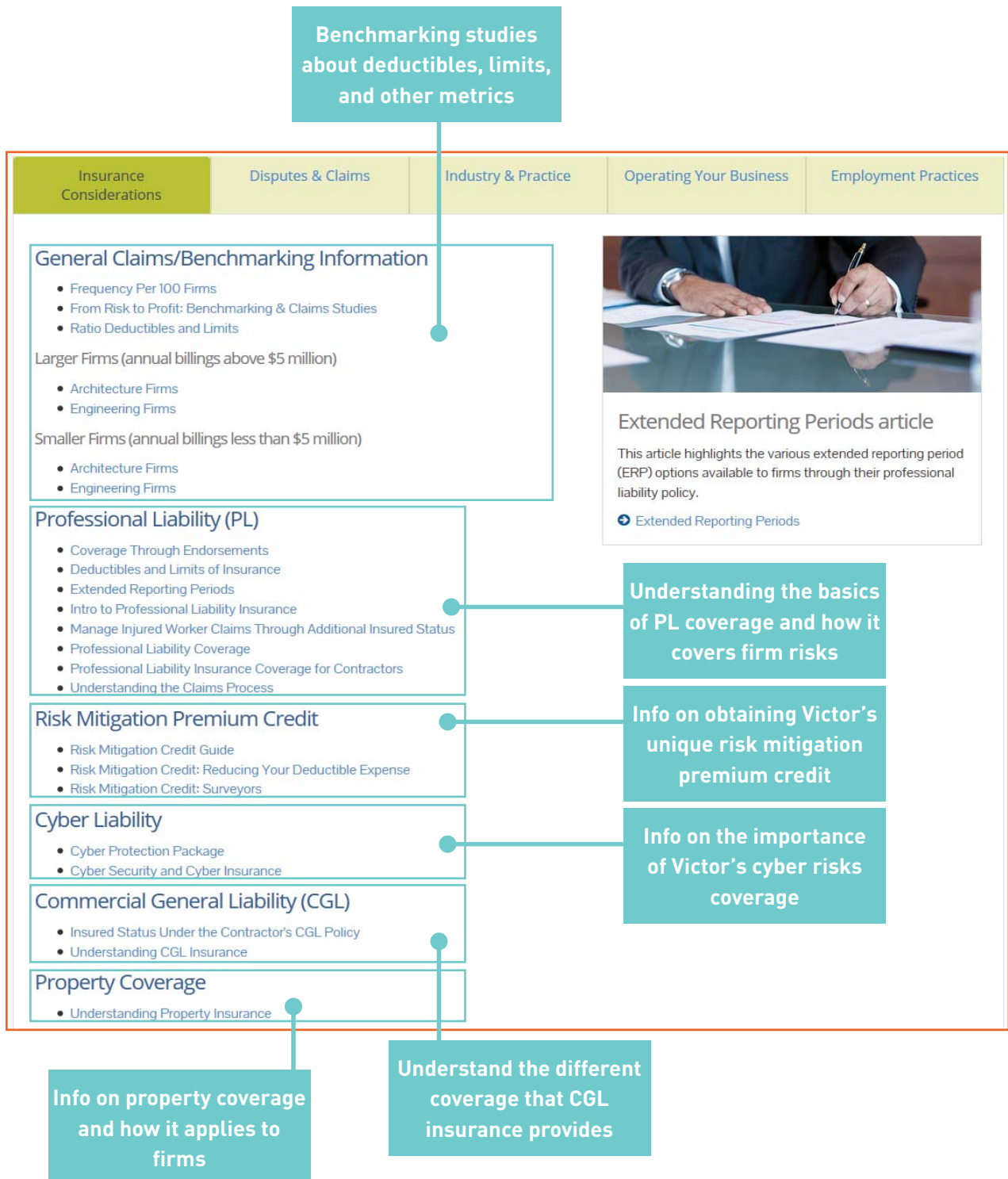
Common issues firms face when providing construction phase services

Common issues firms face related to sustainable design

Project Opportunity	Project Delivery	Project Contracts	Design Delivery	Contract Administration
<p>If you are providing construction contract administration services, be aware of your responsibilities, such as construction observation, site safety, submittal reviews, and more. Browse these risk management resources to help you navigate some of the more common trouble spots.</p>				
<p>Construction Phase</p> <ul style="list-style-type: none">• Certifications• Change Orders• Claims for Delays and Extras• Construction Contract Administration• Construction Process• Lenders: Mandated Certifications• Lenders: Requirements for Assignments• Observation or Inspection of Work• Shop Drawings• Site Safety• Using Contractor-Supplied Information				
			 <p>Observation or Inspection of Work</p> <p>During the execution of the design in the construction phase, the design professional neither supervises nor directs construction.</p> <p>➤ Observation or Inspection of Work</p>	

Running Your Firm: Insurance Considerations

It's important for firms to understand the various insurance coverages available to them and how they help cover exposures.




Disputes & Claims

Understanding the claims process and different dispute resolution procedures can help firms feel more comfortable during a difficult time while allowing for an effective defense of claims.

Learn about the differences between arbitration and mediation

Insurance Considerations	Disputes & Claims	Industry & Practice	Operating Your Business	Employment Practices
	<p>Dispute Resolution</p> <ul style="list-style-type: none">• Arbitration• Mediation <p>Claims</p> <ul style="list-style-type: none">• How to Report a Claim• Lifecycle of a Claim• Selection of Defense Counsel• Understanding the Claim Process			

Learn more about the claims process



Understanding the Claim Process


This resource walks insureds through what to expect when a claim is filed against them.

[Understanding the Claim Process](#)

Industry & Practice

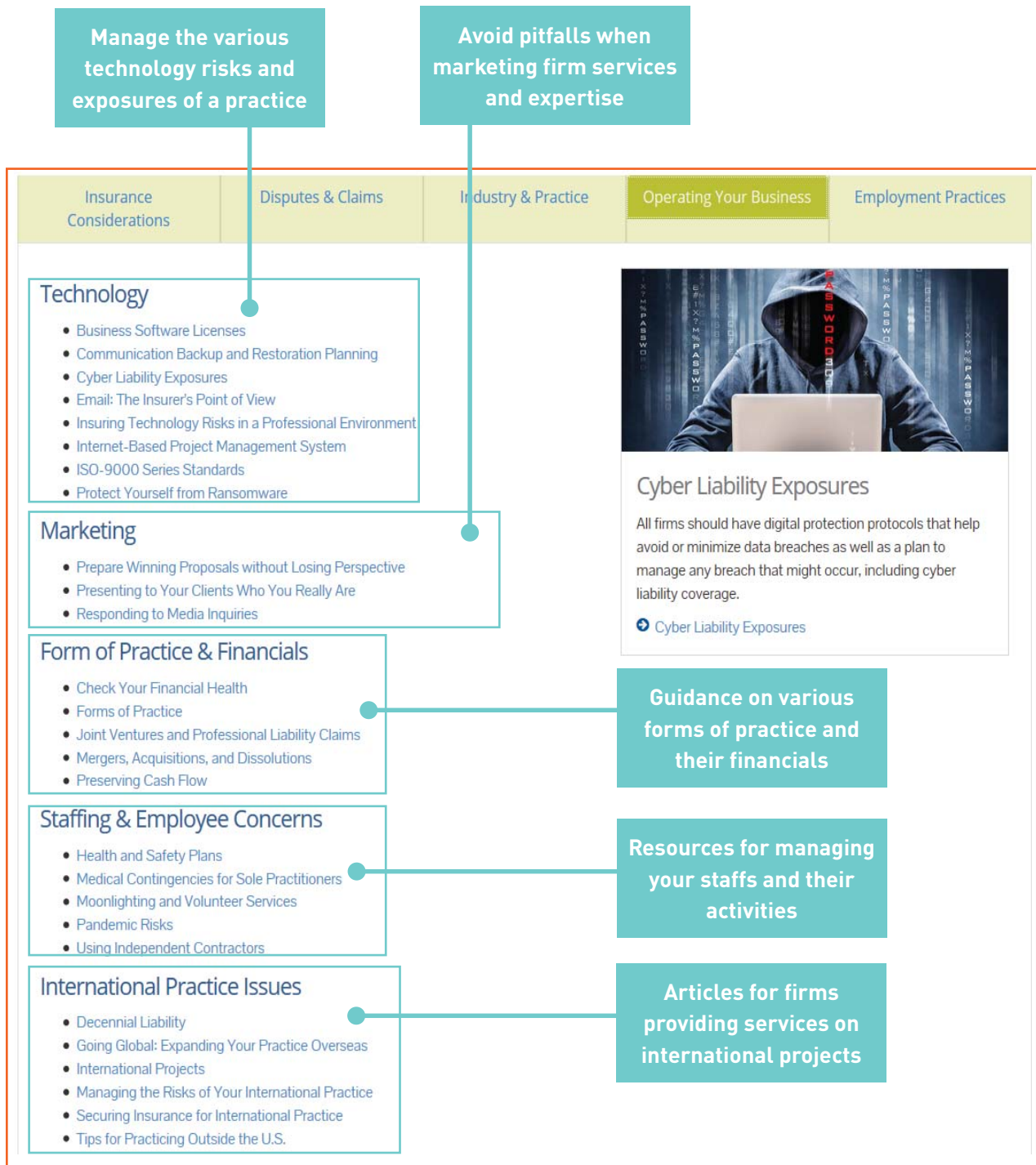
Firms need to keep up with the various risks of running a professional practice and trends in the design and construction industry.

Risks associated with common practice issues

Insurance Considerations	Disputes & Claims	Industry & Practice	Operating Your Business	Employment Practices
<h3>Providing Professional Services</h3> <ul style="list-style-type: none"> • Avoiding Claims through Fee Collection • Client Expectations and Communications • Confidentiality and Non-Disclosure Agreements • Copyright Law for Design Professionals • Design Professional's Duty to Design for Resiliency • E-Signature Law • Fast-Track • Project Documentation • Providing Services in Emergency Situations • Records Retention • Restarting a Project • Risk and the Sealing of Drawings • Services for Prototype Designs • Small Firm Practice Management • Standard of Care • Transfer of Documents and Electronic Information • Using Drones for Professional Services 		 <h3>Liability Laws Affecting Engineers</h3> <p>Courtesy of the National Society of Professional Engineers, this state summary highlights liability laws affecting the practice of engineering.</p> <p>Liability Laws Affecting Engineers</p>		
<h3>Public Policy</h3> <ul style="list-style-type: none"> • Good Samaritan • Procurement of Professional Services • Professional Liability and Tort Reform • State Statutes of Repose • State-by-State Summary of Liability Laws Affecting the Practice of Engineering 		<h3>Articles on public policies and how they impact design professionals</h3>		
<h3>Other Discipline-Specific Resources</h3> <h4>Environmental Consultants</h4> <ul style="list-style-type: none"> • Arranger Liability • Avoiding Third-Party Claims • Client Duty to Disclose Information • Permits, Approvals, and Regulatory Reporting 		<h3>Resources to help environmental consultants manage risks</h3>		
<h4>Landscape Architects</h4> <ul style="list-style-type: none"> • Opinions of Construction Costs • Public Sector Clients • Restoring Neglected Assets: Brownfields Reuse and Related Risks • Risks Presented by Client Type • Security Design • Studies, Reports, and Non-design Deliverables 		<h3>Resources to help landscape architects manage risks</h3>		
<h4>Surveyors</h4> <ul style="list-style-type: none"> • Certifications • Staking Out Your Future: Managing Professional Liability Exposure • The 2016 ALTA/NSPS Standard Detail Requirements 		<h3>Resources to help land surveyors manage risks</h3>		

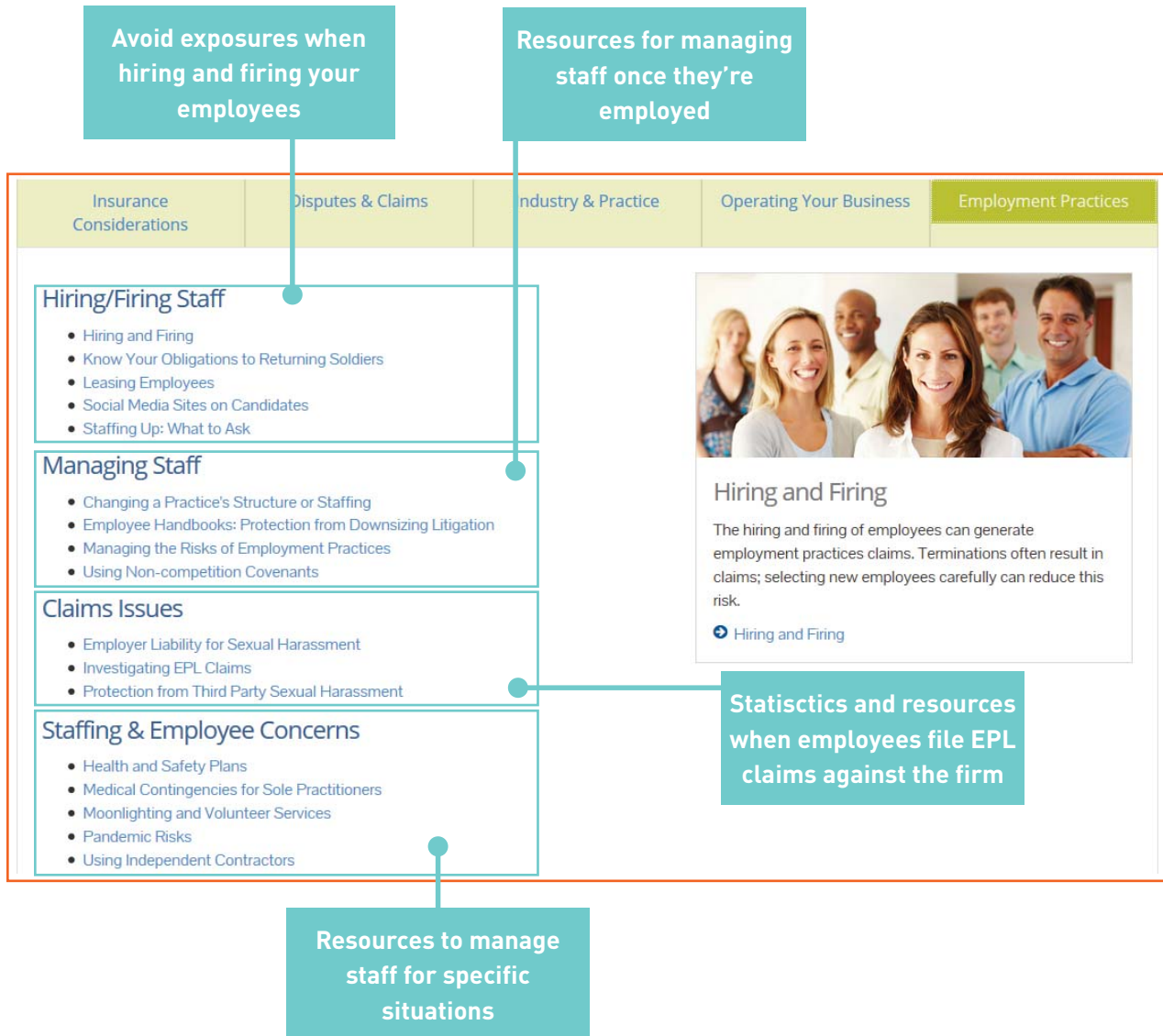
Operating Your Business

Resources for running a professional practice.



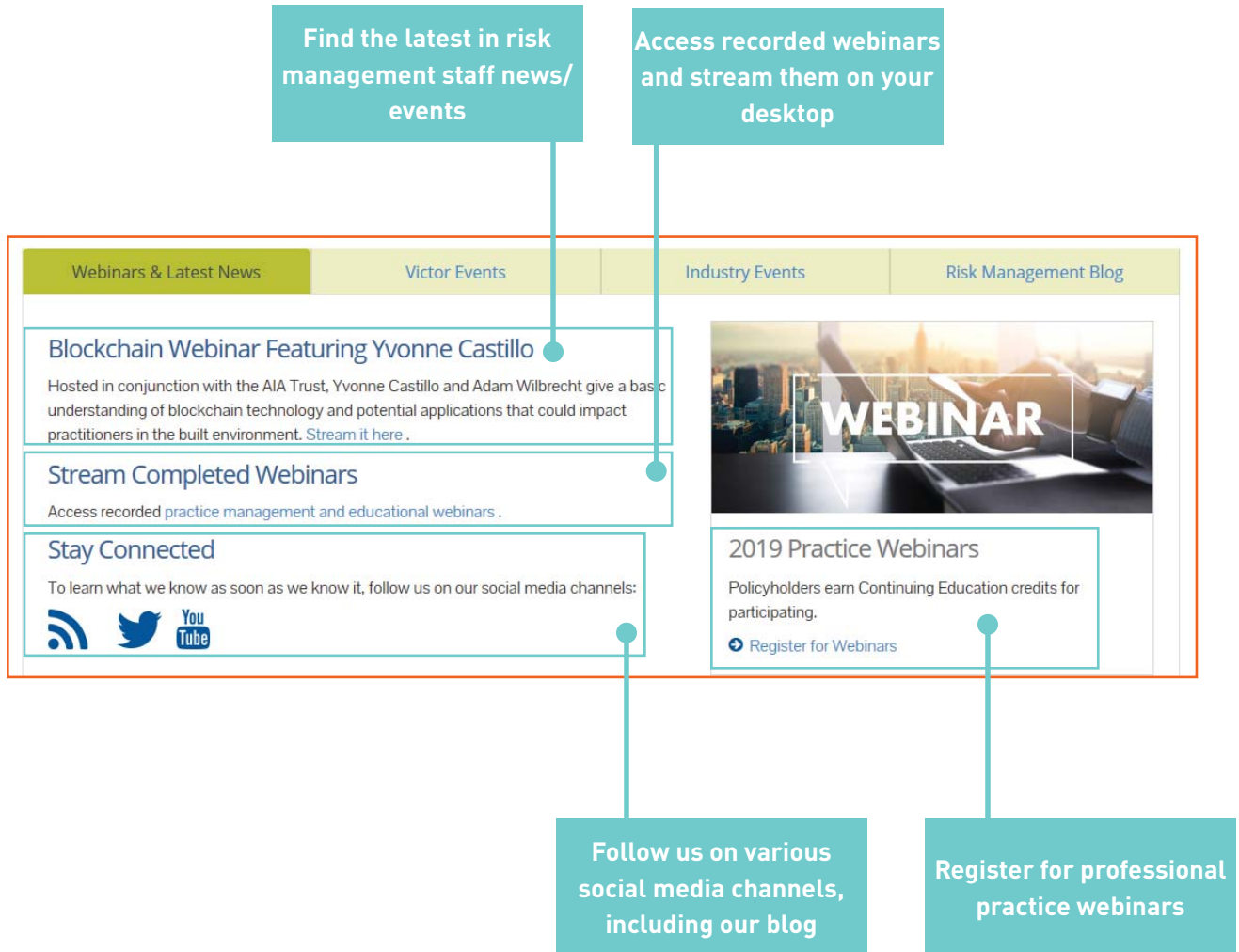
Employment Practices

Managing your employees is critical to firm success and avoiding potential liability issues.



Webinars & Latest News

Firms can learn about the latest risk management news from Victor, access recorded webinars, and register for upcoming professional practice webinars.



Victor Events

Firms need to keep up with the various risks of running a professional practice and trends in the design and construction industry.

Presentations from our gathering of large firm policyholders

Webinars & Latest News | Victor Events | Industry Events | Risk Management Blog

Design Industry Risk Management Summit

Victor hosts the Design Industry Risk Management Summit, which was formerly known as the Annual Large Firm Conference and the Annual Meeting of Invited Attorneys. The new name will take effect starting in 2020.

Large Firm Participation

Select large firm insureds are invited to participate in a one-day discussion on emerging industry opportunities and risks, as well as an additional two days of legal liability and risks from the perspective of defense attorneys and in-house counsels.

Speaker presentations of the [2019](#) and [2018](#) meetings are available.

Attorney Participation

For 58 years, Schinnerer has provided defense attorneys with an annual conference to discuss both legal and professional practice developments.

Papers and presentations from the 58th meeting can be downloaded below.

58th Papers

Brevity: Strategies for Writing Less and Saying More

- [Presentation](#)

A Growing Dilemma: A Lawyer's Ethical Obligations in the World of Weed

- [Paper](#)
- [Presentation](#)

High Time in the Construction Industry: Precautions for Working in the Legal Marijuana Industry

- [Paper](#)
- [Presentation](#)

An Assist with Design-Assist and Lean Construction: Closing Design Gaps Through Collaboration

- [Paper](#)
- [Presentation](#)

Annual Review of Legal Decisions

- [Paper](#)
- [Presentation](#)

P3s: Are Design Professionals Partners or Pawns?


- [Paper](#)
- [Presentation](#)

Climate Change and its Impact on the Standard of Care for Design Professionals

- [Paper](#)
- [Presentation](#)

A Case Study on the "Unreasonable" Plaintiff

- [Paper](#)
- [Presentation](#)



Learn from Industry Experts

Learn from your colleagues and peers in the field at our Design Industry Risk Management Summit.

[Design Industry Risk Management Summit](#)

Papers from our annual gathering of defense attorneys and in-house counsel

Industry Events and Risk Management Blog

Resources for firms as they provide design phase and construction phase services and how to effectively respond to liability exposures.

Risk manager speaking engagements and involvement with industry associations

Webinars & Latest News	Victor Events	Industry Events	Risk Management Blog
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Speaking Engagements

Please check back for confirmed speaking engagements.

Since we first started working with the AIA and NSPE in 1956, Schinnerer has been committed to helping the design and construction industry. Our risk managers and underwriters are involved in many ways within the industry.

ACEC

Yvonne Castillo serves on the ACEC Risk Management Committee.

AIA

Frank Musica serves on the AIA Contract Documents Committee and is a regular speaker at AIA events. We also work with the AIA Trust .

Other Commitments

Yvonne also serves as Vice Chair of the ABA EISR (Energy, Infrastructure, Siting and Reliability) Committee.



ACEC 2019 Annual Convention

Highlight and link to our latest blog post

Webinars & Latest News	Victor Events	Industry Events	Risk Management Blog
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Risk Management Blog

Our risk management experts have a running blog about critical topics for design and construction firms.

Latest Post

A rising tide lifts all boats

The design and construction industry faces enormous challenges with funding, technology, staffing, and climate change. Read about those issues and potential solutions.

[Read the entire post](#)



Follow Our Blog

Risk management guidance for design professionals

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Follow our blog to keep up with all of our posts



Visit us at victorinsuranceus.com/schoolofriskmanagement to learn more.

This document is for illustrative purposes only and is not a contract. It is intended to provide a general overview of the program described. Please remember only the insurance policy can give actual terms, coverage, amounts, conditions and exclusions. Program availability and coverage are subject to individual underwriting criteria.

Victor Insurance Managers Inc. (fka Victor O. Schinnerer & Company, Inc.) recently filed in all U.S. jurisdictions to re-brand and change its name. This name change has become effective in almost all states while still pending in several states, which we expect will complete their approval processes shortly.

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