

## Recordings List



# NATIONAL ASSOCIATION OF SURETY BOND PRODUCERS *Virtual* SEMINARS

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2017

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### **Expanding the Traditional View of Risk Management**

**Presenter: Steve Cvitanovic**

This webinar will outline latent risks that arise out of construction operations, and identify exposures under traditional insurance programs vs. controlled insurance programs. It will also discuss the dynamics involved in insurance risk management. This seminar will provide you with an understanding of the functions and limits of "Risk Management".

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### **Competing on Business Analytics**

**Presenter: Steve Coughran**

By the end of 2016, an estimated 73% of companies across different industries had invested in big data analytics. In order to compete, leaders must shift focus to organizational strategy, performance and improvement initiatives, and big data mining. By innovating operations with analytics, companies have the opportunity to be on the forefront of a revolution. This session will introduce techniques for data collection and analytic integration to fuel profitability.

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2016

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### **An NASBP Government Relations Conversation: Current & Future Issues**

**Presenters: Larry LeClair and Shannon Crawford**

NASBP Director of Government Relations Larry LeClair and Assistant Director of Government Relations Shannon Crawford discuss issues of significance to the industry that occurred in 2016 and what's in store for 2017. Topics include: activities of the federal construction coalition, state public-private partnership legislation, and new resources available to NASBP members.

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### **Big Data and its Importance in the Industry – December 2016**

**Presenters: Jessica Leong and Wesley Wiczorek**

What role does big data play in surety? How is this any different from the analysis that surety bond producers have been doing for 100 years? What's the hardest part of using big data for surety? These are some of the questions we'll address in this Virtual Seminar, drawing from our own experiences working at the intersection of big data and surety.

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### **PEOs, Surety Bonds, and the IRS — What They Mean for Surety Bond Producers – November 2016**

**Presenters: Pat Cleary, Farrah Fielder and Thom Stohler, NAPEO**

This presentation explains the Professional Employer Organization industry, including services offered by PEOs. It takes an in-depth look into how bonding fits into PEO licensure and registration processes at the state and federal levels. In particular, the speakers focus on the recently launched Internal Revenue Service (IRS) Certified Professional Employer Organization (CPEO) program and the bond required for certification.

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### **The Devil is in the Details. Differences in General Indemnity Agreements and What They Mean to Your Customer – November 2016**

**Presenters: Phil Alber and Bruce King**

While the general indemnity agreement forms used by sureties when issuing construction surety bonds have many common characteristics, they are not all the same. These agreements vary from surety to surety and there are important differences in these agreements. These variations are, in part, a reaction to adverse court decisions and, in part, a reflection of differing appetites for risk and philosophies as to how to structure the relationships with contractor clients. This program explains the significance of these differences.

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### **Changing with the Times: Surety Innovations Evolving with Public and Private Priorities**

**Presenters:** Bill Ernstrom, Jacob Fulmer and Mary Alice McNamara

Contract procurements have changed and will continue to evolve. Technological advancements continue to impact construction means and methods. It only follows that performance and payment guarantees must evolve as well. This team of claim/legal, underwriting, and risk management professionals explained how and why surety guarantee products have and will continue to change.

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### **NMLS Begins Using Electronic Bonds – October 2016**

**Presenter:** Tim Lange, Conference of State Bank Supervisors

This session provides an overview on how bond producers can assist their clients with complying with electronic surety bond tracking now available in NMLS. You will learn how to (1) set up an account in NMLS, (2) request permission to create bonds on behalf of your clients, (3) maintain a surety bond in NMLS including issuing riders and cancellation and (4) which states are requiring this in 2016 and 2017.

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### **Commercial Crime Policies & Fraud – September 2016**

**Presenters:** Mike Pipkin of Weinstein Radcliff Pipkin and Lanny Morrow of BKD.

Contractors of all sizes and types deal with various aspects of risk management. This seminar discusses various means and methods a contractor can employ to reduce and avoid risk, why commercial crime insurance may be worthy of considering for a contractor's risk management portfolio, and a commercial crime insurance policy's various coverages and exclusions.

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### **Surety Bond Fraud – September 2016**

**Presenter:** Jay Labe, Allen & Curry, P.C. - Denver

This seminar provides an overview of individual surety fraud and similar scams. You will hear about the devastating consequences of surety scams, the red flags that should give you pause and how to protect yourself, and your clients, from falling victim.

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### **Tax Treatments for Different Types of Entities – August 2016**

**Presenters:** Jim Still and Tim Wilson, BKD

Many companies choose different structures for income tax purposes. The presenters discuss the various types of entity structure for income tax purposes that construction companies may choose. The presentation focuses on the pros and cons of each structure.

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### **Deep Dive into Buy-Sell Agreements – July 2016**

**Presenter:** David V. Jean, CPA, CCIFP, CExP, Albin, Randall & Bennett and New England Funds Control, LLC

This presentation is an overview of structuring a buy-sell agreement and discussion of its elements, including triggering events, funding, valuation provisions and tax considerations. Also reviewed are the common (and costly!) mistakes and unique considerations for construction firms.

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### **Overview of the Industry and Regulatory Landscape of Unmanned Aircraft Systems/Drones – June 2016**

**Presenter:** Justine Kasznica, Saul Ewing LLP

An overview of the state of the small unmanned aircraft systems (sUAS, or "drones") industry, including the current legal and regulatory landscape, challenges and opportunities, the effect of current laws on the commercial and hobbyist use of sUAS, and the liability and risk factors pertaining to use of drones.

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**NASBP Fly-in: Instructions for a Successful Visit to Your Congressional Office – June 2016**

**Presenter: Larry LeClair and Shannon Crawford, NASBP and Kevin Garrity, Rose & Kiernan, Inc.**

This Virtual Seminar addressed the key issues fly-in participants need to know for Congressional visits and provided helpful tools and techniques to ensure successful Congressional visits.

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**Solving Problems for Better Decisions – Leadership Series No. 7 – May 2016**

**Presenter: Mark Harris, Harris Development Group**

The cost of poor decisions is enormous. This session explores several decision-making models and the steps to effectively solve problems.

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**Managing Our Daily Conflicts – Leadership Series No. 6 – April 2016**

**Presenter: Mark Harris, Harris Development Group**

Conflict is a fact of life and can be either productive or disruptive depending on how it's managed. In this session you learn the sources of conflict and the five styles to manage the conflict.

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**Coaching for Performance Improvement – Leadership Series No. 5 – April 2016**

**Presenter: Mark Harris, Harris Development Group**

Developing our staff is critical to engagement and productivity. Coaching accomplishes both. In this session you learn the critical skills of coaching and the steps involved in this process.

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**What Motivates People – Leadership Series No. 4 – March 2016**

**Presenter: Mark Harris, Harris Development Group**

All people are not motivated by the same things and nor should they be. In this Virtual Seminar, you will learn the various levels of motivation and how to approach each individual at that level. Also covered is how to distinguish between inspiration and motivation.

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**Engaging our Employees – Leadership Series No. 3 – March 2016**

**Presenter: Mark Harris, Harris Development Group**

This Virtual Seminar discusses ways that managers and leaders can meet the needs of staff so that they are fully engaged in the work process. Less than 25% of employees are fully engaged. Learn ways to increase the probability of reaching the other 75% of your staff!

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**Fraud: The New Mantra of Federal Contracting – February 2016**

**Presenter: Michael C. Zisa, Peckar & Abramson, P.C.**

The Federal Government's prosecution of fraud claims under the False Claims Act (FCA) continues to increase with total fraud collections in 2014 reaching \$5.69 billion – several hundred millions of which involved federal procurement fraud. This Virtual Seminar discusses what constitutes fraud under the FCA, common triggers, and how contractors, bond producers and sureties can stay out of trouble.

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**Introduction to Workers' Compensation – February 2016**

**Presenter: Scott Wengrenovich, Murray Securus**

This Virtual Seminar introduces workers' compensation and the basic terminology. An experience mod, calculation of workers' compensation premium, various items and surcharges found on the rating worksheet as well as you go type billing plans are covered.

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**Hiring the Right People – Leadership Series No. 2 – January 2016**

**Presenter: Mark Harris, Harris Development Group**

The second is a series of seven Virtual Seminars on Leadership. Mark Harris shows how hiring decisions should be based on the candidates past performance, specific predetermined behavioral criteria and legal questions. Learn how to best increase the probability of hiring the best candidate.

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**The Economist Who Loved Me (2016 Economic Update & Forecast) – January 2016**

**Presenter: Anirban Basu, Sage Policy Group, Inc.**

This presentation supplies a detailed, up-to-date overview of U.S. economic and construction industry performance. The presentation focuses on a number of key markets, including labor, finance, energy, and real estate. The presentation concludes with an outlook for 2016 and a discussion of threats to the outlook.

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**Accounting Terminology for Non Accountants (Financial Statements 101) – January 2016**

**Presenter: David Rogiers, Berntson Porter & Company, PLLC**

The Virtual Seminar focused on the basics of accounting and the related accounting terminology. Also covered are the basic components of a financial statement and how to identify the basis of accounting. The differences between compiled, reviewed and audited financial statements are also covered.

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**2015**

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**An NASBP Government Relations Conversation: Current & Future Issues – December 2015**

**Presenter: Larry LeClair & Shannon Crawford, NASBP and Kevin Garrity, Rose & Kiernan, Inc.**

This Virtual Seminar covers issues of significance to the industry that occurred in 2015 and what's in store for 2016. Topics discussed include: activities of the federal construction coalition, state public-private partnership legislation, and new resources available to NASBP members.

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**How Smart Are You Emotionally? – Leadership Series No. 1 – December 2015**

**Presenter: Mark Harris, Harris Development Group**

Mark Harris shows how to apply emotional intelligence to address personnel issues and to encourage productive relationships in the typical office environment.

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**An Introduction to Probate Bonds: A Guide for Bond Producers and Other Surety Professionals – November 2015**

**Presenter: Jeffrey M. Frank, Alber Crafton, PSC**

The Virtual Seminar first addresses the types of probate bonds to ensure a basic understanding of the terminology and situations where a probate bond is required. Mr. Frank then discusses underwriting and issuing probate bonds with a review of specific underwriting considerations. Potential claimants, types of claims and a brief discussion of practical claim handling summarize this topic.

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**Contract Red Flags from a Commercial Surety Perspective – October 2015**

**Presenter: Craig Ulmer and Robert Lavitt, Travelers Bond & Specialty Insurance**

The bonding of commercial, that is, non-construction contracts are discussed. Mr. Ulmer and Mr. Lavitt review key contract clauses from a commercial surety perspective. Additionally, the commercial surety implications of various bond forms are discussed with a focus on pitfalls to be avoided.

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**Revenue Recognition Rebuilt: Part 2 – Why it Matters for Construction Surety Professionals – October 2015**

**Presenter: Bret Rutter and Chris Gewain, Moss Adams LLP**

Part II of this series uses examples to illustrate how the 5 steps of the new standard would be applied to highlight areas of expected differences from existing U.S. GAAP for construction contractors. Also discussed are some of the specific nuances of the new guidance which may impact your contractor client base such as variable consideration, uninstalled materials and accounting for contract modifications.

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**Revenue Recognition Rebuilt: Part 1 - Overview for Construction Surety Professionals – September 2015**

**Presenter: Bret Rutter and Chris Gewain, Moss Adams LLP**

This presentation shows how the new U.S. GAAP revenue recognition guidance is expected to impact construction contractors' financial statements and the key metrics used to assess their financial performance, which ultimately impacts the Company's bonding capacity and pricing. The differences between the existing and new revenue recognition guidance is presented.

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**Professional Liability Insurance is Evolving: Learn What the Changes Mean to Contracting Firms – August 2015**

**Presenter: Frank Musica, Victor O. Schinnerer & Co.**

This presentation gives you an update of the changing marketplace related to the nature and scope of professional liability insurance coverage.

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**Working in Different States: A Map to the Varying State Laws that Limit and Supersede Construction Contracts (Part II) – July 2015**

**Presenter: Douglas Tabeling, Smith, Currie & Hancock LLP**

This presentation shows the risk involved in similar construction projects and contracts changes from state to state because each state's laws govern performance of the work differently. Participants learn more ways that the laws of different states affect project risk by dictating the terms of: qualifying to do the work, bidding and proposing, subcontracting, payment security through liens and payment bonds, time limitations on claims, and enforcement of ethics and integrity in contracting.

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**Working in Different States: A Map to the Varying State Laws that Limit and Supersede Construction Contracts (Part I) – July 2015**

**Presenter: Douglas Tabeling, Smith, Currie & Hancock LLP**

This seminar explores how the laws of different states limit the terms of construction contracts in different ways, which changes the risk profile on similar projects and contracts from state to state. Participants learn the various ways states limit or nullify the enforceability of certain common risk-shifting contract clauses concerning payment, project delays, indemnity, and dispute resolution.

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**The New DBIA Bond Forms – June 2015**

**Presenters: G. William Quatman, Burns & McDonnell Engineering Co., Inc. and Martha Perkins, NASBP**

This seminar explores the new surety bond forms published by The Design-Build Institute of America (DBIA) which were specially written for design-build projects, and endorsed by both SFAA and NASBP. This is the most comprehensive family of bond forms, 15 in all, for design-build projects.

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**Expedited Dispute Resolution Bond for P3 Projects – June 2015**

**Presenters: John S. Halliday, Jacob Fulmer, Mary Alice McNamara, Travelers Bond & Specialty Insurance**

The P3 bond form that was issued on the Pennsylvania Rapid Bridges Project and an Indianapolis courthouse project and the details into the development and mechanics of this new P3 bond that received S&P approval and credit rating is discussed. Explanation and instructions regarding the JAMS dispute resolution that is an integral part of the Expedited Dispute Resolution P3 bond is also reviewed.

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**NASBP Fly-In: Instructions for a Successful Visit to Your Congressional Office – June 2015**

**Presenters: Larry LeClair and Shannon Crawford, NASBP**

A guide for fly-in participants through the talking points for this year's event, including: the importance of surety bonds, H.R. 838 (Hanna), the Security in Bonding Act of 2015, and the need to include bonding on federal P3 agreements.

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**A Trilogy of Increasing Contract Surety Risks – Automatic Penalty Increases, Venue after Atlantic Marine, and Supplementation vs. Termination – May 2015**

**Presenters: Steve Nelson, SureTec Insurance Co., Jonathan Bondy, Esq., Chiesa Shahinian & Giantomasi, Jay M. Mann, Esq., Jennings, Strouss & Salmon, PLC and Richard Tasker, Sage Associates, Inc.**

This presentation is an overview of three types of contract surety risks. Those risks are automatic penalty increases, venue provisions after Atlantic Marine Decision and supplementation vs. termination.

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#### **Construction Surety Bonding on Native American Projects – May 2015**

**Presenters: Roger S. Owers, Esq., Sacks Tierney P.A. and Lawrence McMahon, Alliant Ins. Services, Inc.**

This presentation explores the legal and practical realities of bonding construction projects in Indian Country. Attorney Roger Owers presents the legal concepts that influence bonding in Indian Country and Larry McMahon presents the surety industry perspective about the issuance of such bonds.

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#### **The Use of Funds Control to Help Bond the Small, Emerging & Challenged Contractor – April 2015**

**Presenters: Mike Pecard, NACS and Dwight Pilgrim, Rich & Cartmill, Inc.**

This presentation takes a look at how underwriters evaluate the small and challenged contractor for bonds. Understand how to identify the tools available to help achieve bonding of these contractors and the benefits these tools have to the surety/agents.

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#### **Today's Tough Contract Terms and Conditions and How to Streamline Their Review – March 2015**

**Presenters: Rosemary Quinn Esq., CNA Surety and Mary Alice McNamara Esq., Travelers Bond**

The presenters give their perspective on contract terms and conditions fraught with risk for contractors and sureties. Tips and ideas on how a surety can help in the review process are also reviewed.

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#### **The Pit and the Pendulum (2015 Economic Forecast) – March 2015**

**Presenter: Anirban Basu, Sage Policy Group, Inc.**

This presentation provides a detailed, data driven update of the performance of the global, national, and relevant regional economy. Special attention is given to key aspects of economic life, including trends characterizing financial, real estate, energy, and labor markets.

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#### **Information Systems – Tune Up or Major Overhaul? – February 2015**

**Presenter: Robert (Bob) Sniogowski, CliftonLarsonAllen LLP**

This presentation evaluates whether a legacy software presents a risk to efficiency, reliability, scalability, or sustainability of a particular construction contractor. How to prepare a contractor for the cost, time and energy that a successful IT project or system selection and implementation may demand is also covered.

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#### **Helping Clients Preserve or Improve Their Personal Credit – February 2015**

**Presenter: David Graves, Digital Matrix Systems and Ralph Pulver, Travelers Bond**

This presentation covers the major credit reporting agencies, their coverage and similarities. Points of interest include: how are scores developed and scaled; the impact scores have on your financial life; major factors that are contributors to the credit score; and steps you can take to improve your score.

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#### **Ownership Transfer & Management Succession: 2015 Update – January 2015**

**Presenters: Randy Stutzman, FMI Corporation and Ed Heine, PayneWest Insurance, Inc.**

This seminar addresses the key dynamics of the process for sellers and buyers, and the impact that ownership and management transition is having on the construction industry. This webinar provides you with the information you need to advise your clients in a knowledgeable and meaningful manner, and is intended for all constituents involved in the process.

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**Surety Industry Professionals' Influence Makes a Difference – Tiger Trust – January 2015 (complimentary)**  
**Presenters: Spence Miller of Schwartz Brothers Insurance Agency, Inc., Erle Benton of Cretcher Heartland LLC, David Bradbury of Murray Risk Management and Insurance and Matthew Cashion, Jr. of The Cashion Company Inc.**

The prestigious Tiger Trust award is given to individuals who successfully persuade a private owner or lender to require surety bonds on a private construction project. Our professional surety industry professionals, all of whom are past recipients of the Tiger Trust award, share how they positively influenced the use of surety bonds on projects that initially may not have been bonded.

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**2014**

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**An NASBP Town Hall Conversation: Government Relations, Current & Future Issues – December 2014 (complimentary)**

**Presenters: Larry LeClair, Shannon Crawford, John “JB” Byrd, Kevin Garrity, Lou Colagrossi and Ashley Calabrese**

A discussion of issues of significance to the industry that occurred in 2014 and what's in store for 2015. Topics discussed include: Federal legislation to reform assets pledged by individual sureties on federal construction projects, state public-private partnership legislation and new resources available to NASBP members.

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**Dealing with Downstream Default: What are the Risks and How do you Reduce Them (Part II) – December 2014**

**Presenters: David Jean, CPA, CCIFP, Albin, Randall & Bennett (ARB); and David Ray, JD, Bernstein Shur**

Where Part I focused on pre-award risks and strategies with an emphasis on doing your homework. Part II focuses on post-award risks and strategies.

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**Dealing with Downstream Default: What are the Risks and How do you Reduce Them (Part I) – November 2014**

**Presenters: David Jean, CPA, CCIFP, Albin, Randall & Bennett (ARB); and David Ray, JD, Bernstein Shur**

In today's construction market, subcontractor (and sub-subcontractor) defaults are more common than ever. The typical downstream risk of a subcontractor being unable to finish or satisfactorily finish its work is enhanced in difficult economic times. Are you taking the right practical and legal steps to protect yourself from this risk?

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**The New Revenue Recognition Standard – What It Means – November 2014**

**Presenter: Tim Wilson, BKD National Construction & Real Estate Group**

Learn about developments related to the new accounting standard on revenue recognition, which touches on the history of the standard and what it means for contractors.

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**Joint Ventures in Construction – October 2014**

**Presenters: Adrian Bastianelli, Paul Monte, Michael Zisa of Peckar & Abramson**

We address the critical issues that surety bond producers must understand about joint ventures (jv) including: formation issues, types, jvs vs teaming agreements, structure, ownership, capitalization, profits, management, equipment and manpower, subcontracting, defaults, withdrawal or dissolution, insurance and bonding, and dispute resolution. The presentation also addresses special jv issues related to surety bonds, minority businesses, Design-Build contracts, and P3s.

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**Surety Reinsurance and its Role in the Market – October 2014**

**Presenter: James D. McMahon, Gen Re's**

A broad array of small, regional and large insurers are involved in various types of surety products and often form surety reinsurance relationships as part of a risk management and risk financing strategy. This surety reinsurance discussion touches on some of the basic characteristics of the industry and its participants.

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**Fraud in the Construction Industry – September 2014**

**Presenter: Joel K. Bobo, CPA, HORNE's**

When things are going well in the construction industry and contractors are busy, management can take their eyes off the ball and fraud can occur. When things are going poorly in the construction industry and contractors are not busy, employees are looking for ways to make more money and fraud can occur. There are ways contractors can keep fraud from happening-in good times and bad.

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**Preventing Construction Defects and Mitigating Damages – September 2014**

**Presenters: Ken Wengert and Michael Koppang, Travelers Bond**

Construction defect claims are very complex and often result in significant costs and litigation involving multiple parties. This is not limited to one part of the country or a particular type of construction. This presentation enables you to: identify the inherent challenges and complexity associated with construction defect claims; identify the important documents needed to defend against construction defect allegations; and explore opportunities to prevent or minimize construction defects during preconstruction.

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**Cyber Crime and Information Security Trends – August 2014**

**Presenter: Mark A. Eich, CPA, CISA, CliftonLarsonAllen LLPs**

Businesses that typically have not thought themselves at risk for cyber-attacks are being targeted like never before. This session describes the threat landscape, discusses common attack methods, and provides critical insight as to how businesses can effectively address this emerging threat.

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**Surety Risk Assessment - Utility Pipeline Failure Case History - Tyndall, SD – August 2014**

**Presenter: Scott Hofer, Hancock Concrete Products**

This is a case study of an improperly built pipeline and how the surety company holding the performance bond stepped in to investigate the cost of replacing the pipeline and reached a settlement with the city so the pipeline could be replaced. This presentation focuses on the efforts made prior to the project being bid to minimize the risk, as well as the replacement of the pipeline and the lesson learned.

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**The Challenges of Managing the BIM/VDC Process – July 2014**

**Presenter: Cindy Baldwin, VDCO Tech, Inc.**

Using building information modeling and virtual design & construction can help minimize risk and liability on projects and how some owners are using BIM to justify pay applications and measure designer and contractor performance. The challenges of managing the BIM/ VDC process; where is BIM technology today; and what does the future hold also are examined.

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**Subcontractor Administration: Keep Your Friends Close, But Keep Your Subcontractors Closer – July 2014**

**Presenters: A.J. Manion and Bruce Stigger, Manion Stigger LLP**

The full life phase of the subcontract is explored - from formation and performance through closeout. Topics include subcontract terms critical to project management and payment issues, management of the underperforming subcontractor, and termination of a defaulting subcontractor.

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**Avoiding Claims by Managing Change to a Construction Contract – June 2014**

**Presenters: Larry M. Prosen, Thompson Hine and Paul Stynchcomb, Vero Construction Consultants Corp.**

Regardless of whom the stakeholder is, change impacts all parties and can have a dire effect on the project, finances and schedule. Learn ways an owner, surety, or contractor can protect themselves as change occurs. Presenters describe how to identify the risks associated with contract changes and some potential claims arising therefrom and ways to mitigate the impacts of changes to the schedule and construction costs.

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**Unlocking Your Cash with Single Premium Life – June 2014**



**Presenters: David A. Jacobs, JD and Scott B. Hinkle, JD, CFP of Grant, Hinkle & Jacobs, Inc.**

Businesses keep non-operating cash on hand for many different purposes, including surety bonding requirements. These funds must be kept safe and liquid. But businesses would like to earn a higher yield, without sacrificing safety or liquidity. The presenters show how to open up a conversation with your clients about this issue and how to solve it with the use of a specially designed Single Premium Life Insurance policy.

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**NASBP Fly-In: Instructions for a Successful Visit to Your Congressional Office – May 2014 (complimentary)**

**Presenter: Larry LeClair, NASBP**

A guide for fly-in participants through the talking points for this year's event, including: the importance of surety bonds, H.R. 776, the Security in Bonding Act, and the need to include bonding on federal public-private partnerships (P3s).

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**How Even Good Contractors Sometimes Fail – May 2014**

**Presenters: Gary T. Dunbar and David C. Kitchin, Great American Insurance Company**

Insights as to how even the best contractors can occasionally stumble and fall. Rather than focusing on mistakes commonly made by poorly managed companies, this discussion addresses common root factors, some internal, others external, that have led to the unraveling of previously successful companies.

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**When Worlds Collide! Federal Small Business Programs: Opportunities and Requirements, and the False Claims Act – May 2014**

**Presenters: Thomas J. Kelleher Jr. and Steven L. Reed, Smith, Currie & Hancock LLP.**

The recent developments in small business laws and regulations, including how imperfect implementation by contractors creates false claims exposures, as well as topics and risks to be explored with contractors.

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**Understanding International Surety Placement: We're not in Kansas Anymore – April 2014**

**Presenters: Nicholas Kim and Nate Zangerle, Liberty Mutual Surety**

This presentation helps you understand the terminology and key aspects of international surety placement such as: size of the international market and regulatory framework, typical foreign obligations and key underwriting considerations, how facultative reinsurance plays a role in the placement of an international transaction, pricing considerations such as annual rates, fronting fees, and taxes and managing client expectations when it comes to international surety placement.

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**Protecting Your Identity: Information Security Basics – March 2014**

**Presenter: Barbara Kissner, International Fidelity Insurance Company.**

This seminar offers techniques for protecting your identity both at work and at home and covers Internet security basics, phishing, protecting against identity theft and handling confidential information.

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**ABC's Safety Training Evaluation Process (STEP): Achieving World-Class Safety Performance – March 2014 (complimentary)**

**Presenters: Michael D. Bellaman and Chris Williams, Associated Builders and Contractors**

Each year more than 2,000 construction industry firms participate in the annual audit known as the Safety Training Evaluation Process (STEP). Created by ABC, the STEP program measures a company's performance against its industry peers and, through its 20 key components of an effective safety program and provides a road map for companies of all sizes to follow as they work towards world-class performance.

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**The Benefits of Collaborating in Claim Situations: Why You Want To Be Involved – March 2014**

**Presenters: Tiffany Schaak, The Hartford and Paul Kennedy, King & Neel, Inc.**

We look at the advantages to be gained from breaking down the silo that can exist between surety and producer when a claim comes into the picture. We help uncover the value that can be found when the producer takes on

an active role in the process, and show ways in which to add value for your clients, your book of business, and the product by taking the lead.

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#### **Ownership and Succession Planning for the Construction Industry – February 2014**

**Presenter: Timothy R. Szniewajs, FMI Corporation**

A comprehensive introduction to the issues surrounding ownership and succession planning for construction companies. Find out how to value a construction company, the relative merits of different stock transfer techniques, how to conduct management succession, and a number of related issues. This seminar provides an understanding of the available alternatives for the internal ownership transfer of a construction company, and provides a framework for planning.

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#### **Private Equity for Surety Professionals: What You Need to Know – February 2014**

**Presenter: Helen Lally, Westfield Insurance**

Starting with a brief overview of its history, and a deeper dive into the current impact of private equity investment, you may be surprised to hear who the investors are and why this information is relevant. You'll learn why you need to pay close attention to the impact that private equity has on the balance sheet of our clients as well as the terms it carries.

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#### **2014 Economic Update: The Economy is Looking Up, But the Fed Must Balance Two Bad Choices. – January 2014**

**Presenter: S. Scott MacDonald, SW Graduate School of Banking (SWGSB) Foundation**

Although many may have counted out this economy for years to come, some economists now are saying that 2014 is in fact the time for a renewed economy. There are still many headwinds in front of us before we can declare victory. Economic uncertainty, questionable monetary policy, and a total lack of fiscal policy will certainly continue to impact the speed of our recovery.

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### **2013**

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#### **Understanding Four Generations in the Workplace – December 2013**

**Presenter: Patricia Pippert, a Consultant, Trainer, and Presenter**

Today it is not unusual to find four generations sharing the workplace – Traditionalists, Baby Boomers, Generation X, and Millennials. And with these four generations come four sets of ideas, behaviors, attitudes, expectations and motivators. For everyone it is important to understand and acknowledge these differences to avoid misunderstandings and to help individuals, groups, and teams work effectively to meet their goals.

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#### **Bridging the Gap: The State of Bridge Building in North America – November 2013**

**Presenter: Linda Figg, FIGG Bridge Companies**

We look at how more bridges can be built in America by examining the background of needs, the market place, construction delivery methods, future trends, and the opportunities for creative solutions. Information shared from multiple sources combine to give state by state and national perspectives.

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#### **Drafting Contract Clauses: Considering Alternative Clauses to the Same Old, Same Old – November 2013**

**Presenter: Richard H. Lowe, Duane Morris LLP,**

Starting with the major form documents - the AIA and ConsensusDOCS - the discussion examines the principles underlying the form clauses, and suggests several alternatives, for clauses such as those dealing with the following: indemnity; differing site conditions; no damage for delay; and dispute resolution.

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#### **Understanding the New AIA Sustainable Projects Documents: What Surety Professionals Need To Know – October 2013**

**Presenters: Joshua Balance, American Institute of Architects (AIA) and Martha L. Perkins, NASBP**

The presenters examine the new challenges and risks faced by the parties, especially contractors, on sustainable projects and highlighted contractual risk evaluation and management. The presentation includes a discussion of the AIA D503-2013, Guide for Sustainable Projects.

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**Understanding the Pitfalls of Surety Bond Producer Professional Liability – October 2013 (complimentary)**

**Presenters: Ryan Turner and Matthew I. Baron, Wilson Elser**

This introduction of the NASBP Errors & Omissions Liability Coverage Affinity Program provides us the opportunity to present an overview of Errors & Omissions (E&O) exposures of insurance and surety agents.

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**The Risks of Bonding Environmental Remediation Contractors – October 2013**

**Presenter: Larry Howard Jr., The Guarantee Company of North America USA**

We explore the various aspects of bonding environmental remediation contractors, including: environmental remediation background and history, federal environmental legislation, overview of contract terms and conditions affecting environmental risk, a checklist for evaluating risk on environmental remediation contracts and sureties' risks on environmental claims.

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**Engaging the Marketplace: The Most Critical Component of Your Sales Force – September 2013**

**Presenter: Jonathan Dick, Consultant, Strategist and Presenter**

The main reason producers fail is because they have not engaged the marketplace. We explain the practices and processes to help you understand how you can engage the marketplace in ways that lead to meaningful and long-term client relationships. A proprietary methodology developed specifically for bond producers to help them engage the marketplace is shared.

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**10 Steps to Preparedness – September 2013**

**Presenters: Bob Boyd, Agility Recovery and Matt Cashion, The Cashion Company, Inc.**

Statistics show that 94% of business leaders believe a disaster could seriously disrupt their business within the next two years. Are you prepared? We address the most immediate ways for you to prepare your organization for interruptions. These straight-forward and simple-to-implement steps could mean the difference between surviving a disaster or giving in to one.

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**Changes Affecting the Bonding and Regulation of Property Brokers and Surface Freight Forwarders – A Timely Update – August 2013**

**Presenters: Colleen Clarke and Matthew L. Zehner, Roanoke Insurance Group Inc.**

The transportation bill signed into law in the summer of 2012 affects the regulation of property brokers, domestic freight forwarders, and trucking firms. We look closely at the statutory changes and the impact on the underwriting environment of property broker bonds. These are the bonds required of the transportation or freight brokers who arrange the transportation of merchandise by common carrier for a shipper.

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**The Merits of Vehicle Leasing and Fleet Management – August 2013**

**Presenters: Catherine Blazer, Adam Cline, and Bryan St. Eve, Enterprise Fleet Management**

We look at how outsourcing fleet management allows companies to tap into industry knowledge and improve economies of scale in several areas. Generally, a 5-15% savings is seen in each of the following categories: vehicle acquisition, resale, registrations and renewals, fuel management, maintenance management and replacement planning.

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**Accounting Standards Update: Big Changes Now, Bigger Changes Coming – July 2013**

**Presenters: Matt Cashion, The Cashion Company, Inc. and Kevin Doyle, Lanigan, Ryan, Malcolm & Doyle**

This seminar outlines the significant current and upcoming changes to accounting standards that you will need to know and are able to speak about with your customers regarding their financial statements. The following key issues will be discussed: the newly enacted requirement to disclose information regarding multi-employer

pension plans, Big GAAP/Little GAAP update, upcoming changes to accounting for leases and revenue recognition.

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### **Recognizing, Shifting, and Mitigating the Risk of Subcontractor Default – July 2013**

**Presenter: Steve Nelson, SureTec Insurance Company**

We look at the importance of subcontractor prequalification, the importance of subcontractor ongoing-qualification, risk mitigation tools used by general contractors for the emerging, small subcontractor, marginally qualified, or “once-qualified/now, not so much” subcontractor and risk shifting through subcontract bonds and subcontractor default insurance.

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### **Tribal Bonding 101: Back to the Basics – June 2013**

**Presenter: Edward Rubacha, Jennings, Haug & Cunningham, LLP**

Although bonding projects on the reservation has been around for over thirty years, new entities and new producers are entering the market every day. If you have not been involved before, or have been away and feel unfamiliar with jumping back in, listen to this refresher course that will cover what you need to know to put together a program for an account bidding work on a reservation or a potential tribal account.

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### **Introduction to Key Aspects of Large Commercial Accounts – June 2013**

**Presenters: Elizabeth J. Bottemiller, The Hartford Fidelity & Surety and Jeff Broyles, Beecher Carson Insurance Agency LLC.**

If you currently handle large commercial accounts or would like to begin to, and if you are looking for insight into how these accounts are handled and underwritten, this presentation is an overview of this class of highly desirable business. We explore what makes an account a large account; bond programs for large accounts and how their risk is managed; and indemnity structure and considerations of large accounts.

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### **Navigating The Surety Underwriter’s Desk Book: An Invaluable New Resource for Surety Professionals – June 2013 (complimentary)**

**Presenters: Mary Alice McNamara, Travelers Bond & Financial Products and Chad L. Schexnayder, Jennings, Haug & Cunningham, LLP.**

We offer a primer to using The Surety Underwriter’s Desk Book, a web-based publication developed by members of the American Bar Association’s Fidelity & Surety Law Committee. We demonstrate how to navigate this material so that you can quickly and easily find the information you need.

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### **Indemnitor Status: Effectively Taking the Indemnity of Traditional and Non-Traditional Entities – May 2013**

**Presenters: Chris Indelicato and Julie Glick DePhillips, Liberty Mutual Surety**

This discussion shows how to properly secure the indemnity of an LLC, a Native American tribe and an ESOP. and discusses the types of entities an underwriter may encounter when obtaining an indemnity package, unique aspects of the management and operation of the various entities and requirements for effectively securing the indemnity of a given entity.

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### **Performance Warranties, Extended Duration Warranties, and Liquidated Damages in Construction Contracts: What are the Risks? – May 2013**

**Presenters: Rolly Chambers and Gene Rash, Smith, Currie & Hancock LLP**

This presentation shows the types of performance and extended duration construction warranties and liquidated damages provisions that surety professionals need to be aware of to advise their principals and help them understand and evaluate such provisions when they are encountered.

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### **How Well Do You Really Know Your Contractor? – April 2013**

**Presenter: Doug Pruitt, Chairman, Sundt Companies**

Doug Pruitt tells the compelling story of how a well-respected firm could be nearly broke and not know it. This presentation describes the strategic steps taken to bring one particular company back to the thriving successful business it is today. Key presentation points include: Do you really understand your contractors' exposures? Are you asking the right questions?

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**NASBP Partners with DOT to Promote Bonding – March 2013 (complimentary)**

**Presenters: Don Burden, Zervos Group, Nyime Gilchrist, U.S. Department of Transportation, Patty Zenizo, Preferred Bonding**

Learn how our association and its members have been partnering with the U.S. Department of Transportation across the country to promote bonding through its well-received education events.

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**Unraveling the Knot of Trusts and Surety Indemnification – March 2013**

**Presenters: John Coyne and Kimberly Bowden Czap, Travelers Bond**

In an effort to take some of the mystery out of the trust as a vehicle for construction company ownership, this presentation discusses the increasing use of trusts and the challenges posed to sureties; identifies and evaluates risk associated with the most common forms of trusts; and outlines the steps to properly underwrite and secure the indemnity obligations of the trust.

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**Contractual Risk Allocation Provisions: It's Not My Fault, But Is It My Responsibility? – March 2013**

**Presenters: Rolly Chambers and Gene Rash, Smith, Currie & Hancock LLP**

Risk-shifting provisions in construction contracts have the potential to add substantial additional costs to a contractor's performance. Ultimately, any increase in risk to a bonded contractor is also an increased risk to the surety. This presentation reviews certain key contractual risk allocation provisions to help in advising principals on understanding such provisions and risk mitigation practices when they are encountered.

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**Changes Affecting the Bonding and Regulation of Property Brokers and Surface Freight Forwarders – February 2013**

**Presenters: Colleen Clarke and Matthew L. Zehner, Roanoke Trade Services, Inc.**

The transportation bill signed into law the summer of 2012 included language affecting the regulation of property brokers, domestic freight forwarders and trucking firms. New registration and licensing requirements are on their way, as well as a 750% increase in the minimum amount of the property broker's bond. Learn how and why these changes came about and gain a perspective on the statutory changes and the general underwriting environment for these bonds.

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**Understanding the How and Why of ESOP Transactions – February 2013**

**Presenters: Elaine Ervin, CPA, Wayne D. Fjeld, CFA, ASA and Dena Herbolich, CPA, Moss Adams LLP**

ESOPs are becoming an increasingly popular exit strategy for construction (and other) companies. In this presentation, we take an in-depth look into: case studies highlighting challenges faced by newly formed ESOP companies and how the adversity was managed, why it makes sense for the surety professionals to be familiar with ESOPs, how the surety industry should be involved in the process, and much more.

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**Economic Update: 2013 – January 2013**

**Presenter: Scott MacDonald, SW Graduate School of Banking (SWGSB) Foundation & Cox School of Business, Southern Methodist University**

The external environment in which we operate has changed dramatically since the 2008 financial crisis. A new regulatory and economic environment has been firmly put into place. It is clear that taxes will be higher going forward, health care more expensive and monetary policy very accommodating. Are there any bright spots in the economy, or are we destined by the Federal Reserve's forecasts for a "light" economy well into 2016? This session focuses on today's hot economic issues.

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2012

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**Financial Guaranty Insurance and Bonds – December 2012**

**Presenters: Lynne Cook, Early, Cassidy and Schilling, Inc. and Rosemary Quinn, CNA Surety**

We discuss the regulation of financial guaranty insurance and how it overlaps with the regulation of surety insurance. You also learn about the regulatory approach taken by the state of New York and why it impacts the writing of surety business by property casualty insurers outside the borders of New York.

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**News from the SBA: Successes, Initiatives, and Future Plans – December 2012 (complimentary)**

**Presenters: Joshua Etemadi, Construction Bonds Inc., a division of Murray Securus; Frank Lalumiere, U.S. Small Business Administration Surety Bond Guarantee Program; and Michael Williams, CCI Surety**

The U.S. Small Business Administration Surety Bond Guarantee Program had its most productive year since 1998. Learn the reasons for this success, which include a greater number of bonds issued, the admittance of five new surety companies, and a 31% increase in participating bond producers.

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**It's About Time: How to Get Twice as Much Done in Half the Time – December 2012**

**Presenter: Mark Matteson, Sparkling Success**

In a humorous, lively and insightful presentation, Mark Matteson draws on the proven, key "secrets" to combat the eternal questions – how to manage your time and how to conduct meetings that work for you.

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**Contract Bond Forms – What to Look For and What Might be Missing – November 2012**

**Presenter: Steve Nelson, SureTec Insurance Company**

Most performance and payment bonds are relatively simple one to two page documents. Many look alike. There are, however, subtle differences in wording that can make a tremendous difference in the principal's and surety's liability on a bond. This presentation addresses many questions, including the following: What triggers the surety's obligations on a particular bond? What does the bond cover? When will suits on the bond be barred by limitations? Does the surety have an option to perform? Are the surety's options limited?

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**Preparing for the Future Transfer of Your Business – November 2012**

**Presenters: Jonathan Dick, Jon Dick Consulting, Kevin Doyle, Lanigan, Ryan, Malcolm & Doyle, P.C.**

Whether you transfer your business to another generation of owners internally at your agency or decide on an external sale, there are many questions that need to be addressed including: what kind of income do current owners need to retire well; what is the agency worth and why; do current employees or family members have the abilities and interest required to manage and grow your agency; and how do we begin the process as owners of considering our agency transfer options. These questions and more are answered.

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**Bonding Tribal Projects and Tribal Entities: What's New? – October 2012**

**Presenter: Edward Rubacha, Haug & Cunningham, LLP**

Bonding projects for tribal entities on the reservation is challenging. Bonding tribal entities is even more challenging. Opportunities exist for the knowledgeable producer to put together a program that can be successful for both the tribal principal and the surety. We discuss the most recent cases involving the following issues: sovereign immunity; dispute resolution issues; and surety concerns with tribal entities.

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**The Three Ps of Probate: Production, Proficiency, and Profitability – September 2012**

**Presenter: Helen Lally, Navigators Management Company, Inc.**

Probate is a class that produces over \$100,000,000 in premium on an annual basis, with nominal loss ratios. And, although it is a very profitable class of business for several carriers, many agents shy away from writing it. In this presentation you learn how to effectively produce probate business.

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**Public-Private Partnerships: Insights from the Canadian Model – September 2012**

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**Presenters: Sean Deakin and Courtney Turnage Walker, Zurich North America**

With over one hundred P3 (public-private partnership) projects completed or presently under way in the last 15 years, the Canadian construction and surety market is more mature than the United States market. In this seminar you hear from seasoned surety professionals how this market has evolved and insights into the Canadian P3 market.

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**Bonding a Public-Private Partnership Project in the United States – September 2012**

**Presenters: David L. McVicker, Paul Ranalli and Courtney Turnage Walker, Zurich North America**

Newspaper headlines now include news about P3 (public-private partnerships) projects on a daily basis. Learn more about how a surety views its role in P3 projects. Presenters discuss the key issues that surety professionals need to know -- including the basics of P3, surety areas of focus, and the future outlook in the U.S. market.

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**The Three Cs of Surety E&O: Using Character and Capacity to Avoid Spending Cash on Attorneys – August 2012**

**Presenter: Edward M. (“Butch”) Weed**

Lawsuits against professionals are on the rise, and surety professionals are not immune. This report helps you to better understand the how and why of the latest attacks on your profession. It also provides instruction on how to maximize your existing (professional and technical) capacities to preserve evidence you need to protect your good name.

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**Tablet Technology – How to Maximize Your Time Out of the Office – July 2012**

**Presenters: Matt Cashion, The Cashion Company, LLC and Nick Newton, Rudnik Surety, Inc.**

This seminar discusses the various tablet platforms: device format/setup, security, connectivity and options, data storage applications, data sharing, note taking, useful accessories, and applications built into most devices sure to make any producer more productive and efficient while “in the field.” The presenters are bond producers who use their tablets in their day-to-day operations.

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**Ethics as a Risk Management Tool – July 2012**

**Presenter: Thomas J. Tropp, Arthur J. Gallagher & Co.**

How can sound ethical values play a role in the management of risk? What are some of the real-life dilemmas encountered in the unique world of Surety? We discuss the issues surety professionals deal with on a daily basis.

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**Mediation to Resolve Disputes and Save Valuable Relationships: What Producers Can Do To Educate Their Clients and the Sureties They Represent – June 2012**

**Presenters: Steve Nelson, SureTec Insurance Company and Bruce Shreves, Simon, Peragine, Smith & Redfearn**

Well over 80% of construction disputes that end up in litigation or arbitration are resolved by mediation before trial or hearing. Mediation is a dispute resolution tool that works. It is especially effective in multi-party disputes like surety claims. It is also a very effective tool to resolve disputes before they deteriorate into litigation or arbitration.

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**A Producer’s Guide to Building Your Practice – Identifying, Evaluating, Maintaining, and Working Your “Top 120” – June 2012**

**Presenters: Jonathan Dick, , Consultant, Strategist and Presenter, Joshua A. Etemadi, Construction Bonds and Lawrence F. McMahon, Alliant Insurance Services, Inc.**

This dynamic conversation includes a consultant with a track record for changing how companies and individuals expand their sales capacity and ability, a seasoned and highly successful professional, and a rising-star producer. The presenters discuss the common characteristics of the most successful selling organizations, best practices in territory management, and share their personal strategies for daily success.

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**Getting Up to Speed on ESOPs: What Surety Professionals Need to Know – May 2012**

**Presenters: Elaine Ervin, Dena Herbolich, CPA of Moss Adams LLP and Wayne D. Fjeld, CFA, ASA, Moss Adams Advisory Services**

With growing demand for Employee Stock Ownership Plans (ESOPs) as an exit strategy, the more you can understand and can counsel your clients, the better off you'll both be. We'll look at a typical transaction, from the valuation process to implications on the company's financial statements on a go-forward basis. We also help you understand ESOP elements important to sureties.

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**A Current Overview of Building Information Modeling (BIM) for Construction – April 2012**

**Presenter: Dan Klancnik, The Walsh Group, Walsh Construction – Archer Western Contractors**

We look at real-world cases from a diverse set of large and small projects, using varied contractual methods in different geographic regions from different project types. We discuss the advantages and challenges of BIM and describe the perceived and real risks inherent to the BIM process.

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**The Company You Keep - Part II: Updates, Practical Issues and Case Studies for Federal Set-Aside Contracts – April 2012**

**Presenter: Stephen Rae, Liberty Mutual Surety**

We focus on the potential risks that can arise when a large business enterprise works with, or becomes involved with, a small business enterprise performing work under federal set-aside programs. Specifically we look at the potential sources to verify a small business enterprise's status under certain self-certifying programs, as look at the requirements and guidelines surrounding joint-ventures, teaming agreements and mentor/protégé relationships within these programs.

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**New Frontiers for Premium Growth: Outsourcing Supply and Service Contracts – March 2012**

**Presenters: Steve Swartz, South Coast Surety, James Crinnion, Commercial Surety for Philadelphia Insurance Companies and Corban Enns, Surety Solutions, LLC**

This seminar looks at where you can find and develop supply and service bonds - recognized as a growing business - and the technicalities of these contracts that include how to underwrite them. An underwriter weighs in with perspective, requirements, and expectations.

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**Utilizing CFMA's Financial Analysis Survey to Understand a Contractor's Risk to your Portfolio – February 2012**

**Presenters: Chris Gewain, CPA, CCIFP, Elaine Ervin, CPA, Business assurance partner, and the Puget Sound Regional leader of the Construction and Real Estate Groups.**

How can you use the wealth of information collected in the survey to influence and optimize the makeup of your portfolio of contractors? Learn how to use the survey to evaluate client and prospect risks and trends, understand ongoing and future backlog potential for clients and hear about how and when comparisons across company type, geography, and revenue class are.

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**Bond Approved! Is Your Responsibility Satisfied? Lack of Follow-up Puts Agents and Surety in Difficult Situations – February 2012**

**Presenter: Timothy D. Martin, Ward, Hocker & Thornton, PLLC.**

We discuss the answers to the following questions: What are the agent's duties to the surety to conclude the underwriting requirements which are conditions to writing a bond? What risks or exposure exists for the agent when a surety places underwriting requirements as a condition to writing a bond, and the agent fails to conclude the satisfaction of those underwriting requirements? What effect may failure to conclude underwriting requirements by an agent have on the surety's rights in the event of a claim or breach?

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**Work-In-Process: The Good, the Bad, and the Ugly – January 2012**

**Presenters: Greg Isaacs, CPA, PFS, Alan M. Rosenberg, CPA, Mountjoy Chilton Medley LLP**

Key points of the presentation include: What goes into a contractors' job (WIP) schedule; determining cost-to-date to total estimated cost; which costs should legitimately be included as cost-to-date? Building a track record



of valid estimates; internal controls over the WIP process; consistent internal reporting of WIP and changes in estimates; red flags from an independent auditor's perspective; impact of WIP and backlog; and future operating results and GAAP and tax aspects of WIP and percentage-of-completion.

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## **2011**

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### **12 in '12: Twelve Action Items to Make Your 2012 an Extraordinary Year – December 2011**

**Presenters: Chris Carlson, Anthony Cole Training Group and Larry McMahon, Alliant Insurance Services, Inc.**

Successful brokers share many of the same traits and habits in their continual quest for extraordinary results. This presentation discusses 12 key action items that can make 2012 your best year ever, including: developing a formula for success for prospecting; generating all the referrals you desire; and becoming more consistent in your prospecting efforts.

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### **Pay When/If Paid Clauses – What You Really Need to Know – November 2011**

**Presenters: James E Rudnik, Esq., Cashin Spinelli and Ferretti, LLC, John Morris, Esq., McElroy Deutsch Mulvaney and Carpenter, LLP in Morristown, NJ.**

Many subcontract agreements contain a provision that conditions the payment to the subcontractor on the general contractor's receipt of payment from the project owner – so called "pay when paid" and "pay if paid" clauses. This presentation reviews the history of these clauses; provides tips on how to spot them; and discusses their effects when there is a performance or payment bond claim.

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### **2012 AEC Industry Outlook and Economic Trends: Slow going but some are growing! – November 2011**

**Presenter: Mark (Rusty) Sherwood, McGraw-Hill Construction**

Backed by McGraw-Hill Construction's 40 years of research experience, this presentation delivers perspective on where U.S. construction is heading in 2012; what's changing in the way of project attributes, productivity, project financing and firm characteristics; and what this all means to finding & winning work, and exceeding customer (and firm) expectations.

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### **The Company You Keep: Affiliation Implications for Federal Set-Aside Contracts – October 2011**

**Presenter: Stephen Rae, Liberty Mutual Surety**

This program provides information regarding Federal Set-Aside Contract Programs and raises awareness of the potential risks that can arise when a large business enterprise works with or becomes involved with a small business enterprise performing work under these programs.

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### **Understanding the Risks and Opportunities in Underwriting Employee Stock Ownership Plan Companies (ESOPs) – October 2011**

**Presenters: Mary Josephs, John Solimine and Neal Hawkins, Mary Josephs Verit Advisors and William P. Waters, CNA Surety**

This presentation outlines ESOPs and ESOP underwriting, with a particular attention to answering the following questions: What are the "red flags" for underwriting ESOP companies? How can you better understand an ESOP company's balance sheet? How do you analyze free cash flow, including ESOP expense and repurchase obligations in ESOP companies? What are the unique bonding considerations?

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### **Negotiating Skills: Get What You Need Without the Sleepless Nights – September 2011**

**Presenter: Daniel S. McGarvey, Marsh**

Successful negotiating strategies are among the most important skills you need to protect your firm's interests and manage its risk. In this presentation learn key factors in the art and science of effective negotiating, including why and how to: Select your negotiation team, outline your key objectives, rehearse, make appropriate and timely concessions, recognize when walking away may be your best option, defuse common negotiating tactics and identify and use different personality traits to your advantage.

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**Payment and Performance Bond Issues Associated with Federal Contracts – September 2011**

**Presenter: Eric Nelson, Smith, Currie & Hancock LLP**

This seminar is about important consideration for sureties in federal contracting. Learn about payment and performance bond issues associated with contracts with the United States federal government. This presentation addresses topics such as pay-if-paid provisions, arbitration, requirements for waiving Miller Act claims, conditions for bringing claims, and post-completion liabilities as public owners seek to add new requirements to the scope of construction projects.

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**Update on Recent FASB Projects of Interest to the Construction Industry, Sureties, and Auditors – August 2011 (complimentary)**

**Presenters: Kenny Bement, Kevin Catalano and Bill Hildebrand, FASB; David Lomax, Liberty Mutual Surety; John McNerney, MCAA; and Patrick Pribyl, Lockton Companies.**

Update on recent FASB projects of interest to the construction industry, sureties and auditors: Developments on the controversial revenue recognition proposal, final action on multiemployer defined benefit pension plan disclosures, and private company financial reporting procedural developments at FASB.

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**Technology: A Way to Increase Sales and Efficiency – August 2011**

**Presenters: Deborah L. Burton, Wells Fargo and Nick Newton, Rudnik Surety, Inc.**

While the surety business and industry is all about relationships, technology is an important component to the future of both. Technology will never replace our experience or our personal relationships but it will allow our business and our industry to become more productive, accurate and efficient.

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**Managing the Complex Performance Bond Claim – Medic or Mortician – July 2011**

**Presenters: Rick Levesque, Hartford Bond and Edward Rubacha, Jennings, Haug & Cunningham, LLP,**

Construction performance bond defaults represent one of the most significant areas of exposure for most contract surety companies. This presentation gives you the inside view on what happens in the surety claim trenches when your account is near or in default or has significant claim activity.

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**ACORD Certificate Changes for Dummies: What has changed and what you need to know – July 2011**

**Presenters: Don Appleby, Willis of Colorado and Darrin Weber, IMA of Texas, Inc.**

ACORD, the licensing company for insurance forms, has amended its certificate requirements. The new rules govern how insurance brokers and companies issue certificates. This presentation the issues surrounding the changes, what you need to know, and how you can best advise your clients.

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**Responsibilities for Crane Operations in Construction: Regulations, Standards, and Liability – June 2011**

**Presenter: David A. Johnson, SmithAmundsen's**

This presentation will look at the responsibilities for crane operations in construction under the new OSHA crane regulations and American Society of Mechanical Engineers' standards, and their impact on litigation.

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**Bid Proposal Errors – June 2011**

**Presenter: Steven L. Reed, Smith, Currie & Hancock LLP.**

When submitting a bid or proposal in response to a federal solicitation, the bidder or proposer needs to be aware of the "firm bid rule" and most construction bids or proposals require submittal of a bid bond. Key points discussed include: What happens if the bid or proposal contains an error; can the bid or proposal simply be withdrawn or corrected; what is the bid bond surety's potential liability; what control does the surety have; and what is the risk?

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**Funds Control: How to become an Underwriter Survivalist – May 2011**

**Presenters: Michael C. Pecard, North American Construction Services, Inc. and Michael D. Williams, CCI Surety, Inc.**

We explore the history of funds control/escrow, including the qualifications of a funds control company; the factors that qualify a contractor for funds control; determining when funds control do not make sense; and much more.

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**Commercial Surety Bankruptcy – What Agents, Brokers and Underwriters Need to Know – April 2011**

**Presenter: George J. Bachrach, Wright, Constable & Skeen, LLP**

This presentation addresses the three stages of the life of a commercial surety bond account as it heads toward and then goes into bankruptcy.

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**Selling in the New Economy: The three things Bond Producers need to do to be successful in today's marketplace – April 2011**

**Presenter: Jonathan Dick, Consultant, Strategist and Presenter**

We identify how top bond producers create success in today's marketplace by examining the three key functions that separate stellar performers from the rest.

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**Individual Surety Bonds on Federal Construction Contracts – March 2011**

**Presenter: Robert E. Little, Jr., Cohen Seglias**

While individual sureties are allowed under federal contracts, there are many things you and your client need to understand before entering this market. In this presentation learn about the issues surrounding individual surety bonds, the regulations pertaining to them, and how you can advise your client.

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**Understanding and Underwriting Court Bonds: Current Requirements and Opportunities – March 2011**

**Presenters: Dale A. (Dedi) Belis, Seitlin Insurance & Advisory Services and Christopher Gagnon, International Fidelity Insurance Company**

In this seminar an agent and an underwriter discuss court bonds in today's environment. Hear about the types of court bonds now being required and the underwriting guidelines for them. Learn how providing court bonds can help increase agency revenue and build a larger client base.

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**Integrated Project Delivery: Developments in Design Liability Insurance and Risk Management – February 2011**

**Presenters: Frank Musica and Gene Todaro, Victor O. Schinnerer & Company, Inc.**

The world of design and construction is changing. No longer are there bright-line divisions between professional services and work. This seminar discusses the challenges caused by the blurred responsibilities and the insurance response to this brave new world.

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**A Sustainable/Green Construction Update: The LEED Process 101 – January 2011**

**Presenter: Frank Falsetti, Hunzinger Construction**

The movement to sustainable and environmentally friendly building practices continue to gain momentum and is becoming an imperative of both public and private owners. Learn what this means for your customers and what the implications are for the surety industry.

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**2010**

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**The Year in Review and the Year Ahead: A Government Relations Town Hall Meeting – December 2010 (complimentary)**

**Presenters: NASBP Chief Executive Officer Mark McCallum and NASBP Director of Government Relations Larry LeClair**

This seminar discusses issues of significance to the industry that occurred in 2010 and what's in store for 2011. Topics include: draft proposals to prohibit automatic threshold increases to the Federal Miller Act, and to address fraudulent bonds on federal construction projects, legislation to provide federal grant opportunities for small and emerging contractors, and to enhance to the SBA Surety Bond Guarantee Program as well as emerging state issues and trends.

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#### **ERM – Managing at the Speed of Risk – December 2010**

**Presenters: Linda Conrad and Scott Rasor, Zurich**

Enterprise risk management (ERM) includes the methods and processes used by organizations to manage risks and seize opportunities related to the achievement of their objectives. ERM is widely recognized as being responsible for helping firms establish a proactive process framework for planning, organizing and controlling the activities of the organization in order to optimize the effects of risk on capital and earnings.

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#### **Customs Bonds in Today's Environment – November 2010**

**Presenters: Colleen Clarke, Roanoke Trade Services, Inc. and Bruce Haskell, C.A. Shea & Company, Inc.**

Customs bonds are vital to any company importing goods into the U.S. as well as others including trucking companies, warehousemen, foreign trade zones, and construction companies. This presentation includes discussion on: Coverages available under customs bonds, and their risk; anti-dumping and countervailing duty; how reconciliation and periodic monthly statements can help your client; new programs that could be important to your client; when construction companies need an airport security bond and other transportation-related bond requirements.

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#### **Construction Outlook for 2010-2011: Activity and Trends**

**Presenter: Mark Sherwood, McGraw-Hill Construction**

The McGraw-Hill 2011 Construction Outlook Report has been a mainstay of business planning for the construction industry for over 70 years. Specific topics addressed are the near-term and long-term prospects for a broad range of project types including public works, electric utilities, single and multi-family housing, and commercial, institutional, and manufacturing building.

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#### **A Contractor's Perspective on Public-Private Partnerships: Opportunities and Pitfalls – October 2010**

**Presenter: Bill Ernstrom, The Walsh Group**

Public Private Partnerships (P3s) is the latest development in project delivery systems and is being used by more and more by states to address the burgeoning decay of our civil and social infrastructure. In this seminar the following questions are addressed: What exactly are P3s? What are the opportunities available to your clients? What are the opportunities and the pitfalls for contractors in the new P3 world?

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#### **Financial Reporting: Helping Your Clients Put Their Best Foot Forward – September 2010**

**Presenter: Emilio Alvarez, E.F. Alvarez & Company (CICPAC representative)**

The contractor's financial statement is the single most important source of information used by bond producers in their underwriting process. It must be timely, accurate and complete. This seminar will help you better understand and analyze your client's financial statements.

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#### **Proposed FASB Revenue Recognition Rules—What Surety Professionals and their Contractor Clients Need to Know – September 2010 (complimentary)**

**Presenters: Jerry Henderson, BKD, LLP, Darrin Weber, IMA of Texas, Inc. and Patrick Pribyl, The Lockton Companies**

A proposed new Financial Accounting Standards Board (FASB) revenue recognition accounting standard will have significant impact on the preparation of contractor financial statements. Under the proposed rule, revenue recognition will follow a performance obligation model, rather than a percentage of completion model. Learn how this will impact construction contractors and the users of their financial statements.

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**Mortgage Broker Bonds: Legal Changes and Business Implications for Producers – August 2010**

**Presenters: Corban Enns, Surety Solutions, LLC and Martha L. Perkins, Whiteford, Taylor & Preston, LLP**

This presentation looks at mortgage license and permit bonds in relation to the Secure and Fair Enforcement for Mortgage Licensing Act of 2008 and how the act triggered changes in various state mortgage bond statutes.

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**Onerous Contract Terms: Damages, Performance Guarantees, Default Triggers, and Other Contract Nasties – August 2010**

**Presenter: Richard H. Lowe, Duane Morris LLP**

In today's difficult economy, some construction owners have been emboldened to include more onerous terms in their contracts. Such terms can mean the difference between a contractor realizing its margin or having to go out of business. This presentation spotlights and explains critical terms that can make or break a construction contract and how to avoid or address so that they do not lead to disaster.

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**Getting Ahead of the Wave of Claims: Understanding Dispute Resolution Options – July 2010**

**Presenters: Deborah Griffin, Holland & Knight; H. Bruce Shreves, Simon, Paragine, Smith & Redfearn; Michael A. Marra, American Arbitration Association.**

This program focuses on how mediation and arbitration, which are common in most construction industry contract documents, can be used to help resolve disputes on a project. The presenters will discuss the mediation and arbitration process, its use in maintaining privacy and preserving business relationships and the surety's role.

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**Bonding Reservation Projects and Tribal and Indian-Owned Construction Firms – July 2010**

**Presenters: Edward Rubacha, Jennings, Haug & Cunningham, LLP and Michael D. Williams, CCI Surety, Inc.**

This presentation discusses the challenges associated with bonding projects on the reservation and bonding reservation entities. In this rapidly expanding area, opportunities exist for the knowledgeable producer to put together a program that can be successful for bonding tribal projects and tribal and/or the Indian-owned principals.

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**What Surety Professionals Need to Know About the New AIA Bond Forms – June 2010**

**Presenters: Michael B. Bomba, Associate Counsel, AIA, Edward G. Gallagher, General Counsel, SFAA, and Mark McCallum, Chief Executive Officer, NASBP**

In June 2010 the American Institute of Architects publically releases its updated standardized bond forms: A310 Bid Bond and A312 Performance Bond and Payment Bond. This is the first update since 1970 and 1984 respectively. Learn from those who engaged in the revision process as they explain the specific updates to the forms and the significance to owners, contractors, subcontractors, and surety professionals.

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**The Federal False Claims Act – June 2010**

**Presenter: Heather A. James, Whiteford, Taylor & Preston**

The Fraud Enforcement and Recovery Act of May 2009 includes the most significant amendments to the False Claims Act (FCA) since 1986. We outline the key elements of these changes and includes discussion of the basics of liability, the damages and penalties for FCA violations; a review of recent cases expanding the scope of potential liability; and the gain in popularity of FCA whistleblower lawsuits and their repercussions.

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**Gap Financing: An Underwriter's Perspective – May 2010**

**Presenters: Robert L. Raney and Catherine Squillace, Travelers Bond**

This presentation focuses on the recent trend of DOTs to procure work (build or design build) with a delayed payment schedule, its risks and what the Producer will need to know when faced with a request for a bond on a gap finance project.

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**Succession Planning: A Priority for Your Agency and for your Clients too! – May 2010**

**Presenter: J. Keith Hughey, Management Consultant**

This presentation addresses: how to determine the specific qualities and abilities that the ownership would like to have in the next CEO; analyzing a combination of objective and subjective assessments of the existing pool of candidates to determine how they measure up against that desired standard, creating individual professional development plans for each member of the leadership team, crafting the actual succession plan and providing some market benchmarks for executive compensation and evaluation.

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**Creating and Sustaining a Sales Culture that Promotes Your Brand and Your Business Objectives – April 2010**

**Presenter: Jon P. Dick, Jon Dick Consulting**

In this seminar we identify how top bond producers create success in today's marketplace by examining the three key functions that separate stellar performers from the rest.

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**Federal Contracting Opportunities: Small Business is Big Business – March 2010**

**Presenter: Steven L. Reed, Smith, Currie & Hancock LLP**

We discuss the issues to be considered by anyone pursuing a federal contract, including: legal issues, use of Design-Build, teaming agreements, mentor-protégé agreements, bonding assistance and indemnification agreements, disclosure and reporting requirements.

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**Fraud Risk Factors for Construction Contractors – March 2010**

**Presenters: Karen Courney, Partner, Wolf & Company LLP and Chip Dillman, Senior Audit Manager, Greer & Walker LLP**

We discuss the internal control areas unique to construction contractors. Information presented includes: estimating and bidding; project administration; job site accounting and controls; billing procedures; contract costs; contract revenues; construction equipment; claims, extras, back charges; and joint ventures.

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**The Year Ahead: An Economic Outlook – February 2010**

**Presenter: John Brock, Professor of Economics, University of Colorado, Colorado Springs**

In this session, we consider the economic and employment outlook for 2010 and beyond through an evaluation of current empirical evidence in the context of the causes and consequences of the financial crisis of 2007 – 20??

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**2009 Tax Law Changes Affecting Businesses – February 2010**

**Presenter: Jeff Wilmes, Partner, BKD, LLP**

This presentation looks at current and future tax law changes that business owners and leaders need to be aware of and include: tax law changes in 2009, expiring tax provisions that will impact 2011, and potential law changes currently under discussion.

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**Agency Profitability: MarshBerry Benchmarking Results – January 2010**

**Presenter: Doug Terrill, Senior Vice President, Marsh, Berry & Company, Inc.**

This presentation is a summary of the 2009 benchmarking study conducted by MarshBerry on behalf of the NASBP. The study provides performance standards for agencies, specifically for bond operations.

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**2009**

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**NASBP Government Relations Town Hall Meeting: What is on the horizon for 2010 and beyond? – December 2009 (complimentary)**

**Presenters: NASBP Chief Executive Officer, Mark McCallum, Larry LeClair, NASBP Assistant Director, State & Federal Relations, and invited guests (complimentary)**

Topics include H.R. 3771, legislation to provide grant assistance to women-owned, veteran-owned, and minority-owned construction firms, the creation of the Department of Transportation Bond Guarantee Program, and emerging state issues and trends will be addressed in an interactive town hall format.

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**Strategic Planning in a Volatile Business Environment – November 2009**

**Presenter: Scott MacDonald, Cox School of Business, Southern Methodist University**

Given the recent volatility of the economy, it is easy for a business to adopt a crisis management style and lose sight of its primary vision and mission. In this seminar we will look at the disciplines key to ensuring success in any environment.

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**The Risks Unique to Green Building: What Bond Producers and Sureties Need to Know – October 2009**

**Presenter: Martha L. Perkins, Whiteford, Taylor & Preston, LLP**

This seminar is designed to prepare bond producers and sureties to understand and better manage the unique challenges associated with green building projects. It focuses on : U.S. Green Building Council and LEED legislative efforts to mandate green standards; contractual agreement on project objectives; definition of responsibilities and allocation of risks; green warranties and guarantees; the green certification process; credit implementation; insurance considerations; limiting liability; and green litigation and arbitration.

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**Financial Reporting: Helping Your Clients Get it Right – October 2009**

**Presenter: Jerry Henderson, BKD**

These key things are reviewed: Helping surety bond producers hold productive discussions with their clients about expectations related to financial reporting; tips on how to establish realistic deadlines for financial reporting; an overview of recently issued and pending accounting rules affecting contractor financial statement; key indicators leading up to a possible “going concern” audit opinion; and much more.

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**Marketing Strategies for Commercial Surety That Produce Results – September 2009**

**Presenters: Paul Amstutz, Roanoke Trade Services, Inc. and Steve Swartz, South Coast Surety**

This presentation discusses how the continuing difficulties in the construction sector have put unexpected pressure on the ability of member agencies to maintain the level of income of prior years. They show how expanding agency attention and resources toward the production of more commercial surety may help to relieve some of that pressure.

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**10 Steps to Becoming a More Profitable Construction Business – August 2009**

**Presenter: Leslie Shiner, The Shiner Group**

Construction industry success is rarely a question of working harder; more often greater success comes from creating appropriate business management systems that will help a contractor manage the office and his/her jobs more profitably. This session will introduce a roadmap—10 steps—to help your contractor clients evaluate, implement, and utilize key construction management systems that, if used correctly, will lead to higher profitability and success.

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**The Surety's Strategy and Rights When the Principal Files for Bankruptcy – August 2009**

**Presenter: George J. Bachrach, Whiteford, Taylor & Preston, LLP**

This presentation gives an in-depth view of what happens when a principal files for bankruptcy, including: information gathering; automatic stays; property of the debtor's estate; debtor's use of property of the estate; obtaining post-petition surety credit; and much more.

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**Surety Claims: What Are Companies Seeing Today and What's on the Horizon? – July 2009**

**Presenter: Steven Nelson, SureTec Insurance Company and SureTec Information Systems, Inc.**

Most sureties have not seen a dramatic uptick in frequency or severity of claims in the recent economic downturn. Whether that will hold or not is anyone's guess. We look at some trends and conditions claims departments are noticing.

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**The Principal's Bankruptcy: What You Really Need to Know – June 2009**

**Presenter: George Bachrach, Whiteford, Taylor & Preston, LLP**

The world does not end when the surety's principal files for bankruptcy. In addressing the surety issues, highlights of this presentation include: What the surety can and can't do; the good and bad of collateral; and providing future bonds for the principal.

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**The Commercial Lending Environment – A Banker's View – May 2009**

**Presenter: Dev Strischek, SunTrust Banks, Inc.**

A discussion of the current national economic conditions; construction Industry issues and trends; underwriting and monitoring considerations – all from a banker's point of view.

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**New Enhancements to the SBA Surety Bond Guarantee Program**

**Presenters: Frank Lalumiere, SBA; John Hughes and Joshua Etemadi, Construction Bonds, Inc.**

An overview of the SBA Bond Guarantee Program and enhancements to the program from the passage of H.R. 1, the federal economic stimulus package; and the role the bond producer plays in this program.

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**Economic Update & Forecast for Credit Markets –March 2009**

**Presenter: Scott MacDonald, Cox School of Business, Southern Methodist University**

A discussion of the current and potential future health of the U.S. economy.

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