
Mitigating Risks in Purchase Orders & Contracts

Strategies to mitigate the risk of failure when contracting for products and services

Seminar Date: Wednesday April 6, 2016

Location: Richland Community Center, Richland, WA

Time:

7:30 a.m.	Doors open
8:00 a.m.	Workshop begins
~Noon	Box lunch (included with registration)
5:00 p.m.	Wrap up, download and wind down

Continuing Education Participants are eligible for 7 hours of continuing education credit

Cost: \$175 ISM-CB Members \$200 Non-Member
Coffee, snacks & lunch will be provided with each paid registration.

Who should attend?

- ✓ People who are just starting in the supply chain field will gain valuable exposure to important contracting principles
- ✓ Experienced professionals will have the opportunity to discuss advanced strategies
- ✓ People seeking CPSM certification will be exposed to many concepts which are required topics in the examination materials

Maximize ROI: ➤ Seminar handout and reference list will be posted online

Registration Deadline:

- **Register by March 31 , 2016 (late registration may not be accepted)**
- **Participation limited to the first 40 paid registrants**
- **Complete registration form attached and submit payment to reserve your space**

Registrar : [Marie Taylor; RSVP@ismcb.org](mailto:Marie.Taylor@ismcb.org)

Learning Objectives:

1. Bonds and Insurance:

- a. Speakers: Scott McGilvray & Nick Montera
- b. What is the difference between bonds and insurance? Do they cover different risks? Do they differ in terms of net effect on enforcement or collection? What are the different types of bonds/insurance that might be appropriate for purchase orders and contracts? What factors affect the costs? Is there a lead time or prequalification limitation? What form and format should a buyer require? What State or Federal limitations or regulations which should be considered? How would a buyer identify a reputable bonding or insurance underwriter? When do we need to involve lawyers?

2. Warranties

- a. Speaker: Stan Bensussen, Counsel, MSA
- b. What are the different types of contract warranties? What are they used for and what are the enforcement limitations? What are the contract language requirements to ensure that warranties are a viable remedy for buyers? What are the common pitfalls in exercising warranties? What will the court enforce and what will they throw out? Is there such a thing as a “warranty” for service contracts?

3. Vetting a potential supplier/contractor

- a. Speaker Ashley Coronado, Government Contracting Assistance Specialist. Washington Procurement Technical Assistance Center (PTAC)
- b. What information about a potential supplier is available online? How can we verify a supplier’s legal identity and business information is accurate? What information is validated by a 3rd party? What online information should be questioned?

4. Options, Payments and Retainage

- a. Speaker: TBD
- b. How we can creatively use options, retainage and payment terms to encourage performance and successful completion. How to decide if retainage could be helpful? How much retainage? Using options for untested suppliers or specifications? How option language affects contract value and obligations. Option & payment language pitfalls.

5. Discussion, implementation and contract writing strategies

- a. Mike Taylor
- b. Communication concepts for enabling and enforcing risk strategies. References and resources.

Presenters

Scott McGilvray,
Vice President,
Account Executive
Parker, Smith &
Feek, Inc

Scott McGilvray

is an Account Executive in the PSF Surety Department, Scott works with Contracting and Property Development clients in Alaska and Washington. He is responsible for procuring and maximizing available bond credit for our clients through establishment and maintenance of their relationships with surety carriers.

Prior to joining Parker, Smith & Feek, Inc. in 2010, Scott was a surety bond underwriter with The Hartford. He is a graduate of Washington College in Maryland.



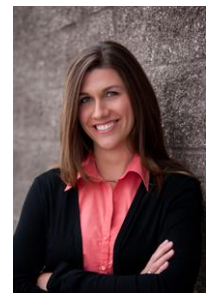
Stanly Bensussen,
Chief Counsel
MSA



Stanly Bensussen is the Chief Legal Counsel for MSA, a DOE prime contractor on the Hanford site. Stanly has been a corporate counsel for government contractors for over 35 years.

Ashley Coronado
Government
Contracting
Assistance Specialist
Washington
Procurement
Technical Assistance
Center (PTAC)

Ashley Coronado is the Washington Procurement Technical Assistance Center (PTAC) Counselor serving six southeastern Washington counties. She is based in Kennewick, Washington at the Tri-City Regional Chamber of Commerce and has been in her role for five years. Washington PTAC offers no-cost, confidential, one-on-one technical assistance in all aspects of selling to federal, state and local government. Services include advising businesses on bid reviews, marketing assistance, contract performance, small business designations and more. Ashley has a BA in Business Administration, with a concentration in Marketing from the University of Washington. She is also a U.S. Department of Veterans Affairs Certified Verification Counselor and a member of the National Contract Management Association – Columbia Basin Chapter.



ISM Columbia Basin

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Richland, WA 99352



ISM—Columbia Basin, Inc.

Nick Montera,
Vice President, Account
Executive,
Parker, Smith & Feek, Inc

As a Select Account Executive and Head of our Hospitality Practice Group. Nick manages a wide range of commercial accounts, including clients in the Construction, Hospitality, Technology, Real Estate, and Manufacturing industries. He is responsible for the development of comprehensive and cost effective insurance and risk management programs based on analysis of a client's specific exposures to loss. Nick coordinates the resources of the firm to provide risk reviews, contractual risk transfer solutions, loss control services, and marketing of client accounts to insurance carriers.



Nick joined Parker, Smith & Feek, Inc. in 2006. He holds the Certified Insurance Counselor (CIC) and Construction Risk and Insurance Specialist (CRIS) professional designations and is a candidate for the Associate in Risk Management (ARM) designation. Nick graduated from Occidental College with an A.B. in Political Science/Diplomacy with an Economics minor.

Mike Taylor, C.P.M.,
Supply Chain Specialist
(retired)



Mike Taylor, C.P.M., has been in the Supply Chain profession since 1973. Mike's professional experience includes presenting seminars, speeches and workshops at professional meetings, conferences, supplier and public forums and company training programs. Mike is the developer and owner of MLTWEB.COM and the PURCHASING TOOLBOX. A web site of resources and information for purchasing professionals

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Register Now! (deadline March 31,2016)		Seminar Location	
Mailing Address for Payments: ISM- Columbia Basin P.O. Box 1326 Richland, WA 99352		Richland Community Center 500 Amon Park Drive Richland, WA 99352	
E-mail: Marie Taylor Subject line: "Basic Contract Law" : RSVP@ISM-CB.org			
Participant Information - Print Clearly			
Name		ISM-CB member? <input type="checkbox"/> Yes <input type="checkbox"/> No	
Organization		Title	
Address		State	
City		Zip Code	
Work Phone		Emergency contact during seminar:	
E-mail		Name	
		Phone	
Registration Fees (includes Workshop materials and lunch)			
Registration Cost:	ISM-CB Member Price <input type="checkbox"/> \$175	Non-Member Price <input type="checkbox"/> \$200	
Lunch	Lunch choices will be provided to registered participants for selection a few days before the seminar. <input type="checkbox"/> I require special assistance or have special meal requirements (note below): <i>(Box Lunch & beverage included with registration)</i>		
Payment Method			
Check Enclosed:	<input type="checkbox"/> Payable to ISM-CB	Check No.:	
Paid on-line:	<input type="checkbox"/> PayPal via your credit card (no PayPal account needed)	PayPal link on ISM-CB web site: http://www.ismcb.org/programs/index.htm	
Total Paid			

Payment must be made at the time of registration. Each individual must complete a separate registration form.

Cancellations, Substitutions, and Requests for Refunds : All cancellations, substitutions, and requests for refunds must be submitted in writing or via email before the registration deadline. No refunds will be issued for cancellations received after March 31, 2016. Refunds will not be issued for no-shows.