

Construction Law Section
Meeting Minutes

January 11, 2012

Attendees:

Tom Wolfendale, Chairman
Ron English
Marissa Bavand
Helaine Honig
Bill Linton
Rob Crick
Scott Sleight
John Evans
Annmarie Petrich
Tom Larkin
Kerry Lawrence

Discussion

Minutes of previous meeting: approved

Finances: AnnMarie reported that we have about \$16,000 in the bank.

WYLD Report: Tom Wolfendale reminded everyone that the WYLD open section night will be held at WSBA offices on January 31, from 530 to 730.

Newsletter: No report from Larry Vance. Bill Linton reported on a bid protest of WSDOT certification requirements.

Recent Court Decisions: A case was argued before Division II, on failure of a contractor to appeal a unilateral change notice on a termination for convenience, and whether Mike Johnson applies.

WSBA Activity: No report.

Design Build contracts: No activity.

Jury Instructions: A meeting was scheduled but then canceled.

Legislative Activity: Helaine reported on a bill to amend RCW 4.24.115 to limit indemnity obligations of architects to the extent of their own fault. The bill was introduced last year, and a meeting will be held on January 13 to discuss this year's version. Kerry reported that the lien law working group is developing a share-point website to allow commentary on proposed amendments.

Tri-Cities Spring Forum: The agenda for the meeting included an extensive discussion of the roles and responsibilities for the Benton Franklin Legal Aid Society as sponsor and the Construction Section as supporter. AnnMarie will submit a budget request to WSBA for \$1,200 to reimburse speaker expenses.

Oregon Bar Construction Law Section: Tom Wolfendale discussed possible cooperative projects between the two sections. Ideas included notice of each other's seminars, an outline of the differences between Oregon and Washington law and sharing of CLE topics and outlines.

Mid-Year Meeting: No action reported. John and Marissa will prepare a tentative program for discussion next month.

New Business: Members discussed whether to publish a notice seeking applicants for positions next year. No action taken.

Members discussed whether to reimburse council members from east of the Cascades for travel. This would cost \$2,000 to \$3,000 per member. Alternatives identified included partial reimbursements or setting up webcasts. There will be further discussion next month.

February Forum: No action. Tom Wolfendale will check with Dick Prentke.