



Workshop C

***ETHICS IN CONSTRUCTION:
CHALLENGES AND DILEMMAS***

Presented by

**Michael C. Loulakis
President
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In the 1990s, the term "ethics" was perhaps overused, but the notions behind it obviously were not. A 1997 survey indicated that some 56 percent of employees felt pressure to act unethically or illegally on the job. Today, many of these ethical lapses have caught up to their perpetrators—all one has to do is turn on the television to hear tales of corporate malfeasance. The names Enron, Arthur Andersen, WorldCom, Global Crossing, and even Martha Stewart all invoke notions of greed and dishonesty. The construction industry, with its low-price mentality, stiff competition, and razor-thin margins, presents a ripe environment for ethical dilemmas. This session examines the challenges of making ethical decisions, from dealings with customers and construction partners to managing employee relations, and the costs of making unethical ones. The impact of the Sarbanes-Oxley Act of 2002 on the construction industry will also be examined.

Tuesday, November 18, 1:30–3:00 p.m. and 3:30–5:00 p.m.



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The Associated General Contractors of America, the voice of the construction industry, is an organization of qualified construction contractors and industry related companies dedicated to skill, integrity, and responsibility. Operating in partnership with its Chapters, the association provides a full range of services satisfying the needs and concerns of its members, thereby improving the quality of construction and protecting the public interest.

AGC is dedicated to improving the construction industry daily by educating the industry to employ the finest skills, promoting use of the latest technology and advocating building the best quality projects for owners--public and private. A complete list of AGC's products is provided at its bookstore.

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Michael C. Loulakis
President
Wickwire Gavin, P.C.

Mr. Loulakis is copresenting Workshop C, "Ethics in Construction: Challenges and Dilemmas," on Tuesday. He is president of Wickwire Gavin, P.C., a Vienna, Virginia, law firm that concentrates on representing domestic and international clients on construction-related matters. His legal practice focuses on representing members of the construction industry, including owners/developers, sureties, contractors, and design professionals.

His diverse background includes contract administration advice; review of procurement and contracting documents; contract drafting and negotiations; preparation, negotiation, analysis, and defense of contract claims; resolution of claims through litigation, arbitration, and other ADR methods; and establishing risk management policies and project delivery methods. Mr. Loulakis is a national speaker on these and other issues and holds an IRMI Words of Wisdom (WOW) award. He is the author of numerous publications, including several recent books on design-build titled "Design-Build for the Public Sector" (Aspen Publishers 2003), "Design-Build: Planning Through Development" (McGraw Hill 2001), and "Design-Build Contracting Handbook," 2nd Edition (Wiley Law & Business 2001). Mr. Loulakis is also the author of "Design-Build Lessons Learned," which is a series he has published each year since 1995 that examines case law on design-build projects reported upon in a given year, as well as a widely acclaimed interactive CD-ROM program titled *Construction Project Delivery Systems: Evaluating the Owner's Alternatives*, produced and distributed by A/E/C Training Technologies.

Mr. Loulakis is a member of the Board of Directors of the Design-Build Institute of America (DBIA) and served as Chairman of DBIA's Manual of Practice Committee. He had principal responsibility for drafting the DBIA Contracting Guide and DBIA's standard form design-build contracts and subcontracts. Prior to joining Wickwire Gavin in 1979, Mr. Loulakis was a practicing engineer with a Boston, Massachusetts, area geotechnical consulting firm.

He received a bachelor of science degree, *magna cum laude*, in Civil Engineering from Tufts University in 1976 and a juris doctor degree from Boston University School of Law in 1979.

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