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Knowledge for Creating and
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December 2012

DECEMBER 12TH HOLIDAY PARTY

PLACE: Guadalajara Mexican Grille and Bar, 2925 SW Freeway, Houston, TX

TIME:

5:30 P.M.—7:00 P.M.

COST:

\$10.00 Per Person with non-perishable can food donation; \$20.00 without nonperishable can food donation.

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CSI Houston Website:
<http://www.csihouston.org>



December CSI Houston Chapter Holiday Party



Keeping with CSI Houston Chapter tradition, the holiday gathering December 10th will start at approximately 5:30 pm at Guadalajara Mexican Grille and Bar, 2925 SW Freeway (Hwy 59 S), (between Kirby and Buffalo Speedway on south side feeder road off Hwy 59). Bring a guest for an evening of margaritas and great appetizers. Our chapter donates to needy families for the holidays, so bring can goods and/or non-perishable foods.

Come join our annual celebration to give thanks for the year and share friendships and best wishes for the coming year.

**\$10.00 at the door with nonperishable canned food donation;
\$20.00 at the door without nonperishable can food donation**

Bring a guest for an evening of margaritas and great appetizers. Our chapter donates to needy families for the holidays, so bring can goods, non-perishable foods.

January's CSI Houston Chapter Presentation

Pat Kiley, Principal with Kiley Advisors, LLC, Houston, TX will be the guest speaker for the January CSI Houston Chapter meeting.

Plan to attend to get Pat's forecast for the Houston's commercial construction market for the coming year.

Kiley Advisors was founded in 2004 to serve construction firms and associations. For more information, visit his website at:

<http://www.kileyadvisors.com>

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December 2012

President's Message

by Holly A. Jordan, CSI, CCS, LEED AP BD+C, SCIP

President, CSI Houston Chapter

President-Elect, CSI South Central Region



Happy Holiday Season to everyone. I hope that everyone has a joyous holiday season and I look forward to a prosperous and productive new year.

Looking back at the first six months of my term as CSI Houston President, there have been triumphs, successes, and plenty of work to get done the rest of the year. I had three goals in mind when I started my presidency in July.

First, I wanted to grow and maintain the membership of our Chapter. I believe that we are on the right track. Each month myself and our membership chair receive a notification from Institute that lists memberships about to expire, memberships that are expired, and memberships that have been dropped. Our membership chair has made a concerted effort to contact each person via email and follow up with telephone call. Several members have expressed appreciation for this personal touch and we have successfully retained and renewed several members.

My second goal for this year was to enhance the membership experience of our product and manufacturer's rep members. With that goal in mind, I have expanded and hope to enhance the membership experience of all of our members. Changing from a seated dinner with servers to a buffet has been quite successful. Our program committee has been taking suggestions and has been meeting and dividing out the work to upgrade and enhance our monthly programs. The Board and Committee Chairs have spent time at several planning meetings discussing special events, incentives, etc. to make our meetings better and we will be seeing these changes in the next couple of months.

My third goal for this year was to coordinate and maintain a chapter member database of chapter, region, and national positions held, services rendered, awards and special recognitions received, and special accomplishments for Houston Chapter members. A form has been developed and sent to Board and Committee Chairs and we are working on collecting their data.


We have a new website up and running and will contin-

ue to upgrade and update it in the next few months.

We will need help from everyone to make sure that all of the information in the website is kept up to date and current. An official Webmaster has not been identified and I would like to ask that if anyone is interested in helping with the website that they step forward.

The first half of my presidency has gone by very quickly and before I know it will be over. It has been wonderful to see the enthusiasm and willingness from everyone to make our chapter the best. I look forward to the next six months.

Happy Holidays to each and every member of the CSI Houston Chapter.



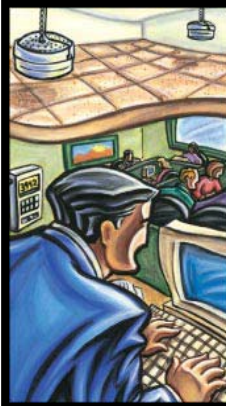
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Houston Code News and Events

By Di Ann Hassloch, CSI, CCS, CCCA, LEED AP

New Electrical Code - Effective 09/01/2011.

On August 10, City Council approved the adoption of the 2011 National Electrical Code and local amendments.

New Commercial Energy Codes - Effective 09/02/2011.

September 2, 2011, commercial buildings and structures shall comply with the 2009 IECC or 2007 ASHRAE 90.1, pursuant to Section 19.53 of Chapter 34, Texas Administrative Code. In accordance with this provision and the rules thereto, the City has reviewed the codes and has proposed amendments for review by the Energy Systems Laboratory.

Please visit the City of Houston Form & Publications Page at <http://www.houstonpermittingcenter.org/code-enforcement/code-updates.html> to access the new Commercial Energy Codes

New Construction Codes—Effective 12/31/10.

On November 3rd, City Council approved the 2006 Code Package to adopt updated Construction Codes. The new amendments are available at our Forms & Publications page.

Texas Adopts New Energy Code 2009 IECC effective April 1st, 2011. The major points to be guided by for the building envelope are:

- All commercial projects will need insulated glass. No more monolithic exceptions for small window to wall ratios.
- All commercial projects will need to exhibit an SHGC (Solar Heat Gain Coefficient) of .25 or less. This is a major revision and improvement to save energy for our building owners. There are exceptions for projection factors i.e. shading.

As published in the Texas Register today: ADOPTED RULES June 4, 2010 35 TexReg 4727

Current codes in the City of Houston include:

- Building Code: 2006 IBC with Houston Amendments.
- Residential Code: 2006 IRC with Houston Amendments.
- Electrical Code: 2011 NEC with Houston Amendments—1st Printing.
- Mechanical Code: 2006 UMC with Houston Amendments.
- Plumbing Code: 2006 UPC with Houston Amendments.
- Fire Code: 2006 International Fire Code

DuPont Building Innovations Awards Tim Wilson ‘Specialist of the Year’

By Brian McKay

Tim Wilson, CSI, of The Woodlands, was named *Specialist of the Year* by Elizabeth Cross, North America Business manager for DuPont Building Innovations.

The award honors a DuPont™ Tyvek® Specialist for exceptional work in the field and is based on initiative, involvement with industry members (Houston CSI Certification Chair), enthusiasm and sales growth.

Tim Wilson represents the top five percent among an industry leading specialist network—a national group of more than 170 highly-trained field representatives that are available for onsite consulting, training and assistance with each installation.



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FEATURE YOUR PRODUCTS WITH A TABLE TOP DISPLAY

At each monthly meeting, the Chapter encourages Industry Members to provide a table top display of their products and services for the inspection and education of those attending the meeting.

The table top display is also encouraged to be presented during the social hour and after the program for any questions by attendees.

The presentation fee for this time is \$200 for members and \$250 for non-members, or free with a Golf Sponsor-

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Contact Don Smith at
(713) 688-0092 or don.smith315@sbdglobal.net
for more information.

CSI Houston Chapter Board Meeting Minutes

Location: HESS Building

5430 Westheimer Road - Houston, TX

September 24, 2012

Present: Amanda Carrington, Amy Salmeron, Betsy Finch, Bob Cook, Chuck Vojtech, Don Smith, Don Ude, Don Vernon, Doug Frank, Holly Jordan, Neil Byrne, Robert Byrne, Tim Wilson, Dorothy Denison

President Holly Jordan called the meeting to order at 4:05 p.m.

The August 2012 Board Meeting Minutes were approved.

REPORTS

Member Services: Mark Koehler

Programs: J. Peter Jordan

The October Chapter Meeting format will be a four-person panel discussion.

Membership: Joey Penna

Joey reported the chapter has five new members, six memberships expired and six memberships will expire soon.

Awards: Amy Salmeron

No report.

Personal/Professional Development: Doug Frank/Di Ann Reid

Holly stated she will resend the CSI Biography forms to the board members requesting they complete the forms.

Finance/Administration: Neil Byrne

Neil reported that the tax exempt status had been reinstated. He also said he is waiting to receive quotes from three CPA firms regarding the cost to file the chapter tax returns. He will review the quotes once he receives them.

Treasurer's Report: Chuck Vojtech

Chuck reported that the chapter expenses are down.

Table Top Display: Amy Peevey

No report.

Public Services: Don Smith

Golf Tournament: Tom Atwell/Bob Cook

Holly reported that she sent the golf forms to Lisa Murray to post on the chapter website. She also reported twenty-one architects had signed up.

SPEC.tectonics: Don Smith

Don reported that the September issue had been posted to the website.

Electronic Communications: Lisa Murray

The board members discussed the issues relating to redesigning the website and maintaining it. Amanda offered to check costs with the company that set up her company website. Amy also volunteered to check costs from one of her contacts.

Public Relations: Don Vernon

Don reported AIA is willing to let the chapter use their facility for a vendor night. Further discussion is needed by the board members.

Professional Development: Logan Vits

No report.

Continuing Education: Mark Koehler

No report.

Academic Affairs:

No report.

Certification: Tim Wilson

Tim reported the study classes are finished and that all attendees plan on taking the CDT exam.

Technical Committee: J. Peter Jordan

No report.

Scholarship: Greg Roberts

No report.

Institute/Region Reports:

Institute Report: Dorothy Dennison

Dorothy reported that CSI is in the process of creating a new logo.

Region Report: Holly Jordan

Holly reported that she will attend the Region conference along with Dorothy Dennison and Robert Byrne.

Meeting adjourned at 5:15 p.m.

***Betsy Finch, CSI
Chapter Secretary***

CSI Houston Chapter Board Meeting Minutes
Location: HESS Building
5430 Westheimer Rd., Houston, TX
October 15, 2012

Present: Amy Peevey, Amanda Carrington, Bill Fairbanks,
Bob Cook, Chuck Vojtech, DiAnn Reid, Don Smith,
Don Vernon, Dorothy Gumm Dennison, Doug Frank,
Holly Jordan, J. Peter Jordan, Logan Vits, Mark Koehler,
Neil Byrne, Robert Byrne, Tim Wilson

President Holly Jordan called the meeting to order at 4:06 p.m.
The September 2012 Board Meeting Minutes were approved.

REPORTS

Member Services: Mark Koehler:

Programs - J. Peter Jordan: J. Peter reported that the program committee had been formed headed by Alex Bernard. Seventy people have RSVP to this evenings program meeting.

Membership - Joey Peena: Holly reported that Joey has been working hard to recruit lapsed members. She also stated that our chapter has been recognized for having the most new members joining, the largest increase in membership

Awards - Amy Salmeron: No report.

Personal/Professional Development - Doug Frank reported that three award profiles have been received.

Finance/Administration - Neil Byrne:

Treasurer's Report - Chuck Vojtech: Neil reported that he has received the tax exempt letter from the IRS. He will contact the State Comptroller of Public Accounts for reinstatement of the chapter tax exempt number. Motion for Neil to contract for the November 2012 chapter tax return filing by a CPA was seconded and passed.

Table Top Display - Amy Peevey:

There will be two table top displays at the October chapter meeting.

Public Services - Don Smith:

Golf Tournament - Tom Atwell/Bob Cook: Tom reported that there are approximately 60 golfers signed up to attend the golf tournament at Falcon Point. He asked for volunteers to arrive early to assemble goody bags and help with other assignments.

SPEC.tectonics - Don Smith: The newsletter has been sent to Holly for posting.

Planning Meeting: The next planning meeting was discussed and approved for 7:00 am, Tuesday, November 13th, at Onion Creek Restaurant on White Oak Drive.

Professional Development - Logan Vits:

Logan reported that he has received five responses to the CDT emails.

Continuing Education - Mark Koehler:

No report.

Academic Affairs:

No report.

Certification - Tim Wilson:

No report.

Technical Committee - J. Peter Jordan:

J. Peter discussed program schedule and progress with meeting attendance.

Scholarship - Greg Roberts:

No report.

Institute/SC Region Reports - Dorothy Dennison/Holly Jordan:

Holly reported the Region conference will be in Dallas, October 6—7, 2012. Robert Byrne gave a summary of topics discussed at the South Central Regional Conference. The next South Central Regional Conference will be in San Antonio, April 4— to April 7, 2013, and celebrate the San Antonio chapter's 50th anniversary.

Meeting adjourned at 5:06p.m.

***Don Smith, RA, CSI, CCS, LEEP AP for
Betsy Finch, CSI
Chapter Secretary***

How Have the Architect's Responsibilities Changed?

©2012, Sheldon Wolfe, RA, FCSI, CCS, CCA, CSC

About a hundred years ago, when AIA produced the document that eventually would become the familiar A201, the architect was firmly in control of construction. The 1915 AIA general conditions state, in Article 9, "The Architect shall have general supervision and direction of the work... The Architect has authority to stop the work whenever, in his opinion, such stoppage may be necessary to insure the proper execution of the Contract." Article 11 required the Contractor to "give efficient supervision to the work", and Article 12 required the Contractor to "provide and pay for all materials, labor, water, tools, equipment, light and power necessary for the execution of the work."

Those basic responsibilities remained essentially the same until the 1960s. Since then, a lot has changed. In 1961, an architect was found liable for the death of a worker in *Day v. National U.S. Radiator Corporation*. It wasn't the first time an architect had been sued and it won't be the last, but this was a case that called into question the basic responsibilities of the architect, as defined by the general conditions.

Briefly, Wilson & Coleman, an architectural firm in Louisiana, designed a new hospital building for the Louisiana State Building Authority. The contractor hired a subcontractor for all work related to the central heating system and the hot water system, which included a boiler. The specifications required a thermostat and a pressure relief valve for the boiler, but the subcontractor installed them instead on a water storage tank. The subcontractor did not inform the architect the system was ready for inspection, or request that an inspection be made. The subcontractor performed a preliminary test, the boiler exploded, and one of the subcontractor's employees was killed.

It seems obvious that the subcontractor caused the explosion, first, by not installing the required safety equipment, and second, by not requesting inspection of the system before testing. However, a district court found the architects responsible, and relieved other defendants of liability. The architects appealed the decision. The court of appeals not only agreed with the lower court, but increased the amount of damages.

How could the courts come to this decision? The architects, by contract responsible for "supervision of the work", were found negligent for failing to inspect the installation of the hot water system, and for approving shop drawings that did not show a pressure relief valve. In other words, the architects should have been at the

site all the time, and should have watched the entire construction process. Apparently, they should have known the boiler was being installed, and they should have inspected it continuously, even if the installer did not tell them about the installation.

In the end, the decision was overturned by the Supreme Court of Louisiana. That court determined that the architect's responsibility was not to continuously verify compliance with the contract documents, but to verify before final acceptance that the contractor had used the correct materials, and "generally that the owner secured the building it had contracted for."

In this case, the courts eventually came to the conclusion that the architect is not responsible for safety, provided the architect is not specifically assigned that responsibility. In other decisions, similar conclusions were made, except in cases when the architect assumed that responsibility by voluntarily becoming engaged in matters related to safety.

Even though the architects in this case eventually were absolved, the AIA quickly updated and reissued its A201 in 1963, only two years after the previous edition. In the 1963 general conditions, the architect's responsibilities were reduced; the architect now was required only to "make periodic visits to the site" and was not required to "make exhaustive or continuous on-site inspections..."

In the 1966 A201, the definitions of responsibilities of both the architect and the contractor were expanded. The brief comments regarding the contractor's supervision of the work and paying for "light and power" were supplemented by making the contractor "solely responsible for all construction means, methods, techniques, sequences and procedures and for coordinating all portions of the Work under the Contract." And if that wasn't clear enough, Article 2 - Architect, states the same thing, as a negative, for the architect: "The Architect *will not be responsible* for construction means, methods, techniques, sequences or procedures, or for safety precautions and programs in connection with the Work, and he will not be responsible for the Contractor's failure to carry out the Work..." (my emphasis).

Read again what is said about the responsibilities of the architect and of the contractor. In essence, the architect is responsible for showing what the building should look like, and what materials should be used

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How Have the Architect's Responsibilities Changed?

Continued from page 9

where, and the contractor is responsible for pretty much everything else. Note there is nothing that requires the architect to tell the contractor, or the manufacturer, or the installer how to do their jobs. In fact, it states "The contractor shall be solely responsible for and have control over construction means, methods, techniques, sequences, and procedures and for coordinating all portions of the Work..."

In 1970, the last vestige of the architect's former power was removed. The power to "stop the work" was taken from the architect and given to the owner. This was important, as architects continued to be found liable for worksite injuries, despite the exculpatory provisions of the general conditions. In effect, courts found the "stop the work" clause to mean the architect remained in control of the project, had a duty to understand the hazards associated with all types of work, and should take appropriate action to prevent injuries. Since then, the requirement to "make periodic visits" was changed to "visit the site at intervals appropriate to the stage of construction" to further reduce liability.

Some may argue that none of this diminishes the architect's position as Master Builder, but AIA commentaries suggest otherwise. The commentary to the 2007 A201 states, regarding the means and methods clause in 4.2.2, "The last sentence [which ends with 'since these are solely the Contractor's rights and responsibilities'] underscores the statement of the contractor's responsibilities in 3.3.1 and *reinforces the dividing line* between the contractor's responsibilities and those of the architect" (my emphasis). Regarding 1.2.1, which states, "The intent of the Contract Documents is to include all items necessary...what is required by one shall be as binding as if required by all..." the comment is, "The contractor is expected to make reasonable inferences...[if] the documents show wall partitions covered by drywall...it may be inferred that some reasonable method will be used to attach the drywall to the underlying framework."

Clearly, those who write the general conditions no longer see the architect as responsible for much beyond a general description of the intended results, and now expect the contractor to play a more prominent role in execution of the contract.

"Strictly SMITH-ly"

Building Technology; What Makes It Work? by Donald F. Smith, Jr., CSI CCS RA LEED AP

In the September 2012 article "Building Technology: Missed Opportunities in Education," Robert W. Johnson, RA, FCSI, CCS, CCA makes the case for a missed opportunity in the architectural education system to properly teach building technology in a materials and methods class, at best relying on graduates to complete their education.

Each architectural office has an area of practice which uses building materials and construction details applicable to the project types and project locations of their practice. Regional differences in building technology exist to address construction type, environmental and site differences, and local practices.

It is up to each architectural intern to complete his education by learning what makes their project work, and more importantly what makes it fail. There are many materials and products that will work in one situation, but will not be a good choice in another.

While an intern may be directed that "this is the way we do it in this office," it is incumbent of him to find out why. After all, the success and possible failure of a project will reflect on not just the firm he is working for, but all members of the project team. I can't imagine one working on a section or detail without understanding the ramifications of the instructions that will be passed on to the other members of the project building team. Collectively, the contract documents state what is required when the project is complete. Both owner and contractor have a reasonable expectation the project can be completed as expressed in the Contract Documents.

Each employer has a business to run and its most important goal is to survive each day to be able to produce successful work the next day. I don't ever remember being instructed as a new hire to "Don't ask too many questions." Rather you are expected to keep both your eyes and ears open and your brain thinking about what you are doing to make sure that you are helping achieve the project goals. If what you are doing doesn't make sense to you, why would you expect that it will make sense to those that you are instructing. You are no longer a child if you are doing professional work. Everything that you accomplish will become part of your experience. As your successful experience and judgment grow, so will the opportunities and trust that will be extended to you in future work. There will be a point in everyone's career

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“Strictly SMITH-ly”

Building Technology; What Makes It Work?

by Donald F. Smith, Jr., CSI CCS RA LEED AP

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where they will look back in retrospect and realize the limitations of their knowledge and expertise, and realize when to seek advice or help.

There is an old saying in management that “Delegating without defining is abdication.” If you do not understand what you are asked to do, you had better find out how and what makes it work and what makes it fail pretty soon! Not only for the piece you are working on, but how it fits into and works in the grand scheme of the project.

This void in schooling is an opportunity for both CSI and construction industry manufacturers and organizations to get the word out to architects and interns alike about what works as well as what does not for the materials and products that they represent. There is no finer moment for a product representative than to help assure the success of the products that he represents. Membership in a local CSI Chapter and networking with knowledgeable individuals in the construction industry can be a resource directly, or through technical experts that they know.

A manufacturer’s product representative that will tell what his product are best suited for as well as telling you what application they are not suited for is an invaluable resource. Continuing education programs should be carefully chosen to fill in or supplement gaps in your technical expertise. Conventions and product trade shows also help get new product information out to design professionals.

Working with industry representatives that have a successful history with your project type, in your project environment, and a history of successful construction are a valuable asset in architectural planning and development.

New construction materials and techniques present special needs for understanding what makes a project work and not work in certain situations. Every element in the exterior building envelope should be examined for constructability, energy code compliance, environmental design compliance and to resist seasonal weather extremes.

"Good judgment comes from experience, and experience comes from bad judgment."

Barry LePatner, Esq.

... Just my opinion.

Donald F. Smith, Jr., CSI, CCS, RA, LEED™ AP

**“Strictly SMITH-ly”
Substitution Review by Architect;
What is Important to the Client?**

by Donald F. Smith, Jr., CSI CCS RA LEED AP

Specifications usually give the performance, quality, source, required, but often do not discuss the reason a particular product, material, or equipment is specified. The selection process usually involves review of the function, durability, and cost by the Architect, and may also involve compatibility with other materials, systems, and construction assemblies.

The important concept is that the contract documents are not an instruction manual on how to build the project. They are rather a description of what the project is require to become at completion of construction.

The Contractor is the expert on construction, not the architect. The Contractor holds the contracts with both the Owner and the subcontractors. The Architect does not. Once the drawings and project manual are completed, sealed, signed and dated, the bidding, contracting, permitting and construction process may begin.

At this point the Architect’s role changes to interpreter of the Contract Documents and advisor to the Owner and Contractor.

As was discussed earlier in this article, not all of the reasons for selecting and specifying a product, or material or piece of equipment are specified. The Architect may give some information in the documents, but it may not be all inclusive. The contract documents assume a certain level of construction expertise. They assume a working knowledge of the minimum requirements of the building code, laws, ordinances, construction industry specifications and standards that bear on the performance of the project. This is not to say that the Contractor has to design the project, but he does have to comply with the same building code, laws, ordinances, construction industry specifications and standards that bear on the performance of the project.

A proper substitution request should contain a fully completed substitution request form, giving the following information for the Architects review:

1. A description of the qualities of the specified and substitute item and backup information describing the reason for the substitution
2. A description of the difference between the specified and proposed item
3. The history of the proposed item
4. The effect of the substitution on Contract Sum

and Contract Time

5. The effect on details of construction of related work
6. A statement that the proposed substitute is equal to or superior to the item specified in quality, and durability, design, appearance, function, finish, and performance
7. That the proposed substitution is of size and weight that will permit installation in the spaces provided, and that it will allow adequate service access; that it is compatible with other portions of the work
8. That the proposed substitution has been coordinated with other portions of the work
9. That the proposed substitution has received necessary approvals from authorities having jurisdiction
10. That the proposed substitution is consistent with the Contract Documents and will produce the intended results
11. That the proposed substitution will provide the specified warranty
12. And, that if the requested substitution involves more than one contractor, or subcontractor, requested substitution has been coordinated with other portions of the Work, is uniform and consistent, is compatible with other products, and is acceptable to all contractors, or subcontractors involved.

If the Contract cannot make this affirmation to the Architect and Owner (which by the way is standard language require by the AIA A291 General Conditions), how can he expect the Architect to take his request seriously. A cut sheet with a product highlighted or underlined cannot possibly convey enough information for the Architect to make a proper determination. There is an old saying in management that “Delegating without defining is abdication.”

If you do not understand what you are asked to do, you had better find out how and what makes it work and what makes it fail pretty soon! Not only for the piece you are working on, but how it fits into and works in the grand scheme of the project.

"Good judgment comes from experience, and experience comes from bad judgment."

Barry LePatner, Esq.

... Just my opinion.

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