

# CHOICE

Volume 49  
No. 2

October  
2012



## CHAPTER OFFICERS

Jan Myers President  
Eric Hardenbrook President-Elect  
Robert Loftin Vice President  
Scott Steffan Secretary  
Stewart Cluck (temp) Recording Secretary  
William Brightbill, FCSI Treasurer

## DIRECTORS

Don Scruggs 1 year  
Charles Beauduy 1 year  
John Morgan 1 year  
Jake Burkholder 2 years  
Larry Saylor 2 years  
Jim Kingsborough 2 years

## ADVISOR

John Groff

## EDITOR

Tanya Ritter

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**AWARDS** Jeff Turicik  
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**EDUCATION / TECHNICAL** Robert Loftin  
Co-Chair Don Scruggs  
**ELECTRONICS / COMMUNICATIONS** Tanya Ritter  
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Co-Chair Jeff Turicik  
**ROSTER** Don Scruggs  
717-263-8464  
**INSTITUTE DIRECTOR**  
Mitch Miller 610-559-6000

## CA Today (& Tomorrow?) Panel Discussion

Tuesday, October 9, 2012

What are the trends in performing construction contract administration today? Join our panelists in this discussion about the on-going transformation in the processing of building construction information, how it is affecting the construction and contract administration process, and where we might be in just a few years.

This program will be registered with AIA for 1 LU.

*Spouses, guests and visitors  
are welcome and encouraged to attend.*

### RADISSON HOTEL

1150 Camp Hill Bypass, Camp Hill, PA

Board Meeting - 5:00 pm

*All members are welcome to attend the Board Meeting*

Attitude Adjustment - 6:00 pm

Dinner - 6:30 pm

Program - 7:15 pm

### Dinner Cost

Free for Central Pennsylvania Chapter CSI Members;  
Students \$10  
All Others \$25

*Dinner reservations by  
Noon, Friday, October 5, 2012  
See **FROM THE CHEF'S TABLE**  
for Menu and Reservation details.*

ATTENTION CHAPTER OFFICERS, DIRECTORS,  
ADVISOR, EDITOR, COMMITTEE CHAIRS and CO-CHAIRS  
– You have a standing reservation for every dinner meeting.  
You are automatically registered for the first menu item on the  
list. If you are NOT attending the dinner meeting or want to  
CHANGE your menu item, you should RSVP with Logan at  
loganmyers@hotmail.com or 570-850-6330.

**The Central Pennsylvania Chapter meets  
the second Tuesday monthly  
except NO meetings are held in July or August.**

*Please Read Ads On Our Website  
They Support "Choice"*

[www.cpc-csi.org](http://www.cpc-csi.org)

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**All material MUST be in the editor's hands no later than October 19, 2012 for publication in the November 2012 issue of "Choice".**

Send to:  
Tanya Ritter  
email to:  
TRitter@wrmeadows.com

The Construction Specifications Institute is a nation-wide nonprofit technical organization dedicated to the advancement of construction technology through communications, education, research and service. Founded in 1948, CSI provides a forum for architects, engineers, specification writers, contractors, suppliers and others in the industry.

Anyone who is concerned with construction specifications in any manner is invited to apply for membership.  
Contact: Paul Brunski  
Ph: 717-263-8464.



**Knowledge for  
Creating and Sustaining  
the Built Environment**

## President's Message



Jan Myers,  
CSI, CCPR  
President

I hope those of you who came out to the meeting in September enjoyed it as much as I did, and it was great to meet our new member, Carmen Beinhauer. Please join me in welcoming her to the fold. If anyone has a potential member for our group, you can bring them to a meeting and their dinner is on us. Our next meeting is on Tuesday, October 9 at the Radisson. Remember we have the tour in November so it will be in the afternoon. We will be touring the

new Volvo plant in Shippensburg from approximately 1-4 pm. We will have dinner somewhere over that way.

We are still looking for a recording secretary for the board. Please consider joining us. We have someone to mentor you so you won't have to figure it out on your own.

I am looking forward to seeing everyone on October 9<sup>th</sup> at the Radisson!

Regards,  
Jan Myers, CSI, CCPR  
President

## From the Editor's Desk



Tanya Ritter,  
CSI,  
Editor

September's dinner meeting was excellent. My sirloin tips were tender and the new faces around our table provided engaging conversation. The presentation regarding legalities in doing business within the mid-Atlantic construction industry had something for everyone to consider. Going forward - there is a discussion amongst some CSI members on LinkedIn about membership retention and participation. It is the opinion of some that having active members provide a brief explanation as to why they value their membership would encourage others to participate. This is your opportunity to show some love. Let us know why you value your membership/

chapter. What do you like most about your chapter meetings? My comments barely scratch the surface as to why I enjoyed our last meeting. I look forward to hearing yours. See you on Tuesday! (Present motion at next board meeting for an additional column for CHOICE – "Member's Musings" where members share their love for CSI).

Tanya Ritter,  
CSI Editor

## Classified Ads

To place classified ads, please submit your ad to the editor,  
Tanya Ritter  
TRitter@wrmeadows.com  
for insertion in "Choice" and on cpc-csi.org.

## From the Chef's Table



Logan Myers  
Hospitality Chair

### MENU

#### Choice of

Chicken Marsala  
or  
Roast Top Sirloin

*Tossed Salad*  
*Chef's selection*  
*of Starch and Vegetable*  
*Chef's selection of dessert*

*Special Dietary menus,*  
*such as vegetarian,*  
*low fat or low sodium,*

In addition, we will try to accommodate special requests such as vegetarian, low fat or low sodium selections. A fresh fruit plate, instead of the Chef's Dessert Selection, is always available by request. Special request menu reservations should be made no later than the Friday prior to the Tuesday meeting.

Please feel free to forward either your comments regarding your meal, or any suggestions that you feel could improve the CPC-CSI dinner, to: loganmyers@hotmail.com.

Logan Myers  
Hospitality Chair

### RESERVATIONS

to Logan Myers by calling 570.850.6330 or e-mail at loganmyers@hotmail.com or use our on-line registration form at www.cpc-csi.org

**YOU MUST MAKE RESERVATIONS OR CANCEL STANDING RESERVATIONS by NOON, FRIDAY, October 5, 2012.**

ALL NO-SHOWS WILL BE BILLED.  
*Entrée selection should be made when making a reservation.*  
*First entrée listed is the default selection if no choice is made.*

To schedule a Table Top Display, email Bill Deck at wdeck@rtps.com or use the form in Choice or online.

Attendees should make an entrée selection when reservations are placed.

*(Please note that the first entrée listed will be the default selection if no choice is made.)*

The Central PA Chapter dues include all meals for the chapter program dinner meetings for the year. Come out to our meeting to network, socialize, and learn about timely subjects in the Construction Field.

## Minutes of Board of Directors Meeting



*Chris Atwood,  
CSI, AIA  
in absence of  
appointed  
recording secretary*

**Date:** Sept. 18, 2012  
Meeting began at approx. 5:00 PM

**Location:** The Radisson, Camp Hill, PA

**Voting Members Present:** Jan Myers, Brightbill, Hardenbrook, Loftin, Ritter, Scruggs, Burkholder

**Voting Members Absent:** Cluck, Steffan, Groff, Beauduy, Morgan, Saylor, Kingsborough

**Others Present:** Deck, Turicik, L. Myers, Atwood

THERE WAS NOT A QUORUM.

Meeting was chaired by President Myers.

**Opening Comments:** President Myers reported on the CSI Convention and CONSTRUCT2012 in Phoenix, AZ the previous week, which she and several other chapter members attended.

**Minutes:** Minutes of the previous meeting were reviewed with no exceptions noted.

**Treasurer's Report:** Brightbill presented the Financial Status Report for the end of FY'12 (June 30, 2012), which will be filed for audit.

**President-Elect:** Hardenbrook expressed reservations about his future readiness for assuming the position of president in 2014. All present (most being past presidents) assured him this would not be a concern after participating on the Board for the coming almost-two years and with the on-going support of the Board and committees.

**Vice-President:** No report.

**Secretary:** No report.

**Past-President/Advisor:** No report.

**"CHOICE" Editor:** Ritter noted her report was published in CHOICE. Articles and reports for October CHOICE are due to be submitted by September 21.

**Academic Affairs:** No report.

**Advertising:** Discussed the pending renewal of advertisements. It was noted that the amount of advertising income shown in the proposed budget is based on this passed year's receipts. No significant change in receipts is expected for FY'13.

**Archives:** No report.

**Awards:** Turicik reported that he is preparing to get started on the award nomination process for Region awards.

**Budget/Finance:** Brightbill presented and reviewed the proposed budget for FY'13.

**Bylaws:** It was noted that Institute has not yet reviewed the Chapter bylaw changes sent this past spring.

**Certification:** Atwood reported that John Groff has been communicating with Kazim at HACC, and that it was looking hopeful that the certification class might be relocated back to HACC again this year.

**Education/Technical:** Loftin reported that tonight's program was successfully registered with the AIA for continuing education learning units. He also noted that AIA has several requirements on which we need better compliance.

**Electronics/Communications:** It was again noted that there needs to be two e-mail blasts (rather than one) to the membership about the coming monthly meeting.

**Exhibit Show:** No report.

**Hospitality:** Logan Myers reported we had 24 (+/-) reservations for tonight. Discussion ensued about the need to again put a reminder in CHOICE about the standing reservation policy for all Board members and committee chairs; Ritter will do this.

**Long Range Planning:** No report.

**Membership:** Brunski reported that Institute's roster shows the Chapter with 108 members. One potential new member was planning to attend tonight.

**Programs:** Atwood reported that no program was yet scheduled for October, but it was being worked on and will be at the Radisson as usual. Turicik reported that a tour at the Volvo heavy equipment plant in Shippensburg had been tentatively scheduled for November 13, from 1:00 to 3:45 PM. It was agreed to proceed with planning the November meeting accordingly, and Logan Myers will explore post-meeting dining options in Shippensburg.

**Directors:** No comments.

### OLD BUSINESS

None discussed.

### NEW BUSINESS

1. A planning committee for the Chapter's 50th anniversary celebration in the spring of 2013 is to be formed. President Myers appointed Bill Brightbill to head the committee.

### ADJOURNMENT

Meeting was adjourned at 6:05 PM. The next Board Meeting is scheduled for 5:00 PM on October 9th at the Radisson in Camp Hill, followed by the October Chapter dinner meeting.

*Respectfully Submitted by  
Chris Atwood  
(in absence of appointed recording secretary)*

## Curmudgeon's Corner

### How have the architect's responsibilities changed?

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

*(Continued on page 5)*

*(Continued from page 4)*

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 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.

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<http://twitter.com/swolfearch>

## Calling All Reps!



*Bill Deck,  
Advertising Chair*

Would you like to highlight your company or a special product? Do we have a deal for you. For a mere \$125-\$150 you can display your wares during the social time and have 10 minutes of everyone's attention during dessert at one of our CPC/CSI dinner meetings. What an awesome opportunity to hit several specifiers at once. If you are a member of this chapter, it will cost \$125. If you are not, it will cost \$150. For more details, see the CPC-CSI.org website. To schedule a table top, contact Bill Deck at [wdeck@rlps.com](mailto:wdeck@rlps.com). Thanks!

*Bill Deck  
Advertising Chair*



## Central Pennsylvania Chapter of the Construction Specifications Institute Table Top Display Registration

Name/Contact: \_\_\_\_\_

Company: \_\_\_\_\_

Meeting Date: \_\_\_\_\_

Telephone: \_\_\_\_\_ E-Mail: \_\_\_\_\_

Cost: \$125 members /\$150 non-members (does not include meal)

Fee Includes:

1. One 72 x 30 inch table to display product.
2. Display time: 6:00 - 7:00 P.M. (During social hour)
3. Presentation: 10 minute presentation during dessert.
4. Electrical: Outlets available. Vender supplied extension cords.

Contact: Bill Deck, CPC Advertising Committee  
email: [wdeck@rlps.com](mailto:wdeck@rlps.com)

## Calendar of Events

### CHAPTER ADDRESS

P.O. Box 3504  
Harrisburg, PA 17105

### TELEPHONES

Secretary  
717-887-3847

Treasurer  
717-234-1650

Editor  
717-792-2627

Ads  
[wdeck@rlps.com](mailto:wdeck@rlps.com)

### CHOICE STAFF

Editor  
Tanya Ritter

Advertising  
Bill Deck

Roster  
Don Scruggs

### October 2012 & Beyond

for Mid Atlantic BX social networking, training & other educational events.  
Info: [www.midatlanticbx.com/CalendarofEvents.aspx](http://www.midatlanticbx.com/CalendarofEvents.aspx)

### October 9, 2012

**CSI Central Pa. Chapter - Dinner Meeting & Program.** at the Radisson, Camp Hill, PA, 6:00 pm. – Panel Discussion on "CA Today (& Tomorrow?)."

### November 13, 2012

**CSI Central Pa. Chapter - Dinner Meeting & Program.** Tour & Dinner Meeting. Tour of the Volvo Heavy Equipment Plant in Shippensburg, PA, tentatively 1:00-3:45 pm, followed by dinner meeting at a local establishment. More info soon.

### November 14-16, 2012

**USGBC Greenbuild 2012.** International Conference & Expo, San Francisco, CA. Details at [www.greenbuildexpo.org](http://www.greenbuildexpo.org)

### December 11, 2012

**CSI Central Pa. Chapter - Dinner Meeting & Program** at the Radisson, Camp Hill, PA, 6:00 pm. – "Insulated Metal Panels" presented by Rick Gordon of Kingspan.

### January 8, 2013

**CSI Central Pa. Chapter - Dinner Meeting & Program** at the Radisson, Camp Hill, PA, 6:00 pm. – "But That's Not What I Meant!" a program on how better to specify the architect's and engineer's intent, to be presented by David Stutzman of Conspectus.

### February 7-9, 2013

**CSI Academies,** Charlotte Omni Hotel, Charlotte, NC. Want to learn more about product representation? contract administration? construction specifications? This is a great opportunity to deeply delve into these topics. Details at [www.csinet.org/academies](http://www.csinet.org/academies).

### February 12, 2013

**CSI Central Pa. Chapter - Dinner Meeting & Program.** Location and program to be announced.

### March 13, 2013

**CSI Central Pa. Chapter** – 38th Annual Exhibitor's Show at the Radisson, Camp Hill, PA, 11:00 a.m. to 6:00 p.m., plus various seminars throughout the day from 9:00 a.m. on.

### April 9, 2013

**CSI Central Pa. Chapter - Dinner Meeting & Program.** Location and program to be announced.

### May 2-5, 2013

**CSI Middle Atlantic Region Conference,** "Your Gettysburg Address," at the Wyndham Hotel, Gettysburg, Pennsylvania, hosted by Central PA Chapter CSI. Details at [www.csimarc13.org](http://www.csimarc13.org).

### June 20-22, 2013

**AIA National Convention and Design Exposition,** Colorado Convention Center, Denver, CO.

### September 24-27, 2013

**CSI 57th Annual National Convention & Hanley Wood Exhibitions CONSTRUCT2013,** Nashville, TN.

### November 20-22, 2013

**USGBC Greenbuild 2013,** International Conference & Expo, Philadelphia, PA. Preliminary details at <http://dvgbc.org/greenbuild-2013>, including opportunities to be involved.