



Summary

August 2007

Newsletter of the Santa Clara Valley Chapter of the Construction Specifications Institute
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The Legal Aspects of Design-Build

As public and private owners become more and more frustrated with the claims and other problems that accompany traditional design-bid-build projects, they are turning to alternate delivery systems like design-build. But the design-build delivery system can produce unexpected problems for the owner and unexpected liability for the design-builder team, particularly the designer.

The presentation will focus on the benefits of design build, the legal limitations on its use, and, particularly, on the potential traps and pitfalls for designers, contractors, owners. Creative ways to avoid those pitfalls will be discussed, as will hybrid forms of the design-build delivery systems like the use of design-build MEP subcontractors and bridging arrangements.

Frank J. Hughes is Partner-in-Charge of Construction and Environmental Litigation at the San Jose law firm of Miller, Morton, Caillat & Nevis. For more than 25 years, he has advised members of the construction community on avoiding legal problems; and he has

litigated or arbitrated hundreds of construction disputes when those problems could not be avoided. He has drafted or reviewed literally thousands of construction contracts. He has taught courses in Construction Law at Santa Clara University Law School, West Valley Community College, and San Jose State University. A

Chris Hersey is a partner at Miller Morton Caillat & Nevis, LLP. His primary field of practice is construction litigation, in which he represents owners and general contractors in complex state and federal court cases involving schedule delays, change order disputes, residential and commercial construction defects claims, and payment disputes on both private and public jobs. In addition to litigation, Chris's practice regularly includes drafting and negotiating construction and design agreements, and counseling clients on issues of risk management and avoidance. He has authored numerous articles, teaches a Construction Law course through San Jose State University, and is a frequent lecturer at seminars for professionals in the construction industry.

When: Thursday, August 2, 2007
Location: Ramada Inn Silicon Valley
1217 Wildwood Avenue, Sunnyvale
(Lawrence Expressway & 101)
Times: Board Meeting: 5:00 PM
Social time: 6:00 PM
Dinner: 7:00 PM
Program: 8:00 PM

Menu: Mixed green salad; BBQ Tri-Tip, grilled zucchini and squash, BBQ beans, and garlic bread; with Key Lime Pie and coffee or tea **OR** Mixed vegetable kabob, corn on the cob, BBQ beans, and garlic bread; with Key Lime Pie and coffee or tea



AIA/CES Learning Units: This program meets AIA/CES criteria. Participants will receive 1 hour of LUS (learning units) per each program which also applies to 1 HSW (Health, Safety Welfare) Hour.

Guests are welcome • No shows will be billed

Cost: No Host Bar, Dinner is \$28.00 including gratuity and tax

Please make your reservations with choice of meal by noon on Tuesday, July 31st.
Email Jim Morelan at jim@morelan.net
or by phone 408.247.3322.

SUMMARY

2007-2008 Board of Directors

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President's Message *by Krista Nelson*

Did you know that CSI produced Podcasts <http://audio.csinet.org/> or that they now have a program to track your Continuing Education Credits <http://cen.csinet.org?> Neither did I until I learned about them at The CSI show in Baltimore. Despite the long trek across the country, we had several members who attended the convention to learn about chapter leadership, new products and the latest construction practices.

The keynote speaker, James Timberlake challenged the construction industry to look at construction from the perspective of how ships and airplanes are constructed. He used the term 'chunk', where many elements are fabricated at the shop where mass production techniques can be used to increase the quality and reduce the price. These chunks or integrated component assemblies are then put together in the field to create the building. He noted that AIA contracts are designed to keep architects from becoming involved in the means and methods of how things go together and the construction quality. He advocates collaboration of architects and contractors as we're seeing with the new trend "Integrated Practice" but in addition, he advocates collaboration with material scientists and product engineers to help advance the entire industry. You can learn more at his website http://www.kierantimberlake.com/featured_projects/loblolly_1.html.

There are big changes with the annual convention as well. CSI has entered a partnership with Hanley Wood to produce CSI's annual

conventions. Hanley Wood is a powerful marketing and exhibition organization that produces 17 construction events such as World of Concrete, Surfaces and the International Roofing Expo. They have wider resources to bring in even better educational speakers and will be able to attract more manufacturers and attendees. The convention will be held in Las Vegas again next year, but will continue to move around the country in future years. I hope to see many of you at next summer's Construct 2008—The Art and Science of Building.

In the meantime, we still have a full year ahead of us. I hope to talk to and meet more of you over the next year. Some of you have already heard from me in the last few weeks asking about why you joined CSI and what you're looking for from the organization to assist us with planning out the next year. This input will help us to serve you better. I'd also be interested in hearing if you can help out the chapter. We have increased many of our committees to being more than just a committee chair, but there are still others aren't chaired or need additional support. It can be a one time thing such as registering attendees for an education seminar or a longer commitment, such as helping Dave Ingram with the marketing committee to bring in funds to support the chapter's goals. Any help is appreciated.

I hope to see you on August 2nd at our next program on the legal aspects of design build. Feel free

President *cont'd on page 3*

SUMMARY

2007-2008 Committee Chairs

INCOME STREAM/MARKETING:

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daveingram@sbcglobal.net

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Rose Garrison, CSI

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rgarriso@dunn-edwards.net

PHOTOGRAPHER:

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President *cont'd from page 2*

to give me a call or drop an email any time with program ideas or other suggestions for the chapter. ♥

Welcome to Our New Member

Mr. Ron L. Bishop, CSI
Concrete Repair Consultant
P. O. Box 370
Cupertino, CA
408-428-2828 Voice
408-836-1135 Mobile
866-871-8517 Fax
ron@ronlbishop.com

**“Leadership is action,
not position.”**

Donald H. McGannon



*CSI SCV's newest member
Ron Bishop, CSI
with Chapter President
Krista Nelson, RA, CSI, CDT,
LEED at the July Meeting*

SUMMARY

Minutes of the Board Meeting

CSI, Santa Clara Valley
(Draft, Board Approval Pending)
Place: Ramada Inn, Sunnyvale
Date: 12 July 2007

The meeting was called to order by Chapter President Krista Nelson at 5:00 p.m.

Attendees:

Board Members Present:

Krista Nelson, RA, CSI, CDT, LEED®, - President; Jim O'Keefe, CSI - Vice President Elect, Hannah Moyer, AIA, CSI, CDT - VP Director - Professional, Albert Wege, CSI, CCCA - Treasurer, Maia Gendreau, AIA, CSI, CDT, - Secretary, Marvin Bamberg, CSI, AIA - Immediate Past President; Dave Ingram, CSI, - Region Director, Jim Morelan, AIA, CSI; Professional Director, Barbara Brosh, CSI - Industry Director.

Committee Members Present:
Rietta McCain, AIA, CSI, CDT - Editor, Julie Brown, CSI, CCS, SCIP, - Awards, Historian, Chapter Cup

The minutes of the June meeting were reviewed by those present. The minutes were accepted as presented.

Treasurer's Report:

The money market funds have not been moved yet.

Cash flow for the month of June was positive. Convention expenses have not accounted yet, and the payment for the joint meeting has not been cashed.

Nelson is already a signatory at the bank so the board does not have to make any changes with the bank to accommodate the change.

Treasurer's report is filed for audit.

Region Director's Report:

Notices for the West Region Conference in October in Pasadena are published. The West Region would appreciate early sign ups.

President's Report:

The Strategic Meeting is scheduled for WED 18 July at 4:30 p.m. at ABA's office in San Jose. O'Keefe will not be able to attend the Strategic Conference, but Garrison will be present to represent Greeter/Raffle and Membership committee.

Hanley Wood has been contracted by Institute to organize the annual convention. It is a long term contract. Hanley Wood currently

organizes other construction industry conferences. This should free up considerable time for Institute to provide member services beyond organizing the conference and should result in a higher quality conference.

Unfinished Business: none.

New Business:

Committees are encouraged to meet this month and get budgets to Wege for this year prior to the August meeting.

The Board recommends the President and the Treasurer meet to develop a budget.

The Audit Committee needs to be formed and Nelson will appoint members.

Committee Reports:

Special Events: no report.

Membership:

There is a new member present tonight, Ron Bishop. O'Keefe will introduce and Nelson will present a pin.

At the end of November '06 there were 92 members, 72 house. The latest tally is 101 members, 77 house.

The retention rate for SCV CSI stands at 92.5%

Minutes cont'd on page 5



James O'Keefe, CSI

Architectural Services

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SUMMARY

Minutes *cont'd from page 4*

Educational Seminar:

There is not currently a chair for this committee but there are 3 committee members. There will be a transitional meeting of the committee and hopefully the chair seat can be filled.

The Committee is continuing correspondence with SF CSI regarding the "Wood Day" joint seminar. It is currently being pushed out to Jan/Feb.

Programs/Technical:

The Committee met last Monday and had a very productive meeting. 21 ideas for programs were outlined. The subjects for the next 3 months include IBC '06, Construction Scheduling, and Tile and Stone.

AIA Liaison:

The program for this month is AIA registered.

Greeter/Raffle:

Garrison is not present tonight, O'Keefe will greet.

South Bay Plastering Contractor's Association has donated two sets of tickets for silent auction for the San Jose Grand Prix. Many thanks to South Bay Plastering Association.

Ron Ronconi is bringing a wine supply for the raffle.

Annual Roster:

The roster is almost complete. The publish date of August is on schedule.

Advertisers are still being sought. A question was brought to the Board regarding the necessity of having a chapter roster, and if it is a duplication of the West Region Directory. A discussion of the ease of handling the roster on the road versus in an office ensued. The roster is currently being funded by donation and advertising.

The Board decided not to make changes to the annual roster.

The routing of membership information was discussed. It was clarified that the membership information should be handled by the Membership Committee, and the Committee should distribute information to the Operating/House, Webmaster, and Editor on a monthly basis.

Editor:

The last newsletter was close to the deadline and did meet the deadline. Since the meeting was held late this month the Editor requests that the Board be prompt in reviewing the meeting minutes. McCain will not be present at the August meeting, but will be proposing a new format for the newsletter in September.

Historian: No report.

Awards:

Brown presented the resolution for the new award, the Outstanding Leadership Award. The Board will need to review and vote on whether to accept this new award. A motion was made to table this issue until August, seconded, carries. Board members are requested to review the Resolution prior to the meeting and be prepared to discuss it.

Website: No report

Operating/House:

24 tonight. The telephone tree was discussed as a means of increasing attendance at meetings.

Toys-for-Tots: No report.

Marketing Committee:

3 members are up for renewal.

Operating Guide Task Team:

The committee has a meeting scheduled for 30 July.

Minutes *cont'd on page 10*

Planning Calendar 2007

CHAPTER MEETINGS

Aug 2	Legal Aspects of Design-Build
Sept 6	TBD
Oct 4	TBD

PLAN AHEAD

West Region Conference:

Oct. 24-27 - Pasadena
hosted by the Los Angeles
chapter

Santa Clara Valley
Chapter's website
www.csiscv.org

West Region's website
www.westregioncsi.org

Institute's website
www.csinet.org

How to Change Your Personal Information with CSI

It is very easy to change your personal information at www.csinet.org. Just log in with your name and password, as described on the web site. Then you have access to updating your new address, new employment, or new email address.....all at your fingertips. This way you will be sure to receive everything from Institute and our chapter.

SUMMARY

West Region Corner



WEST REGION PRESIDENT

Janet J. Piccola, CSI
(714) 278-0288
jpiccola@frazee.com

The West Region Conference, to be hosted by the Los Angeles Chapter, CSI, will be held at the Westin Hotel in Pasadena, CA., October 24-28, 2007. If you would like to register for a table top for the two-day exhibitor showing (Thursday Night Mixer) and (Friday Exhibits/Luncheon), you may go to www.lacsi.org for registration and exhibitor/sponsorship information. We ask that you consider the corporate sponsorship packages available. We will ensure that you receive a solid return on your investment. The West Region

website will also carry updates on the event by the first of next month.

We are encouraging each of our West Region Chapter Board Members and Committee Chairs to support your conference. Come to the conference, meet and greet old friends, and make new ones. Plan to welcome our newest volunteers and come to learn at Friday's Education Symposium.

We especially encourage our newest West Region Chapter volunteers to be a part of the WR Conference. We challenge all of our WR Chapters, as funds permit, to invest in your Chapter's future by helping your leaders of tomorrow to attend. The newest 'Chapter Challenge' was announced at the WR Caucus: We would like to see (3) 'first timer WR attendee' members from each chapter. A special award will be given to the Chapter with the largest 'first timer' attendance at the event.

Many of our newest volunteers have asked for the tools necessary to be an efficient committee volunteer or a future Leader in CSI. We have a special Leadership day planned for Saturday and wish to include our

new leaders in the planning. We would like to know the names of each first time attendee from each Chapter, as we will be contacting them personally with the details of this great educational opportunity.

June was a busy month. I was honored to attend the Awards and Installation Banquets for the Fresno, San Diego and Los Angeles Chapters. I conducted installations for both the Fresno and San Diego Chapters. Ed Buch conducted the Santa Clara Valley Chapter and Los Angeles Chapter installations. Sheryl Dodd-Hansen, did the honors at the Redwood Empire and Sacramento Chapters, and Paulette Salisbury, for the San Francisco Chapter. Congratulations to all of our new West Region Chapter Board members and Committee Chairs.

The Institute Convention in Baltimore was a great success. Booth reservations exceeded expectations, as did attendance. The Institute Awards Banquet was booked to capacity. I understand from Institute staff this has not happened in a long time.

West Region cont'd on page 7

Jim Balboni
Project Executive
New Equipment
Western Region



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Tom Brzica
BMI Products Representative

Phone: 408-592-6842

Email: tbrzica@bmi-products.com

SUMMARY

West Region *cont'd from page 6*

I was pleased to act as moderator for several education workshops including the 'SectionFormat, PageFormat Task Team Update' presented by David Lorenzini, FCSI, CCS and John Guill, RA, CSI, CCS, CCCA and 'Specifying and Achieving Design Quality' presented by Phil Kabza, RA, FCSI, CCS, CCCA, AIA, SCIP. Both of these workshops were full to capacity and were excellent in content and audience interaction. I heard great things about the large offering of educational programs this year. Congratulations to all who had a hand in making this part of the show a roaring success.

Our first collaborative show - Construct 2008 'The Art and Science of Building', presented by Hanley Wood and Sponsored by CSI will be in Las Vegas in June 2008. The exact date has not been published, but will be announced shortly. We can expect the show to move around the United States as it has in the past. We can also expect that the convention will be hosted in cities that can accommodate a large show, favorable to the business expectations of our supporting exhibitors and attendees.

The Board of Directors meeting was held on June 17th and 18th.

The new Institute budget was adopted. Walter Marlowe has since announced that CSI Staff and their requisite assignments have undergone a restructuring. Specific drivers for change included a desire to:

- pursue greater achievement of the strategic plan objectives
- ensure a smooth transition to a new Show model.
- grow CSI educational programs and solidify our certification programs
- upgrade our technical capabilities and
- improve CSI member and customer service.

We have ambitious plans for CSI's future growth and recognition as a leader in construction education and technologies. The plan outlined will help to ensure our future endeavors are successful.

The West Region Caucus, held on Saturday, was filled to capacity (and then some). We had chairs out into the hall. We will expect an even larger turnout next year, and will plan accordingly.

The Annual Membership Meeting was full of West Region attendees with their West Region signs. It feels good to be part of such an active, enthusiastic group. We are grateful to all of our West Region

Chapter Members, Boards of Directors and Committee Chairs for making our Region one of the best in the Nation. ♥

CSI Convention in Baltimore, MD

By Julie K Brown,
CSI, CCS, SCIP

Another good CSI Convention was enjoyed in Baltimore, Maryland; not to mention the crab cakes. The following will give an overview of some of the many things that I learned while attending the numerous classes and programs.

The next CSI Convention will be in Las Vegas, NV and the show is now run by Hanley Wood. They will be running the show for many years to come. Their intent is to have the show move around to different cities, although we do not know the schedule as of yet. Look on the CSI website (www.csinet.org) in the next couple weeks for the dates of June's Convention, as the exact dates have not yet been set. They will be working on that in the next few weeks.

BIM (Building Information Modeling) was quite prominent

Convention cont'd on page 8



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SUMMARY

Convention *cont'd from page 7*

in the educational programs, and after three of them I realized that it will be more important for the BIM operator and project team to know about products and specifications. The decisions for materials are made early - schematic into design development phases. Then the modeling and specifications are further developed with quality control requirements and how each of the spaces will be used. This new technology is being driven by the building owners. Specification writers are not going away.

SectionFormat and PageFormat are being updated. SectionFormat should be out before the end of the year. The changes are being made to correlate with the new MasterFormat numbering for Division 1. There will also be a new SpecXML for a format that will apply to PDA's. Other formats to come forth are; design build, procurement, etc. Sustainable issues have been included into the 3-Parts, including a new packaging waste management for removal of packaging materials that the building materials come in. Product schedules are still in Part 3; and they are adding a reference of attached documents that follow the each specification section.

MasterFormat 2004 has a maintenance task team. If you have any changes that you feel need to be made, contact them at www.masterformat.com. Also, the list of section numbers posted on that website is the most current. There are three errata posted on www.csinet.org. The MasterFormat website also has a Transition Guide that anyone can use to find the new MF 04 number. This works by an individual filling in the old MasterFormat section

number, and then it will show a new MF 04 six digit number.

The CSI annual membership meeting was informative, as well. The following are some highlights;

- The convention attendance was up by 13%.
- The CSI staff is hard at work on numerous upcoming educational opportunities. They are planning further webinars, podcasts, and moving into our 60th year.
- There is a new chapter that was formed - "Big Sky Chapter" in Montana. This is the first chapter to be formed in Montana. Congratulations to them.
- We now have three international chapters; Costa Rica, Lebanon, and Mexico.
- There are also plans for a new membership database, which is supposed to debut in September.
- There will be a new Leader Pipeline for chapter leaders.
- Look to the CSI website for these new items, and more information about celebrating our 60th Anniversary. ♥

Websites to Visit

<http://cen.csinet.org>

www.constructshow.com

<http://audio.csinet.org>

www.greenformat.com

www.masterformat.com

CSI's Construction Education Network Provider Program Launched

The Construction Specifications Institute announced in a press conference at the CSI Show in Baltimore the official launch of its new Construction Education Network (CEN) Provider Program.

From architects, engineers and contractors to manufacturers, facility managers and developers, CSI CEN has been designed to serve the needs of the entire built community. There is no other provider program more comprehensive in scope.

CSI's Construction Education Network utilizes cutting edge processes and standards based on IACET (International Association of Continuing Education and Training) criteria, ensuring that programs bearing the CSI CEN logo have been developed to meet or exceed the highest continuing education standards in the world.

For over 50 years, CSI has been the organization responsible for setting the industry standards for construction project practices. Now, with CSI CEN, CSI is setting the standards with a continuing education program that brings the industry together. ♥



SUMMARY

CSI Show Becomes CONSTRUCT 2008

Hanley Wood Announces Plans for Next Year's Event

Starting with the 2008 event, the CSI Show will have a new name. Construct 2008—The Art and Science of Building—reflects the range of current and potential industry professionals participating in the show.

The next event will take place in June 2008 in Las Vegas, Nevada. Las Vegas, a major trade event destination, offers a wide range of hotel options and easy air travel from most U.S. cities. This, along with the proven success of other Hanley Wood events in Las Vegas, made it a solid choice for next year's event. Future dates and venues have not yet been determined but early indications show that the event will rotate cities.

In April, Hanley Wood and CSI announced they are entering into a long-term partnership designed to grow both organizations and the construction industry they serve.

Hanley Wood now produces Construct, formerly the CSI Show, with CSI as the official sponsor.

About Hanley Wood

Hanley Wood, LLC, is the premier media company serving housing and construction. Through four operating divisions, the company produces award-winning magazines and Web sites, marquee trade shows and events, rich data and custom marketing solutions. The company also is North America's leading publisher of home plans. Hanley Wood Exhibitions (Dallas) conducts 18 trade shows, including World of Concrete, one of the top 20 trade show events in the country.

Founded in 1976, Hanley Wood is a \$250 million company owned by affiliates of JPMorgan Partners, LLC. CCMP Capital Advisors manages the Hanley Wood investment for JPMorgan Partners. ♥

Note from the Editor

Several e-mailed versions of the Summary have been returned to the Web Master due to incorrect addresses or a blocked account.

To ensure that your newsletter is delivered, please verify your profile at www.csinet.org to ensure your e-mail and physical addresses are correct.

Please notify Rietta McCain at rietta@aba-arch.com of any changes, as soon as possible, to ensure uninterrupted delivery of your newsletter and other SCV CSI mailings.

“Don't find fault.

Find a remedy.”

Henry Ford

*Marvin Bamburg, CSI, AIA
presenting the
Chapter Service Award to
Gus Sharvey, CSI
at the June Awards dinner.*



SUMMARY

Minutes *cont'd from page 5*

50th Anniversary Task Team:

Ingram has developed an overview for Bamburg's review.

A quote was received for restoration of the Charter. The quote is for restoration only, not framing. An estimate of framing was also presented. A motion was made to accept the quote for restoration of the Charter and proceed, seconded, carries. Ingram will contact Wege for funds. The item will be accounted in the budget.

Chapter Cup Task Team:

(discussed as a part of Awards).

Announcements: none.

The meeting was adjourned by Chapter President Krista Nelson at 6:00 p.m. ♥

CSI Students and Habitat for Humanity

Collaboration to Design Handicapped Accessible Houses for Katrina Victims in New Orleans

Baltimore, MD (July 2, 2007)

Student members of the Construction Specifications Institute (CSI) attending the 2007 CSI Show in Baltimore in June competed to modify a standard Habitat for Humanity house design currently being built in New Orleans for handicapped access, specifically for the access challenged in a wheelchair.

Working in teams of four, students were given the standard construction documents and a fictional, prototypical family for whom the design was to be modified. The resulting designs

were juried by four professional members of CSI, an architect, two specifier/architects and a construction manager. All of the design modifications had merit, but first place winner Team 5 met the most criteria of improving the original design for sustainability, cost, efficiency and accessibility.

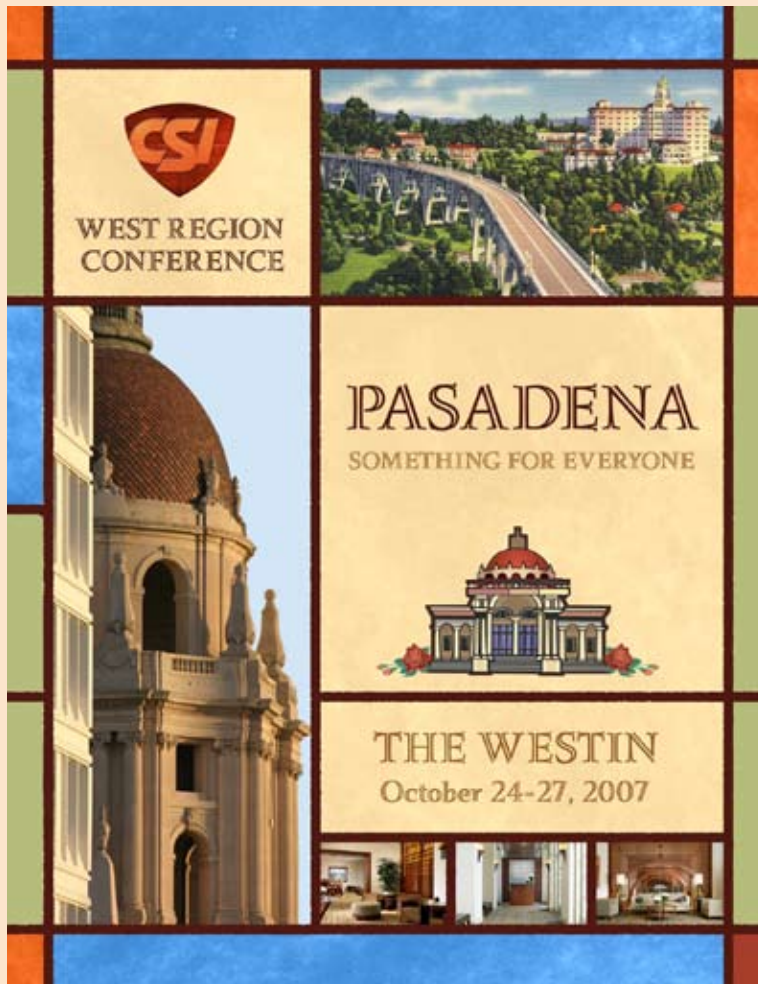
Team 5 participants:

- Fabian Marks, University of Memphis
- Hope Martin, University of Memphis
- Craig Stanton, Columbus State Community College
- Whitney Reeder, University of Tennessee

Judges:

- Ralph Leibing, CSI, Cincinnati Chapter
- Robert Alfonso, CSI, CCS, SCIP, New Orleans Chapter
- Ray Gaines, CSI, CCS, Central Virginia Chapter
- Mike Dibiak, CSI, CDT, Northeast Institute Director

The winning project has been taken to New Orleans by Robert Alfonso, CSI, CCS, SCIP, President of the New Orleans CSI Chapter, Their addition to the construction documents used by Habitat for Humanity New Orleans Area Affiliate will help provide a home for a family with accessibility needs. ♥



Sign up now for the West Region Conference!