

Focus on Programs

News Briefs

Cover Story Multiply Your Profits as a Design-Builder

Feature The Ethics of Design-Build

Notebook

Calendar

Cover Photo: Scott McDonald, Hedrich Blessing. Cover Project: A 10-story granite clad building at 1618 N. Sheridan Road in Wilmette. The design-build project by Optima Inc. features one luxury condominiun on each floor. With open floor plans, floor to ceiling glass, and outdoor balconies, the building takes full advantage of its lakeside location.



February 1997

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Susan Nelson

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Marshall Strabala of SOM

Wednesday, February 5, 6:00 p.m. Skidmore Owings & Merrill LLP, 224 S. Michigan Ave.
Sponsor: Young Architects PIA

A roundtable discussion with Marshall Strabala, an associate at Skidmore Owings & Merrill LLP. Part of a continuing series of discussions with local architects about their philosophy and work. 2 *LUs*.

Facility Planning for Obstetrical Services

Wednesday, February 12, 5:30 p.m. AIA Chicago

Sponsor: Architecture for Health PIA

Joyce Huber Durham, RN, AIA discusses major trends in obstetrical facilities planning and presents the new hybrid LDR/LDRP concept known as LDRPlus. As a principal at Chi System's facility planning group, Durham plays a major role in facility planning and programming and is highly skilled at addressing facility issues related to clinical departments. She has presented at various national conferences on future trends in facility planning and redesign for ambulatory care and nursing services. 3 LUs.

Brown Fields

Tuesday, February 18, 6:00 p.m. AIA Chicago

Sponsor: Environment PIA

Michael Iversen, AIA moderates a panel on recent changes in state and federal environmental regulations designed to promote the redevelopment of contaminated urban industrial sites, or brownfields. The panel will discuss design and development issues, including regulations, health and safety, and project funding. The city of Chicago has successfully demonstrated that both the environmental and financial goals can be met with brownfield reclamation pilot projects. Panelists include William Trumbull, assistant commissioner

of the city's Department of Environment, Robert Walter of Boelter Environmental Consultants, Ignazio Correo-Ariz, of the Center for Neighborhood Technology, and a private developer. Co-sponsored by the Real Estate PIA. 3 LUs.

Instant, Instinctive Marketing Part I



Wednesday, February 19, 5:30 p.m. AIA Chicago

Sponsor: Office Practice PIA

Barry Koren, AIA, Ph.D. presents basic tips for improving your firm's marketing. Discover some small but key marketing actions that can turn into habits. Identify techniques that can win opportunities and clients. *3 LUs*.

1996 Design Excellence Awards Submissions

Tuesday, February 25, 5:30 p.m. AIA Chicago

Sponsor: Design PIA

This slide review of submissions to last year's Design Excellence Awards is a great opportunity to see and discuss the recent work of many Chicago firms.

Architecture: Professional Pathways

On Saturday, March 8, AIA Chicago's Education to Practice Task Force is holding the second annual Professional Pathways conference at the Circle Center on the campus of the University of Illinois at Chicago (UIC). The half-day program allows architecture students and interns to learn more about the various careers available to them within the profession of architecture. Following presentations by a panel of local architects, participants meet with panel members in small group discussions. Architects wishing to participate as speakers are encouraged to call Doug Garofalo, AIA at UIC, 312/996-3335. For information about the event itself, call Lee Waldrep, Ph.D. at IIT, 312/567-8835.



Sign Me Up!

□ 2/5	Young Architects PIA: Marshall Strabala of SOM
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□ 2/12	Architecture for Health PIA: Facility Planning for Obstetrics
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Board Approves Funding for Structural Work Act Study

The AIA Chicago board of directors has agreed to help fund a study that will update a 1986 report on the economic impact of Structural Work Ordinances. The board did so in an effort to head off a Structural Work Ordinance for Chicago introduced almost a year ago by Alderman Patrick O'Connor of the 40th Ward (*Focus*, June 1996). The state's Structural Work Act was repealed in 1995.

The professional liability insurance community also provided support of the study through contributions from DPIC Companies, Professional Indemnity Management Co. and RA&MCO Insurance Services.

Compiled by Watson Wyatt Worldwide, the report will evaluate the impact of a Structural Work Ordinance on the cost of construction and on the competitiveness of Chicago businesses compared with those located in suburban communities. The

study will also examine the Ordinance's affect on construction site safety.

According to the Chicagoland Chamber of Commerce, which is spearheading a broad coalition of construction and business groups, Alderman Bernard Stone (50th Ward), chair of the Building Committee, wants the Structural Work Ordinance proposal on the city council's agenda early this year.

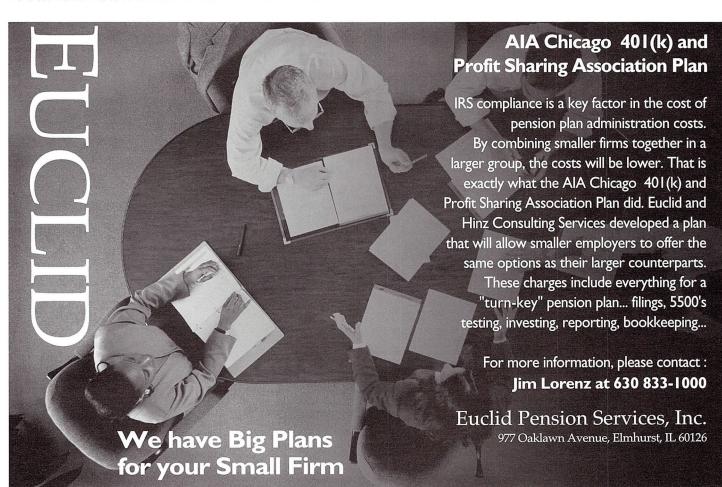
AIA Chicago to Hold Fourth Annual Lecture Series

AIA Chicago's fourth annual public lecture series examines Transformations—recent projects that exemplify the architect's role in the redevelopment of communities and the rethinking of spaces. The series includes eight lectures and begins on Wednesday, March 19. These free programs are held at the Chicago Cultural Center, 78 E. Randolph St., and begin at 5:30 p.m.

Landmarks Division Releases Storefront Conversion Guide

The Landmarks Division of the Department of Planning and Development has released *Converting Storefronts to Housing*, a detailed guide for architects, developers and building owners. The book contains numerous photos, renderings and floor plans from Chicago-area projects as well as several detailed case studies.

"Thousands of storefronts stand vacant or underused along Chicago's 500 miles of commercial arterials, remnants of once-thriving neighborhood shopping districts of the late 19th and early 20th centuries," according to the book. "Rehabbed into dwelling units, these former storefronts could bolster a city's residential neighborhoods, and become a soughtafter housing alternative."





A storefront conversion project by Doug Farr & Associates. The project, shown here in before (left) and after (right) shots, is a featured case study in the city's new guide to converting these commercial spaces to residences.

To order a copy of the publication, send \$7 to the Department of Planning and Development, City Hall, Room 1000, 121 N. LaSalle St., Chicago, IL 60602.

Chicago Women in Architecture Sponsor Career Development Fair

Chicago Women in Architecture (CWA) will host its annual Portfolio, Resume and Mock Interview Seminar in April and is looking for professional architects to volunteer to review portfolios and conduct mock interviews. The free workshop is designed for students and job-seekers. For information, call Darci Oberly at 312/341-9898.

What You'd Never Guess About CES

NCARB can help you earn CES Learning Units at your convenience. Through its Professional Development Program, NCARB offers a series of monographs that include a self-administered quiz. Read and study the monograph, take the guiz, and a passing score will earn you 30 learning units that meet the health, safety and welfare requirement and which NCARB reports directly to AIA.

The newest title in this series, Fire Safety in Buildings, was recently released. Its two authors are both architectural educators and volunteer firefighters who present life-safety needs in buildings from the perspective of the firefighting industry.

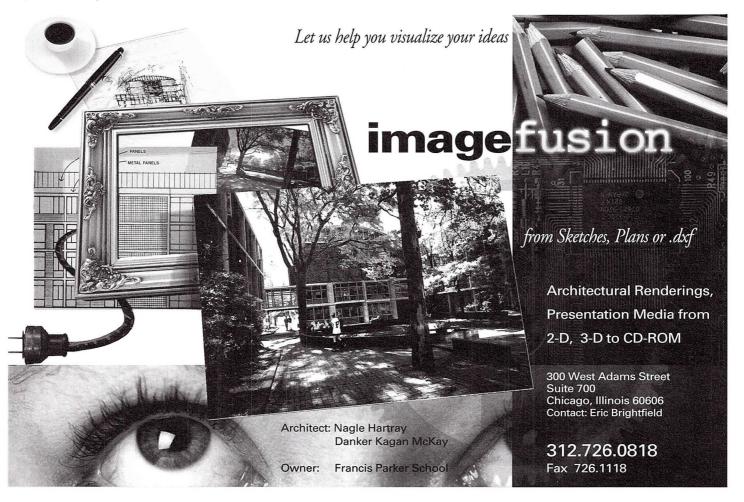
Other titles in the series include Energy

Conscious Architecture, Indoor Environment, and Subsurface Conditions. Design for Wind

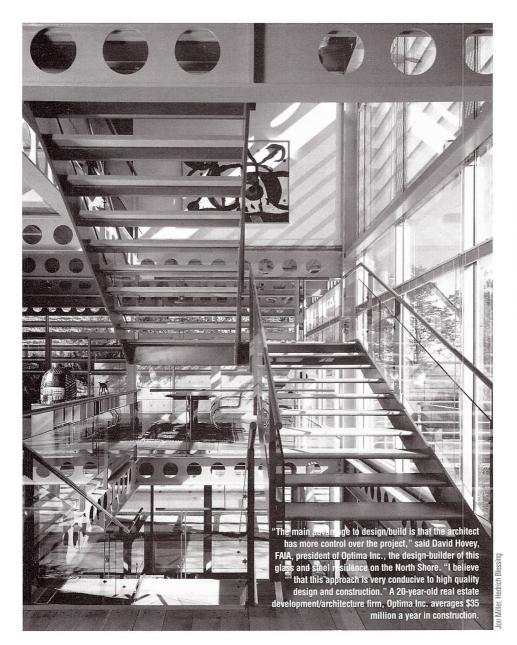
development are monographs on building

book, quiz, scoring, reporting, and recordkeeping. An order form can be printed off the NCARB home page on the World Wide Web at www.ncarb.org/services/order.html, or requested by phone 202/783-6500, fax 202/783-0290, or mail: 1735 New York Avenue. NW, Suite 700, Washington, D.C. 20006.

Forces will be published in June. Currently in codes and low slope roofing. Each monograph costs \$55 which includes the



Multiply Your Profits as a Design-Builder



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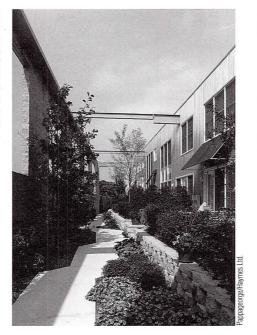
by Mark Friedlander

esign-build is by far the fastest growing method of project delivery in the country. Its popularity is owner-driven, primarily because of shortened project delivery times and the single point responsibility for project design and construction.

Architects have been somewhat irresolute about design-build. They have feared it diminishes the design professional's role and the importance of design to the project. There is some validity to these criticisms because architects have traditionally played a subservient role to the contractor in design-build projects.

Historically, the reverse was true. The architect as master builder had overall responsibility for the project, both the design and construction. However, as the legal climate became more adversarial, architects responded by reducing their responsibilities for construction, carving

"The architect's role has been diminishing over the years. We've become isolated," said George Pappageorge, FAIA. "When you take on a project as a design/builder, you go in the opposite direction. You open yourself to other disciplines such as finance and real estate. You come to understand the buyer's mentality and what makes [a project] work for them." Pappageorge/Haymes Ltd. was responsible for this loft project on West Altgeld Street in Chicago.





DLK Architecture recently founded DLK/Build to offer comprehensive design and construction services to its clients. One of DLK/Build's first projects is this 28,000-square-foot program and service center for the Girl Scouts/Illinois Crossroads Council. "I've spent my entire career as an architect hearing that design-build was a bad idea," said project manager Hill Burgess, AIA. "Now that I've done it, I think it's fabulous."

out the ever-narrowing niche they now occupy.

The Architect as Prime

I advocate that architects redefine their role, particularly in design-build projects. Architects have traditionally been subcontractors or joint venture partners of the contractor, presumably because of the contractor's stronger financial status. But it is usually the architect who develops the initial relationship with the owner and who has the owner's trust and confidence when construction begins. I submit that it is more logical (and far more profitable) for the architect to be the prime design-builder, subcontracting the actual construction to the contractor.

The first step I recommend is for the architect to form a strategic alliance with a financially sound or bonded general contractor. The contractor will agree to provide extensive pre-construction services (estimating, value engineering, constructability review, etc.) in exchange for the architect's promise to subcontract 100 percent of the construction work to the contractor.

The second step for most architects is to establish a sister company to be the architect's construction division. This company enters into a Master Subcontract Agreement with the contractor which

calls for the contractor to perform all of the construction for a cost (or with a guaranteed maximum price) of 95 percent (for example) of what the owner pays to the architect's construction company for the construction.

I suggest setting up the design-build agreement with the owner differently from what is contemplated in most standard form contracts. The architect may begin the project with a B-141 contract. If the owner elects to have the architect construct the project, then they sign a document establishing the construction price and completion date. This document may be signed at any time during the design phase, whenever the owner's program is sufficiently understood to establish the price and duration of the project. This can even occur early in the schematic phase, in which case the architect designs to the construction price as if it were a budget.

The contractor is closely involved in establishing the construction price and subsequent design because the contractor is promising to the architect that the project can be constructed for 95 percent (for example) of the construction price given to the owner. When the construction documents are sufficiently developed so that construction can begin, the owner then signs a lump sum construction contract with the architect's construction company which incorporates the price and schedule terms previously agreed.

Advantages When the Architect is Prime

Structuring a design-build project in this manner affords four significant advantages to the architect. First, it enables the architect to participate in construction profits which dwarf the profits from the design phase. Informal research among architectural firms that take the lead in design-build projects indicates that the ratio of construction to design profits exceeds four to one. There is a potential for even greater profits from construction savings when the ownerarchitect construction contract is for a lump sum and the architect-contractor subcontract is cost-plus with a guaranteed maximum price.

The second major advantage is in marketing. The architect will be able to offer an owner a design-build option that the owner may elect or not, at the owner's discretion, any time during the design phase. Architects employing this approach have found that the ability to perform both the design and construction of the project separates them from their competitors and results in many more commissions, even for projects that are ultimately delivered in a more traditional manner.

The third advantage is control of design. An architect who is prime can

Continued on page 8

control the quality of design and ensure that the construction implements the design.

The fourth advantage is minimized problems during the construction phase. The contractor would not be entitled to change orders for errors or omissions in the construction documents because the contractor participated in creating them. The architect-contractor relationship is non-adversarial, with the contractor assisting the architect in correcting unanticipated design problems, and the architect assisting the contractor by flexible interpretation of the design, allowance of substitutions, etc. Construction worker injury claims would no longer be defended under the professional liability policy, with its large deductibles, because the architect's

liability is as a contractor, covered under the contractor's general liability policy.

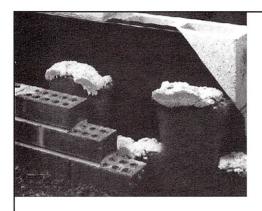
Minimal Risks and Obstacles

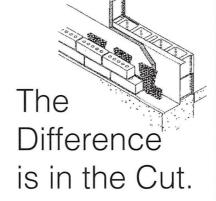
The major risk in architect-prime design-build is liability to the owner for construction defects and related problems. But if the architect is liable to the owner, the contractor is similarly liable to the architect. This is the theory of general contracting. As long as the contractor is financially sound or bonded, the architect's ultimate financial risk is minimal.

This design-build structure will not always be optimal or workable. It would have to be modified for public projects in some jurisdictions because of competitive bidding laws. The licensure laws some states also may create an obstacle. And, this project delivery method is not designed for an owner whose primary goal is to obtain the lowest possible price.

Additionally, this design-build structure is ideally suited to most private sector projects, particularly those that are driven by schedule or budget. Owners and contractors alike have expressed great interest in this project delivery style.

Mark Friedlander is a partner in the Construction Law Group of Schiff Hardin & Waite in Chicago. He is an adjunct professor at the University of Illinois School of Architecture and has been a lecturer at the University of Wisconsin at Madison and the Illinois Institute of Technology. He is currently chair of the Professional Practice and Contracts Committee of the Design-Build Institute of America.







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E E A T U R E

The Ethics of Design-Build

How can we guard the henhouse when we are working for the fox?





Clifford Bedar, AIA (left) and Michael Behm, AIA

by Clifford Bedar, AIA and Michael Behm, AIA

s we travel across the country and talk about our experiences as design-builders, we hear many reasons why architects are leery of design-build. One of the more consistent concerns is the question of ethics. How can the architect act in the client's best interest when they serve as both the designer and the builder?

The question is an ironic one. The ethics dilemma is a self-fulfilling prophecy that architects helped create and continue to nurture. The traditional design-bid-build process creates adversarial relationships which force more fundamental ethics issues. By its very nature, this does not act in the client's best interest, and consequently, the public's best interest.

It may be true that our ethics are challenged when we subcontract to a general contractor as part of a design-build team. We may be forced to make bad design decisions to increase project profitability, or look the other way during construction. How can we guard the henhouse when we are working for the fox?

The public sector, the litmus test for all ethics questions, has addressed this issue by adopting the two-step design-build method. In this low-bid process, an initial architect, recently dubbed "the design criteria professional," is responsible for communicating the infamous design intent in the form of an RFP for a design-builder to interpret and execute.

Is it any more ethical when the architect is in the lead in this low-bid design-build process? To answer that question, each of use must look at our own motivations when we are faced with the temptation to profit from lesser quality.

Our experience in the many forms of design-build suggests that there is one variation that addresses this particular

ethics question. It simply involves services similar to those of a construction manager for the construction portion of design-build. Both design and management of construction are undertaken as professional services, and design and construction fees are fixed. When the project cost and/or schedule is to be guaranteed, we negotiate additional fixed fees to compensate for the risk. All trade subcontracts are publicly advertised and bid which satisfies the public bidding laws for public work in most states.

Our clients reap all the benefits and efficiences of design-build. As with any design-build process, they are able to occupy their buildings more quickly with a fast-track schedule, project costs are guaranteed early in the process, and there is a single point of responsibility.

As architects, there are many advantages. We are able to procure commissions based on our overall qualifications. We have expanded our services, more than doubled our fees, and quadrupled our profits. Just as important, we are able to achieve better quality and construction. We cannot profit from lessening the quality; therefore, our only concern is to design and build the highest quality project for our clients with their budget and schedule. We thought this is what architects were supposed to do anyway.

Clifford Bedar, AIA and Michael Behm, AIA are principals at Clark Dietz Inc., an architecture, engineering and design-build firm in Chicago.

Illinois Laws Affecting Design-Build

For details, call AIA Illinois at 217/522-2309. Or refer to AIA Illinois *News* (1996, Issue 2, Page 5).

Interested in a local Design-Build PIA?

Fax your name to AIA Chicago. With sufficient interest, an initial meeting will be arranged.

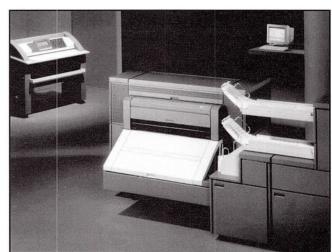
Manage the Risk of Design-Build

Next month in *Focus*, an insurance expert outlines the coverage you should consider when considering design-build.

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PEOPLE

Bailey Edward Design has relocated its offices to 900 N. Franklin St., Suite 402.

The Illinois Institute of Technology has elected Thomas Beeby, FAIA, principal of Hammond Beeby and Babka, to its board of trustees. Others recently elected include: James Cowie, general partner at Frontenac Co.; Deborah Hockman, a vice president at WMX Technologies Inc.; Stephen McConahey, president of EVEREN Securities Inc.; Carl Thoma, founding principal of Golder, Thoma, Cressey, Rauner Inc.; and David Vitale, vice chairman of First Chicago NBD Corp.

DeStefano and Partners has received an honorable mention from the Metal Construction Association for its Division Street Gateways project.

Phillips Swager Associates has opened a new regional office in Washington, D.C. The office will be headed by Daniel Moore, AIA and James Beight. AIA, former principals with Hansen Lind Meyer.

Federick Phillips, FAIA has received a grant from the College of Fellows of the American Institute of Architects to support the creation of "Wheel People," a traveling exhibition about manufactured houses and their occupants.

Skidmore Owings & Merrill LLP has named William Baker and Philip Enquist. AIA as new partners and has promoted Toni Griffin, AIA; Anwar Hakim, AIA and Philip Sawyer to the position of associate partner.

NEW PROJECTS

Holabird & Root LLP has been selected to complete the programming phase of the Illinois Institute of Technology's new campus center. The programming work includes identification of space requirements as well as recommendations for their use. The completed program will set the stage for an international competition for the design of the new center. The projected 75,000- to 90,000-square-foot facility will become the hub of campus activity and serve as a starting point for the overall refurbishment of the IIT campus.

Interior Space International (ISI) recently was assigned three new projects totaling over 4 million square feet of office space. The projects include: portfolio management of Midwest and East Coast facilities for Aetna Insurance, the renovation of three 16,000square-feet floors in the Chicago office of the Bank of Montreal, and ongoing facilities development in northern Illinois for Commonwealth Edison.

CALLS FOR ENTRY

The Academy of Architecture, Arts & Sciences in Beverly Hills, CA is sponsoring "Bigfoot," a competition to design a new football stadium for Los Angeles. The registration fee is \$75. Submissions are due by May 31. Prizes total \$25,000. For more information, fax a request to 610/299-0957.

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Tel: 312.649.0912 Fax: 312.649.1667 ARCHITEMPS@aol.com http://www.architemps.com The Terra Museum of American Art presents "An American Century of Photography—From Dry-Plate to Digital" through March 30. The exhibits includes this 1928 photograph by Ralph Steiner.

AIA St. Louis, sponsor of the official AIA photo contest, is now accepting entries for the **1997 AIA**

Photography Competition. The competition is open to any architect registered in the U.S. Associate members of the AIA and student members of AIAS many also enter. Four cash prizes totaling \$1,800 will be awarded. In addition, images for the 1999 AIA Engagement Calendar will be selected from all submitted entries. The deadline to submit slides—with an architectural theme—is March 1. The entry fee is \$20 for AIA members and \$25 for non-members (for five slides). Each submission must be accompanied by an official entry form. The form can be obtained by sending a self-addressed, stamped envelope to AIA St. Louis, 911 Washington Ave., #225, St. Louis, MO 63101, or from the January and February issues of AIArchitect.

The **Village of Plainfield** is sponsoring a singlestage, national competition for its new 300-acre Town Center. The Center is located along the bank of the Du Page River, opposite the historic downtown of Plainfield. The Village needs a vision for the town center and a feasible development plan for achieving that vision. The focus of the competition will be directed toward architecture and urban design. The competitors solutions should also address landscape architecture and planning. Team entries are encouraged. Presentations will be limited to two boards, both 30" by 40" high. Monetary prizes will be awarded to winners. For a complete competition program and to register, send a non-refundable fee of \$90 to The Plainfield Competition, Village of Plainfield, 23145 W. Lincoln Hwy., Plainfield, IL 60544.

PROFESSIONAL DEVELOPMENT

Stein, Ray & Conway will hold its **6th Annual Symposium for Design Professionals** at 8:00 a.m. on Monday, February 10 at the Chicago Marriott Downtown, 540 N. Michigan Ave. The symposium is designed to help architects meet the challenges of today's legal environment. The seminar fee is \$70; all

proceeds in excess of the program cost will be donated to the Chicago Architecture Foundation. Contact Bonnie Jean Hale at 312/641-3700 to register. Participants will receive AIA/CES learning units.

The Association of Project Managers (APM) and the National Society of Professional Engineers (NSPE) are offering **Developing Project Managers for the 21st Century**, a series of three one-day workshops prepared specifically for design and construction industry managers, in Chicago on March 19, 20 and 21. Registration fees are \$270 for one workshop for APM and NSPE members; \$295 for non-members. Additional workshops are \$225 each.Call APM at 773/472-1777.

VARIOUS MATTERS

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The Terra Museum of American Art. 664 N. Michigan Ave. is exhibiting "An American Century of Photography" through March 30. The show features the work of Ansel Adams, Richard Avedon, Robert Mapplethorpe, Man Ray, Aaron Siskind and Alfred Stieglitz among many others. Call 312/664-3939.

AIA Chicago is seeking area architects to volunteer as casual hosts to visiting foreign architects. Responsibilities may include a telephone conversation. possible office visits and informal tours. Bi-lingual AIA Chicago members are encouraged to call Joan Pomaranc at 312/670-7770 to volunteer.

> **AIA Chicago on the Internet:** www.aiachicago.org.

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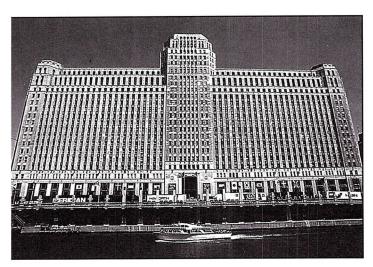






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February

5 Chicago Architecture Foundation. Brown bag lunch. Building a Downtown for Schaumburg. 12:15 p.m.; Lecture Hall, 224 S. Michigan Ave. Information: 312/922-3432.

Young Architects PIA. Marshall Strabala of SOM. 6:00 p.m.; Skidmore Owings & Merrill LLP, 224 S. Michigan Ave. Register on page three. *2 LUs*.

- Corporate Architects PIA. Monthly meeting. 6:00 p.m.; AIA Chicago.
- Planning & Urban Affairs PIA. Monthly meeting. 12:00 noon; AIA Chicago.

Chicago Architecture Foundation. Brown bag lunch. Wacker Tower Private Residence: Reuse of an Historic Skyscraper. 12:15 p.m., Lecture Hall; 224 S. Michigan Ave. Information: 312/922-3432.

Architecture for Health PIA. Facility Planning for Obstetrical Services. 5:30 p.m.; AIA Chicago. Register on page three. *3 LUs*.

Architectural Woodwork Institute. Veneer Slide Show and Panel Discussion. 4:30 p.m.(registration); 5:00 p.m. (presentation). Como Inn, 546 N. Milwaukee Ave. \$35 per person. Information and reservation: 630/790-2219.

Historic Resources PIA. Monthly meeting. 5:30 p.m.; AIA Chicago.

Computer Aided Facility Management Council. Customizing Auto CAD Menu. 9:00 a.m.; Evanston Hospital. Call Julie Ford, 847/570-2638, for directions.

Environment PIA. Brown Fields. 6:00 p.m.; AIA Chicago. Register on page three. 3 LUs.

Construction Industry Affairs Committee.
Monthly meeting. 8:30 a.m.; AIA Chicago.

Chicago Architecture Foundation. Brown bag lunch. Adler Planetarium & Astronomical Museum: East Pavilion Addition. 12:15 p.m.; Lecture Hall, 224 S. Michigan Ave. Information: 312/922-3432.

Office Practice PIA. Instant, Instinctive Marketing Part I.; 5:30 p.m.; AIA Chicago. Register on page three. *3 LUs*.

- Government Affairs PIA. Monthly meeting. 12:00 noon; AIA Chicago.
- Education PIA. Monthly meeting. 5:30 p.m.; AIA Chicago.

Design PIA. 1996 Design Excellence Awards Submissions. 5:30 p.m.; AIA Chicago.

Construction Specifications Institute. New CSI MasterFormat. 5:00 p.m. (reception); 6:00 p.m. (program). Second floor of the IBM Building, 330 N. Wabash Ave. Reservations: 312/641-5986.

Chicago Architecture Foundation. Brown bag lunch. Chicago's Terra Cotta Treasures. 12:15 p.m.; Lecture Hall, 224 S. Michigan Ave. Information: 312/922-3432.

Real Estate PIA. Monthly meeting. 5:30 p.m.; AIA Chicago.

Technical Issues PIA. Monthly meeting. 12:00 noon; AIA Chicago.

Interior Architecture PIA. Monthly meeting 5:30 p.m.; AIA Chicago.

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