

Bulletin
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AIA Michigan



A Society of
The American Institute of Architects

Legislative Efforts Require Negotiation

By Arthur F. Smith, AIA, President, AIA Michigan

The AIA Michigan Executive Committee and Board have been negotiating with the Coalition for Interior Design Registration (CIDR), the Interior Designers' legislative group, and the Home Builders Association.

Home Builders

As reported in the previous newsletter, the Home Builders pulled away from the negotiation table to pursue "repeal the seal" legislation to eliminate the requirement of an architect or engineer seal on residential construction over 3,500 square feet. We believe the issue deals with sloped sites where a basement is considered a "walk-out" and its area is included in total square footage. As a result, a 2,500-square-foot ranch becomes a 5,000-square-foot residence including the basement "walk-out." It is this square footage interpretation that has caused the Home Builders a hardship in many instances.

While our Board opposes the "repeal the seal" proposition, we've indicated willingness to engage in further discussions. Although we understand the Home Builders are actively pursuing this issue, to our knowledge no official "repeal of the seal" bill is pending at this time in the legislature.

Interior Designers

On the other hand, there has been a flurry of activity surrounding Interior Designers attempts to be recognized as professionals capable of providing interior design services and obtaining building permits without the need of an architect or engineer seal. The AIAM Interior Design Task Force has met numerous times to discuss various versions of their proposed legislation, essentially organized around exemption language to Article 20, which defines the practice of architecture and engineering.

After a meeting on June 23, their proposed legislation was modified to include National AIA exemption language. With that modification, but before the AIA Board could formally review the final language, the legislation – House Bill 4535 –

was introduced to committee June 26 and moved to the floor of the House of Representatives.

The AIA Michigan Board then voted July 23 to oppose any legislation that would open Article 20. The Board indicated they would support a separate article for Interior Designers that would follow the AIA National Accord for a title act.

CIDR and Representative Ilona Varga (D-Detroit) have committed to revising and/or stopping the Bill's progress until it is in a format acceptable to AIA Michigan. We are working to stop movement on the Bill when the legislature returns after its summer recess in September.

Overall, my intent is to lead the discussions with the various allied professionals, e.g. Home Builders and Interior Designers, to build a coalition of recognized professionals while addressing each organizations' objectives. I believe our position within the construction industry is strengthened if we take an active stance in influencing the future role of Home Builders and Interior Designers.

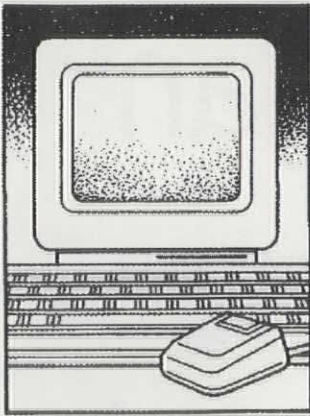
Whether or not we participate in the negotiations, these legislative efforts will proceed without us.

If we walk away now, the other organizations certainly will continue to influence the legislature and public with the message of their important role and value to the health, safety and welfare of the citizens of Michigan. We would simply be left picking up the pieces, on the defensive, fighting legislation and lawsuits – spending our time and energy and a majority of our available funds on battles that do not identify our value to our clients and the public. Ultimately, this would create a greater separation between our organizations, and weaken our influence within the building process.

Now, we have an opportunity to influence the outcome for the joint benefit of all organizations involved. To be effective in the negotiations, we must create an atmosphere of trust, faith and willingness to work towards a higher level. Welcoming allied professionals and providing guidance gives us true power and influence.

We have much to gain in terms of common goals of each

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Other E-mail addresses for AIA Michigan are not valid or authorized for use by any other organizations or members.

Huron Valley

Architects Exhibit Art

Art by Architects, an ongoing show of artwork by seven Ann Arbor architect/artists, is on exhibit at Sweetwaters Cafe in downtown Ann Arbor. Dan Barry of Mitchell and Mouat Architects and the Architects Action Network coordinated the show, which was organized by Matrix Gallery.

Huron Valley members participating in the show include: Jim Nicolow, photography; Sarah Wagner, graphite on paper, and Dan Barry, sketches of Ann Arbor alleys; Craig Hoernschemeyer, wood; Ann Cox, watercolors; and Dan Barry, marker/pastel (Aug. 10-Aug. 31).

Huron Valley members (and all other architects!) are invited to gather informally at the Cafe on August 28.

Flint

Members Honored

AIA Flint honored three members for long and outstanding commitment to the Chapter and a fourth was recognized by advancement to Architect status.

Gerald Harburn and James Tomblinson of THA Architects Engineers, and Auldin Nelson of Nelson, McKinley and Reed received recognition for their commitment to the Flint Chapter. The three were instrumental in the formation of the chapter in the late 1950s. Prior to this time, Flint area members were part of the Saginaw Chapter.

Associate member John Campbell was elevated to status of Architect after passing the Wisconsin architectural exam. He works with Asselin and Associates.

Northern Michigan

Field Sketches Make Great Postcards

AIA Northern Michigan produced 1,000 postcards featuring six field sketches of Traverse City. Part of the Chapter's marketing efforts, the postcards were distributed free to area hotels, restaurants, bed and breakfasts, visitor centers and other tourist attractions. The front of the postcard was artwork, the back was printed with "Celebrate Architecture. AIA Northern Michigan Chapter."

Artists included four AIAM members: Dick Drury, Paul Hazelton, George Moutsatson (Northern Michigan Chapter President) and Ken Richmond (Chapter VP and coordinator of the postcard program). Two cards featured art from friends of AIA, Joan Gallagher Richmond and Kay Krapohl.



Detroit

AIA Detroit Honor Awards submissions are due August 22, 1997. Categories include Building, Low Budget/Small Project, Interior Architecture and 25-Year Award. Awards will be presented, and the projects exhibited, at the AIA Detroit Honor Awards Presentation on Nov. 14, 1997 at the Detroit Institute of Arts. For information call 313-965-4100.

AIA Detroit and Greater Detroit AGC "Partner" for the Future

Work of the AIA Detroit and Greater Detroit AGC Partnering Task Force culminated in late May with the signing of a history-making partnering charter. The partnering charter promotes eight goals and objectives for providing efficient and high quality design and construction services.

The goals and objectives are:

- The promotion of design and construction excellence in all aspects of building.
- Supporting Total Quality Management in the delivery of all design and construction services.
- Ensuring a commitment to continuing communication between the AIA Detroit and the Detroit AGC at all levels within both organizations.
- Perpetuating the development of industry and government best practices as well as new approaches to design and construction, such as partnering and alternative dispute resolution.
- The promotion of environmental awareness in the conduct of business.
- The promotion of efficient procurement as well as contract administration practices fostering a fair and open selection process in design and construction.
- Encouraging advance team building among participants in the design and construction of projects.
- The promotion of good faith and fair dealing as the foundation of relationships within the industry.

The joint task force was chaired by John Czarnecki, AIA, of Barton Malow Co., Southfield.



AIA Detroit President Andy Vazzano, AIA (right) and AGC Greater Detroit Chapter President Michael Haller (center) sign the partnering charter as Partnering Task Force Chairman John Czarnecki, AIA looks on.

Notes From ADA Steering Committee

By David Esau, AIA

Member, Michigan ADA Steering Committee

Publications

Two new publications provide technical assistance on ADA issues relating to facility design. The first covers restriping of parking lots and the second addresses common errors in applying ADA requirements to new construction and alterations. The second, especially, is an excellent summary architects should read. The publications have been issued by the Dept. of Justice.

ADAAG Supplement

The Access Board (governing body for the ATBCB, the federal entity responsible for developing and updating ADA

Accessibility Guidelines) has approved two new sections for ADAAG. Part of the Title II (state and local government) ADAAG supplement anticipated for several years, the new sections provide design requirements for facilities primarily governmental in nature including Correctional Facilities and Judicial Facilities. They take effect when they are published in the Federal Register some time this summer.

Other parts of earlier drafts of Title II ADAAG supplement (covering publicly funded housing and public rights-of-way) are being held back pending coordination with other standards-setting bodies, and probably won't be approved in the near future.

The Access Board is also expected later this summer to approve additional ADAAG changes providing clear requirements for design of Children's Facilities. So far,

Design
Retreat

Explore Architecture, Enjoy Nature & Friends

Explore ideas and attitudes about architecture in an informal atmosphere, share camaraderie enjoying nature's splendor and spend time talking and thinking about what we all went to school for. Imagine – fun in the woods conversing about architecture!

The annual Design Retreat offers the opportunity to think and talk design, and to examine the role of the architect with your peers. Held at Camp Hayo-Went-Ha on the east shore of Torch Lake, the retreat begins on Friday evening with registration and hospitality. Saturday is dedicated to presentation and discussion of 16 projects (see list below). Depart early Saturday morning to head home, or to the links for a round of golf.

Registration for students and associates is \$79, "pros" registration is \$99. Three students can take advantage of a package deal for \$225. For information or to register, contact AIAM at 313-965-4100.

Design Retreat Featured Projects

<u>Project</u>	<u>Firm</u>
Avalon Films	Victor Saroki & Associates
Dining & Activity Center	GBKB Associates
Ethyl Corp. Research Center	Albert Kahn Associates
General Motors Service Parts Operations Headquarters	Neumann/Smith & Associates, Inc.
Godwin Heights Science Center	Progressive Architecture Engineering Planning
Kalamazoo Valley Museum	Tower Pinkster Titus Associates, Inc.
Kemper Museum of Contemporary Art & Design	DiClemente Siegel Design, Inc.
Lowell High School	BETA Design Group, Inc.
Orion Oaks Elementary School	URS Greiner, Inc.
Pontiac Osteopathic Hospital	SHG, Inc.
Residential Renovation	Seydler-Sweatt, architects
Rogel Residence	Luckenbach/Ziegelman & Partners, Inc.
The Ronald F. Titus Digital Studio	Ronit Eisenbach Architectural Studio
Spiritus Sanctus Academy	Uppgren Associates
Sunrider International Headquarters	Rossetti Associates Architects
VA Medical Center Research Building & Energy Center	Harley Ellington Design

New Study Material Available for Computerized ARE

The National Council of Architectural Registration Boards (NCARB) has just released new study material to prepare for the computer-based Architect Registration Examination (ARE). The new study guide includes a video and a book to guide candidates through the new exam – from testing environment to the software used, and finally, the scoring and reporting process.

The video includes a "sneak preview" of what the exam includes, an inside look at one of the 214 test centers, and demonstrations of the multiple-choice questions and how each of the graphic vignettes work. It also includes tips and tricks for using the drawing tools effectively.

The book shows printed versions for all graphic vignettes, includes sample solutions for each vignette, critiques all solutions to show why they pass, and provides sample questions and answers for all multiple-choice divisions.

Cost is \$85 plus shipping. To order with a credit card call 202-783-0290. Visit the NCARB's web site at <http://www.ncarb.org>.

September

- 5-6 Design Conference**
AIAM Design Retreat sponsored by AIAM. Camp Hayo-Went-Ha, Torch Lake. \$99. Call 313-965-4100
- 10 Seminar**
AIA Detroit Building Codes & Regulations Committee. Novi. Call 313-965-4100.
- 17 Rittner French Seminar**
Rittner French Associates sponsors a seminar on doors, frames and door hardware, "Hang the Door, Lock the Door, Control the Door, Protect the Door." 3-7 p.m. Saginaw, Michigan. \$25 per person, or \$15 by Aug. 31. AIA LUs. Call 810-651-1333, or 800-RFA-4-SPEC.
- 19-20 Annual Conference**
Historical Society of Michigan Annual Conference. Holland. 313-769-1828.

October

- 1 Seminar**
Energy Management in Design and ASHRAE 90.1. Speaker: James Partridge, PE. Sponsored by AIA Detroit Building Codes & Regulations Committee. 5:30 p.m. Giffels Associates, Southfield. Call 313-965-4100.
- 4 Career Planning Day**
"Take the Next Step," sponsored by AIAM and Lawrence Technological University. Southfield. \$10 advance, \$15 at the door. Call Denise Hopkins for information, 616-458-0875.
- 9-10 Education Conference**
"Educational Facilities Conference" sponsored by AIAM and MAF. Shanty Creek, Bellaire. Call 313-965-4100
- 11 UofM**
College of Architecture + Urban Planning Alumni Reunion Weekend. Speakers: James van Sweden and Martha Schwartz. Game: UM vs. Iowa. Hotel: Holiday Inn North Campus, 313-769-9800.
- 23 Construction Industry Series**
"The A/E & Owner's Role" sponsored by Michigan Construction Industry Professional Education Council. 9 a.m. - 3:15 p.m. Holiday Inn West, Lansing. Call AGC, 517-371-1550

November

- 15 Seminar**
Global Seminar sponsored by AIAM and UofM. Call 313-965-4100
- 21 UofM**
College of Architecture + Urban Planning Lecture Series features Peter Eisenman, Eisenman Architects, New York

The information on seminars listed above are seminars/conferences that the AIA Michigan will publicize to its members. Additional seminars from all sources will be added as they arise and information will be updated as we receive the information. Continuing education programs statewide may be submitted for review and added to this calendar. University programs from LTU, Andrews, UD/M and UM will also be included.

Continuing education credits will automatically be credited where AIA Michigan or AIA Detroit is the primary provider. AIA members may receive credits for any program, provided the member complete the self-evaluation form and return it to AIA National.

Educational Facilities Conference Slated for Oct. 9-10

The 1997 Educational Facilities Planning Conference is scheduled for Thursday and Friday, Oct. 9-10, 1997, at Shanty Creek Schuss Mountain Resort in Bellaire.

Presentations include The Real Magic of the Classroom, New Items and Issues for the Bond Issue, MSBO Vision, The Ongoing Costs of Technology, Technology Case Study - Okemos Public Schools, Fire Marshal Update, It Passed - Now What Do We Do?, Staying with the Plan - A Case Study and roundtable discussions. A very popular session each year is a slide show featuring new or renovated school work by Michigan architects. This year's 60-minute show highlights recent work solving current problems.

Sponsors include:

- Michigan Architectural Foundation
- AIA Michigan
- Michigan School Business Officials
- Michigan Department of Treasury
- Michigan Association of School Administrators

Registration prior to September 15, 1997 is \$190 for AIAM members (\$225 after Sept. 15). Earn 26 AIA Learning Units. Watch for the upcoming flyer, or call the AIAM office at 313-965-4100.

Stepping Into the Future With AIAM

AIA Michigan and Lawrence Technological University offer a program to help young professionals and students with career options. The day-long "Take the Next Step" program will be held on Saturday, Oct. 4, at LTU.

Seasoned architects will offer information and advice to students, graduates, interns working on IDP, and those preparing for the registration exam or just recently registered.

In addition to a tour of the Affleck House, the program includes:

Job Seeking	Jim Cardoza , VP, Director of Architecture & Design, Giffels Consultants
Portfolios	David Jarl , AIA, Principal, Eckert/Wordell Architects
Presentation Skills 3D	Gretchen Maricak , Assoc. Professor, LTU
Architecture in the 90s	Ken Neumann , FAIA, Neumann/Smith & Associates
IDP	Blake Elderkin , Assoc. AIA, State IDP Coordinator
ARE	Michelle Rumsa , AIA Southwest Chapter Associate Director
Presentation Skills Color	Gretchen Maricak , Assoc. Professor, LTU

Pre-registration is recommended. Registration fee is \$10 before Sept. 24, \$15 at the door. A flyer with registration form is being mailed. For information call Denise Hopkins at 616-458-0875.

Next Step Committee members include Rusty Hudson, Assoc. AIA, Flint; Michelle Rumsa, Assoc. AIA, Southwest Michigan; Denise Hopkins, AIA, AIA Michigan, and Tricia Wolters, AIAM student director.

Northwood Univ. Fellows Take Note!

Performances, discussions, exhibitions, historical reviews and celebration will be part of a weekend conference to celebrate the 20th year of the Alden B. Dow Creativity Center of Northwood University. The conference will provide a venue for former Fellows to meet and share Fellowship experiences.

The celebration is planned for June 11-14, 1998 at the Northwood campus in Midland.

ESD Awards Recognize Members

AIAM members received ESD's 23rd Annual Construction & Design Awards. A jury from the Cleveland Engineering Society selected the winning projects from among many submitted by Michigan-based architects and engineers.

AIAM members honored include:

John Dziurman Architects Ltd. – historic restoration of Haig Galleries, Rochester.

Ellis/Naeyaert/Genheimer Associates – Bio-Pharmaceutical facility, Rochester.

Harley Ellington Design – General Motors Truck Product Center, Pontiac.

Hobbs + Black – Agriculture and Livestock Education Pavilion, Michigan State University, East Lansing.

Albert Kahn Associates – BMW manufacturing plant, Spartanburg, S.C. (national category) and the Maccabees Building, Detroit (historical category).

Neumann/Smith & Associates – Summit on the Park, Canton.

Constantine George Pappas AIA Architecture/Planning – St. John Vianney Catholic Church, Shelby Township.

SHG Inc. – Chrysler Corp. World Headquarters, Auburn Hills; and Dept. of Veteran Affairs Medical Center, Detroit (Landscape architect: JJR Inc. on both projects).

Five Star Home Grants Are Back

Last year five Michigan builders received up to \$8,000 for houses achieving a five star rating under the Michigan Home Energy Rating System. Grants up to \$8,000/house are again available for homes built in 1998. Five star rating is the minimum criterion. Selection will be based on energy efficiency, innovations and marketing plans. Only five houses will be selected for 1998 grants.

The Energy Resources Division, Michigan Department of Consumer & Industry Services, will be providing the financial incentives. Home builders are eligible for a \$5,000 (\$2.50/square foot of conditioned space) energy efficiency incentive plus up to \$3,000 for marketing expenses. All applicants will receive a free home energy rating for the house they submit. Builders receiving five star home ratings are placed on a list of Five Star Home Builders. Grant applications are due December 15, 1997 and can be obtained by calling Doreen Western at 517-334-6261.

The Association of Collegiate Schools of Architecture recently sent a letter of appreciation to AIAM and AIA Detroit for supporting the ACSA/AIA Teachers' Seminar... **Robert Beckley**, FAIA of UofM College of Architecture + Urban Planning reviewed the University of New Mexico School of Architecture and Planning graduate program. Beckley also made a presentation on doctoral education in architecture in the 21st century... **Brian Craig**, AIA was successful in his bid for a seat on the Grand Rapids School Board... **The Dailey Company** named Deborah Anderson project manager... **Frank Gorman**, AIA of Gorman Architects

Planners, Inc., appointed College Architect for Calvin College... **Michigan Benefit Plans** appointed Michael Arsenault as the new group and individual health, life and disability representative... **Jerome Neyer**, PE named University of Detroit Mercy Alumnus of the Year for 1997... **Quinn Evans/Architects** has been selected for the \$6 million renovation to Whiting Auditorium in Flint... **Jerry Shea**, FAIA will address "Process of Change: Conceptual Changes to AIA Documents-A201, B141, and Beyond" at two-day conferences scheduled for October in Atlanta and November in San Diego. The conferences are

sponsored by AIA and the American Bar Association... **Dr. Sharon Sutton**, FAIA, professor of architecture and urban planning at the University of Michigan, is part of the On-Call Faculty Program, Inc. Sutton serves as a guest speaker and conducts workshops on "Environment, Culture and Youth"... **Robert Tower**, AIA, chairman emeritus of Tower Pinkster Titus Associates, Inc., is featured in the April 1997 *Encore Magazine*... **Don Trim**, P.E., of Wade-Trim, Detroit, was named president elect of the American Consulting Engineers Council. He will become president of the national organization in May 1988

Grapevine

Schinnerer Analyzes Document Drafts

Victor O. Schinnerer & Company, program administrator and underwriting manager of the CNA/Schinnerer Professional Liability Insurance program commended by AIA, has published an analysis of the professional liability and risk management issues of the 1997 B141 and 1997 A201 documents. Schinnerer also prepared a response to the document drafts to encourage further modification of B141 to include the term "general supervision."

In its review of B141, Schinnerer suggests that "Architects will have new opportunities to make changes in their practices under the new B141. Architects who want to expand their practices will have to be capable of providing the services and should be given the authority to manage the concomitant risk. They should also be compensated appropriately for the higher level of service and risk undertaken."

Architects who feel comfortable with the present scope of services in B141 will find very familiar features in the new B141. Perhaps most importantly, architects will need to have a more complete understanding of the B141 agreement

form and project delivery requirements. B141 no longer can be seen by the profession as a "one size fits all" agreement as the earlier versions were often misconstrued.

For further analysis of the documents, contact Schinnerer at 301-961-9800, or visit web sites www.schinnerer.com or www.planetaec.com.

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Firm News

New Positions...



Pozolo

Albert Kahn Associates: Cynthia Kozak Pozolo, AIA to vice president... **Ellis Naeyaert Genheimer Associates Inc.:** Herbert Jensen, AIA and Michael Tarske, PE to board of directors... **Fishbeck, Thompson, Carr & Huber Inc.:** Mark Ruedy, AIA, to project and design

development for healthcare and theater projects...

Gunn Levine Associates: Valdemar Losse, RA as senior project manager for health care expansion and renovation projects; Mohsen Gouneili, RA as senior project manager for both healthcare and higher education projects... **Neumann/Smith & Associates:** Emil Sdao, RA and Dawn Black to associate... **SHG Inc.:** James Turissini, AIA as business development director

New Firms/Names...

Giffels Associates, Inc. And Gutierrez Cortina Arquitectos, S.C. formed an alliance to secure and execute projects in North, Central and South America... **Kraemer Design Group, PLC,** formed by Robert J. Kraemer, AIA and Maureen McGovern Kraemer, Assoc. AIA, provides architectural design services

Calif. Architects Appreciate AIAM Support

A recent letter from Roberta Jorgensen, AIA, president of the AIA California Council, expressed gratitude for AIAM's \$1,000 contribution to fight an amendment to that state's constitution. The letter reads as follows:

"On behalf of the California architectural profession, I would like to thank you for your very generous contribution to ARC PAC, the *Architects Registered in California Political Action Committee*.

"As you know, your contribution will help us defeat the Competition Killer Constitutional Amendment which will appear on the next California statewide ballot and which would set a dire precedent for the rest of the country. You are to be commended for stepping forward to assist your colleagues in their time of need. Be assured that your advocacy is very much appreciated and please do not hesitate to contact us if we may ever return the favor."

Obituaries

HERBERT BECKWITH

Architect and longtime professor at the Massachusetts Institute of Technology, Herbert Beckwith died on June 3. He was 94.

Beckwith helped design 11 buildings at MIT. He was an associate of Eero Saarinen in the development of the Kresge Auditorium and the MIT Chapel. He also helped design university buildings at Rutgers, Fisk, Rochester and Virginia. He designed the US Embassy in Taiwan and various buildings in Tokyo.

Born in Midland, Michigan, Beckwith began teaching at MIT in 1926. He is survived by his wife, Elizabeth; a daughter, Suzanne Bynum; three grandchildren, and three great-grandchildren.

REV. WILLIAM CUNNINGHAM

Father William Cunningham succumbed in his battle with cancer in late May. He was founder of Focus:HOPE, one of the nation's most innovative civil rights organizations. Fr. Cunningham was recognized by the AIA Detroit Chapter a few years ago when he was named Honorary Member.

ARTHUR SCHMIDT

Longtime Detroit-area architect, Arthur O.A. Schmidt designed private homes and several well-known businesses including Jacobson's. He passed away on June 13.

Schmidt, 87, was born in Detroit and graduated from the University of Michigan with a bachelor's degree in architecture. He also studied at Cranbrook under Eliel Saarinen. He worked for firms in Chicago and Detroit before opening a firm in 1943 in the Buhl Building downtown. He owned Arthur O. A. Schmidt & Associates until his retirement in 1975.

He is survived by his wife, Dorothy; a son and a daughter; a sister; five grandchildren and three great-grandchildren.

GEORGE STUCKY

George D. Stucky passed away on June 3. He was born in 1937. A graduate of the University of Michigan, Stucky was a longtime AIA Detroit member with the firm of Stucky-Vitale in Royal Oak.

He is survived by his wife, Judy; and three children, David, Robert and Julie.



THE CODE CORNER: Charles Checkset III AIA

The man in the hallway slid his hand inside the drooping tweed jacket and felt the thick of an envelope. In front of him the words Noble, Fresh & Goode, Architects and Planners PC ran across a spotless glass door in confident red letters. Inside, a young woman was working at a desk in front of a wall of renderings and photographs. To the rear were several office cubicles. One had a monitor awash in yellow tissue. The man sucked up his chest, gave his creaseless gray trousers a portly hitch and opened the door.

"May I help you?" the young woman said pleasantly with a smile. An uneven rhythm of work sounds and conversation floated from the cubicles carried on an unifying undertone of Mozart.

"Mr. Goode please," gruffly, throat-clearing, like sandpaper on dry wood, "Mr. Charles Goode."

"May I say who's calling?"

"Bloswick, Magistrate's office, Circuit Court." He used the words like a blackjack. She bolted to her feet and the chair and wastebasket clattered into a tangle. The man could see apprehension as she hurried into the rear and the tiredness left his face - briefly. Moments later only Mozart could be heard, alone, loud, suddenly mocking.

"I'm Charles Goode. May I help you?"

Goode was as the man imagined: Every cubic inch the confident architect; a touch of premature grey at the temples, immaculately shined tassel loafers and full-scale smile that made the cost of additional services worthwhile.

"This is for you, Mr. Goode." The man reached into the tired jacket. "This is a summons and complaint, Mr. Goode. You have ten days to file an answer with the Court or a judgment will be entered against you." The man leveled the envelope at Goode as if he were making an arrest then savored Goode's shock and disbelief.

Satisfied, he turned toward the glass door. "Have a good day," he said over his shoulder. He chuckled inwardly. He liked architects. They were always unsuspecting; fun. "I ought to know," he said to the hot July day, "I've served enough of them."

Nobel, Fresh and Goode huddled around the conference table. The door was shut and a mute silence hung over the cubicles. Word of the summons had spread and Gross Negligence was the word. Apprehension replaced Mozart.

"This is outrageous! So the handrail pulled loose. That's the contractor's problem. We weren't hired for the construction phase."

"What do they allege?"

"Count one: Failing to design the building to comply the BOCA code. Count two: Failure to refrain from gross negligence and willful and wanton misconduct. Count three: Failing to warn the tenants and their business invitees and avert injury. Count four: Indifference to whether or not harm or damages would result from the failure to properly design the building."

"Bull! That wasn't our handrail."

"Wadda they want?"

"Damages in excess of \$10,000.00."

"For what?"

"Pain and suffering, loss of income and loss of consortium."

"They haven't a chance. This is nothing more than extortion. It's blackmail! We're gonna sue them. What's the word...Frivolous. This is a frivolous suit. By god we'll sue 'em. We'll teach 'em a lesson they can't use the law this way."

"Cool your jets. This is nothing more than a misunderstanding, it'll go away."

The law offices of John T. Growler Esq. were intentionally sumptuous. Insurance work paid well and there was an abundance. Besides, expensive equaled good. He brooked no argument on that issue.

"Mr. Growler, this is a bum rap. We only designed the addition. She fell in the original building. All we did was decorating in the old part."

Fresh nodded in emphatic agreement, "We're really sorry she was hurt but it wasn't our fault."

"We did some research," Goode continued, "Here are the facts. Right out of the BOCA code, copies and all."

"You boys do good work," Growler said smoothly, "You've got \$250,000 of professional liability, right?"

"Yes sir."

"The policy has a \$25,000 deductible, right?"

"Yes, Mr. Growler, look, our contract is very specific. Look right here, it says we don't have construction responsibility. We just did the drawings. We never went near the job. We can't be sued because...."

"Look at the code," Fresh interrupted, "We certify the building design only. It says right here in paragraph 105.1 the building official enforces the provisions of the code. Our drawings were accurate. The city makes the inspections, not us. If the building was approved, it must have been built legal. If not, it's the city's responsibility. Right Charlie?"

"Right, we got a C of O. That means the building's to-code. Not only that, 102.2 says if the old existing building was legal when it was built, it remains legal under the current code. That old handrail didn't break, it was only a little loose. Geeze, she was coming out of the bar after midnight wearing stiletto heels. No wonder she fell down the stairs. Those attorneys don't understand construction."

"OK!" Growler bellowed, "Right for the first time!" He banged his palm on the rosewood top and Goode and Fresh started. "Right!" he roared again, "They don't understand construction, I don't understand construction and neither will the judge and neither will the jury. Furthermore, we don't even care about construction. Juries are housewives and accountants and teachers and cooks. They won't listen to or understand any of that building code mumbo-jumbo. What they will hear is that she has a closed-head injury; that she'll be months in therapy." Growler hopped out of the leather chair, surprisingly agile for a big man and paced behind the desk.

"Let me tell you guys something else: The law doesn't care a twit about your contract. The law cares about public safety. The legislature licensed architects to make you the person in responsible charge. Responsible charge. That's a direct quote. The law says you supervise the completed phases of construction. It says the architect

**THE CODE CORNER: Charles Checkset III AIA** (Continued)

is primarily a master builder who has the responsibility for entire building projects. It also says that responsible supervision of all construction of a building constitutes the practice of architecture. And, believe me, when it comes to public safety, the law doesn't care about B-141."

"Now let's talk about the facts. There...Are...None." Growler banged the words like ball-peen on cold stainless. "Trials are not about facts, trials are about illusion. I'll create the facts. Don't misunderstand me, the truth will be told - we won't lie and neither will they - but in the telling of the truth the jury will form an image. Our image will have all of the facts the jury needs."

Growler paused. The small porcelain clock on the desk ticked off the seconds as if it were stamping out steel parts. "You architects are an odd group. You take huge responsibilities for peanuts and then give the most important work - the working drawings - to the least experienced people. Then the whole shebang is turned over to an unlicensed builder and you step aside. No matter what happens the architect is responsible and the builder is protected: He just followed your plans, right? Why architects don't supervise construction is beyond me. I'd be standing along side the building inspector during inspections. For free if I had to. You can't escape the responsibility, you might as well get involved and give yourself some protection."

"Now, on the other point: Sure, I'll be glad to file a complaint because you think this case is frivolous; prospecting; without merit; whatever. Now that's not an insurance matter. I'll need a \$10,000 retainer to get started. Maybe you boys want to think about it for a couple of days."

"Mr. Growler, what can we expect?"

"If we're lucky there'll be a settlement. It may take a couple of years however. A trial is our worst possibility. Remember, you've only got \$250,000 of protection. Any award or settlement over that is your own personal money."

"What about our deductible?"

"That gets spent first," Growler purred, "My office will bill you directly until it's gone."

"Then what?"

"Then we bill the insurance company until that's gone, then we start billing you again."

John T. Growler Esq. stood in the small hallway and brushed snow from his Armani overcoat. Drops fell against the glass door and little rivulets ran through the dark green letters that announced Fresh and Goode Architects PC. Growler went inside, past the row of concrete cylinders and the tier of brick samples leaning against the reception desk.

"Hi, Lori," he said to the young woman, "What you up to?"

Lori banged the shop drawing stamp into a jumble of drawings. "It's our first line of defense, Mr. Growler." She motioned Growler into the back room with a determined smile. "The master builder awaits you."

Goode looked up from his drawing board. "Hey, JT, How'd you do?" A small pile of mud lay on the floor under his Timberline boots. His jeans were faded but his shirt was pure white and the tie

handpainted on imported silk.

"Great tie Charlie. How do you find 'em? Your partner here?"

"He's at a job. There's a foundation inspection today and he and the building inspector are checking out the work."

"With the inspector? The city lets you do that?"

"Let us? Shoot, they love it. We're another pair of eyes on public safety. We call it partnering with the city. How'd the arbitration go?"

"We got a deal on the table."

"What kind of deal?"

"Well, the bad news is the panel thought the pain and suffering was worth \$333,000. The good news is they found everyone at fault, not just the architects. They tagged the plaintiff real good. They found she had been drinking; she was in a hurry and those shoes - those shoes cost her a lot. The owner got tagged too, not as bad. He should have known the railing was loose. Failure to warn an invitee is a tough rap to beat."

"What about the contractor?"

"They found him at fault too. Not as bad though. Remember, he's unlicensed, doesn't need certification. Anyone can be a contractor, you know that. His rap was that he just followed the drawings and the city inspected and approved the work - that's a bulletproof position. Essentially he came out clean."

"And us?"

"Not bad considering. The panel found the architects 30% at fault. The owner got 15% of the fault and the contractor 5%. The plaintiff got the rest."

"What about the city? They inspected and approved the work."

"You know, you can't sue the city or the building official short of gross negligence."

"Well?"

"There's no gross negligence. The city's not expected to check things like concrete cylinders, capacities, sizes, handrail attachments - that's the stuff architects are supposed to do. It's a grey area but it's not gross negligence so the architect stands alone. If you'd noticed the handrail and written a letter it'd be an entirely different matter."

"And our share is 30% of \$333,000.....\$99,900?"

"If you accept the mediation. Here's the accounting: You've already spent the \$25,000 deductible. Since then attorney fees, expert fees, depositions, reporting, travel, copying and other costs are about \$137,000. your policy covers \$250,000 - less the deductible, of course. That leaves you owing about another \$12,000."

"Good god! Do we have a choice?"

"Sure, go to trial. But remember, we have to do 10% better than mediation or we get penalized. Then there's the cost of the trial. That will be considerably more than \$12,000."

Growler flashed his most sympathetic smile. "Talk to your partner, think about it. Let me know in a couple of days."

On his way out Growler stopped to admire the lobby. "Nice look," he thought, Maybe I'll put in some glass doors." He liked architects. They were good business.

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President's Message *Continued from page 1*

organization including a powerful political coalition (reduced in-fighting), combined positive public awareness campaigns, combined continued educational programs and events. Similar to our organization's goals, the Home Builders want to actively pursue self-regulation to uphold high standards.

This option would direct our funds and energies on proactive, public outreach programs, undoubtedly helping to identify the value of architects to the public which should equate to more work. As a strong coalition partner we will move away from becoming a commodity-based service where cheapest is best to one that is respected, consulted and compensated for the value we bring to each project and society.

After all, isn't that one of the roles AIAM should be fulfilling? I look forward to your thoughts and comments. You can fax me at 248-353-5996.

ADA Update *Continued from page 3*

architects have relied on ADAAG's Equivalent Facilitation clause in order to alter ADAAG requirements for children. The new requirements will provide clear guidance on dimensions.

To Get Copies - Copies of the DOJ publications, and the new ADAAG requirements when published, are available for a nominal charge from Great Lakes Disability and Business Technical Center at 800-949-4232. The Center serves Michigan and other Great Lakes states, providing literature and technical assistance on ADA issues.

ADA News Briefs

Architects can get quick notification via e-mail of regulatory changes through the ATBCB newsletter, Access Currents. Send requests via e-mail to news@access-board.gov. Subscriptions are free. Mail subscriptions can be ordered through the Great Lakes DBTAC.

Michigander Patrick Cannon has been appointed chairman of the Access Board for 1997. He also serves as co-chair of the MI ADA Steering Committee, and is executive director of the Michigan Commission on Disability Concerns.

The Michigan ADA Steering Committee maintains a library of books, videos and other materials about ADA requirements. For a listing contact Tom Masseur, 517-374-4627, or 800-288-5923.

HELP WANTED**ARCHITECT**

A growing architecture & interior design firm seeks an architect & a CADD draftsman, each with at least 5 years experience in commercial architectural projects. AutoCAD proficiency required. Please send or fax resume to: Director of Operations, Diekema/Hamann/Architects, 5106 Lovers Lane, Kalamazoo, MI 49002, Fax 616-373-1186. EOE

DRAFTSPERSON

An established Southwest Michigan Engineering, Architectural & Surveying firm has a position available for an architectural draftsman. Applicants must have AutoCAD drafting skills, the ability to convert basic notes & sketches into working drawings & an understanding of construction techniques & practices. The position offers the opportunity for advancement to project manager. Position is full time & will require some overtime. Send resume to: Wightman & Assoc., Inc., 920 Broad St., St. Joseph, MI 49085. EOE

PROJECT ARCHITECT

Established architectural firm seeks applicant with 3-5 years experience in design & contract documents. Degree in architecture. Experience in commercial work and Cad. Southfield, MI. Call 248-354-1357, fax 248-354-1238 or email garkin@mich.com.

SENIOR ARCHITECT/DESIGNER

A challenging candidate should have a professional degree in architecture, registration required, with 7 years experience. This position includes project management & client contact. Good communication skills & the ability to work independently or as part of a team are essential to this position. CAD experience preferred. Full benefits, compensation commensurate with experience. Send resume to: Human Resources A, Fishbeck, Thompson, Carr & Huber, Inc., 6090 E. Fulton, Ada, MI 49301-0211; Fax 616-676-8173; E-mail HumanRes@fthch.com. EOE

FACILITIES PLANNER

Assists in the planning, development & completion of new construction, renovation & deferred maintenance projects. Prepares programs, plans, drawings, specifications & estimates. Responsible for project management. Reports to Physical Plant Director.

Minimum qualifications: bachelor's or equivalent combination of education and experience in architecture, interior design, space planning, construction management or related field. Master's or professional registration preferred. Record of progressively responsible facilities management experience in planning, design services, project management. Excellent oral, written & interpersonal communication skills. Knowledge of fire, health & safety codes. Demonstrated ability to solve complex problems & work with CAD & other facilities related software. Experience in production of campus master plans, computer based space utilization/inventory systems preferred.

Application deadline: Sept. 14, 1997. Application procedure: Submit letter of application, current resume, copy of transcripts & three names of professional reference to: Human Resources Office, Delta College A-189AI, University Center, MI 48710. EO/AA/ADA/MFH Employer. Smoke/Drug Free Workplace.

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SEEKING POSITIONS**INTERN POSITION**

Graduate with B.S./Interior Design from University of Texas at Arlington seeks intern position. Currently studying at Center for Creative Studies. Primary strengths in conceptual thinking, rendering and drafting. Contact Lon Calvert, 313-872-1602.

CALENDAR

AUGUST

14 Michigan Board of Architects Meeting

SEPTEMBER

5-6 Design Conference
10 AIA Detroit BCRC Seminar/Novi
19-20 Historical Soc of Mich Annual Meeting &
History Conf/Holland/313-769-1828

OCTOBER

1 AIA Detroit BCRC Seminar/Southfield
2 Michigan Board of Architects Meeting
4 Take the Next Step/AIAM & LTU/at LTU
9-10 Educational Facilities Conference/MAF

NOVEMBER

14 AIA Detroit Honor Awards/DIA
20 AIA Southwest Michigan Design Awards

DECEMBER

4 Michigan Board of Architects Meeting
11 AIAM/AIA Detroit Holiday Open House

Mark Your Calendar Now For

Design Conference

September 5-6, 1997

Camp Hayo-Went-Ha, Torch Lake

Educational Facilities Conference

October 9-10, 1997

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