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SEP 4 1969

July
1969

The Florida Architect

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Mutual of Omaha Miami

The long, narrow property dictated a building whose front door was monumental but of very little use on Brickell Avenue and a rear door which was in effect going to work as a front door. Because of this the building has two main lobbies, one at each end, with vertical elevator service at both ends and a connecting hall through the building in between.

The City of Miami accepts 3'6" above sidewalk line as a building grade. This presented an opportunity to raise the building on a terrace or plaza and put parking partially below grade — partially above grade.

The end design result is a stylized parthenon feeling, showing influence of certain other suc-

cessful buildings of a similar nature that was not entirely unintentional.

The architects first approach was to design a building with reinforced concrete columns, beams, slabs, etc., with glass inserts between these strong column lines. Upon re-evaluation and further study it was found that this building, could be constructed with a steel frame and cellular floors, allowing superior electrical and similar access to the floor for no more money, and as it turned out, less money than a poured-in place reinforced concrete structure. The end design then became a precast concrete face over structural steel with poured in place concrete arches and beams, as well as a poured precast concrete grille on the 7th floor.



The new glass with a glass sandwich panel using solarbronze exterior glass, 1/2" dead air space, and plain plate glass interior with a reflective surface on the vacuum side of the glass gave the opportunity to have full glass walls and retain reasonable satisfactory, economical air conditioning.

The design team's effort to integrate function and aesthetics into a unified structure resulted in the selection of a radiant cooling system to provide optimum comfort control despite the extensive use of glass in the exterior facade. This is the first radiant cooling installation in South Florida.

Conventionally, the architect is limited in the use of large areas of glass because the excessive solar load throws an impractical burden on the interior environment. However, the radiant cooling system is capable of absorbing 70% of the sensible heat, thus providing a comfortable cooling media and eliminating the necessity of circulating large volumes of cold air and/or providing mechanical cooling devices for the perimeter floor areas.

Radiant cooling and heating, the most recent technological development in comfort control, is based on a phenomenon familiar to man since Neanderthal days: cold objects absorb heat (infrared energy), warm objects radiate it. Cold water circulating through the ceiling system by means of water pipes provides the source for radiant energy transfer. The water system uniformly cools the ceiling panels, creating a room-wide heat-absorbing surface which draws infra-red energy from all warmed objects below. Because the system does not depend on the movement of air, there are no down-drafts, no "hot spots" or "cold spots." Air is used primarily for ventilation and humidity control, and air temperature is kept moderate.

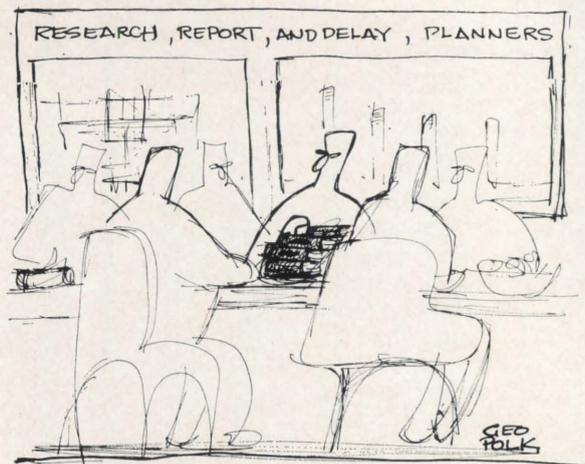
In the Mutual of Omaha building, the radiant cooling system reduced the air quantity requirements of 1/3 of the requirements for a conventional cooling system, resulting in significant reductions in fan sizes and duct work. In addition, the system's metal ceiling panels provide excellent acoustical control, carrying a NRC of .85, one of the best in the industry. ■



ARCHITECTS
O. K. Houston, Jr.
H. Maxwell Parish
CONTRACTOR
M. R. Harrison Construction Corp.



Photos: Kurt Waldmann



WELL NO, WE DON'T EXPECT ANYTHING TO COME OF IT. THIS IS JUST THE PLAN FOR "THE PLAN", YOU KNOW.

Court Decisions

Architect's Duty of Supervision Does not Extend to Job Site Safety Devices

A concrete mason employed by the general contractor, was injured when he fell while walking along a wooden form on the outside of a recently poured section of floor slab for the mezzanine of a new airport terminal building. He sued the architect on the basis of the architect's written contract to draw plans and specifications for the construction of the terminal and to supervise construction work.

The concrete mason alleged that the architect had a duty under the contract to insure that the construction work was proceeding in accordance with the requirements of regulatory agencies and that the architect had failed to assure that the floor was guarded by guardrails on all open sides as required by the safety regulations of the Florida Industrial Commission. These regulations required contractors to provide wooden railings and hand rails along the side of such places as the slab from which the concrete mason fell.

The Circuit Court of Palm Beach County Florida, granted the architect's motion for summary judgment holding that an architect is not liable for the contractor's failure to provide safety devices required or recommended by governmental agencies. The case is being appealed. [Case No. 67 C 4445, Circuit Court of Palm Beach County, Florida (January 9, 1969)].

Architect Successfully defends Negligence Action

A bricklayer employed by a contractor on a school construction job sued the architect for injuries sustained when a crane deposited a pallet of bricks on

his scaffold in such a manner that he was thrown to the ground. Foreclosed from suing the contractor because of workman's compensation laws, the bricklayer charged the architect with negligence on his contractually assumed duty to supervise and inspect the construction work. Specifically, the bricklayer alleged that the architect was negligent in failing to require a barrier on the scaffold, failing to prescribe safety precautions, and failing to require compliance with various safety laws and buildings codes.

On May 14, 1969, the judge in the Court of Common Pleas for Butler County, Pennsylvania, directed a verdict for the architect, holding that an architect's duty of supervision does not reach down to safety conditions peculiarly within the contractor's control. [Nicklas v. Dill Construction Co. Decided May 14, 1969].

Jury Awards Architect \$85,000 For Copyright Infringement

In 1964, a California architect designed a 44-unit apartment complex for a realty developer who never initiated construction and later sold out to the defendant. The defendant then used the plaintiff's plans for an apartment project.

The architect sued the defendant charging that the preliminary plans drawn for the first developer were the architect's "unpublished, exclusive and original property" and were subject to common law copyright. A jury in the Alameda County Superior Court found for the plaintiff. They awarded the architect \$20,000 in compensatory damages and \$66,000 in punitive damages. [Goetz v. Dickson, #363989, Alameda County Superior Court, Oakland, Calif., April 1, 1969].

Looking up into the arches of the Mutual of Omaha building, Miami. Photo by Kurt Waldmann.

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The Florida Architect



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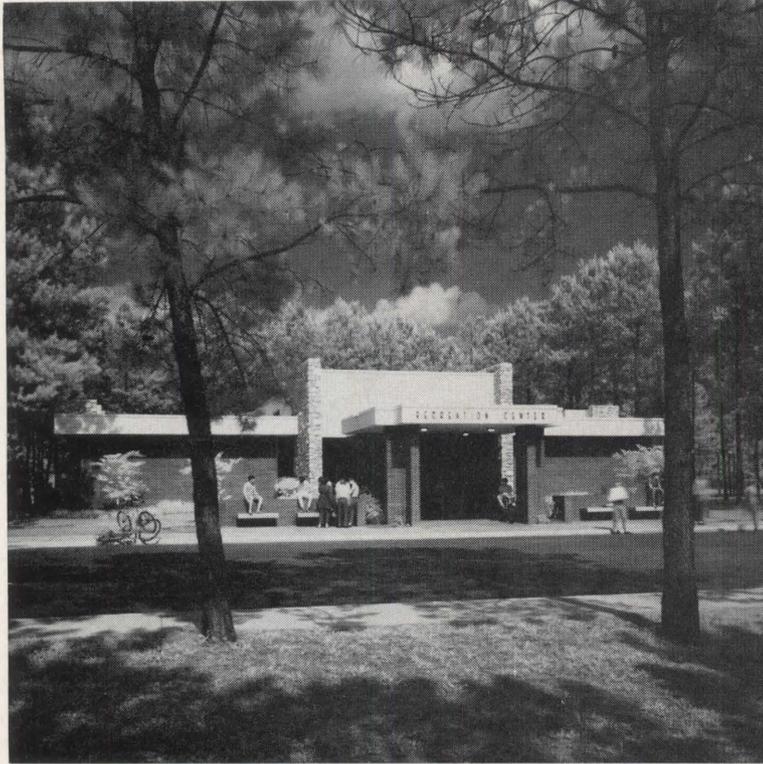
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THE FLORIDA ARCHITECT, Official Journal of the Florida Association of the American Institute of Architects, Inc., is owned and published by the Association, a Florida Corporation not for profit. It is published monthly at the Executive Office of the Association, 1000 Ponce de Leon Blvd., Coral Gables, Florida 33134. Telephone: 444-5761 (area code 305). Circulation: distributed without charge of 4,669 registered architects, builders, contractors, designers, engineers and members of allied fields throughout the state of Florida—and to leading financial institutions, national architectural firms and journals.

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Westside Park Recreation Center Complex Gainesville



Photos: Kurt Waldmann

The Westside Park Recreation Center, directed toward family type activities, is located in an established residential neighborhood and is owned by the City of Gainesville.

This facility provides a complete range of recreational activities, such as swimming, tennis, softball, picnic areas and a multipurpose building for teenagers and adults.

The design program for the recreation building called for a variety of facilities; however, it is resolved into three basic functions—club room activities, game room activities and operational facilities.

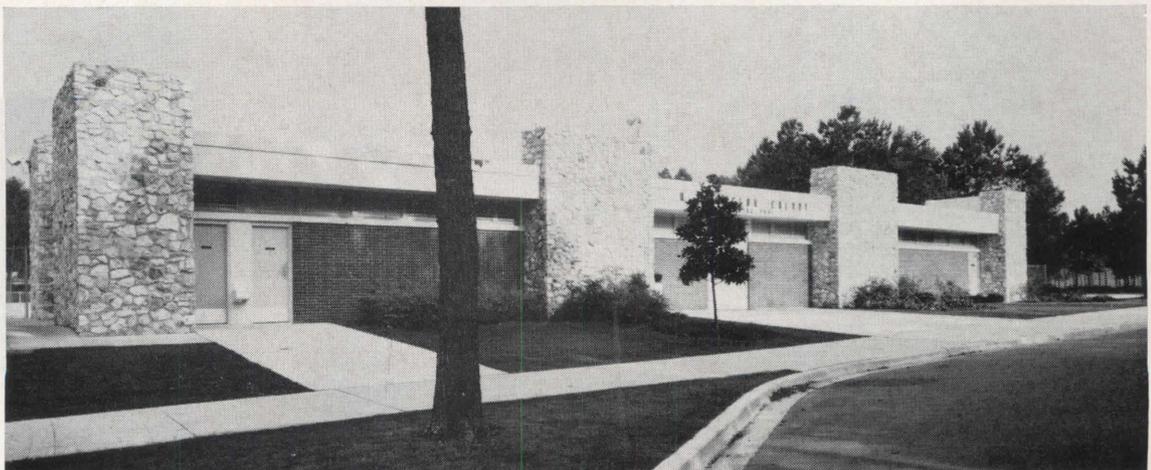
Club room activities are primarily to serve adult functions and are composed of three rooms divided by folding partitions. The club room area, therefore, can be varied as required by the activity needs, e.g., a small room for bridge club meetings or a large room for flower shows.

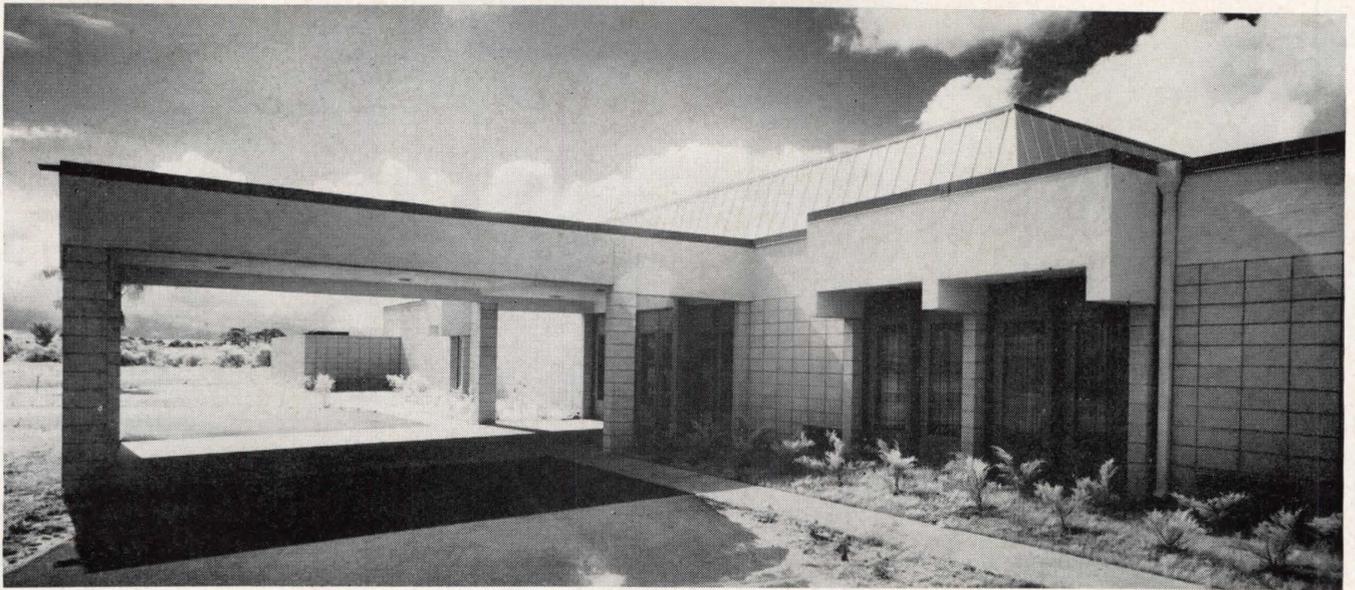
Game room activities are primarily to serve the younger generation, and activities in this area are ping pong, billiards and other noisy recreation. This area is divided by a folding partition and can be adjusted as the situation demands.

Operational facilities consist of offices for a director and an activities director, toilets for men and women, storage to serve the game and club rooms and mechanical equipment for the heating and air conditioning. These operational facilities were centrally located to provide control over the perimeter areas and to provide a natural sound barrier between the game room activities and club room activities areas. The activity director is so located that he may supervise a future gymnasium and the recreation center building. ■



ARCHITECT
Moore May & Harrington
MECHANICAL ENGINEERS
Ebaugh & Goethe, Inc.
GENERAL CONTRACTOR
Tassinari Construction Company





Merritt Island Recreation Center Merritt Island

Photos: Kurt Waldmann

A peaceful, low-lying mini island sited to the north of a heavily traveled east-west causeway connecting mainland and beachside cities provides a delightfully refreshing and unique site for this recreation facility. Commuters are treated to a view of the dominant and decorative roof which houses the major portion of the recreational complex currently used for basketball games, exhibitions, dances and other functions. A semi-private courtyard acts as a buffer between the smaller multi-purpose meeting wing room and the livelier functions of the recreational complex minimizing noise. A porte-cochere marks the main entrance which is linked to a spacious lobby with administrative offices to the right and utilitarian services to the left. Inside, one is treated to a multitude of serene views of picturesque Sykes Creek, a tributary of the historical Indian River, never suspecting that a mere 10 miles to the north giant rockets stand ready to blast-off men to the moon. Materials and construction techniques were selected for simplicity and ease of maintenance the end result of which is a budget-priced building. Amidst a string of frantic, hustling, mish-mash of neon signs, girls a go-go, drive-in theaters and small businesses, the Community Recreation Facility is a noteworthy gift to the bustling Causeway. ■



ARCHITECT-ENGINEER
Briel Rhame Poynter & Houser
CONTRACTOR
Bill Dean Construction Company

The program called for a facility that would provide recreational activities for the neighborhood young people. Requirements of the program were to provide a dance hall or large group meeting area, small group meeting area, game room for ping-pong and pool, kitchen area to serve both large and small group assembly area, office for two people with visual control of large group area and game room, toilet facilities for both sexes, and storage area that would serve large group assembly area and also outdoor recreational needs. Heating and air conditioning supplied for all areas except the storage area.

The building was designed to meet all of the program requirements using simple geometric shapes to establish the basic building form with each shape growing out of the larger shape to which it is attached. Deep recesses at perimeter of each shape clearly articulate their connection to the total building. Housed in the front part of the building are the game room, meeting room, kitchen, office, rest rooms, and entrance lobby. The dance hall or large group meeting room represented by the largest shape is directly accessible from all areas in the building with the exception of the office and toilet rooms. Also this space has exits to the outdoor recreational areas.

Indoor-outdoor storage area located at the rear of the building also has direct access to the large group area and the outdoors.

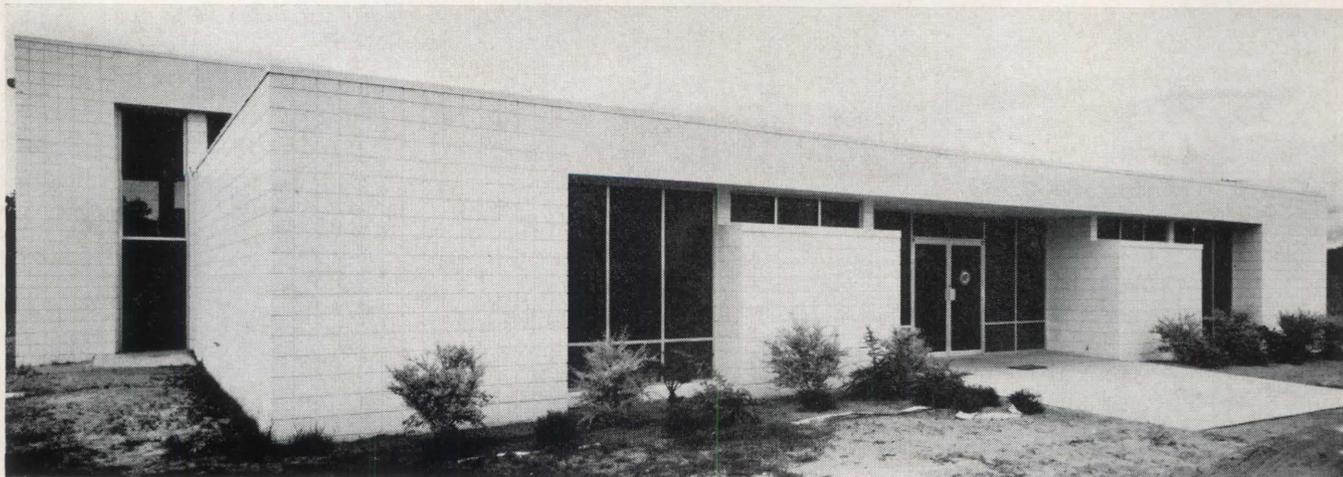
Consequently, the building provides a flexibility of uses for indoor and outdoor activities without disturbing those areas that are not required to have this flexibility. ■



ARCHITECT
John A. Burton, IV
CONSULTING ENGINEERS
Tilden, Denson & Associates
GENERAL CONTRACTOR
Manuel Builders

Goldsboro Neighborhood Facilities Building Sanford

Photos: Kurt Waldmann



M. R. Harrison Construction Company



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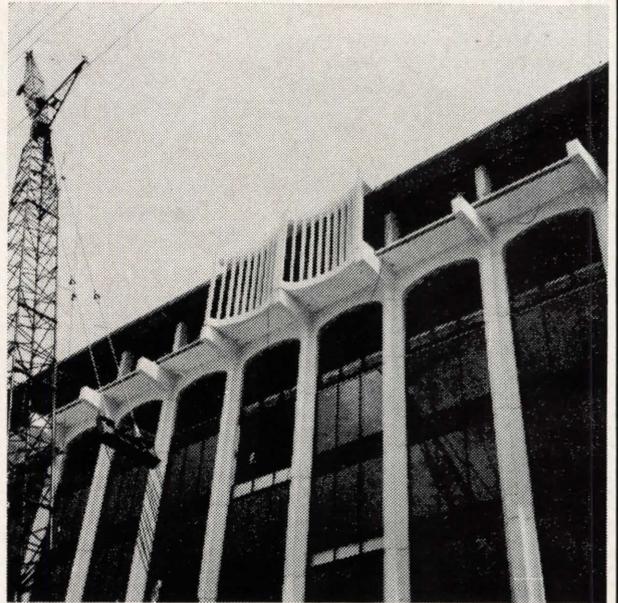
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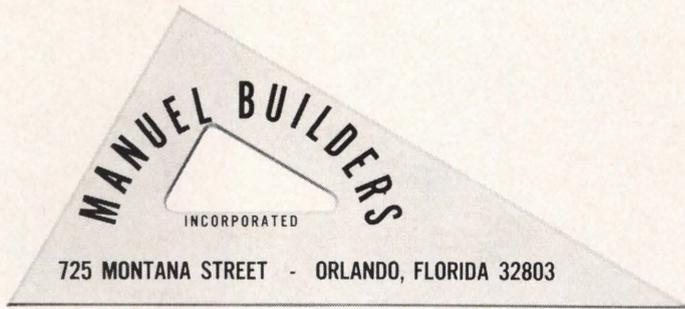
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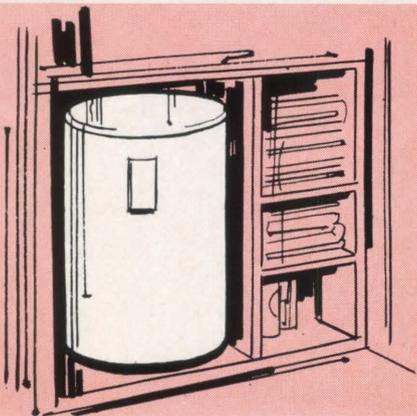
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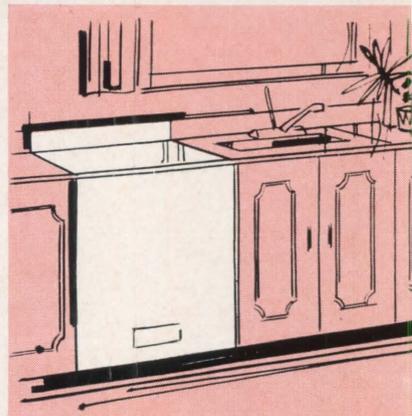
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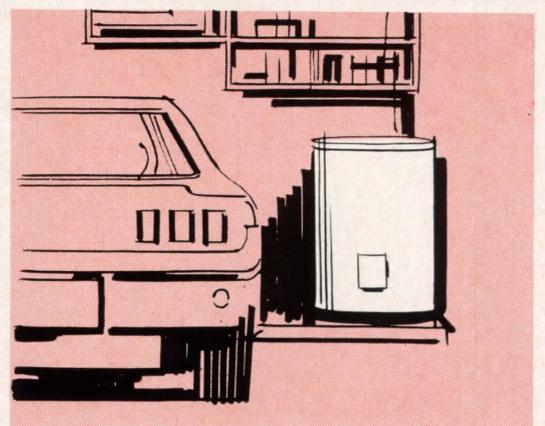
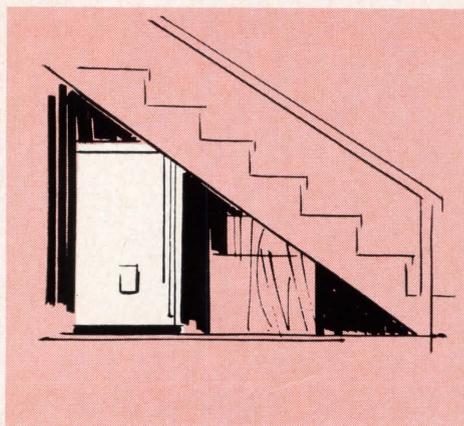
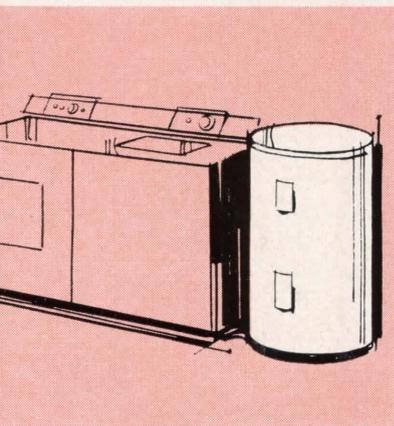
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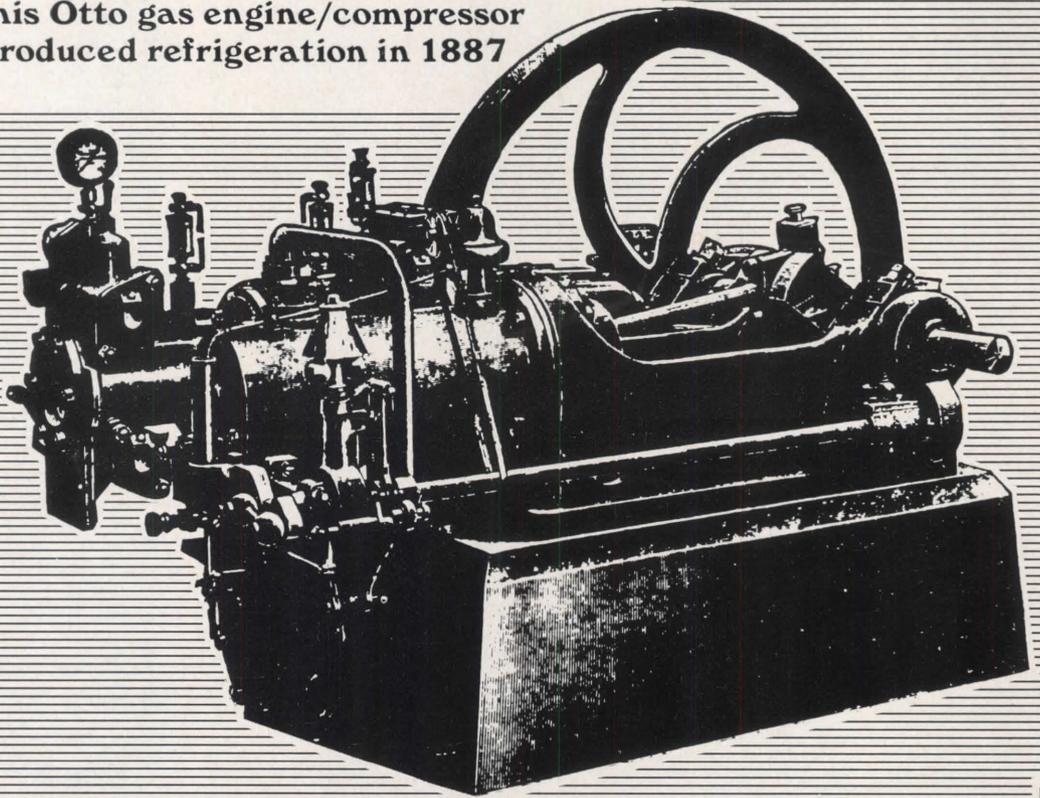
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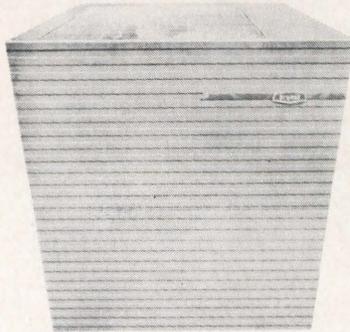
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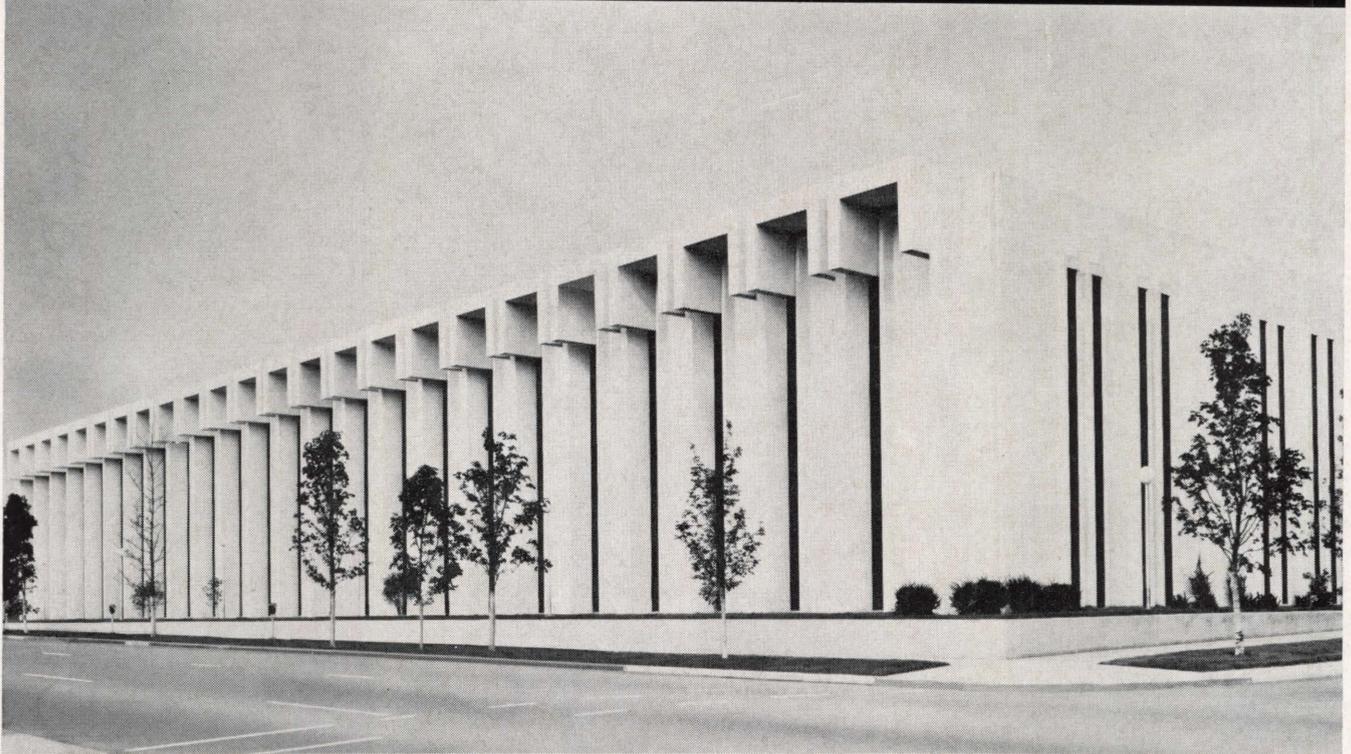


For a free 11" x 14" print of the Otto Gas Engine, send your name and address to Patent, Advertising Department, Florida Gas Company, P. O. Box 44, Winter Park, Florida 32789.

Precast white concrete panels were chosen to build the new Fort Wayne Public Library.

You can see why.

Architect: Bradley & Bradley, Architects, Inc., Fort Wayne, Ind.;
General Contractor: C. A. Lehman & Sons, Inc., Fort Wayne, Ind.;
Panels By: Masolite Div. of General Dredging Co., Inc., Fort Wayne, Ind.



The stunning new Fort Wayne Public Library is another impressive example of the design latitude enjoyed by architects who work with precast concrete panels. New vistas of form and color are suddenly theirs to command... new potential there to be explored.

The concrete panels used to build the Fort Wayne Public

Library are made of Trinity White Portland Cement and Polar White Quartz aggregate. The whiteness achieved is elegantly uniform in tonal purity, completely devoid of the color variations so often found when using gray cement. The panels were lightly etched with acid to produce a delicate texture. The result is a building

that is as beautiful as it is practical... as aesthetically appealing as it is functional.

There's no question that white precast concrete panels are making an increasingly profound impression on today's future-oriented architects. And the most lasting of these impressions are being fashioned from Trinity White.

*Trinity
White*

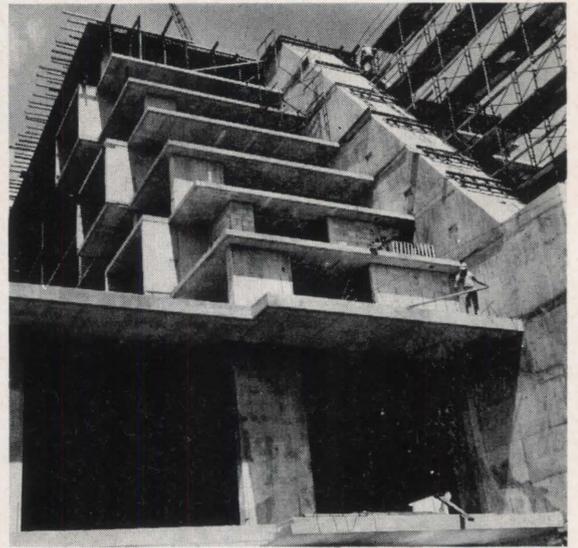
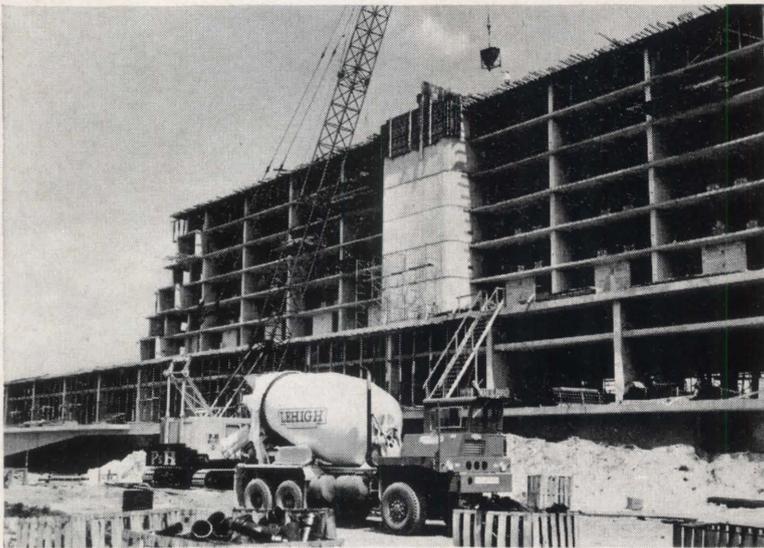
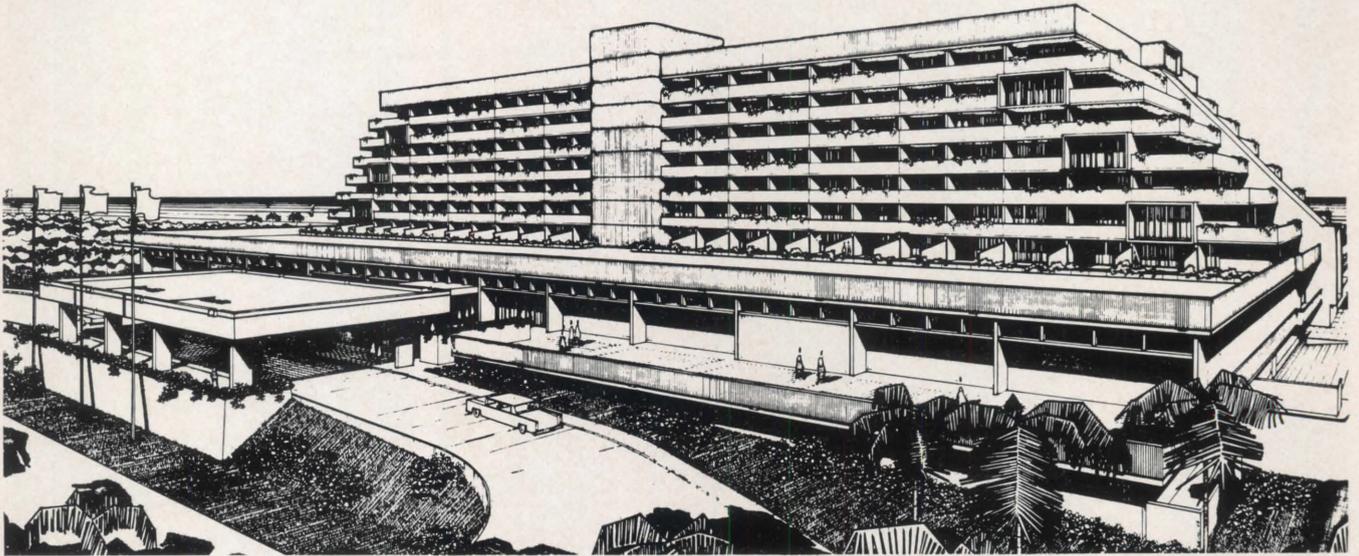
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The new Sonesta Beach Hotel will provide vacationers with deluxe accommodations on a 10-acre seaside site at Key Biscayne. Every room will have a 12' long private terrace. And an unusual "step" design will provide an extra-luxurious treatment of the end suites on each floor. The entire structure is cast-in-place concrete with concrete masonry partition walls. Here, as in important construction in other areas of Florida, Lehigh concrete and masonry units helped make it happen. When you plan a new structure, check with Lehigh for the best in materials and service. And for on-the-spot technical assistance that can make your job smoother.

HCA's new seaside complex is a self-contained resort just 20 minutes from the Miami Airport. It is 10 stories high and will contain a specialty restaurant for 300, coffee shop for 85 and a night club for 200. Meeting and ballroom facilities for 550 persons are also planned as are four smaller meeting rooms.

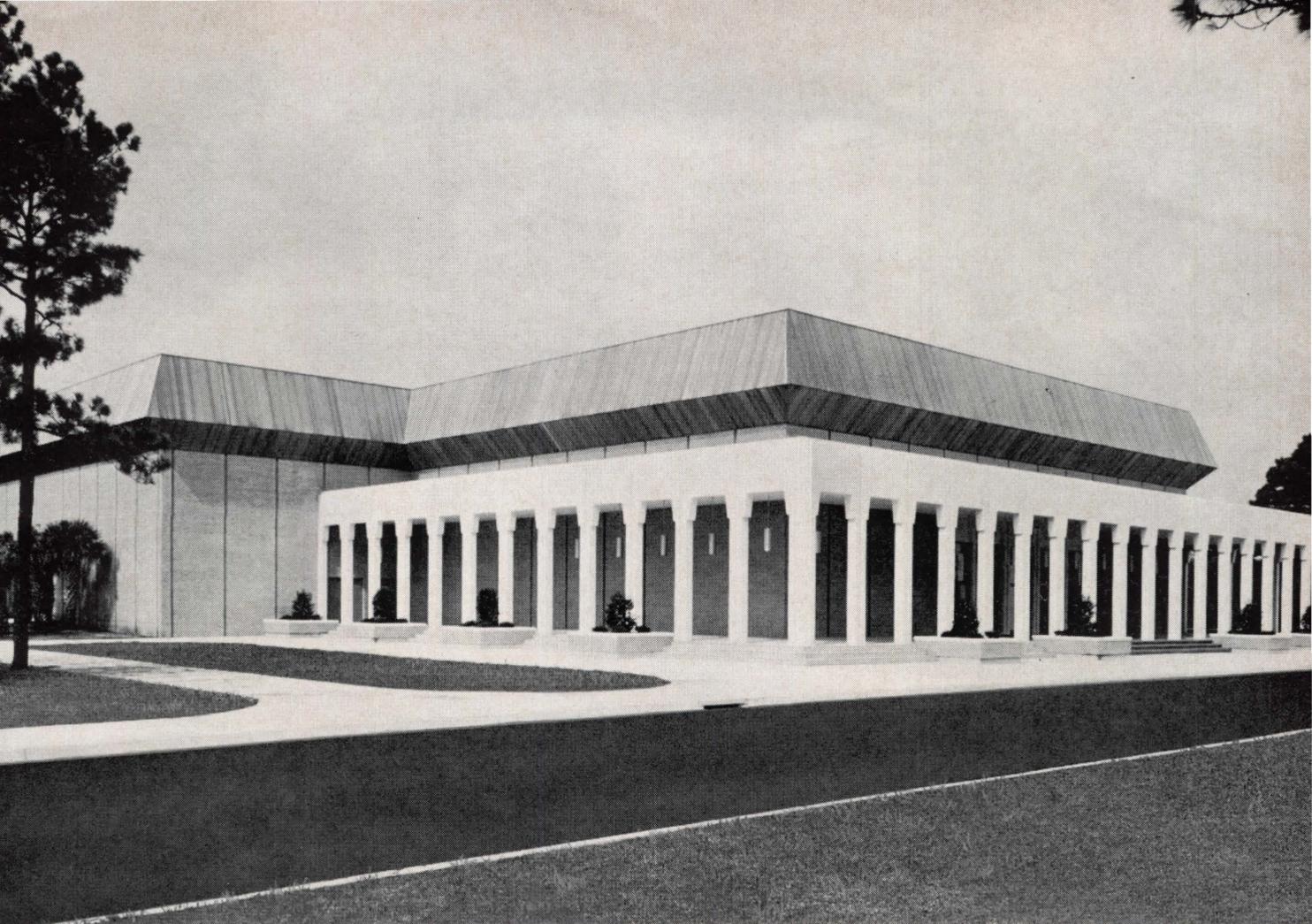
The architectural design is a pleasing contrast with the sea on the one side and the semi-tropical landscape of the island on the other. And the natural color of the exposed concrete surfaces of the structure enhance the effect. Sloping sections of each end of the hotel contain the stair wells.

Owner: A. J. Andreoli, Akron, Ohio
Hotel Operator: Hotel Corporation of America, Boston, Mass.
Architect: Keith Haag & Associates, Cuyahoga Falls, Ohio
Structural Engineer: Ernst J. Troike, P. E. & S., Cuyahoga Falls, Ohio
Contractor: Associated Biscayne Companies, Inc., Miami, Fla.
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City Of Myrtle Beach, S. C., Owner; Riddle and Wilkes, A.I.A., Myrtle Beach, S. C., Architect; Wm. F. Holmes, P.E., Myrtle Beach, S. C., Engineer; Dargan Construction Co., Inc., Myrtle Beach, S. C., General Contractor; Tidewater Concrete Block and Pipe Co., Myrtle Beach, S. C., Masonry Unit Supplier

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Newsnotes

The National Association of Women in Construction

The National Association of Women in Construction will hold their annual National Convention in Honolulu, Hawaii, September 19, 20, 1969. NAWIC Honolulu Chapt. 114 will hostess the convention. The convention site will be the beautiful Hilton Hawaiian Village Hotel on Waikiki Beach. Business sessions will be held in the Gold Dome, luncheons and banquets in the convention center. Opening the sessions on Friday, the Honorable John A. Burns, Governor of Hawaii, will give a welcoming speech. Congresswoman, Patsy Mink and Lowell Dillingham will also be guest speakers. A Friday nite Luau will be held at the Haiku Plantation featuring Polynesian entertainment.

Pre-convention tours and post convention tours have been planned for those desiring a little sightseeing or a longer vacation. One of the tours will be an Orient tour that concludes at Ooka and Hong Kong.

The Honolulu Chapt. cordially extends each and every person connected with the Construction Industry an invitation to attend the 14th Annual Convention. For further information write, NAWIC Honolulu Chapter #114, 1392 Kapiolani Blvd., Honolulu, Hawaii 96814.

The organization is comprised of women actively employed in the various fields of the construction industry. To date, there are nearly 5,000 members throughout the States. The National President for 1968-69 is Florence Hawisher of Bradenton, Florida and the President-elect is Margaret Borg, Salt Lake City, Utah. NAWIC is divided geographically into 11 regions and at the convention region 10 will be divided and a new region 12 will be formed (Florida is region 3).

LIMITS OF DESIGN: At the opening not long ago of the Rosenthal China people's handsome retail Studio Hauss in New York, the boss himself, Philip Rosenthal, was present and voiced some extemporaneous thoughts on that murky process, design. He cited three clear limits:

"The first limit of design," said Mr. Rosenthal, "is money. It is dishonest for people in industry or trade to pretend that they are in business mostly for moral reasons. For you can only do so much as your profits permit.

"The second limit of design also concerns morals—but negatively. A lot of

New Book Takes Mystery Out of Government Contracting

What architects and engineers need to know about contracting with the Federal Government is covered from A to Z in a new, 190-page book, "Contracting with the Federal Government—A Primer for Architects and Engineers."

The only publication of its kind which gives the rules, regulations, and problems involved in this work, the "Primer" was produced under the auspices of the Committee on Federal Procurement of Architect-Engineer Services. The Committee is composed of representatives of The American Institute of Architects, American Institute of Consulting Engineers, American Road Builders Association, American Society of Civil Engineers, Consulting Engineers Council, and National Society of Professional Engineers.

Written to take the mystery out of Government contracting, the book explains: how architects and engineers are selected, how the fee is set, what the standard contract clauses are and what they mean, and how to obtain contract price adjustment. Readers will learn how to find out about available projects, how to negotiate contracts, what to know when performing the work, and what to do if problems are encountered.

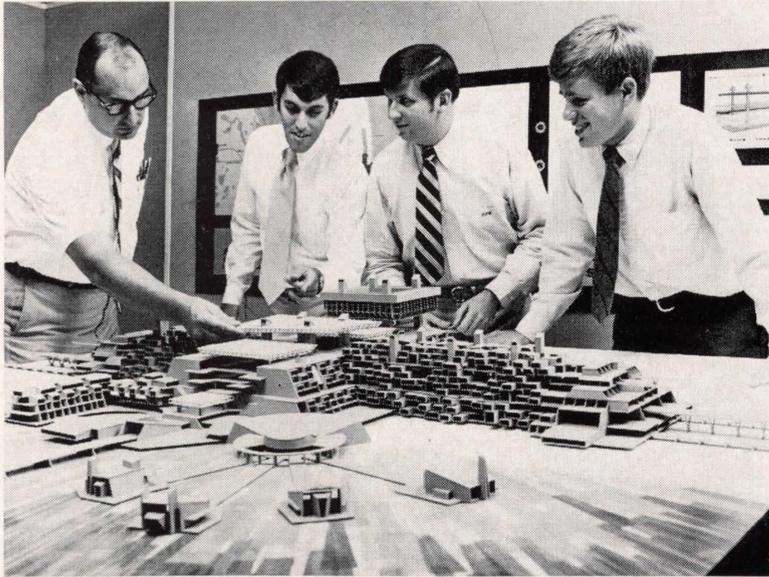
Authored by three of the nation's outstanding contract attorneys, Gilbert A. Cunco, Harold P. Blasky, and Eldon H. Crowell, with the assistance of Philip A. Hutchinson, Jr., Director of Governmental Affairs for the AIA, the "Primer" places the private practitioner on an equal footing with his counterpart in the Government. The Appendix lists all Federal construction agencies responsible for A/E contracts, with the names and addresses of the offices to contact.

Copies of the book are available for \$6 prepaid, from: "Primer," Room 713, 1155 15th Street, N.W., Washington, D.C. 20005.

designers, design theorists and design preachers seem to think that design improves morals. By their lights, all you have to do is go in for better housing, better chairs and better china—and the moral standing of the community will also improve. This is complete nonsense. I think it is just as easy to betray your principles, your country, or your wife on a Charles Eames sofa as on a piece of phony Chippendale.

"The third limit of design is the limit of genuineness. The only way to a real feeling for design is through a personal love of things. Other people can help you, but only to find out what it is that you yourself love."

C. Randolph Wedding Design Competition Winners



L to R: Wedding, Fleichman, Okula, Blizzard

Winners of the annual C. Randolph Wedding Scholarship Design Competition have been announced by the University of Florida. A total of 33 students in the Advanced Architectural Design Class participated.

Working in teams of three or four, the students designed models of a multi-level, self-contained city providing for commercial, civic, religious, housing, cultural and recreational needs for a population of 70,000.

The winning teams were, first place, Sol Joseph Fleischman, Jr., Tampa; David T. Okula, Winter Haven; and William S. Blizzard, Gainesville.

Second place, John Jernigan, Gainesville; Jim Gleeson, Dunedin; David Ogram, New Smyrna Beach; and Anet Marchese, Miami.

Third place, Ramiro Palma, Gainesville; Bill Wilrycx, Miami; and Antonio Obregon, Gainesville.

The teams used one of several actual sites in the Cape Kennedy area, designing their city complex to be elevated over an interstate highway. The competition involved the problem of utilization of air rights over a highway in order to make more efficient use of space in designing cities of the future.

Winners were chosen by a blue ribbon panel of judges which included Ralph Warburton, special assistant to the secretary of the Department of Housing and Urban Development, Washington, D.C.; Forrest Wilson, editor-in-chief of Progressive Architecture, New York; and Leonardo Ricci of Florence, Italy, director of the Institute of Architectural Design and the Institute of Town Plan-

ning at the University of Florence and visiting graduate research professor at the University of Florida.

Other judges for the contest were Gordon D. Wagner, executive director of the East Central Florida Regional Planning Council; Norman H. Thompson, Jr., director of the Tampa Bay Regional Planning Council; Francis C. Walker, an industrial psychologist; and C. Randolph Wedding, St. Petersburg architect who sponsors the competition.

"We cannot continue to plan our cities in the old way," Wedding commented. "This year's competition, based on the self-contained city, is a valid approach to the many problems which face us today in the areas of housing, transportation and city decay."

National Design Specification for Stress Grade Lumber and its Fastenings 1968 Edition

Note on Working Stresses

A major provision of the proposed new softwood lumber standard currently being processed by the U. S. Department of Commerce is the development of a national grading rule for softwood dimension lumber. Work on the completion of this uniform rule is presently underway and new grading rules for the various softwood species and grades will conform to the national rule.

As the national rule will require revision of the existing softwood grading rules, the supplement to the National Design Specification that provides working stresses for the different species and grades of lumber is temporarily being replaced by this sheet which indicates the grading rules presently serving as the source of working stresses from the different rules-writing organizations.

As soon as new rules are developed, a revised NDS Supplement will be included with each copy of the specification. In the interim please refer to the listed applicable grading rule for stress data.

Redwood Inspection Service
567 Sacramento Street
San Francisco, California
(1965 Grading Rules, Rev. 1968)
California Redwood

Northeastern Lumber Manufacturers Association, Inc.
712 Madison Avenue
New York, New York 10016
(1962 Grading Rules)
Norway Pine

Northern Hardwood & Pine Manufacturers Association
305 E. Walnut Street
Suite 207—Northern Building
Green Bay, Wisconsin 54301
(1950 and 1961 Grading Rules)
Eastern Hemlock
Norway Pine
Eastern Spruce

Southern Pine Inspection Bureau
P. O. Box 52468
New Orleans, Louisiana 70150
(1968 Grading Rules)
Southern Pine

West Coast Lumber Inspection Bureau
Beloc Building, Room 221
1750 S. W. Skyline Boulevard
Portland, Oregon 97221
(No. 15 Grading Rules, Rev. 1968)
Incense Cedar
Western Red Cedar
Douglas Fir
White Fir
West Coast Hemlock
Sitka Spruce

Western Wood Products Association
700 Yeon Building
522 S. W. 5th Avenue
Portland, Oregon 97204
(1965 Grading Rules)
Douglas Fir
White Fir
Western Hemlock
Larch
Pine (Idaho White, Lodgepole, Ponderosa and Sugar)
Englemann Spruce

FOCUS NOW

MORE FROM THE CHICAGO AIA/RAIC CONVENTION

Changes in Ethical Standards Proposed

Proposed changes in the "Standards of Professional Practice" were presented to members at the 1969 Convention by Jack D. Train, FAIA, Chicago, Chairman of the Task Force and Honorary Chairman of the Convention. Following 18 months of work on the document, with Committee members Robert J. Piper, AIA, Chicago; Joseph H. Flad, FAIA, Madison, Wis.; Martin Dubin, AIA, Chicago, and the First Vice President and Secretary, *ex-officio*, Mr. Train presented a statement-by-statement comparison between the present and proposed documents.

During the opendiscussion period, Mr. Kassabaum, Mr. Allen, and Mr. Hastings urged that prompt attention and full discussion be given to the new document and a decision reached by the next Convention. The proposed "Ethical Standards" are to be studied by the Chapters at their regional conferences and state conventions, discussed at Grassroots, 1970, and presented at the Boston Convention for decision.

In a theme session address following the business meeting, Dr. Marver

Hillel Bernstein, first Dean of Princeton University's Woodrow Wilson School of Public and International Affairs and consultant to the AIA Task Force, said, "One of the earmarks of a profession is its acknowledged obligation to formulate, inculcate, and enforce standards of professional conduct for the guidance of members of the profession and to educate them to comply with such standards."

He noted that the contemporary history of every profession demonstrates a tendency to permit ethical standards to suffer from neglect and lag far behind the need for revision and updating. Dr. Bernstein traced the efforts of the federal government, the business community, and others—such as the American Psychological Association, to restate their standards, and noted that the AIA Task Force found many provisions in the proposed new standards of the American Bar Association helpful.

One of the characteristic problems of a profession in dealing with ethical questions, he said, is "the tendency toward a widening gap between the

objective conditions of professional practice and existing professional standards." Examples of this in AIA's present "Standards of Professional Practice," which Dean Bernstein enumerated are the prohibition of contracting, the inadequate treatment of issues of conflicting interest, the use of agents to solicit projects, political contributions, practices involving contingency fees, turnkey operations, package dealers, and architect-engineer combinations. He said, "The overriding necessity to establish, maintain, and protect the integrity of the profession of architecture may depend more on the regulation of conflicting interests than upon any other single factor or issue."

In conclusion, Dr. Bernstein commented, "If the Institute embraces these or similar goals to guide the revision of its 'Standards or Professional Practice,' it will be fulfilling one of the highest obligations of professionalism. Its success in this enterprise is likely to indicate whether it can also be effective in re-defining the role of the architect in the design and construction of man's environment."

Needed: Buildings to Help People Conquer Stress

Planned urban development can do a great deal to protect man against the damaging effects of the stress of life, according to Dr. Hans Selye. He is professor and director of the Institute of Medicine and Experimental Surgery at the University of Montreal and an eminent authority on the relationship between man's well being and his physical environment. Delivering the 1969 Purves Memorial Lecture at the Convention, Dr. Selye said that twentieth-century man needs homes and offices which let him meet and use stress.

"Our object," he pointed out, "is not to avoid stress," which he called "the

salt of life," but "to learn how to live with it and how to enjoy it." The 62-year-old, Vienna-born physician said that the "total absence of stress means death." But, overcrowded and impersonal buildings where humans cannot carve out their own identity make it difficult for urbanized humans to conquer stress, he warned. Luxurious buildings may not help man adapt to stress, he said, if they allow him no sense of his own belonging or place. "It is not important to build perfect buildings, but ones that are fully adapted to our needs so that we don't have to" con-

stantly change habits, methods, and living patterns, he continued.

Dr. Selye reported that medical observations of humans and tests on rats have proven that key human diseases are attributed to the ravages of stress, particularly when a person has inherited a certain family history. The congestion in overcrowded cities leads directly to crimes of violence, foul water and air, traffic jams, and other stressful conditions, he said. What architects and city planners need to learn is the tolerable limits of stress, he urged, and they must develop urban design that allows man to cope with it.

Corporate Practice

by W. Taylor Moore

Peoples, Smith & Moore
Attorneys at Law

For many years, Florida professionals, including architects, could not practice their professions through the corporate medium. There were several advantages to corporate practice, namely, limitation of liability and more favorable tax treatment. The primary objection to corporate practice was ethical.

As the tax advantages enjoyed by corporations and their shareholders increased, various means to bring themselves under these provisions were attempted by many professionals. Responding to their pressure and in light of some new thinking on the ethical problems, the Florida Legislature, in 1961, passed the Professional Service Corporation Act. This Act permitted architects, doctors, lawyers and other professionals to practice in the corporate form in a limited way. The Professional Association, however, was shortlived as a way of life for most professionals. The Internal Revenue Service immediately began to attack the associations on the ground that they did not have all the requisites of a corporation as required by the tax laws. Consequently, most lawyers and tax consultants refused to recommend the use of the Professional Service Corporation Act.

At a joint meeting of the Board of Directors of the FAAIA and the State Board of Architecture in August of 1968, the problem of corporate practice was discussed. As a result of that meeting and others, a bill was presented to the 1969 Florida Legislature which would add corporate practice provisions to Chapter 467, the statutes governing the practice of architecture. This bill was passed by the Legislature and became effective July 1, 1969. After it is implemented by rules and forms by the State Board, an additional vehicle of corporate practice will be available to Florida architects.

WHAT THE NEW STATUTE DOES

The new statute permits an architect to practice and offer to practice architecture *through* the medium of a corporation. The word *through* must be emphasized. The individual architect is still the one practicing architecture and he must be registered and must sign and seal all documents. Other requirements are: (1) One or more principal officers of the corporation must be a registered architect and all personnel who act in its behalf as architects must be registered. (2) Control of the corporation must be in the hands of registered architects, registered professional engineers or registered landscape architects. (3) Application must be made to the State Board prior to incorporation, along with payment of a fee.

If all the requirements are met, the Board will issue a certificate of authorization to the corporation. The Board also has the power to issue regulations pertaining to names, and, of course, revocation of certificates of authorization.

The most striking part of the act is found in subsection (7). This says:

"The fact that individual registered architects practice architecture through a corporation or partnership as provided in this section shall not relieve such architects from personal liability for their professional acts, and each such corporation and such stockholders who are architects, or partnership shall be jointly or severally liable for the professional acts of agents, employees, officers or partners."

This provision, of course, means that the architectural corporation is very different from the normal corporation where there is no personal liability. It is also somewhat different from the professional service corporation. Note that in the provision above, each architect and each stockholder who is also an architect, is personally, jointly and severally liable for professional negligence of the corporation's agents, employees and officers. Under the Professional Service Corporation Act, the individual architect would only be *personally* liable for his own professional negligence or that of those employees under his direct supervision and control. Of course, the corporate assets would be liable in either case.

There are other differences between the two acts which the following table indicates:

	PSC ¹	CORP ²
1. All stockholders registered	Yes	No
2. All officers registered	Yes	No
3. Personal liability	Partially	Yes
4. Engage in other business	No	Yes

The professional service corporation may make passive investments in real estate, mortgages, stocks and bonds, etc., but not in other operating businesses.

THE TAX STATUS

Although the government has attacked the corporate status of professional associations, many taxpayers have fought back. Consequently, the issue has been brought before the courts and, fortunately for the taxpayers, the government has lost in every case. Federal Courts in at least half a dozen states, including Florida, have decided cases against the government. Due to this fact, and to the fact that there is a bill pending in Congress to call off the government, most tax experts are now recommending the use of the professional service corporations in the appropriate circumstances.

The use of the corporate form of practice, whether association or regular corporation, has many tax advantages. The two primary ones are the splitting of income between two taxpayers, i.e. the corporation and the salaried architect, and the more liberal pension and profit-sharing plans available to corporations. For the practitioner making in excess of \$20,000 a year, there can be substantial benefits.

Practitioners should consult their lawyers and tax advisers as to which, if any, of the alternatives now available would be best suited for his or their particular situation. The least that can be said about the current status of the law is that there are two more alternatives which offer hope to the professional to retain for himself a greater share of the fruits of his labor.

1. Professional Service Corporation Act, Chapter 621, Florida Statutes (1967).
2. Section 467.19, Florida Statutes, (Senate Bill 610, effective 7/1/69).

A panel talk given at
the Palm Beach Chapter
Office Practice Seminar

by Hal Obst, AIA

IMPRESSIONS

Nearly all of us, or all architects, are endowed with five good senses: vision, hearing, taste, touch, and smell. I would like to relate the sensory impressions to our individual professional practices of architecture.

All of us remember in our travels arriving at a new or strange place. What hit us first . . . I'm afraid my very first impression many years ago upon arrival by plane in Jacksonville was a strong, unpleasant odor, that was produced by the paper plants. In New Orleans, of the many memories, the fondest is gastronomical, having eaten at Antoine's and Commander's Palace, and all the others. At Christmas, many of the presents have a distinctive tactile appeal as well as being colorful. And we may or may not wear that pair of socks because we like or dislike its tactile qualities.

This takes us right up to our subject of office practice. We might compare this to marriage . . . if you take it for granted, watch out: danger signals will appear; but if you work at the relationship, it is bound to succeed. A great deal that we do not do might be classified as disregard of the obvious. All of us do create an impression on those we come in contact with in our everyday walks of life. It is this impression that I would like to discuss.

Let's start with our offices. The parking should, of course, be adequate. Next, what type of sign or lettering announces, "here is an Architect." You might imagine arriving blind-

folded from your car to your office. Then, take an objective look with each step next time, and if the path still leads right to your door, your client will walk in with ease. That front door might have a little personality . . . special lettering, distinctive door knob, etc. What do you see when you open that front door? Try stopping at that point tomorrow and look about you. Check those walls, the floor, the ceiling, the lighting, and the sounds that you hear. You might just come up with a recommendation or two, such as a new lamp or a new carpet.

Your client has arrived. If he is to be seated, do you have a comfortable chair, something for him to read, and/or some music to listen to while he waits? And of course, the walls will have your hallmark . . . those photographs and renderings, just in case he is bored with reading. Likewise in the private office or conference room, the work space should be adequate to spread out plans, and the lighting sufficient to view the work.

Let's leave the visual for a moment. You have to greet your prospect, and after that first "hello" you may have to sell him on your services. What you say may prove to be very important at that first meeting. Answer accurately all questions and stay away from generalizations. On costs, use the best information available, and here you can suggest cost estimate by others (contractors, an estimator, etc.) Tell your prospect exactly what you will do for him and your fee for these services.

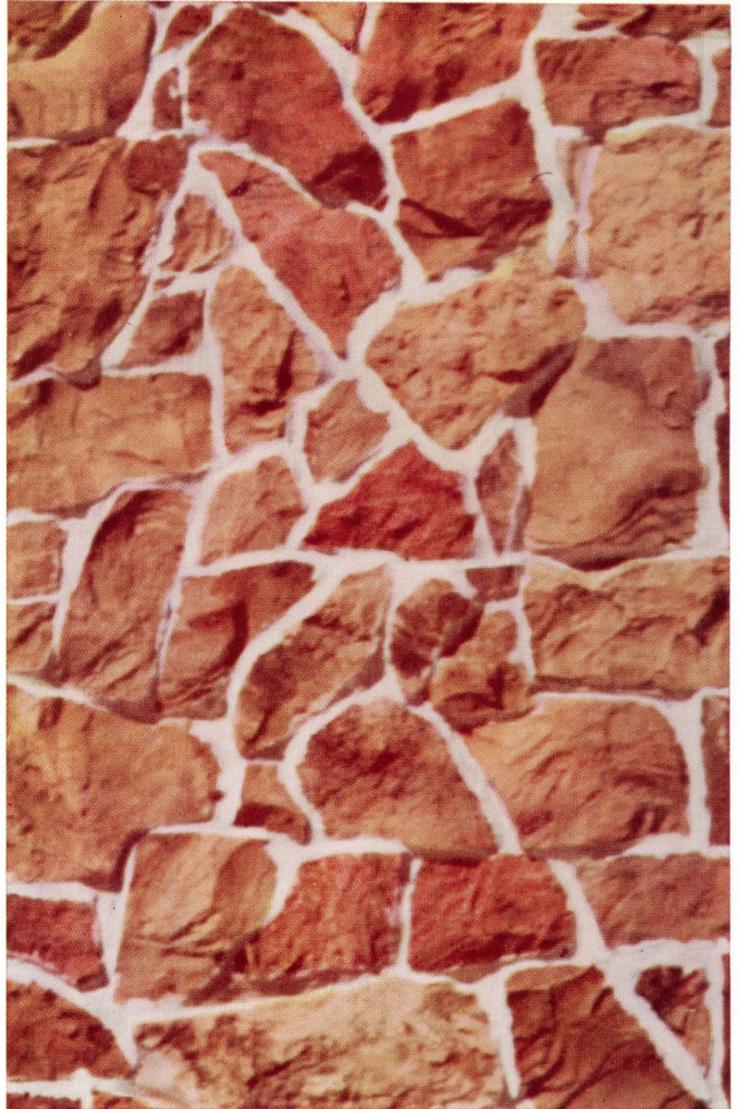
We assume you have signed him up on a standard A.I.A. form of agreement, and now comes more oral contact. How does your secretary answer the telephone? And what does she say about your availability? People telephone rather than write letters because they want the answer now . . . therefore return those calls as soon as possible.

How about the paper work? Did you design that stationery? When your letter arrives, it should attract as much attention as those commercial ads with girls in mini skirts . . . in a more dignified manner. After the art work by the printer, what does your secretary do with the pretty stationery? Does she compose every letter, checking distances from margins? Check your incoming mail for letters which have eye appeal. Give a few of them to your secretary. This should apply to all mail, be it change orders, certificates for payment, or of course, letters.

To leave a good impression, always remember that design is your business, and everything you do or say represents you. A little self-evaluation is a good exercise, and the results may bring dollars to you.

This Is Red River Rubble . . .

It's a hard, fine-grained sandstone from the now-dry bed of the Kiamichi River in Oklahoma. In color it ranges from a warm umber through a variety of brownish reds to warm, light tan . . . Face textures are just as varied. Over thousands of years rushing water has sculptured each individual stone with an infinite diversity of hollows, ridges, striations, swirls — and has worn each surface to a soft, mellow smoothness . . . The general character of this unusual stone suggests its use in broad, unbroken areas wherein rugged scale and rich color are dominating factors of design . . . Age and exposure can do nothing to this stone except enhance the mellow richness of its natural beauty. . .



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Mutual of Omaha Building
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kurt waldmann architect- ural photog- raphy