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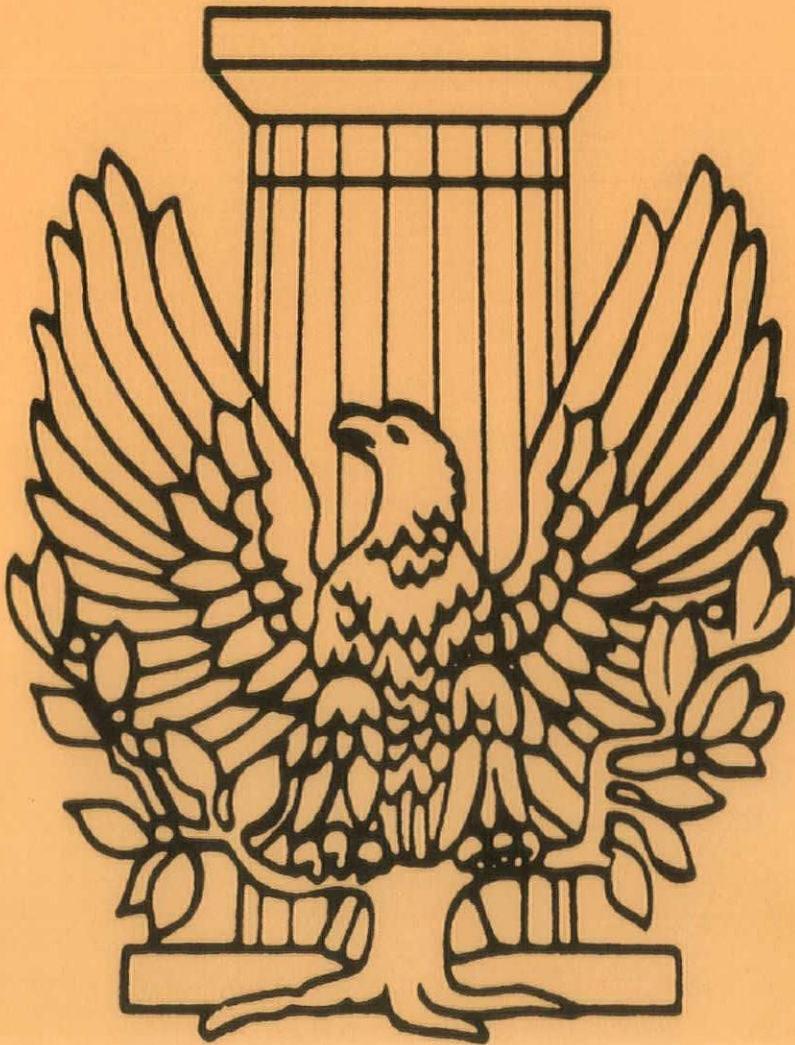
Michigan
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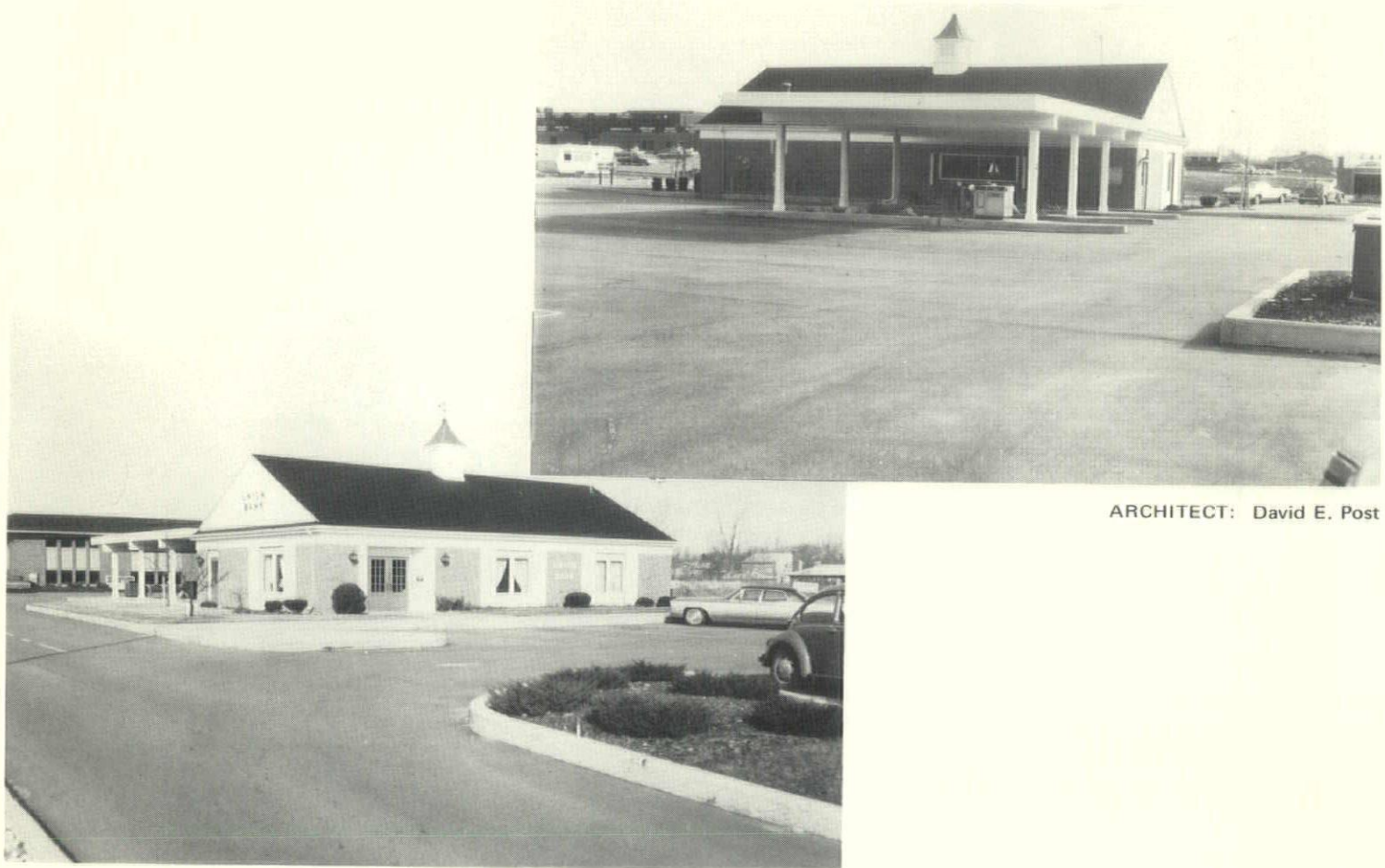
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An Effective Registration Act

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Now that some needed revisions and clarifications have been enacted to our registration law, the MSA Board has taken two steps to improve the effectiveness of registration. First, the Department of Licensing and Regulation has been requested to allocate more funds and personnel to investigating complaints and enforcing compliance with our registration act and second, it has urged that we architects take the initiative in reporting violations of the act. In Sol King (Chairman), Bernard DeVries and Jim Tomblinson we have as Registration Board members three fine architects who work thoroughly and diligently. Jack Sharpe, Administrative Secretary for the Board of Registration for Architects; and the other employees of the Department of Licensing and Regulation are capable and energetic. But, it is their job to administer, investigate and judge violations of the act not to ferret them out. They can handle violations only as they are reported to them. This article is based on a review of the subject with Jack Sharpe and will discuss the more common violations and the procedures for reporting them so that your efforts to curb them will be more effective.

First is the case of a person not registered in Michigan who prepares plans and specifications for a project or reviews materials and completed phases of construction for compliance with the plans and specifications when the project or the person is not exempted by the act. (Exemptions include: a residence of not more than 3500 square feet, public works of not more than \$5,000, and employee of a railroad or interstate corporation doing work on the property of the corporation, an owner doing work

on his own property for only his own use). Report the violation to Jack Sharpe on a complaint form which you can obtain from him (Report of Alleged Violation of the State Registration Act) or report it by letter accompanied by public proof such as a news clipping giving the date and name of publication, photo of building and job sign, business card, etc. If you prefer, the letter with public proof can be anonymous. Jack Sharpe will have the complaint investigated by a Department officer and if found to be a violation of the Registration Act, will turn the evidence over to the county prosecutor for action. The investigation will probably include a determination within the department that issued the building permit of the identity of the person who sealed, and is responsible for, the plans and specification. The prosecutor's office is generally up to its ears in criminal cases and because of the press of work, may ignore the complaint unless it documents a fact that someone could be injured or may at best only advise the offender that he is violating the act and that he shouldn't do it anymore. Don't do anything that would make it appear that your action is "sour grapes", that you are acting in order to get the job for yourself. The Registration Act is to safeguard life, health and property and this should be kept foremost in mind. Don't turn off if the violation does not receive the attention that you desire. Each violation should be reported with the prospect that a correction will result. A repetition of complaints in an area should bring the general matter to the attention of responsible officials and result in corrective action.

Second is the case of a registrant practicing in a profession other than

that in which he received his registration. This would involve an engineer or land surveyor practicing as an architect, an architect or engineer practicing as a land surveyor, etc. The act provides that the registrant who is responsible for the plans and specifications may perform the services of either of the other professions if such services are incidental to the whole project. It is not the intent of the act that an architect may seal the plans for a project that is primarily engineering or land surveying, that an engineer may seal the plans for a project that is primarily architectural or land surveying, that a land surveyor may seal the plans of a project that is primarily architectural or engineering. The joint Boards of Registration for Architects, Professional Engineers and Land Surveyors, by resolution dated March 26, 1974, have covered this subject very completely and have stated specifically that a registrant shall undertake to participate only in those phases of a project in which he is demonstrably competent by education, training, experience and registration examination and shall retain registered professional associates for the other phases. There may be a problem concerning what is architecture or what is engineering and you will have to resolve this as best you can when filing a complaint in this regard, recognizing that the Registration Board may overrule you later on. If it appears that a registrant is practicing outside his field of registration, a complaint form should be obtained from Jack Sharpe, filled out completely and filed with him. Note that this type of complaint requires your notarized

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THE MONTHLY BULLETIN IS
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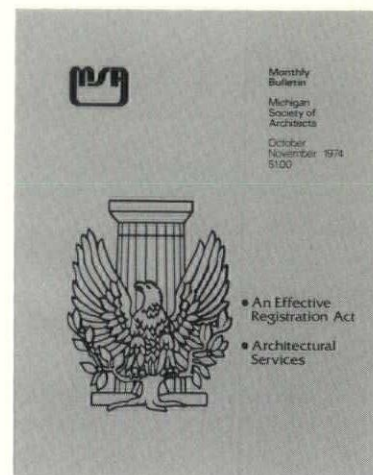
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signature and you must be willing to be a witness at a hearing and to testify to the violation. As in the first case, "sour grapes" must be avoided and the complaint should be based on the safeguard of life, health and property. Jack Sharpe will have the complaint investigated to determine if there is probable cause for proceedings. The investigation will be reviewed by the board member and if a board hearing appears justified, such a hearing will be held before the appropriate board. At a hearing, a hearing officer is assigned by the Director of the Department of Licensing and Regulation who acts as a judge to interpret the law.

The Registration Board serves as the jury, the Assistant Attorney General who is assigned to work with the Registration Board acts as the prosecutor and it is within his prerogative to decide not to press a complaint. The defendant, of course, may have an attorney at the hearing and is entitled to all of the guarantees of due process. A determination by the Board is subject to an appeal by the Appeals Court.

The third case involves a complaint against a registrant for gross negligence, incompetency, misconduct, fraud or deceit. It could involve fees or the conduct of the job as a

violation of the contract, which cases would generally result in a complaint by the client. This could also involve the sealing of plans and specifications that had not been prepared under the supervision of the registrant as the person in responsible charge. Heretofore, the Registration Boards did not have authority under the prior act to promulgate rules defining professional conduct and it has, therefore, been difficult to process this type of violation. The recent amendment authorizes such rules and there violations will be considered valid as soon as the Boards have adopted rules defining them. Until the rules have been adopted we can probably rely on the recognized standards of professional conduct in determining misconduct. In this type of case, you should try to obtain as many facts substantiating the complaint as possible but don't act in such a way that you may become liable for slander. Depend on facts and not rumors. Here again a complaint form should be executed, witnessed and forwarded to Jack Sharpe. The investigating and hearing process will be identical to that in the second case.

There is little reason to have a Registration Act covering our profession unless it is effective. Past experience has indicated that the Department of Licensing and Regulation and the Registration Board do not have the manpower and the funds to police the act completely. There is probably no way that the act will be made 100% effective and that all violations will be sought out and stopped. However, the MSA Board has determined that we as a profession can and should do more to make the act effective and I urge that each professional participate to make it so. Don't grumble and grouse if violations are occurring in your area - do something about it! The Registration Board members, Jack Sharpe and this office will assist you as best we can.



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*.....from the MSA By-Laws
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521 Randolph St., 49684 946-7116
Mapes, Philip M. Architect
114½ E. Front St., 49684 946-2260

TROY (Area Code 313)

Stickel, Frederick Associates,
2900 W. Maple Road, 48084 643-8010
Strat, Thomas & Associates
799 Stephenson, 48084 585-6600
Straub, Van Dine Associates/Architects
1441 E. Maple 48084 689-2727
Yamasaki, Minoru & Associates,
350 W. Big Beaver Road, 48084 689-3500

WARREN (Area Code 313)

Ellis/Naeyaert Associates
30400 Van Dyke, 48093 575-9000
Germany, O. Inc.
2500 E. 9 Mile Rd., 48091 755-4484
Pettrilli, Alfred J., Architect
13450 Twelve Mile Rd., 48093 755-1060

WYANDOTTE (Area Code 313)

Yops, Jack W., 3005 Biddle, 48192 285-1924

YPSILANTI (Area Code 313)

Gerganoff, Z.T. & Associates
206 N. Washington St. 48197 482-0028

Editor's Note: Please advise Mrs. Rae Dumke of the Bulletin office of any errors, omissions or corrections to be made in this roster. 28 West Adams, Detroit, Michigan 48226. (313) 965-4100



What's Michigan's Leading Air Handling Contractor Doing in Kansas City?

Size and mobility allow Ventcon to handle widely scattered projects. But Kansas City is a bit beyond normal working range—even for us. Still, a team of Ventcon sheet-metal specialists spent substantial time there.

The reason: Ventcon was awarded the air-handling contract for a large and complex government installation located in suburban Detroit. Since a similar project was already underway in Kansas City, we jumped at the chance to visit it.

As a result of that trip, Ventcon recommended scheduling and sequencing revisions for the Detroit project. The outcome was improved performance, fewer scheduling conflicts—a more efficiently run project.

We didn't have to go to Kansas City. But a lot of problems were avoided because we did. We take the same uncompromising approach to every job we handle. Isn't that a big part of leadership in any field?

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Architectural Services

INTRODUCTION

Today's buildings are highly complex. They must meet rigid requirements for occupational, health and environmental requirements. Moreover, they should fulfill the need for functional and aesthetical excellence in a justifiably economic fashion. Architects provide the professional services necessary to satisfy these demands. As a professional, the architect is obligated to preserve the confidences of his client and to represent truthfully and clearly his capabilities and qualifications. The architect is committed to advance the science and art of planning, designing and building and to promote the improvement of the quality of our physical environment, as well as public health, safety and welfare. In addition, since 1857 the American Institute of Architects, of which the Michigan Society is a part, has promulgated standards of ethical professional practice. Compliance with these standards is a prerequisite for membership in the Institute.

You, the client, will significantly benefit if you fully understand the scope and extent of the architect's services, the time requirements to perform these services, and the responsibilities of each party in the cooperative endeavor. The architect is your professional advisor and acts as your agent in matters as you mutually agree in the client-architect agreement. Your trust and confidence in his integrity form the essence of the professional relationship.

The architect will advise you on design and construction of your building project, making available his time, talents, knowledge and experience. His services can cover the entire project including design of the architectural, structural, electrical, plumbing, heating and air conditioning systems, and selection of all other materials and equipment required. He may employ consultants but he will retain overall responsibility for the project.

This document then is intended to acquaint you with the services performed by architects and the methods of compensation for those services.

COMPREHENSIVE SERVICES

The list of services that follows is arranged in the logical sequence of a project's development. The list is not intended to be all inclusive nor imply that all listed services are required for every project. It merely demonstrates the broad range of services provided by architects. The list will assist you in determining with your architect the scope of effort and time required of him, his staff and his consultants in the performance of professional services for your project. A detailed review of the services required for each phase is recommended prior to finalizing the professional services agreement (* indicates traditionally basic services for the average project).

I Pre-Design Services

1. Preparation of Project Program Statement
2. Existing Facilities Surveys
3. Economic Feasibility Analysis
4. Review with Governmental Agencies
5. Assistance with Fund Raising or Project Financing
6. Assistance with Grant Applications
7. Site Selection and Analysis
8. Site Master Planning
9. On and Off Site Utility Studies
10. Zoning Analysis and Processing
11. Environmental Impact Studies.

II Project Design Services

1. Project Conceptual (Schematic) Design *
2. Building Environmental Systems Analysis
3. Statement of Probable Construction Cost *
4. Detailed Cost Estimates
5. Project Design Development *
6. Site and Landscape Design Development
7. Interior Design
8. Furnishings and Special Equipment Design
9. Renderings, Models and Special Mock-Up
10. Governmental and Regulatory Agency Reviews

III Construction Document Services

1. Architectural Construction Drawings *
2. Structural Construction Drawings *
3. Civil Construction Drawings *
4. Landscape Construction Drawings
5. Special Equipment Construction Drawings
6. Mechanical Construction Drawings *
7. Electrical Construction Drawings *
8. Bidding Instructions and Forms *
9. General Conditions *
10. Construction Specifications *
11. Statement of Probable Construction Cost *
12. Detailed Cost Estimates *
13. Governmental and Regulatory Agency Approvals
14. Construction Scheduling (CPM)

IV Bidding and Negotiating Services

1. Pre-Qualification of Bidders
2. Addenda to the Documents *
3. Receipt and Processing of Bids *
4. Bid Analysis and Recommendations of Award *
5. Assistance with Preparations of Construction Agreement *

V Services During Construction

1. Interpretations and Clarifications of the Documents *
2. Shop Drawing and Submittal Review *
3. Construction Observation and Certification *
4. Coordination of Testing and Inspection
5. Prepare Bulletins, Review Quotation and Issue Change Order
6. Review and Process Requests for Progress Payments
7. Review and Make Recommendation of Final Acceptance and Final Payment *
8. On Site Clerk-Of-The-Works
9. Construction Management

VI Post Construction Services

1. Preparation of As-Built Drawings
2. Preparation of Operation and Maintenance Manuals
3. Warranty and Guarantee Inspections

Special Services

1. Special Studies
2. Computer Applications
3. Expert Witness
4. Special Investigations (Failures - Natural Catastrophes, Insurance Losses)
5. Services in Conjunction with Defaults or Arbitrations
6. Association with Special Consultants for the Project (Acoustic, Special Foundations, Security, Food Service, etc.)

COMPENSATIONS

The amount of compensation which the architect receives relates directly to the amount of work, the time period and the types of professional and technical skills which he must employ in the performance of the services for the project. Compensation for professional services is composed of (1) direct personnel cost; (2) overhead; (3) consultants charges; and (4) profit or professional fee. Certain expenses are not included as compensation but are reimbursed over and above. These "Reimbursable Expenses" are discussed later.

The method of compensation to be employed for the services enumerated in the Owner-Architect agreement must be selected with great care and due consideration for the success of the project. You, the client must be confident that the quantity and quality of services will be adequate to assure a

successful project while the architect must be assured of fair compensation for the performance of all services and costs incurred on your behalf. Compensation is established in any of several ways including:

1. Direct personnel cost times a multiplier to compensate for overhead and profit. This method is commonly used when the scope of the project and consequently the scope of the architect's service is unknown or not reasonably ascertainable.
2. Direct personnel cost times a multiplier with an upset or not to exceed maximum. A variation of No. 1 above and applicable when the scope of services can be reasonably ascertained.
3. Lump Sum or Fixed Fee
This method is commonly used when the scope of services required is known or can be realistically determined.
4. Cost Plus a Fixed Fee
This method sets a fixed amount for the architects personal involvement; other personnel, overhead and consultant expenses are paid for on a basis similar to that in No. 1 above.
5. Percentage of Construction Cost
Under this method, compensation rate is generally determined on a declining basis; i.e., the larger the construction cost, the lower the percentage. However the relative complexity of the facility and total scope of services must also be considered in determining an appropriate percentage.
6. Per Diem Rates
This method is most applicable in cases of special or unusual consultant or investigative services.

While the above methods are intended to cover the agreed upon services, it is customary to agree on a compensation method for extra or special services in the event they may be required at a later time.

Reimbursable Expenses are in addition to compensation for services and include actual expenditures incurred by the architect, his employees and his professional consultants for the project. Examples of these expenses include long distance phone calls, travel expenses and travel time to and from the project location, parking and toll expenses, bidding document reproduction and printing, special mailing and delivery cost.

Certain other expenses, when specifically authorized are reimbursable to the architect. These include premium portion of overtime personnel expense, models and renderings, promotional and fund raising materials, certain computer charges, special or extraordinary insurance and permit and application fees and costs.

Payment of compensation is customarily made monthly and in full for costs incurred or, in the case of Fixed Fee or Percentage Fee, in Proportion to the Services performed. It is becoming common practice to agree on carrying charges for accounts overdue beyond 30 days of billing date.



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Professional Engineers Elect President

The Detroit Chapter of the Michigan Society of Professional Engineers elected President is John Banicki; Charles R. Scales, Jr., president-elect; 1st Vice President is Ernest R. McCamman; 2nd Vice President, Merrill M. Bush; W. Thomas Munsell, secretary; and Paul J. Kelly, Treasurer. State directors are Chesley Ayers and L. B. Jackson. The alternate state director is Edgar S. Hughes for the 1974-75 term.

Fire Fails to Faxe Ceramic Tile Distributor

A disastrous multi-alarm fire at the main warehouse and showroom of Beaver Distributors in Oak Park, Michigan erupted on Saturday, August 10. The fire, which is suspected to have originated in exterior electric wiring, completely burned out the warehouse office and a sample storage area and contributed an extensive amount of smoke damage to the showroom and executive offices as well as the entire warehouse.

During the early business hours on Monday morning, August 12, Beaver Distributors referred customers to their recently opened Eastside warehouse in Roseville to pick up standard orders of Florida, Summitville, Impo and other tiles. Then, Beaver's personnel faced the almost insurmountable task of getting back into business.

After the roof had been temporarily patched an area was cleared and an order desk set up. Telephone service was restored on Beaver's 543-3969 line.

Contacts were then made with all suppliers to schedule as much fresh stock as could be immediately obtained. Following the receipt of this new stock, some orders were being filled by the end of the week from Oak Park.

Fred Blackwood, President of Beaver Distributors, Inc., has advised architects, designers, general contractors and builders to use the Beaver East showroom at 29183 Calahan in Roseville (778-5880) for selections and sampling normally made at Beaver Oak Park. Notice will be sent when repairs have been completed at Beaver's west side location.

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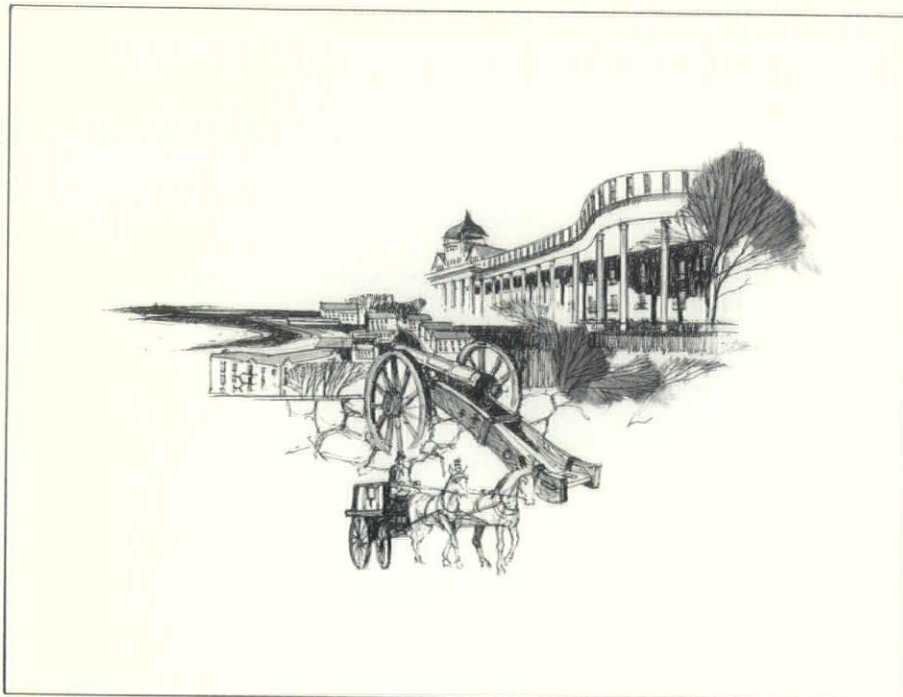
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Mackinac Island Reproductions Available



Reproductions of the drawings of the Mackinac Island scenes executed by Conference Chairman, Jim Hackenberger, AIA, are available from the MSA Office, at \$3.50 each, cash and carry. Postage, wrapping, handling and invoicing will bring the cost to \$5.00 each. Size of the drawing is 28" X 22" on paper suitable for framing. Profits from the sale of this drawing will be donated for the Restoration of the Stone Officers Quarters at the Fort on Mackinac Island in the name of the Michigan Society of Architects.

Calendar

October 8

Detroit Golf League, Meadowbrook Country Club

October 16

Detroit Chapter, AIA, Annual Meeting and Election

October 27

"Architects' Sunday" - City of Troy, Library/Straub, Van Dine Associates

November 24

"Architects' Sunday" - Berry International Terminal/Louis Redstone Associates

December 5

Detroit Chapter, AIA, Annual Honor Awards Banquet, Cobo Hall.

1975

May 18-22

AIA National Convention, Atlanta, Georgia

August 7-9

MSA 32nd Mid-Summer Conference, Grand Hotel, Mackinac Island

October 8-10

MSA Annual Convention, Kalamazoo, MI

Harper Hospital in the Detroit Medical Center... Terrazzo



Harper Hospital's Webber Memorial Building has 22 operating rooms, a large surgical recovery room, and extensive X-ray and laboratory facilities. In the operating area, conductive floors were imperative, cleanliness and ease of maintenance were critical — TERRAZZO, a natural!

Architect: Smith Hinchman & Grylls Associates, Inc.



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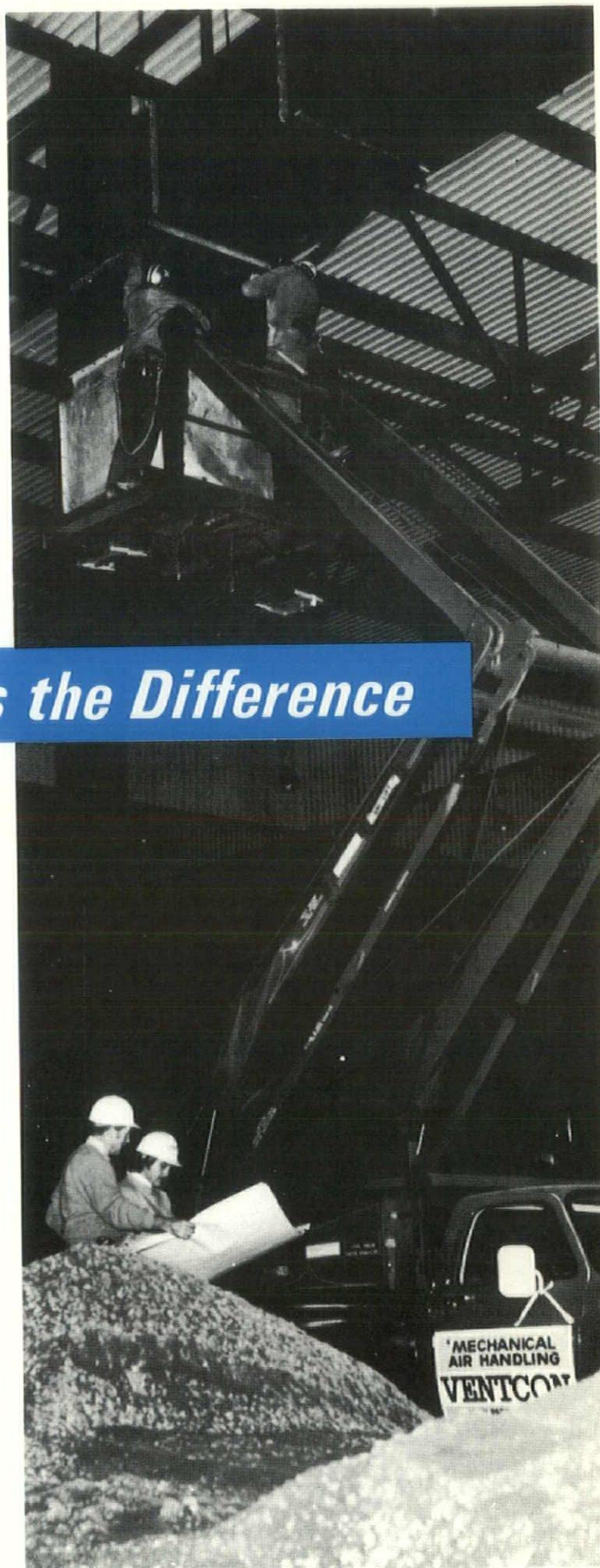
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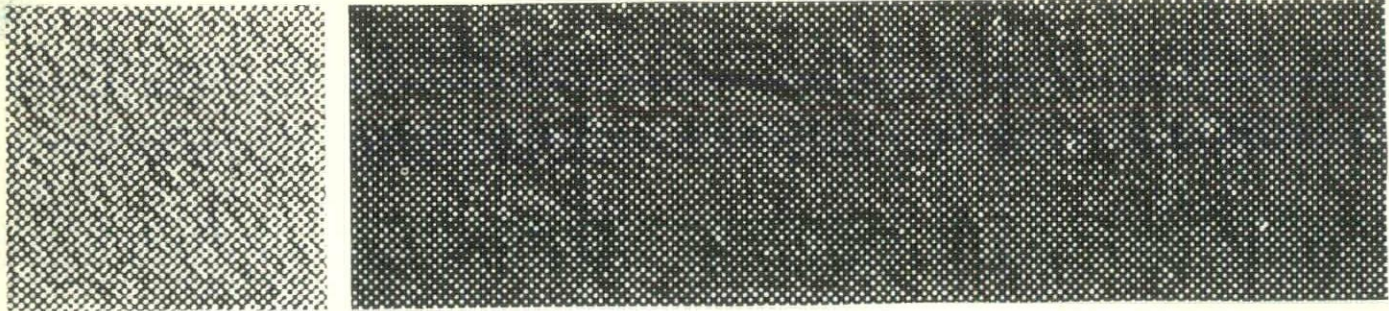
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Why? Because we work hard to keep it that way. Each one of our tradesmen receives over ten-thousand hours of classroom and on-the-job-training. We're contributing to major research projects that will keep our training relevant and up-to-date. And we're constantly communicating with architects, contractors and builders to find new ways of doing our job better—before, during and after each new "Great Indoors" goes up.

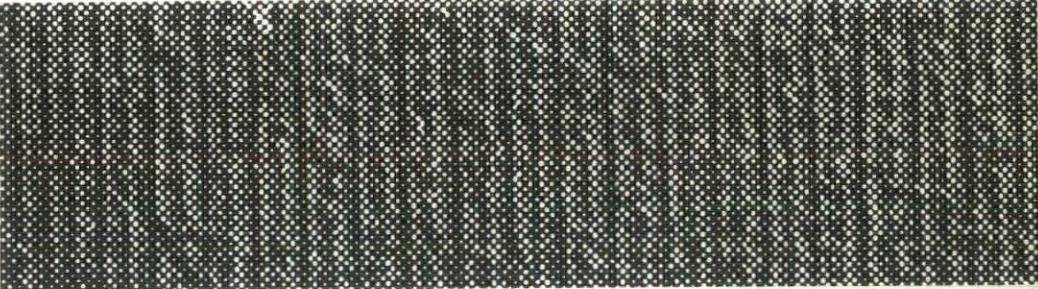
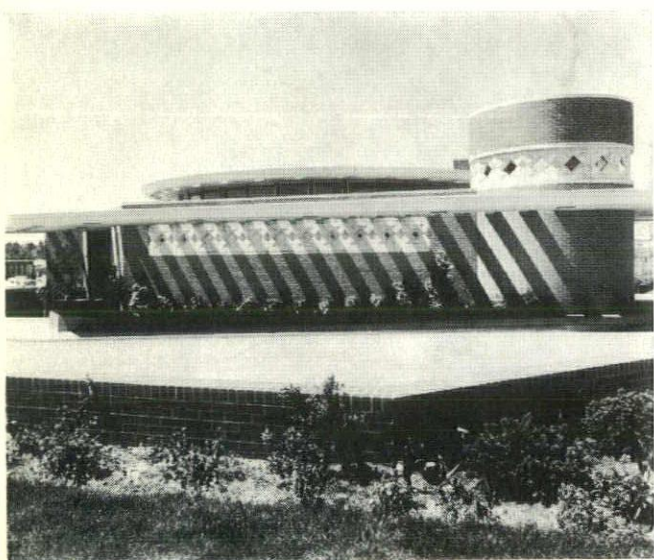
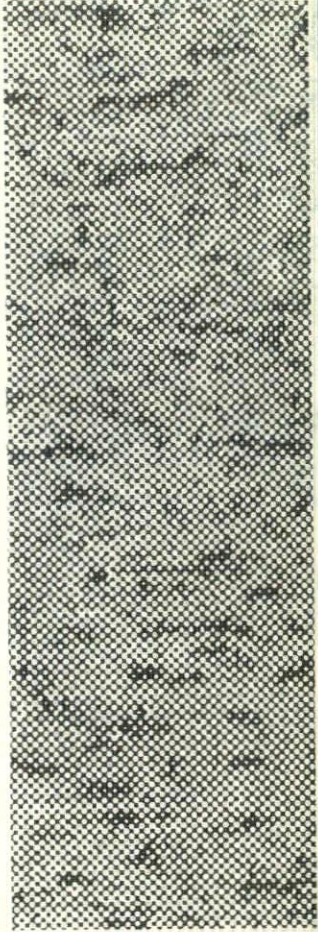


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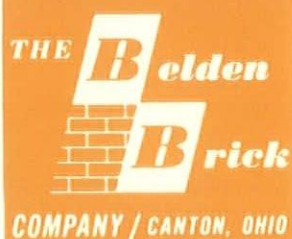
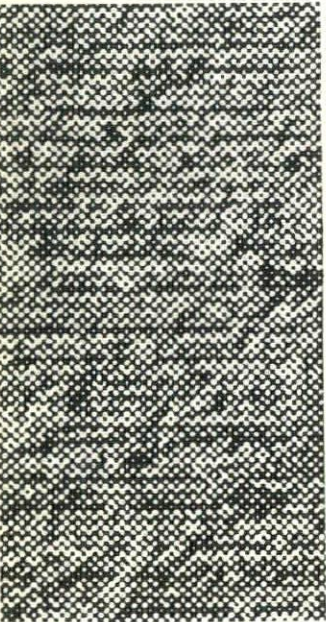


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