

# CSI KNOXVILLE CHAPTER MEETING TUESDAY, FEBRUARY 11TH

# **CONSTRUCTION LAW: RISK ALLOCATION** AND INSURANCE REQUIREMENTS

#### **PRESENTED BY PAUL WHITT, LEWIS THOMASON**





### **CSI Knoxville Chapter Meeting**

Tuesday, February 11th Time: 11:30 AM EST - 1:00 PM (EST) Construction Law: Risk Allocation and Insurance Requirements, Presented By Paul Whitt, Lewis Thomason 1 AIA LU/ HSW

In-Person Meeting Location: Associated General Contractors (AGC) Address: 3306 Ragsdale Ave NW, Knoxville, TN 37909

#### <u>SCHEDULE</u>

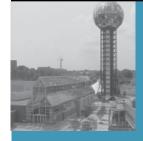
11:30 am - 12:00 pm Sign-In 12:00 pm - 1:00 pm Presentation



\$20 Per CSI member (Pay at the door: Cash, credit cards, or checks are accepted) Guests are free on first visit, then \$20 each meeting.

RSVP: Lunch Provided Click here to make Reservation

The Knoxville Chapter meets on the second Tuesday of each month, U.N.O. in Calendar. Guests are Welcome! ORGANIZED SEPTEMBER 1958 - CHARTERED MAY 1959



CSI KNOXVILLE IS A MEMBER OF THE CSI GULF STATES REGION

# THESPECK Editor

Stacy Flick Colbaugh - Editor <u>sfcolbaugh@gmail.com</u>

THESPECK is published monthly by the Knoxville Chapter of the Construction Specifications Institute. Readers are encouraged to submit articles and images of the construction industry interest for our membership. All submittals should be sent via e-mail in a typical file format, such as .pdf, .docx, or .jpg Please verify the accuracy of the information such as correct dates, spelling, and grammar. Deadlines are the 21st of each month and the newsletter will go out on the first.



# CALENDAR OF EVENTS

- 04 <u>CSI Board Meeting</u> Tuesday, February 4th Meeting from 12:00 pm - 1:00 pm (EST)
- 11 <u>CSI Chapter Meeting</u> Tuesday, February 11th Time: 11:30 AM EST - 1:00 PM (EST) Construction Law: Risk Allocation and Insurance Requirements, Presented By Paul Whitt from Lewis Thomason, 1 AIA HSW/LU

#### RSVP: Lunch Provided Click to Make Reservation

Location: The Associated General Contractors of Tennessee 3306 Ragsdale Ave NW, Knoxville, TN 37909

#### MARCH

- 04 <u>CSI Board Meeting</u> Tuesday, March 4th Meeting from 12:00 pm - 1:00 pm (EST)
- 11 <u>CSI Knoxville East TN Building Product Show:</u> Tuesday, March 11th, 2:00 pm - 7:00 pm, at Jackson Terminal

No CSI Chapter Lunch Meeting for March. Please join us for the CSI Knoxville East TN Building Product Show

2:00 pm - 4:00 pm Building Code Panel Discussion 1AIA LU/HSW

4:00 pm - 7:00 pm Products Show Free heavy hors d'oeuvres will be served

Location: Jackson Terminal 213 W. Jackson Ave, Knoxville TN 37902

Vendors: Click here for Exhibit Space Application

#### APRIL

- 01 <u>CSI Board Meeting</u> Tuesday, April 1st Meeting from 12:00 pm - 1:00 pm (EST) Join Zoom Meeting: <u>https://us02web.zoom.us/j/83014858499</u> Meeting ID: 830 1485 8499
- 08 <u>CSI Chapter Meeting</u> Tuesday, April 8th Time: 11:30 AM EST - 1:00 PM (EST) "Historic Preservation and Adaptive Reuse 101 -Best Practices" Presented by Hollie Cook, Knox Heritage, 1 AIA LU/ HSW

RSVP: Lunch Provided <u>Click to Make</u> <u>Reservation</u> Location: The Associated General Contractors of Tennessee <u>3306 Ragsdale Ave NW, Knoxville, TN 37909</u>

# THE PRESIDENT'S MESSAGE

## GREETINGS, CSI KNOXVILLIANS...



Navigating risk in construction? Don't miss our session on "Risk Allocation & Insurance Requirements" with Paul Whitt, a construction law expert from Lewis Thomason! Paul's experience representing engineers, architects, contractors and surveyers, makes him uniquely qualified to share his insights.

Tuesday, February 11th!

Earn 1 AIA/CES HSW credit. Lunch provided at 11:45, program starts at noon at the AGC Building (3306 Ragsdale Ave). RSVP today!

Upcoming CSI Events... the annual print reading class tentatively scheduled for 8/14/25 through 10/2/25 at the AGC building.

March 11: CSIK Product show and building code official panel at the Jackson terminal Registration at <u>https://www.csiknoxville.org/</u>

June 12-14: Save the date for the Gulf States Region conference in Chattanooga with several speakers:

William Sundquist on his leadership journey from Knoxville, Chattanooga, GSR and now national leadership.



Darson Buckner on salesmanship of CSI as a volunteer organization.

Kathy Proctor/Lauretta Cocke/Suzan Jordan on Fun CSI events (award ceremonies, Christmas party, 4th of July and others).

Jack Potter on Bill Highway and other treasurer duties.

Karina Kane on making CSI relevant to young Emerging Professionals.

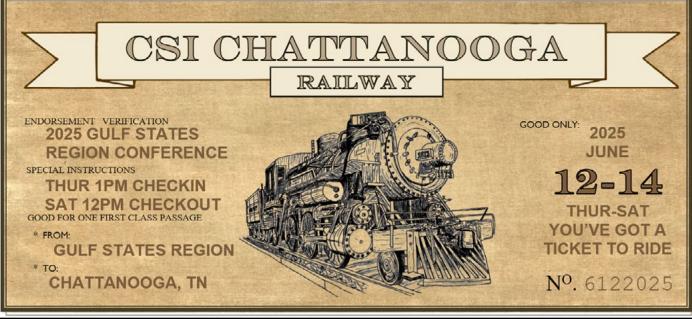
Mark Dorsey on CSI national.

Gary Bergeron on Renovating Historic Buildings: Everyone say, "RAR!" (Reuse, Adapt, Recycle)

October 16-17: CSI National Convention in Cleveland, Ohio

October 23: CSIK golf tournament @ Three Ridges golf course

Yours in Service, Brent Williams Chief Fusion Evangelist, Archteva, LLC Direct 865.924-9757 brent@archteva.com



FEBRUARY 2025





# East Tennessee Building Products Show

# March 11, 2025

**Building Code Panel Discussion: 2:00 - 4:00 pm** Upcoming IBC adoptions in East Tennessee 1 AIA LU/HSW

**Products Show: 4:00 - 7:00 pm** Free Heavy Hors D'oeuvres will be served

# **Jackson Terminal**

213 W. Jackson Ave. Knoxville, TN 37902

Everyone in the Design and Construction Industry is invited to this free event!



Course Name: Construction Law – Best Practices and Risk Management

Course Date:	Tuesday, February 11, 2025 at Noon
Course Number:	CSIK-004
Provider Name:	CSI National
Provider Number:	S000
Continuing Education:	1.0 LU

#### ABOUT THIS COURSE

This continuing education course, presented by an experienced attorney, is designed for architects, contractors, engineers and others in the design and construction industry. Titled "Construction Law - Best Practices and Risk Management", the session will provide crucial insights into managing legal risks throughout the construction process. Topics covered will include liability insurance, professional and general liability, builder's risk insurance, workers compensation and errors and omissions insurance. Participants will gain a clear understanding of how to address claims, property damage, and professional negligence to safeguard their businesses. Through practical guidance and real-world examples, attendees will learn strategies to minimize risk and avoid costly legal disputes. The course will also feature a Q&A segment, allowing participants to engage directly with the presenter and seek advice tailored to their specific concerns and experiences.

#### **LEARNING OBJECTIVES**

- 1. **Understand Key Insurance Types in Construction Law**: Identify and differentiate between various types of insurance relevant to the construction industry, including professional and general liability, builder's risk insurance, workers' compensation, errors and omissions insurance, and how each helps manage legal risks.
- 2. Analyze Risk Management Strategies: Learn effective strategies for minimizing legal risks, preventing claims, and reducing exposure to liability through proactive measures such as proper contract management, insurance coverage, and compliance with regulations.
- 3. Address Claims and Professional Negligence: Gain the skills to identify and respond to claims related to property damage, professional negligence, and other disputes, and understand the legal procedures for resolving such issues in the design and construction process.
- 4. **Implement Best Practices for Health, Safety, and Welfare**: Develop a comprehensive understanding of how construction law intersects with health, safety, and welfare concerns, and learn how to apply risk management practices that protect workers, clients, and the public in construction projects.

#### BIOGRAPHY

#### Paul Whitt

LEWIS THOMASON, Knoxville Office **ONE CENTRE SQUARE, FIFTH FLOOR** 620 Market Street, KNOXVILLE, TN 37902 (865) 546-4646 pwhitt@lewisthomason.com

Paul Whitt, a shareholder in the firm's Knoxville office. practices in the areas of construction law and litigation, including professional liability defense of design professionals, such as engineers, architects and surveyors, and representation of contractors, subcontractors and owners in construction defect related disputes. He also regularly handles matters related to the defense of accountants and accounting firms in professional liability matters. Mr. Whitt also has significant experience representing insurance carriers in first party actions brought by insureds related to coverage matters, claims of bad faith, insurance fraud and other extra-contractual matters, as well as significant experience in general civil litigation.

#### **AFFILIATIONS**

American Bar Association (ABA) Associated Builders and Contractors (ABC) **Construction Specifications Institute** Knoxville Bar Association (KBA) Tennessee Bar Association (TBA) Tennessee Association of Construction Counsel (TACC)

## PRACTICE AREAS

Architect, Engineer and Surveyor Professional Liability

Construction

**General Civil** 

Insurance

Litigation & Dispute Resolution

Professional Liability

# EDUCATION

Union University, B.S.B.A., 2001 University of South Carolina, J.D., cum laude, 2005

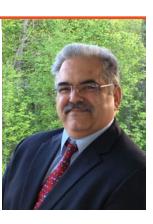


FEBRUARY 2025

## **CSI** LEARNING

# What I Learned from CSI... Filter Out the Fuss: Choosing the Right HVAC Air Filter

Gary T. Bergeron FCSI Principal and Co-Owner Kelso-Regen Associates, Inc. Consulting Engineers CSI Gulf States Region Treasurer & Technical chair ACE mentorship Greater Knoxville fundraising chair O: 865-588-5348 C: 865-748-6304 gary@kelso-regen.com



Many of us in the design and construction industry are aware of the importance of HVAC system air filters. But how many of us know what type of filter to select and how often they should be changed?

My brother, Wesley, recently called me about his HVAC system because his low air flow light was on. After consulting his owner manual, he discovered the light indicated a dirty air filter. Wesley had neglected to



1" THICK MERV 8 AIR FILTER



BLUE SPUN FIBERGLASS AIR FILTER

change his air filter after doing some renovation work in his house which included mudding in sheetrock which was sanded and finished. Wes mentioned that the air filter looked clean and wondered if he should change it. Since Wes had a spare air filter, I suggested he replace it and observe if the light went off. It took about 5 minutes for the low air flow light to go off. When he looked closer at the air filter, he realized that there was a significant amount of sheetrock dust deep in the pleats of the air filter.

In my own house, I neglected to consider the additional particles in the air during the Christmas holidays with having four additional people in the house. The Christmas tree decorations, holiday presents, and pets who were "loved on" more frequently with my 13-yearold grand-daughter in the house for almost a week contributed to a higher than normal dust load on the HVAC air filter. The air filter required changing after only one month of use as opposed to our normal filter change interval which is every three months.

Since the Covid 19 pandemic and the increased concerns about indoor air quality, many people have installed more effective Minimum Efficiency Reporting Value (MERV) filters for their home. The higher the number, the more effective the filter is at trapping particles, but there is an "optimum MERV number" for every HVAC system. Most residential HVAC systems can use a MERV rated filter between 5 and 8. If the MERV rating is much higher, the fan is NOT equipped to overcome the



3" THICK HEPA AIR FILTER

air resistance of the higher rated filter. It is analogous to using a straw for a thick ice cream shake (MERV 20) versus a water filled cup (MERV 1). These MERV 8 pleated filters are priced at approximately \$18 each and do a much better job than the traditional single layer 1" thick blue spun fiberglass mesh filters. High Efficiency Particulate Air (HEPA) filters are very effective but are usually utilized in dedicated room air filter units with fans capable of drawing air through the high air pressure drop filter. HEPA filters are also often used in hospital grade air handling units and are very expensive compared to the normal MERV 8 residential air filters. Don't be fooled by a HEPA "type" filter versus a true HEPA filter which meets American Society of Heating Refrigeration and Air conditioning Engineers (ASHRAE) standards. If you want to discuss this and finer points of the building, design, and construction process, please attend the next local or regional CSI meeting. Contact the author at gary@Kelso-Regen.com or phone 865-588-5348 for more information.

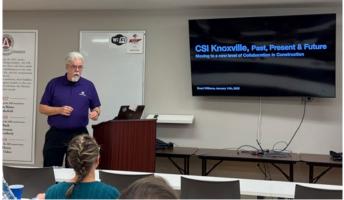


# HINDSIGHT

### Photos from CSI Christmas Party on December 11th

















FEBRUARY 2025

# CSI MEMBER NEWS

### Welcome new Member, Joshua Hankins

Joshua Hankins, CSI, RRO Enclosure Design Consultant joshua@ smartroofsolutions.com



Welcome to one of our newest members, Joshua Hankins. Joshua serves as a manufacturer's representative through Smart Roof Solutions, which is an independent rep firm primarily for GAF and Siplast roofing materials. He specifically supports the design community and specifiers to assist them with plans and specifications. "I regularly do plan and specification reviews (roofing specific) and assist to help obtain the higher quality finished product that is closer to what the specifier originally intended. I'm not a typical sales rep in that I don't quote jobs, I don't work with pricing, and I don't work with contractors. Again, my only job is to support the specifiers".

Joshua became an IIBEC member in 2006 and obtained his ROI (Registered Roofing Observer) in 2009. For the past five years he has been a juror for the annual IIBEC project of the year awards and has served on several international IIBEC committees including Emerging Professionals and Bylaws, and multiple tasks teams.

Joshua had been a roof consultant with Roof Design and Consulting Services here in Knoxville. "I jumped the fence to the dark side and I've been a manufacturer's representative since May 2024. I'm specifically responsible for assisting the design community and owners as an enclosure consultant".

Joshua's grew up immersed in design and construction, as his father, Sid Hankins, has practiced architecture in Knoxville for over 50 years. He said, "many family vacations were long weekends when my father would do site inspections, and I would tag along. I spent more hours than I can count after school in his office looking at blueprints and specifications." When asked why he joined CSI, he said, "I've long been aware of CSI, and at one point planned on obtaining my CDT, but never had the time or opportunity. Katherine Fuller Richardson invited me to attend the last meeting as her guest. I enjoyed the last presentation and look forward to being involved."

Joshua has lived in Knoxville all his life and appears to be a fan of both the UT basketball and football. For the past 20 years, he has served as the backup for the scorer's table (scoreboard operator, shot clock operator, game clock operator, and TV timeout coordinator) for UT men's basketball. He's also the spotter for the PA announcer (Jeff Jarnigan) at the UT football games. Currently he resides in the Fountain City area with his wife and 13-year-old daughter.

Please introduce yourself to Joshua at our next meeting. He has a lot to offer our design community!







# East Tennessee Building Products Show

#### March 11, 2025

Building Code Panel Discussion: 2:00 - 4:00 pm Upcoming IBC adoptions in East Tennessee 1 AIA LU/HSW

**Products Show: 4:00 - 7:00 pm** Free Heavy Hors D'oeuvres will be served

### **Jackson Terminal**

213 W. Jackson Ave. Knoxville, TN 37902

Everyone in the Design and Construction Industry is invited to this free event!



# CSI GULF STATES REGION LEADERS – 2024-2025

Region Officers: President Michael Zielinski, CSI 2100 Dalkeith Drive Germantown, TN 38139 maz.ecc@comcast.net 901-652-5612

Vice President Mr. Gary Bergeron, BS, FCSI, ASHRAE, ASPE 201 Sherlake Ln Ste 101 Knoxville, TN 37922-2376 gary@kelso-regen.com 865-588-5348

Treasurer Mr. John Potter Jr., CSI, Member Emeritus, AIA 807 Huntington Circle Nashville, TN 37215 csjrpotter@att.net

Secretary Mr. Jeffrey Parnell, CSI, CDT, AIA Goodwyn Mills Cawood 117 Jefferson St N Huntsville, AL 35801 jeffrey.parnell@gmcnetwork.com 256-539-3431

Immediate Past President Randall Lewis, CSI, AIA J H & H Architects, PA 1047 N Flowood Dr Flowood, MS 39232-9533 rlewis@jhharchitects.com 601-948-4601

Awards Chair Mr. Billy Mathis, FCSI, CDT Taggart Architects 600 Main Street Suite 300 North Little Rock, AR 72114 bjmathis@taggarch.com 501-758-7443

Electronic Communications Chair Randall Lewis, CSI, AIA J H & H Architects, PA 1047 N Flowood Dr Flowood, MS 39232-9533 rlewis@jhharchitects.com 601-948-4601





# CSI KNOXVILLE MEMBERS – FEBRUARY 2025

Kathryn (Fuller) Richardson, CSI, CDT, AIA, NCARB Abigail Allshouse, RA, CSI, CDT Alexandria Anderson, CSI-EP, CDT Mr. Gary Bergeron, BS, FCSI, ASHRAE, ASPE Mr. Benjamin Brewer, BA, CSI, CCCA, CDT, AIA, NCARB Ms. Deborah Brooks, CSI Josh Buchanan, CSI Ken Buschle, FCSI, Member Emeritus, CDT, LEED AP Mr. Geoffrey Cavalier, CSI, AIA Ms. Stacy Colbaugh, CSI, AIA Michaelanne Collins, CSI Ms. Patricia Corbitt, CSI Mr. Paul Crow, CSI Ms. Susan Davis, CSI, CDT Andy Eisner, CSI Mr. Joseph Fielden, CSI Peter Giddings, CSI Katie Goethert, CSI Ms. Alisha Gotham, CSI-EP Mr. Tyler Goza Pettiford, CSI, AIA Leah Greenwood, CSI-EP Joshua Hankins, CSI, RRO Mr. A. Gordon Heins III III, CSI Kelley Hicks, MA, CSI, AIA Michael Houle, CSI-EP, CDT Suzan Jordan, CSI, CCPR, CDT Karina Kane, CSI-S Whitney Kaul, CSI, LEED GA Allison Kelly, CSI

Chris Leibensperger, CSI Mr. Douglass Lowrie, CSI **Danielle Mathews Hemsley, CSI-EP** Mr. R. Aaron Miller, BA, CSI, AIA Michelle Mokry, BA, CSI, AIA, LEED AP **Brien Montecinos, CSI** James Odle, CSI **Dipakkumar Patel, CSI** Mr. Paul Pierson, CSI, Member Emeritus, AIA Mrs. Kathy Proctor, RA, FCSI, CDT Mr. Juan Rodriguez, PE, CSI, ASHRAE, ASPE, LEED **AP, USGBC** Mr. Curtis Rolen, CSI Mr. James Rose, CSI Briley Saiyasak, CSI-EP, Assoc. AIA Andy Salley, CSI, CDT, RCDD Mr. Samer Shatara, CSI Mr. Jeremy Shipp, RA, CSI, LEED AP Mr. Brian Sickles, CSI, CDT, AIA Margaret-Jean Smith, CSI Mr. Jerry Smith, CSI Maureen Sotak, CSI-EP Mr. Peter Tarbell, CSI Mr. William Trimble Jr., CSI **Taniya Vinod, CSI-EP** Thomas Wade, CSI Chuck Whited, CSI Mr. Williams Whitt, CSI **Trey Wilcox, CSI-EP** Kristin Wormsley, CSI

泉城島	Personal Information   Mr.  Ms.  Mrs.
	First name: Middle initial: Last name:
	Nick name:
PO Box 81 Annapolis Junction, MD 20701	
Phone: 800-689-2900	Title:
CSI Tax ID#: 53-0242938	
Fax to: 703-940-8600	Firm name:
	Website:
MEMBERSHIP TYPES	Mailing Address:
Professional: \$375 I am a technically experienced individual whose primary function is to author, manage, or communicate building information: to create.	City   State   Zip:
communicate building information; to create, interpret, or use construction documents; or to educate, support, or assist the construction industry.	Business phone: Fax:
Emerging Professional: \$200*	()
I am an individual who has less than three years experience in any construction-related	Email:
field and am a prospective Professional Member.	Date of birth:
Student: \$70*	Please review the listings on the back and enter the corresponding number(s) that best des
undergraduate or graduate program in a construction industry curriculum at an	following:
	Occupation code: Firm type code:
*Emerging Professional membership is limited to three years, at which time members must renew at the Professional level.	
	Membership Dues and Chapter Designation
	Membership Dues (See types of membership above)
CSI Membership	Home Chapter (See reverse side)
CSI Membership is good for one year, with	Membership Certificate (Optional)
your membership starting the day that your payment is received and processed.	Total (US funds only) \$
your payment is received and processed.	Signature* *Required to validate your enrollment form Payable to CSI-please spec
	Produced to valuate your enroument form (Proyace to Carpease pro- Dues " and if renewing ment include member (D on ment
CSI	Visa Mastercard AMEX Check
This Enrollment Form pricing is valid from July 1, 2022	Card # CVV Code Exp Date
through July 30, 2023. Prices and information are subject to change.	Signature*



Membership has its benefits Your CSI member benefits include generous discounts on CSI standards and formats such as MasterFormat® Groups Subgroups And Divisions, as well as discounts on numerous resources to assist you in the preparation of specifications, as well as other construction documents.

Not a CSI Member? Join Today! www.csiknoxville.org



#### 2024-2025 CSI KNOXVILLE CHAPTER LEADERS

OFFICERS

President President Elect Secretary Treasurer Past President Lord of the Privy Council	Brent Williams Aaron Miller Geoffrey Cavalier Suzan Jordan Kathryn Fuller Gary Bergeron	brent@archteva.com amiller@mhminc.com cavaliergeoffrey@gmail.com susanwjordan@yahoo.com kathrynf@mbicompanies.com gary@kelso-regen.com	(865) 924-9757 (865) 621-8959 (615) 964-1260 (865) 389-9476 (865) 584-0999 (865) 748-6304
DIRECTORS 2024-2025	Tyler Goza Katie Goethert Lauretta Cocke	tgoza@dia-arch.com katie@oysk3architects.com lcocke@knoxvilletn.gov	(865) 410-7431 (865) 523-8200 (865) 755-2540
2024-2026	Lexi Anderson Michael Houle Susan Davis	alexandriaa@mbicompanies.com mhoule@tac-45.com susanscottdavis@gmail.com	(865) 803-2411 (865) 271-7998
COMMITTEES			
<b>Members Services</b> Membership House Fun	Samer Shatara Peter Giddings Lauretta Cocke	sshatara@denark.com peterzgiddings@gmail.com lcocke@knoxvilletn.gov	(865) 388-3661 (865) 584-5000 (865) 755-2540
Education Education / Programs	Tyler Goza	tgoza@dia-arch.com	(865) 410-7431
Student Chapter President (Fall)	Laura Miller	Imille88@cols.utk.edu	
<b>Recognition</b> Technical Certification Awards	Gary Bergeron Lexi Anderson Susan Davis	gary@kelso-regen.com alexandriaa@mbicompanies.com susanscottdavis@gmail.com	(865) 748-6304 (865) 803-2411 (865) 271-7998
<b>Communication</b> Publication/ Website Faculty Advisor Academic Affairs	Stacy Colbaugh Vacant Brian Sickles	sfcolbaugh@gmail.com brian.sickles@ssainc.com	(865) 599-3956 (865) 867-7582
<b>Fundraising</b> Product Show Golf Tournament	Josh Brock Wes Crow	Joshua.brock@generalshale.com wcrow@johnsongalyon.com	(865) 388-1833 (865) 770-0727
<b>Chapter Administrati</b> Planning / Historian Bylaws & Op Guide	<b>on</b> Kathy Proctor Geoffrey Cavalier	ksp53@me.com cavaliergeoffrey@gmail.com	(865) 599-7783 (615) 964-1260