



# THE SPECK

The Construction Specifications Institute

**CSI KNOXVILLE CHAPTER MEETING  
TUESDAY, MAY 12TH, 2015**

## *PROJECT MANAGEMENT FOR DESIGNERS AND CONSTRUCTORS*

Presented By: Mr. Steven T Downey, PE, PMP, LEED AP  
Project Manager for CB&I Federal Services, LLC in Knoxville, TN  
[Steven.Downey@CBIFederalServices.com](mailto:Steven.Downey@CBIFederalServices.com)



## **CALHOUN'S ON THE TENNESSEE RIVER**

400 Neyland Drive  
Knoxville, TN 37902  
(865) 673-3355

Our evening meetings are generally on the 2<sup>nd</sup> Tuesday of each month and are at Calhoun's on the River in one of the upstairs meeting rooms.



Social	5:30 pm
Dinner	6:00 pm
Seminar	7:00 pm
\$0	CSI Members
\$0	First-Time Guest
\$20	Returning Guest/ Non-Members

Please RSVP to [csiknox@gmail.com](mailto:csiknox@gmail.com) by Monday, May 11th, 2015 at 3:00 pm

ORGANIZED SEPTEMBER 1958 - CHARTERED MAY 1959

THE KNOXVILLE CHAPTER MEETS ON THE SECOND TUESDAY OF EVERY MONTH. GUESTS ARE WELCOME!



**CSI KNOXVILLE IS A MEMBER OF THE CSI GULF STATES REGION**

**THE SPECK** Editor

Stacy Flick Colbaugh - Editor  
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THE SPECK 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 the following formats: PDF, RTF, TIFF, JPEG, DWG, BMP, EPS, & DOC. Deadlines are the 25th of each month.

**CALENDAR OF EVENTS**

**MAY 2015**

- 05 **CSI Board Meeting** - Tuesday, May 5th, 2015 at 5:30 pm at Odle & Young's Office
- 12 **CSI Chapter Meeting** - Tuesday, May 12th, 2015 at 5:30 pm at Calhoun's on the River. "Project Management for Designers and Constructors" Presented by Steven Downey with CBI Federal Services

**JUNE 2015**

- 02 **CSI Board Meeting** - Tuesday, June 2nd, 2015 at 5:30 pm at Odle & Young's Office
- 09 **CSI Chapter Awards Banquet** - Tuesday, June 9th, 2015 at 5:30 pm at TBD.

**JULY 2015**

- 04 **CSI Annual 4th of July Party** - Saturday, July 4th, 2015 at TBD.
- TBD **CSI Annual Planning Meeting** - TBD

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**KNOXVILLE CHAPTER: APRIL 2015**

- 2 PROFESSIONAL RETIRED
- 2 PROFESSIONAL EMERITUS
- 18 STUDENT
- 49 PROFESSIONAL
- 71 TOTAL



## THE PRESIDENT'S MESSAGE

### WHAT I LEARNED FROM CSI

**MR GARY T. BERGERON, CSI**  
 Kelso-Regen Associates, Inc.  
 CSI Knoxville Chapter President  
[gary@kelso-regen.com](mailto:gary@kelso-regen.com)



I originally joined CSI Knoxville in 2009 to network with the construction industry more effectively. A CSI construction science education has been a significant side benefit. CSI friendships and professional connections at the CSI meetings have given my career a boost.

As a mechanical engineer, I have learned something new at each CSI meeting. Some of the items were about adjusting door closers, the importance of correct window installation, wind uplift on membrane roofs, to name just a few.

Summer is just around the corner and most people enjoy relaxing by a pool on a hot summer day. But what about those cold winter days when the air and water in an outdoor pool make it unattractive. Many hotel owners have been incorporating indoor swimming pools for that very reason. Then, there is also the Knoxville CSI's tradition of water ballet as a team building exercise that can be done at any time.



We often design the pool dehumidification systems for indoor pools, but several key items were not included on a recent project. Some of the design points are as follows:

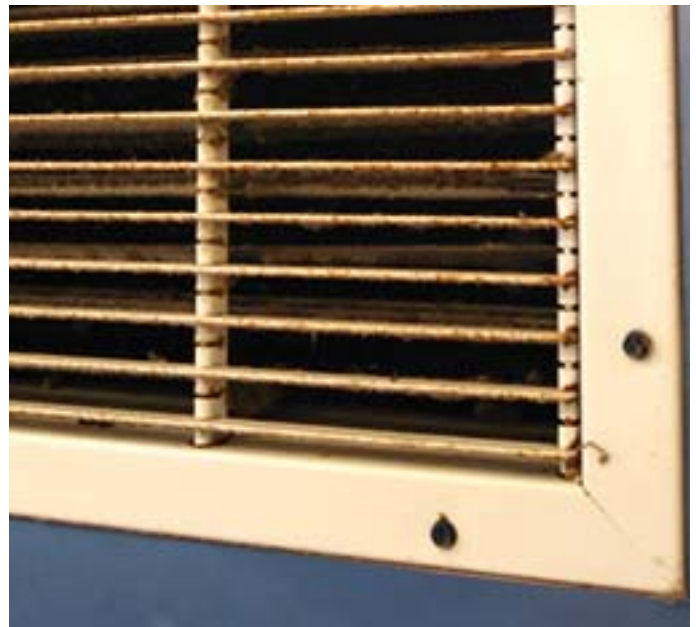
1. The fabric duct location and airflows should "wash" the exterior windows to keep condensation from forming on the window surface.
2. Rainy winter days in some areas can cause significant condensation to form on the interior side of the exterior horizontal window mullions and leaves water stains. One maintenance manager said that the



aluminum color window mullions was much better at "hiding" the water stains than darker color window frames at other facilities.

3. Run the pool HVAC system 24/7, 365 days a year, or moisture will be dripping off all pool room surfaces shortly beginning with the interior windows, then the exterior windows, exterior walls and other surfaces depending upon outdoor temperatures.

4. Return air grilles may accumulate rust colored deposits that are actually a brown greasy residue that gets entrained in the air stream from evaporation from people's skin and pool chemicals. If the grilles are not kept clean, the residue will start dripping down the wall.



5. A recessed wall box type locking hose bibb is needed to wash down the pool deck occasionally.

(POOL... CONTINUED ON PAGE 4)

# PRESENTATION SUMMARY

**D**Project management is all about bringing the different components and pieces of a puzzle together to accomplish the main objective. Any organization, whether big or small, will undertake projects at one time or another to improve company operations or to meet client requirements. When talking about project management, it is important to understand that a “project” isn’t a part of normal business operations. It has a temporary timeframe and a specific goal. Steven Downey, as our guest speaker, will discuss the following aspects of project management:

- **What is Project Management?**
- **Project Management Institute**
- **The PMBOK Guide**
- **Project Life Cycle**
- **Project Initiation**
- **Project Planning**
- **Project Execution**
- **Monitoring and Controlling**
- **Project Close-out**
- **East Tennessee Chapter of PMI (ETPMI)**

Mr. Downey has nearly 40 years of construction management, project controls, and project management experience, including heavy Civil/Structural, environmental remediation and waste management. Mr. Downey is a Project Manager for CB&I Federal Services, LLC in Knoxville, TN. He has a BE in Civil Engineering from Vanderbilt University and is a registered professional engineer in TN, SC, and FL. He also serves as CB&I’s qualifier for general contractor licenses in several states and is a LEED™ Accredited Professional. Mr. Downey is a certified Project Management Professional (PMP) and has served on the Board of the East Tennessee Chapter of the Project Management Institute (PMI) for 6 years, where he currently holds the position of Chapter President.

(POOL... CONTINUED FROM PAGE 3)

6. Do not specify a colored concrete pool deck unless you are prepared to brush clean the chemical deposits on a daily basis. Plain colored concrete shows less evaporation mineral deposit marks.
7. If the pool enclosure vapor barrier is not complete, icicles 3” diameter and longer than 12” will form on the exterior soffit at vapor barrier “pinholes” and require frequent removal during winter days when the outdoor temperature goes below freezing.
8. Do specify a UV light in the pool water system to keep the chloramine levels down and to help keep stainless steel pool handrails, etc. clean or you will spend every other day cleaning the stainless surfaces.
9. Specify the automatic pool chemical system or the pool will get “out of whack” and the pool air will “burn” your eyes.
10. If a pool entrance vestibule is not included, there is a good chance the pool odor will be obvious when entering the front door of the facility.
11. The intended activity levels in the pool (competitive swimming, competitive diving, recreational swimming, elderly swimming) require a different water temperature to design the correct size pool dehumidification system. It is also important to know if water features such as slides, water cannons, and waterfalls will be included.

I encourage everyone to come to the monthly meetings to learn something new, meet your fellow construction industry people, and to have fun at our meetings with some great ice breaker games.



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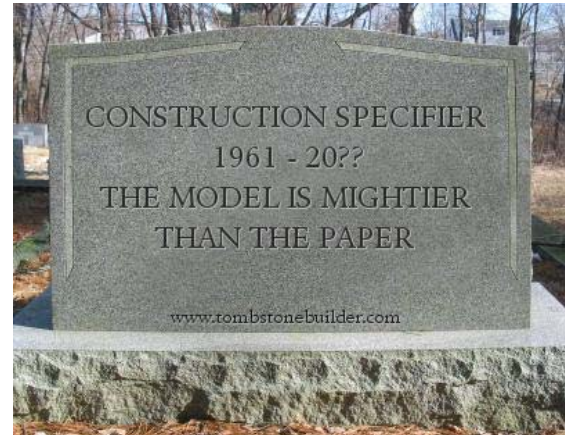


# Are specifiers an endangered species?

For many years, there have been debates about the future of construction specifiers. Where will we find new specifiers? Are they all dying off? Is the profession no longer needed? While I believe there is reason for concern, I don't think much has changed.

Several years ago, Bob Johnson conducted an informal survey on 4specs.com, asking members to answer these questions:

- What is your current age?
- Did you receive education beyond high school?
- What was your major?
- At what age did you first prepare some significant specifications?
- Did you have a mentor in specifications?
- How was the mentor related to you (office, CSI chapter, etc.)?
- At what age did you first take a formal education seminar or course in specifications?
- Who provided the education?
- At what age did you achieve CCS (will be later for many because of when the program started)?
- At what age did you first become a full-time specifier?



After sixty-nine responses, Bob made his final report, indicating the average age, with the range in parentheses:

- Current age: 55 (32 to 73)
- Higher education: Architecture
- Age when first prepared specs: 32 (17 to 51)
- Have a mentor: 72 percent; in same office
- Age at first formal education: 41 (20 to 56)
- Education provider: CSI
- Age at CCS: 45 (27 to 57)
- Age as full-time specifier: 46 (20 to 60)

Bob opined that 'lack of young specifiers in today's world is not a new story and that most people do not become specifiers until they have been around the "professional block" a few times and discovered where their talents lie and what part of the profession they are most interested in.'

I wish the survey had included at least one more question: What is the size of your firm? The lack of engineers is not surprising, but it would be interesting to know how they would respond to the same questions.

According to the 2012 *AIA Survey Report on Firm Characteristics*, about 25 percent of firms are sole practitioners, and more than 60 percent have fewer than five employees, while only 1.4 percent of offices had 100 or more employees. My observation is that firms don't have dedicated specifiers unless they have about 40 or more employees. AIA reports 6 percent of firms have 20-49 employees. If we assume that half that group has 40 employees, only 6 percent of firms have specifiers.

As noted, if you ask specifiers, many will say they are a dying breed, but they've been saying that for some time. Given the small number of firms that use specifiers, that may *appear* to be the case, but there simply aren't very many specifiers, and never have been, so it's hard to say if their numbers are decreasing.

This group has always had more gray hair than average, for a couple of reasons: No one went to architecture school with the intent of becoming a specifier, and people typically don't become specifiers until they've had at least a few years' experience.

The move to information modeling may impact specifiers, but it will be primarily in how they do their work. Before the advent of word processing software, it was not uncommon for specifiers also to be typists, though many relied on redlining, with an administrative person doing the typing. As word processing became more common, specifiers did more of their own typing, until it became the norm, and all specifiers were more or less required to become more or less proficient at word processing. An unfortunate result of this is that many architects today see specifiers as little more than glorified typists, and their real value - research, knowledge of materials, understanding of constructability, and coordination of drawings and specifications - is overlooked.

Must specifiers change with the times? Of course, as much as any other profession. And, just like any other profession, there are specifiers who are content to do things the way they have done them for years, even if that no longer makes sense. The recent move toward building modeling may well have an effect on specifiers; as grunt work of the job fades away, they will be able to spend more time doing the important part of their work. Specifiers recently have been talking about changing the name of the profession to something like *information manager*, partly, I believe, to dissociate themselves from the common perception of what specifiers do.

The growth of specifying software, such as SpeLink, may also have an effect. Much as CAD was seen, 30 years ago, as a program that would reduce the need for architects by simplifying drafting and eliminating the need to be able to think in three dimensions, many architects expect specifying software to simplify specifying, perhaps to the point that specifiers no longer will be needed.

As BIM and specifying software develop, and we leave behind our paper-centric view of construction documents as drawings and specifications, more than the job of the specifier will change; the format of specifications and the way they're used also will change. As the software becomes more intelligent, it is almost certain that we will need fewer architects and specifiers to do the same amount of work. But as long as schools *fail to teach the very things that led states to require architects to be licensed*, large projects will require specifiers, regardless of what they're called.

Specifiers may be evolving, but they're not going away.

© 2015, Sheldon Wolfe, RA, FCSI, CCS, CCCA, CSC

Agree? Disagree? Leave your comments at <http://swconstructivethoughts.blogspot.com/>




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# CSI MEETING MINUTES

## BOARD BRIEFS - APRIL 7TH, 2015

By Nancy Roberts, CSI, CDT

Edited by THE SPECK Editor, Stacy Colbaugh, CSI, CDT

### In Attendance:

Gary Bergeron, President  
 Lukas Salyer, President-Elect  
 Leslie Fawaz, Treasurer  
 Nancy Roberts, Secretary  
 Samer Shatara, Past President  
 Jim Odle, Director (2014-2015)  
 Will Dunklin, Director (2014-2016)  
 Jim Vineyard, Programs Chair  
 Daniel Smith, Awards Chair

These meeting minutes were recorded and are presented as understood by the Secretary, Nancy Roberts, and are outlined as follows:

The meeting was held at Odle & Young's Office and was called to order at 5:30 p.m. by Gary Bergeron. Meeting generally followed a meeting agenda prepared by Gary.

### 1. Previous meeting minutes (attached)

The March 3, 2015 meeting minutes had been emailed to board members by Nancy Roberts and accepted by the board.

### 2. Treasurer's report (attached)

The treasurer's report had been emailed to board members by Leslie Fawaz.

### 3. President report

GSR conference will be hosted by Acadiana Chapter and held in Lafayette, LA on April 17 & 18. Suzan Jordan, Kathy Proctor, Samer Shatara, and Gary have registered to attend.

Gary noted in his report that he spoke to Dr. Miller's Building Systems Architecture class about acoustics on March 31st and ACW blueprint class about MEP systems on March 17th.

### 4. President-Elect Report

Josh Brock and John Hockensmith did an excellent job planning and executing this year's product show

### 5. Vice President report – position currently vacant

Lukas Salyer reported officer nominations for 2015-2016 as follows: Gary Bergeron, President; Lukas Salyer, President-Elect; no nomination for Vice President; Leslie Fawaz, Treasurer; Nancy Roberts, Secretary; and Samer Shatara, Past President.

### 6. Board members/committee group reports

6.1 Member Services (membership, fun, and house) – Jim Odle, Director: No report.

6.2 Education (education, programs, and special programs) – Will Dunklin, Director: Upcoming lunch and learn programs are: April 22nd for Uretek by Andy

Derenski (application completed and certification approved by AIA/CES). June 24th for Styro Systems by Chris Sharp; September 23rd for MetlSpan by Mike Weaver; October 28th for ThyssenKrup by Tim Owens; November 17th for Guardian Industries Corp. by Jacob Kasbrick; and December 15th for Innotek by David Harig. Other programs were noted, but not confirmed. Jim Vineyard agreed to assist with application/certification process through AIA/CES for the lunch and learn programs.

April chapter meeting speaker will be TVA History Presentation by Pat Ezell with TVA. This meeting will serve as the joint ACW meeting. May chapter meeting speaker will be Steven Downey with CBI Federal Services to talk about Project Management for Designers and Constructors. June chapter meeting will be awards banquet.

Annual 4th of July party will be in lieu of July chapter meeting.

Will Dunklin agreed to assist with application/certification process through AIA/CES for the chapter programs. Gary noted that he and Darson will speak to ASHI in Johnson City on April 30th.

6.3 Recognition (technical, certification, and awards) – Donna Covert, Director: No nominations were made for region awards, but Daniel Smith will work on nominations for Institute awards. Gary stated that his wife has been looking into prospective venues for the June awards banquet.

6.4 Communications (website, publication, and liaison) – Daniel Smith, Director: No report.

6.5 Fundraising (product show and golf tournament) – Kathy Proctor, Director: No report. However, Will suggested looking into The Standard on Jackson Avenue for next year's product show. Lukas offered to work with Josh to investigate prospective venues. Gary has a 'post mortem' of comments submitted after this year's product show; will share this information with the board via email.

6.6 Chapter Administration (planning, historian, bylaws, and operating guide) – Suzan Jordan, Director: No report. However, it was noted that Ray Guay had died recently; he was a charter member of the Knoxville chapter.

### 7. Calendar

No changes to calendar.

### 8. Old business

No old business.

### 9. New business

Gary will speak to Stacy Colbaugh about sending a notice to membership about Ray Guay's passing. He will also follow up with Cara Knapp about expected attendees to the April joint meeting with ACW.

The meeting was adjourned at 6:15 p.m. Next board meeting will be May 5th.





# CSI AND THE LAW

June 2015

## Be Careful What (Duty) You Assume

W. Paul Whitt  
Lewis, Thomason, King, Krieg & Waldrop, P.C.  
One Centre Square, Fifth Floor  
620 Market Street  
Knoxville, TN 37902

We have all heard the statement, “You know what happens when you assume something.” Of course, the wisdom in that statement is played out very often in our daily lives, both on personal levels and in our commercial endeavors. However, a recent case from the Tennessee Court of Appeals touched on the potential danger that may arise when a contractor agrees to perform a gratuitous act in favor of a client, which may then impose an unwanted or unknown duty of care in connection with that service. In *Hayes v. Coopertown’s Mastersweep, Inc.*, the plaintiff homeowners brought suit against a chimneysweep company (“**Contractor**”) that was hired to redesign and reconstruct portions of their fireplace and chimney to address a problem with smoke escaping into their den, upper floors, and attic. More than a year after the construction was completed, the home was damaged by a fire, which started when wood flooring joists in close proximity to the fire box ignited. The homeowners brought claims against the Contractor for negligence and breach of contract. The case was ultimately dismissed at trial because the homeowners failed to establish that the Contractor owed them a duty of care to conduct a destructive investigation of the safety of the homeowners’ fireplace (as well as on the grounds that the complaint was filed outside of the applicable statute of repose).

While the Contractor was ultimately found not liable for the fire damage to the home, the Court of Appeals addressed an important concept with respect to agreements made by contractors to perform services outside the scope of work called for in the applicable contract. The homeowners claimed that it was foreseeable that the fireplace might have a hidden defect because the Contractor could not view the entire underside of the fireplace from the crawlspace. Therefore, the homeowners contended that the Contractor could not be sure that there were no combustible materials in close proximity to the fireplace. The homeowners further argued that once the Contractor ascertained the fact that he could not view the entirety of the underside of the fireplace, he became duty bound to perform a destructive investigation to ensure that no combustible materials were in proximity to the firebox. Ultimately, the court found that the Contractor did not possess a duty to conduct the destructive investigation claimed by the homeowners.

However, the court also provided a discussion about the impact of gratuitously assuming a duty in connection with performing a contract. The court explained that whether or not a person has assumed a duty to act is a question of law. The court also explained that a duty is a legal obligation to conform to a reasonable person’s standard of care in order to protect others against unreasonable risks of harm. Persons do not ordinarily have a duty to act to protect others from dangers or risks except those that they themselves have created. However, the court explained that, “one who assumes to act, even though gratuitously, may thereby become subject to the duty

(CSI AND THE LAW... CONTINUED FROM PAGE 9)

of acting carefully.” In other words, “it is clear that one who assumes to act assumes a duty to act with reasonable care.” This discussion of the court reinforces the somewhat common sense conclusion that if a contractor agrees to perform an act that may be outside the scope of the work called for under the contract, the contractor will nevertheless have a duty to perform that work in compliance with the applicable standard of care. Simply because the work the contractor gratuitously agreed to provide may be outside the contract does not mean that the contractor may perform the work in anything less than a workmanlike and safe and reasonable manner.

Therefore, contractors should be aware that any time that they agree to perform additional services outside of the contract, even on a gratuitous basis, they are subjecting themselves to scrutiny, and potential liability, if they fail to act and perform those services in a reasonable and workmanlike manner. As a result, it is advisable for contractors to make sure that they adhere to the scope of work and do not agree to perform services outside the scope of the contract. Otherwise, contractors may then obligate themselves to services and duties for which they have no right to demand payment, but which may open the contractor to a whole level of additional legal liability. As the court in *Hayes* indicated, “one who assumes to act assumes a duty to act with reasonable care.”



LEWIS THOMASON

## CSI LOCAL NEWS

### HIGHLIGHTS FROM THE CSI LUNCH AND LEARN

**MR GARY T. BERGERON, CSI**  
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Yesterday's Lunch and Learn, An introduction to the basics of ductless Mini Split HVAC units and Variable Refrigerant Flow systems for architects was held at the WATE Carriage House. It was presented by Jonathan Yeager with E-Solutions. Several mechanical contractors and mechanical engineers attended to offer their perspective. CEU credits were offered via E-solutions to all attendees.

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# FY 2015 GSR Officers and Committee Chairs

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## KNOXVILLE CHAPTER CSI LEADERS – 2014-2015



### OFFICERS

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---

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