G'Day!

Thanksgiving is just around the corner, with Christmas fast on those turkeys' heels. I know I am thankful to have a happy, healthy family and look forward to a fun Thanksgiving with close friends and loved ones. What are you thankful for? My husband and I try to instill in our daughter a sense of appreciation for the simple things in life ... things that some of our community do without. Basic shelter, clean and warm clothes, a regular meal and her health, to name a few. My daughter is currently learning to knit and will be providing beanies in children’s sizes to a local homeless shelter as well as to the oncology ward at Rady’s Children’s Hospital. We recently had a close friend’s baby have treatment and while visiting discovered a shortage of beanies for the older children.

Unfortunately, our Chapter will not be holding a Christmas party this year, and so I would encourage you, if you can, to drop some cans of food into your local donation box or a few dollars in the kettle that you often see this time of the year.

We will be holding a CDT study course starting in January and would love to see our members who currently don’t have this certification join the study group. If you know of anyone, including students, who would benefit from this certification, please encourage them to sign up. As I have mentioned in the past, I have my CDT and have found it has helped me “get my foot in the door” of Architectural offices that are looking for someone who can “speak their language.”

CSI San Diego was recently in attendance at the GC Showcase, a Blue Book Network event, which was an evening of tabletops held on October 9th at the Doubletree Hotel in Mission Valley. A few of our members manned a tabletop for CSI San Diego. This event was aimed largely at the General Contracting community. The Blue Book had a very good turnout and gave our CSI group great exposure to a very relevant part of our construction industry. I believe one of our members (not mentioning any names, Mr. Mowat) walked away with a couple of nice gift cards from the evening.

Have a wonderful Thanksgiving, a Merry Christmas and a Happy New Year!

Racquel McGee, CSI, CDT
2014-15 SDCSI President
Calendar of Events

- **THURSDAY, NOVEMBER 27, 2014**
  NO CSI San Diego Dinner Meeting

- **FRIDAY, DECEMBER 19, 2014**
  Annual Joint Christmas Breakfast Meeting of the San Diego Chapters CSI and ASPE
  
  **Program:** “Lean, Mean or Supreme in 2015?”
  **Schedule:**
  - 7:00 AM - Registration
  - 7:30 AM - Breakfast Buffet
  - approx. 7:45 AM - Presentation
  **Speaker:** Alan Nevin, Director of Economic & Market Research, Xpera Group
  **Location:** Admiral Baker Golf Course Clubhouse
  2400 Admiral Baker Road, San Diego

- **THURSDAY, DECEMBER 25, 2014**
  NO CSI San Diego Dinner Meeting

- **THURSDAY, JANUARY 22, 2015—5:30 PM**
  CSI San Diego Monthly Dinner Meeting
  **Program:** TBD
  **Location:** NewSchool of Architecture + Design
  1249 F Street, Downtown San Diego
  (Enter near the corner of 13th & G Streets.)

- **10 WEEKS OF SATURDAYS—9AM-12PM**
  JANUARY 17 - MARCH 28, 2015
  CDT Exam Prep Course 2015
  
  Click here for Course Flyer ~ Click here for Instructors Needed

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San Diego Chapter SpecTickle Advertising

**SpecTickle Advertising Rates**

- **Business Card:** $275 - 6 issues OR $500 - 12 issues
- **¾ page:** $550 - 6 issues OR $1,000 - 12 issues
- **1-pg flyer/issue:** $125 members; $150 non-members

For more info, contact Exec. Administrator Margy Ashby at admin@sandiegocsi.org or 877.401.6733 / 619.401.6733.

DEADLINE for newsletter input: FRI., DEC. 12th

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CSI Certification Webinars

If you want to learn more about CSI's certification exams, informational webinars are available on CSI's YouTube Channel. You can view the following webinars online for free:

CDT 101
The CDT 101 webinar is an opportunity to learn about the benefits of CSI's Construction Documents Technologist certificate. The webinar covers the requirements and resources needed for successful exam preparation and study. View now.

CCCA 201
The CCCA 201 webinar is an opportunity to learn about the benefits of CSI's Certified Construction Contract Administrator certification. The webinar covers the requirements and resources needed for successful exam preparation and study. View now.

CCS 201
The CCS 201 webinar is an opportunity to learn about the benefits of CSI's Certified Construction Specifier certification. The webinar covers requirements and resources needed for successful exam preparation and study. View now.

CCPR 201
Learn about the benefits of CSI's Certified Construction Product Representative certification. The webinar covers the requirements and resources needed for successful exam preparation and study. View now.

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Join for free and save big with your CSI membership.

Connect with CSI's Online Community

CSI is a great place to experiment with social media. If you've never tweeted, posted, liked, or linked, CSI's online community is a safe place to get started. If you're an experienced professional building a personal brand, CSI's online community presents a great opportunity to personally engage with CSI's national network. CSI maintains the following social media profiles:

- LinkedIn: Connect with industry professionals and participate in discussions as a member of CSI LinkedIn Group.
- Twitter: CSI tweets and follows CSI members at www.twitter.com/CSIConstruction.
- Facebook: Like CSI and stay-up-to-date with the latest CSI news on CSI's Facebook Page.
- YouTube: View educational content and presentations on CSI's YouTube Channel.
- CSI's Blog: CSI shares news and information related to Institute business and CSI membership on this blog. CSI members interested in blogging for CSI are encouraged to contact CSI's Marketing Team at marketing@csinet.org with proposed blog entries.
- CSINext: CSI's virtual chapter offers a chapter education experience in a virtual environment for people who can’t get to a chapter in the U.S. or abroad, or who want another way to access CSI’s benefits. CSINext is designed to foster community and discussion to further hone members’ skills as leaders in construction industry communication. Learn more about CSINext.
Construction Warranties

by David Stutzman, AIA, CSI, CCS, SCIP, LEED AP

Yes, No, Maybe?

Which assertion do you believe?

- Warranties are good protection for building owners. When a manufacturer offers a warranty, it should be specified to ensure owners receive the benefit the manufacturer offers.
- Warranties are not worth the paper they are written on. They offer little protection and less assurance that discovered defects will be corrected. Warranties rarely cover installation.

Specifying products with proven performance from reputable manufacturers and specifying installer qualifications helps ensure owner value more so than any warranty.

Limited Warranties

Full warranties, without limitation, are rare. Manufacturers issue limited warranties. Why limited? Risk! And the Uniform Commercial Code (UCC) that establishes the rules for sale of goods. The UCC does not limit time. So manufacturers issue limited warranties to set the time limit. Plus, manufacturers have no desire to assume responsibility for conditions outside their control. Shipping, handling, and installation are provided by the contractor. On-going care and maintenance are presumably provided by the owner beginning at Substantial Completion.

What are the limitations? Do you know what the warranty says?

Warranty documents are not always available on manufacturers' websites. A special effort may be required to collect sample warranties for evaluation. A recently completed, relatively large, project included 120 technical architectural specification sections with 49 of those (40%) requiring warranties.

MasterSpec cautions specifiers "Include special Project warranties only in those Sections where [the warranty] availability has been verified with contractors and manufacturers listed." Collecting warranties from every specified manufacturer will not likely happen considering the time allotted to product research and specifications writing. The best hope will be to collect the warranties from the basis of design manufacturers, only.

MasterSpec advises: "When warranties are required, verify with Owner's counsel that warranties...are not less than remedies available to Owner under prevailing local laws."

Legal review for every warranty would be prudent, though highly unlikely to occur. Making assumptions about the warranty can leave the owner with less protection than expected. While specifying warranty requirements that are not available, may leave the owner completely unprotected.

Warranty Types

CSI's Project Delivery Practice Guide (PDPG) identifies two basic construction project warranties:

- Extended Warranty: Covers products and workmanship.
- Product Warranty: Covers products only.

MasterSpec identifies the warranties differently:

- Manufacturer's Warranty: Includes the manufacturer's standard warranty.
- Special Warranty: Includes project specific coverage, usually in excess of standard coverage.

Regardless the term used to identify the warranty, simply specifying a warranty for a specific time period, without identifying the required coverage, is hardly sufficient. Manufacturers could submit any warranty, with any limitation, including the correct time period, and the architect would be hard pressed to reject the warranty as inappropriate for the owner.

(cont’d on page 6)
Conventions are like state or county fairs: it seems they’re the same year after year, and yet, if you compare this year’s to the one a few years ago, there will be small differences. But sometimes, significant changes take place between one fair and the next.

Until this year, the social highlight of the annual convention was the President’s Gala. A black tie dinner, with all that entails - including formal dresses and tuxedos - along with meeting the new president and witnessing the investiture of Fellows, was the grand finale. This year we tried something different. The events of the Gala were separated, some being added to other events, some becoming new events. Instead of being among the last events, the investiture of Fellows was moved to Tuesday evening, and the introduction of Distinguished Members was moved to the opening general session Wednesday morning.

When the new format was presented to the College of Fellows board of directors last January, it sounded good. We knew a lot of members saw the Gala as the high point of the convention, but the cost made it difficult for many members to attend this great event. This year, part of the plan was to make the presentations of various awards more visible and more accessible to more members. The investiture of Fellows would be open to all, at no charge; the Celebration of Fellows, a social event following the investiture, would cost only $35; and many awards would be presented at the annual meeting.

As the months went by, I began to have some reservations. The convention schedule, which is so tight it always irritates someone, put the investiture up against the welcome reception, and I feared it would be hard to pry people away from the party. The location of the Celebration presented two potential problems: attendees had to submit their names ahead of time for a background check, and it was in a different building.

As it turned out, the new format was a great success. The scheduling of the investiture and the introduction of Distinguished Members made those events more accessible and more affordable than before. Even though the investiture began before the welcome reception was over, registered attendance was 227, and more than that attended. Attendance at the annual meeting was 291, and I suspect there were three hundred or more people at the opening session. Not only was the attendance good, but making these two of the first events gave members the rest of the week to congratulate the honorees.

The weather was good, so the short walk from the welcome reception to the Celebration of Fellows, at the top of the Baltimore World Trade Center, presented no problem. The walk itself became an event due to the surprise appearance of a piper who led the procession from the investiture to the Celebration of Fellows. The piper was Mike Young, former president of the Denver Chapter and part of the group that assembled Ann Baker’s Fellowship submittal. On his own, he decided the new Fellows should be piped in, and he made it happen. I was reminded of the Minneapolis-St. Paul Chapter’s award night the year I was chapter president. I’ve always loved bagpipes, and our chapter awards committee arranged for one to lead us from the lobby to the theater. I’d like to see a piper as part of every Celebration!

Another break from tradition occurred during the investiture. In the past, endorsement letters remained confidential, so most Fellows did not know who wrote letters or what they said. This year, some of those who wrote letters were asked to say a few words about the Fellows they endorsed, making the investiture much more personal.

Thanks to the Institute board members and staff who proposed the new format (and invited the Blue Angels), the formal social activities were a great success. Attendance at the Celebration was 173 this year, and I’m sure that elimination of the security check will increase attendance in the future. I’ll look for you there next year in St. Louis!

Sheldon Wolfe, FCSI
Chancellor, CSI College of Fellows

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Warranties are not free. Extended warranties will have a cost, usually determined as a percentage of the cost of the applicable work. Even standard product warranties have a cost, built into the product’s cost. To ensure the cost returns a value, the required warranty coverage must be specified.

Conditions!

Ah, the limitations. So what conditions might be imposed on the contractor and on the owner that must be satisfied before the owner makes a warranty claim?

- Only manufacturer approved installers may be permitted to complete the work. Manufacturers often limit installers to those with proven quality based on previous projects and warranty claims, especially for extended warranties.
- The manufacturer and installer must be paid for the products and work performed.
- The owner may be required to maintain records of periodic inspection and maintenance. No product can be installed, ignored for 20 years, and expected to perform as though it is new.
- Manufacturer notification may be required before any repairs are attempted, even if repairs are needed to prevent further damage. Manufacturers want control to manage the correction and limit their current and future liability.

And the list goes on. If the conditions are ignored, the warranty will be void. The owner will have no protection, even after paying for the warranty. Even if the failure has nothing to do with ignored condition, there may be no warranty coverage.

Remember, manufacturers write limited warranties to limit risk. The best warranty from a manufacturer’s perspective is one that the contractor or owner unknowingly void.

Owner Remedies

Warranties are not the only protection available to the owner. Under AIA Document A201 - General Conditions of the Contract for Construction §12.2.2, the contractor is required to correct defective work for one year after Substantial Completion, or after commencement of warranties for partial occupancy, or by terms of “special warranty required by the Contract Documents.”

Because A201 lists “special warranty,” as one of the conditions for correction, identifying project warranties as special warranties is recommended.

Recommendations

Specify that contractors submit original warranty documents as part of the project closeout. Verify that every specified warranty is submitted before issuing the certificate of Substantial Completion. The owner must have the actual warranty documents to ensure conditions of the warranty, including instructions for making claims are known.

Specify special (extended) warranties only when required for specific coverage requested by the owner and when the available warranty period is for a time greater than the contract correction period. Specifying one-year product warranties may severely affect the owner’s ability to force defective work correction during the correction period.

Be sure owners know the warranties were delivered to them. Emphasize the need to read, understand, and comply with all warranty conditions—before the warranty is needed.

David Stutzman, CSI, CCS, AIA, SCIP, LEED AP is the principal and founder of Conspectus, Inc., a specifications and quality assurance consulting firm. His nearly 40 years construction industry experience began as a laborer laying pipe and devising a simple means to comply with the spec requiring the trench bottom to be profiled to match the pipe. Although having studied design, his passions are the technical and building science aspects of construction. Stutzman was responsible for developing and maintaining SPECTEXT, a commercial master specification system, including the ease of use editing tools for more than 13 years. Today David is responsible for managing nine staff members in three offices producing more than 150 project specifications annually for domestic and international projects.
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PLEASE DIRECT ALL QUESTIONS/COMMENTS TO:
Editor
Rob Smith, CSI, CCS, RA
Ph: 760.670.8670
Email: rbsmithccs@aol.com
AS AN ARCHITECT, SPEC WRITER, SUBCONTRACTOR AND OWNER

HOW WELL DO YOU UNDERSTAND YOUR CONTRACT &

AND WHAT ARE YOU REALLY LIABLE FOR?

10 questions to ponder:

1. Are you guaranteeing or warranting your work or products? For how long and when does that time begin?
2. When do you need to be off the job? What can change that date?
3. Change orders and directives — Who sets the value of the work? Who has the final say?
4. All questions and issues need to be addressed in what manner?
5. Who do you ask?
6. Is there a difference in your responsibilities when the project is a “Bid-Build” or a “Design Build” project?
7. When is pay day? and what do you need to do to get paid?
8. Who can request a product substitution? For what reasons?
9. When are substitutions allowed?
10. HOW MUCH MONEY WILL THE WRONG ANSWER COST YOU?

For answers to these & other stimulating questions, we encourage you to sign up for the

**CDT Exam Prep Course 2015**

10 weeks
Saturday, January 17th thru March 28th
9 AM to Noon
San Diego NewSchool of Architecture + Design
12th and F Street

For more information: admin@sandiegocsi.org
Course fees

Student $99    CSI Members $119    Non-Members $139

Includes:
- Course outline
- Section reviews
- Mock exams
- Instructors – currently working within the industry

Tools required: The CSI Project Delivery Practice Guide – (added cost)
- A limited number will be available from the San Diego Chapter.
- After that they will be available from CSI Institute, online.

Advanced certification prep courses are also available for those interested in

CCC - CCPR

Certified Documents Technology (CDT) Exam

WHEN:  CSI offers the CDT at computerized testing locations throughout the U.S. twice a year.

The next exam window is March – April, 2015.

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Save up to $195-- join CSI before you register
Instructors Needed

CDT Certification 2015

When: Sat. January 17 – Sat. March 28; 9:00 – Noon
11 sessions.
January 17-24-31 February 7-21-28
March 7-14-21-28

Where: NewSchool of Architecture + Design, 1249 F St.,
Downtown San Diego

Overview:
This year’s exam will be based on the new Project Delivery Practice Guide
and include a new subject area: Integrated Project Delivery. As a
Chapter, we will be providing you with the PowerPoint presentation for
your sessions, book and study guide in an electronic format and ask that
you prepare your presentation accordingly. Any outlines or notes you
develop will be greatly appreciated as we build our education program
back up with this new format.

Please return this form with the dates you are available.
Steve Clayton- srcla10@gmail.com

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Contact info:

Dates available:
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2015
COMING
TOGETHER
TO
BUILD
BETTER

5/13/15 - 5/16/15

CSI TRI-REGION CONFERENCE

Wednesday - Saturday
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