

FALL 2015

OFF THE WALL ^{WC&C}

An Industry Publication by the Wall Ceiling & Carpentry Industries of New York, Inc.

New U.S.
Construction
Starts in 2016
to Grow 6%
to \$712 Billion

— Dodge Data & Analytics
see page 8



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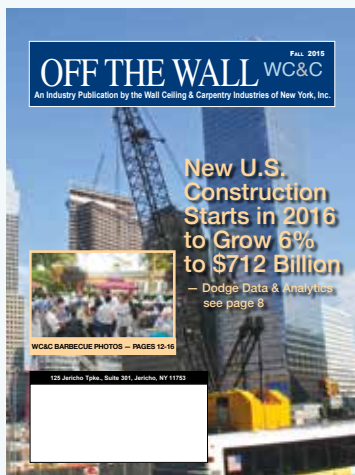
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*From the
Executive Director
John DeLollis*

Affordable Care Act Informational Session

As many of you know, WC&C held an Affordable Care Act Informational Session at Terrace on the Park on Thursday, November 12th. The seminar was extremely informative and a great success for the approximately 40 members in attendance.

I would like to thank Sharon M. Goodman and Meredith B. Brodksy, both principals at Slevin & Hart, P.C., for graciously presenting us with information on how to comply with the Affordable Care Act Reporting Requirements. Their presentation was very educational and a tremendous benefit to all who attended.

Topics discussed were the basics of the applicable employer penalty, which covered who is an applicable large employer and who is a full-time employee. They also discussed code section 6065 employer reporting, including who must report, what is reported, multi-employer exception and COBRA beneficiaries. Other topics of discussion were the obligation of the employer to make sure all forms are filled out correctly and the penalties for non-compliance. Another crucial area covered was how to fill out, line by line, Form 1094-C, the transmittal form to the IRS and Form 1095-C, the employer-provided health insurance offer and coverage form.

The presenters did a great job simplifying what is definitely a complex subject. Therefore, I strongly encourage those who could not attend this seminar, to research another way to learn about this program, as it is in everyone's best interest to know as much as possible.

Timely programs like this are an important element of your WC&C membership. You may have a subject you believe would be of value to members. If you do, please contact our office at 516-478-5600, or email me at jdelollis@wcc-ny.com. The more we learn together, the stronger we are.

Best wishes for a happy and safe holiday season.

— *John DeLollis*

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*From the
President
Michael Weber*

The Human Resources Factor

Last month at the AWCI Conference in Vancouver, I am pleased to report the sentiment around the country was very positive in regard to business opportunities for wall and ceiling contractors. A topic I heard repeated from around the country is the concerns about labor shortages and the challenges of employing and retaining qualified personnel. Perhaps the most alarming example was a General Contractor had decided to self-perform the carpentry work and to add insult to injury, began raiding sub-contractors of personnel to perform the work. Self-performing models of eliminating subs to save money is not new.

Our industry is evolving before our eyes. Half the battle is holding on to market share, streamlining business process through technology and surrounding yourself with qualified people who share your vision of success. These components are critical to survival in the new paradigm as a wall and ceiling contractor.

As a small business owner that operates with no “HR Department,” managing human resources at times, feels like a full time job. However, if you get the estimate correct, the sales person didn’t drop their drawers to land the sale, the architectural plans are sound, your client knows how to coordinate and manage a project, the owner willing to acknowledge change and timely payments, and working along with competent trades, in my opinion, you have half a shot of running a successful business.

Equally important is having the right team to execute your business plan. Finding and keeping talented people in your organization should not be taken lightly and truly are the keys to success.

In closing I’d like to congratulate Nancy Brinkerhoff from Ironwood Commercial Builders, Inc. who is in the chairs to become the first female AWCI president in year 2019. I would like to wish her good luck as she ascends to the presidency.

- Mike

Spending on NYC Residential Construction Jumps, Extending Record — *New York Building Congress*

Spending on residential construction in New York City is likely to reach \$14.9 billion this year, extending a record run that's "nothing short of epic," the New York Building Congress said in a report Thursday.

The total is 23 percent higher than the record \$12.1 billion reached last year, when the total was boosted by a wave of construction led by jumbo condominium projects in midtown Manhattan aimed at international buyers, according to the study. Five years ago, as the economy was emerging from recession, housing construction in the city totaled only \$2.6 billion, said the Building Congress, an association of developers, architects, lawyers, construction companies and unions.

This year's data suggest fewer luxury condos, such as the slender tower at 432 Park Ave., are being built, with developers instead targeting buyers below the top end of the market. The Building Congress estimated that a record 36,850 units of housing will be built this year, up from 20,450 in 2014.

"It appears there's a limit to just how much ultra-luxury demand there is for those kind of apartments in Manhattan," Richard Anderson, president of the organization, said in an interview. "The market is spreading in terms of the types of units, and it's spreading to the outer boroughs, especially to

Brooklyn."

Anderson cited Building Congress data showing that Brooklyn generated 23,326 housing permits in the first half of the year, just less than half the total for the entire city.

"Just two years ago, we had 20,000 units for the entire city -- and that was for 12 months," he said. Developers "are looking for sites that are available and buildable, in an economically feasible fashion."

Total Spending

Total construction spending, including offices, hotels, retail and infrastructure, will reach \$39 billion, a record when not adjusted for inflation, with office construction reaching a quarter-century peak, according to the report. Spending is likely to total \$41 billion next year, and \$40.8 billion in 2017.

With New York at or near all-time highs in population, jobs, tourism, commuters and students, infrastructure spending -- on water, sewer, transportation and other government projects -- is lagging behind, according to the report.

In addition to improvements to meet rising demand on a daily basis, "New York City's infrastructure is in need of billions of dollars in additional investments designed to fortify its systems against the rapidly growing threat of extreme weather events," the Building Congress said. •



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New U.S. Construction Starts in 2016 to Grow 6% to \$712 Billion According to Dodge Data & Analytics

Dodge Outlook Report Predicts Increased Construction Starts for Housing, Commercial and Institutional Building Sectors, While Public Works Is Unchanged and Electric Utilities/Gas Plants Decline

Dodge Data & Analytics (<http://www.construction.com>) released its 2016 Dodge Construction Outlook, a mainstay in construction industry forecasting and business planning. The report predicts that total U.S. construction starts for 2016 will rise 6% to \$712 billion, following gains of 9% in 2014 and an estimated 13% in 2015.

“The expansion for the construction industry has been underway for several years now, with varying contributions from each of the major sectors,” stated Robert Murray, chief economist for Dodge Data & Analytics. “Total construction activity, as measured by the construction starts data, is on track this year to record the strongest annual gain so far in the current expansion, advancing 13%. Much of this year’s lift has come from nonbuilding construction, reflecting the start of several massive liquefied natural gas terminals in the Gulf Coast region, as well as renewed growth for new power plant starts. Residential building, up 18% this year, has witnessed continued strength for multifamily housing while single family housing seems to have re-established an upward trend after its 2014 plateau. At the same time, nonresidential building has decelerated this year after surging 24% back in 2014, and is now predicted to be flat to slightly down given a sharp pullback for new manufacturing plant starts and some loss of momentum by its commercial and institutional building segments.”

“For 2016, the economic environment should support further growth for the overall level of construction starts. While short-term interest rates will be going up in 2016, given the expected rate hikes by the Federal Reserve, the increases in long-term interest rates should stay

gradual. On the plus side, the U.S. economy continues to register moderate job growth, lending standards are still easing, market fundamentals for commercial real estate continue to improve, and more funding support is coming from state and local construction bond measures. Total construction starts in 2016 are forecast to advance 6% to \$712 billion, with gains for residential building, up 16%; and nonresidential building, up 9%; while the nonbuilding construction sector retreats 14%. If the volatile electric power and gas plant category within nonbuilding construction is excluded, total construction starts for 2016 would be up 10%, after a corresponding 8% gain in 2015.”

The 2016 pattern by more specific sectors is the following:

- Single family housing will rise 20% in dollars, corresponding to a 17% increase in units to 805,000 (Dodge basis). Access to home mortgage loans is improving, and some of the caution exercised by potential homebuyers will ease with continued employment growth.
- Multifamily housing will increase 7% in dollars and 5% in units to 480,000 (Dodge basis), slower than the gains in 2015 but still growth. Low vacancies, rising rents, and the demand for apartments from Millennials will encourage more development.
- Commercial building will increase 11%, up from the 4% gain estimated for 2015. Office construction will resume its leading role in the commercial building upturn, aided by more private development as well as construction activity related to technology and finance firms.



- Institutional building will advance 9%, picking up the pace after the 6% rise in 2015. The educational facilities category is seeing an increasing amount of K-12 school construction, supported by the passage of recent school construction bond measures.

- Manufacturing plant construction will recede an additional 1% in dollar terms, following the steep 28% plunge for 2015 that reflected the pullback by large petrochemical plant starts.

- Public works will be flat

with its 2015 amount, as a modest reduction for highways and bridges is balanced by some improvement for the environmental public works categories. A new multiyear federal transportation bill is being considered by Congress, and is expected to achieve passage in late 2015 or during the first half of 2016. The benefits of that bill will show up at the construction site later in 2016 and into 2017.

- Electric utilities and gas plants will fall 43% after a sharp 159% jump in 2015. The lift coming from new starts for liquefied natural gas export terminals will

be substantially less, and new power plant starts will recede moderately. •

The 2016 Dodge Construction Outlook was presented at the 77th annual Outlook Executive Conference held by Dodge Data & Analytics in Washington, D.C. Copies of the report with additional details by building sector can be ordered at <http://analyticsstore.construction.com/index.php/2016-dodge-construction-outlook?sourcekey=PRESREL>.



It's The Law

By Mark A. Rosen

Mark A. Rosen is legal counsel to the Association of Wall-Ceiling & Carpentry Industries of New York, Inc. He is a partner in the firm of McElroy, Deutsch, Mulvaney & Carpenter, LLP. Mark practices in the areas of construction and contract law, public contract law, arbitration, surety, and general commercial litigation. He can be reached at mrosen@mdmc-law.com.

CONSTRUCTION COMPANY FOUND TO BE ALTER EGO AND LIABLE OR WITHDRAWAL LIABILITY

A court found an insulation company to be an alter ego of three defunct construction companies and liable for those companies' withdrawal liability to a pension fund.

The three defunct companies performed work in the heat and frost insulation and asbestos removal industries. They operated out of the same building and shared the same management. Two of the companies had the same president and the president's daughter was president of the third company. The companies went out of business in March, 2009, and stopped making contributions to the Pension Fund under their union agreements. The companies were assessed withdrawal liability but failed to make any payments.

In February, 2009, a month prior to the companies going out of business, the principal of the companies formed a new company. The Pension Fund then pursued the new company for the withdrawal liability owed by the three defunct companies.

The court held that the only conclusion could be that the new company was the alter ego of the other companies. There was no dispute that the former companies and the new company operated under substantially identical management and ownership.

ASSET PURCHASING COMPANY HELD LIABLE FOR WITHDRAWAL LIABILITY UNDER SUCCESSORSHIP DOCTRINE

In another case expanding the potential liability of companies for other companies' withdrawal liability obligations, a court held that an asset purchaser's pre-closing knowledge of a seller's potential withdrawal liability could be sufficient to obligate the purchaser for that seller's withdrawal liability.

In this case, a union electrical contractor sold all of its assets to a non-union company. Following the sale, the union company ceased operations and no longer contributed to a pension plan. Well after the sale, the Pension Fund assessed a withdrawal liability claim against the company in the amount of \$661,000. The company failed to make any payments and the Funds pursued the purchaser of the company's assets under the asset purchase agreement.

At the time of the asset purchase, the Pension Fund had not yet assessed withdrawal liability against the company. The purchaser argued that it could not have liability for that claim because it did not have notice at the time it purchased the assets.

The appellate court found that the notice requirement could be satisfied even if the liability was only contingent at the time of the asset sale. The court relied heavily on

what it determined were the policy goals underlying the Multi-Employer Pension Plan Amendments Act of 1980 – the federal legislation establishing multi-employer pension fund withdrawal liability. The court determined that it was crucial to apply the successorship doctrine even where pre-acquisition notice of liability was only for contingent liabilities in order to further the legislation's goal of insuring that responsibility for withdrawing employer's share of unfunded vested pension benefits is not shifted to employers remaining in the plan. The court further concluded that the purchasing company had sufficient notice of the contingent withdrawal liability because they were experienced with unions and were aware of the risks associated with under-funded multi-employer plans and that the seller's financial statements referenced multi-employer plan liabilities. In fact, the asset purchase agreement provided that pension liabilities were an excluded liability and that the purchasing company would be indemnified by the seller for such liabilities.

LARGE MULTI-EMPLOYER UNION PENSION FUND SUBMITS PENSION REDUCTIONS FOR APPROVAL

The Multi-Employer Pension Reform Act of 2014 allowed distressed multi-employer pension plans to make reductions in retiree benefits. Prior to that legislation, cutbacks to pension benefits were prohibited under ERISA.

The Central States Pension Fund is one of the largest multi-employer pension funds in the country. It is in critical condition. It submitted a proposed rescue plan to the U.S. Department of the Treasury to stave off the fund's potential insolvency. The proposed rescue plan included reductions in participant benefits including phase out of early retirement, relaxation of return to work guidelines, and actual benefit reductions to participants and others.

The Department of the Treasury has 225 days to review the proposed rescue plan. If the plan is approved, participants can vote on the plan. Even if the participants reject the plan, the Department of the Treasury can override the vote and direct that the plan be implemented. •

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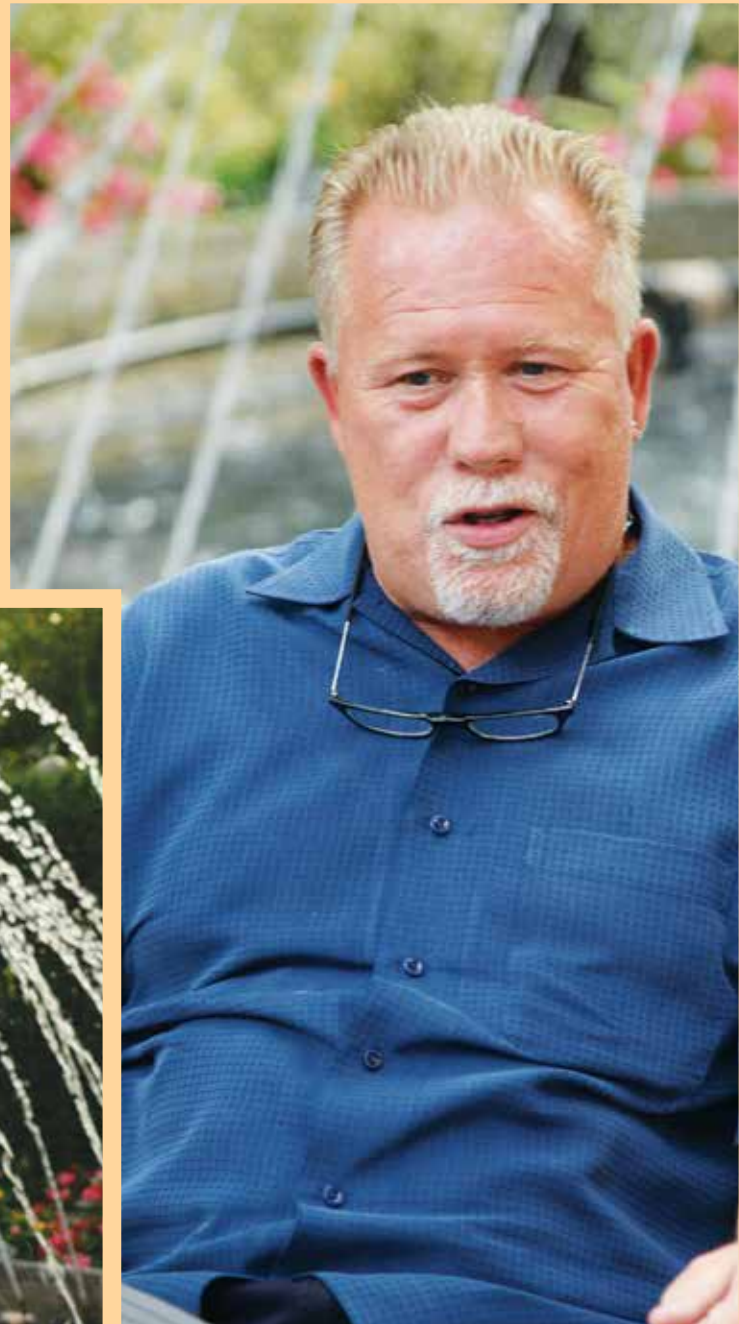


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BUILDING SYSTEMS

Evolving Construction Technology: A Boon For Business — Or A Liability?

By Emily Peiffer/Construction Dive

Technology was the hot topic of the Construction Management Association of America's National Conference & Trade Show. Sessions about new innovations and tools, as well as the risks that come with them, dominated the show schedule.

James Ruddell, VP and director at Parsons Brinckerhoff, said, "Any emerging technology is going to find legs and survive and go forward, if we want it to or not." And with that technology, construction professionals need to consider both the benefits and risks.

We've collected the most important issues, advice and more from these sessions. Whether the new innovations include BIM, drones, or construction management software, the conference experts were in agreement that change is coming, and construction professionals need to adapt to the ever-evolving industry landscape.

An ethical approach

One of the main problems with the constant stream of technological innovations is the fact that people rarely take the time to evaluate the ethical ramifications of the new advancements, according to James Ruddell and his brother Larry Ruddell, president of the Global Institute for Ethical Leadership and dean of faculty at Belhaven University.

The brothers presented a session addressing the possible consequences of hot technologies in the construction industry and advised construction managers on how to avoid future problems.

"With new technologies, our eyes glaze over like a Krispy Kreme donut and we don't really think about it," Larry Ruddell said. "But the question is, 'How can we do the right thing when we innovate?'"

The Ruddells advised construction professionals to establish an ethical organization and ensure a solid company culture with clear guidelines.

"We have to keep in mind that change is inevitable and progress is good," Larry Ruddell said. "But change is not necessarily ethical in and of itself, and there is nothing inherently wrong with change. We must bring in an ethical

component and ask: Change to what? Change for what?"

The brothers discussed some of the biggest emerging technologies in construction right now:

- Facial recognition software, which can provide safety and payroll functions, but also raises privacy concerns.
- Drones, which can help with surveying, inspection, and progress photos, but also come with possible privacy problems and safety concerns, as the experience of drone operators is often unknown.
- Robots, which can automate repetitive work and offer safety benefits, but have caused some in the iron work sector to oppose the new technology taking an aspect of jobs they enjoy, as iron work is often considered a "glamorous" occupation.

When privacy issues arise, James Ruddell said the impetus is on the owner to anticipate how the new tools might be used beyond their initial purpose, as well as the need to disclose to employees how the technology is going to be used.

"There needs to be checks and balances when we're managing personal information like this," Larry Ruddell said. "Even if it may seem less efficient, it's the right thing to do."

Above all, construction managers and executives need to recognize that their decisions have significant impacts on all levels of the industry, the Ruddells said.

"You must not underestimate the impact you have as an ethical leader," Larry Ruddell said. "The way you do business is good for the game, for the construction industry. Don't underestimate the benefits of having an ethical organization. You can do the right thing and make money."

Ad-app-ting

Apps and tablets are becoming common on construction sites, and AEC professionals are finding new ways to use them for document access and markup, sharing and collaboration, BIM viewing and updating, and capturing data on the go,

according to Dareen Salama, assistant project controls manager at STV Inc.

Chitwan Saluja, technology lead at Jacobs Engineering, said, “Mobile applications are an extension of my field office in everyday work. As more apps come to the market, I encourage all to try them and see if they allow you to do more in less time.”

Salama recommended some of what she considers the best AEC apps, including:

- BlueBeam Studio
- Prezi
- InfraWorks 360
- Autodesk A360
- e-Builder

Saluja added that some of his favorite programs and apps are:

- Dropbox
- PlanGrid
- Autodesk BIM 360

Different companies will decide which apps best suit their needs, but regardless of which are ultimately chosen, the panelists encouraged construction firms to standardize and choose four or five for the different uses that all employees then utilize. Salama also said that owners should establish their own cloud security policies to ensure the data is secure.

And as new apps are developed, construction professionals should try them out and discover their potential benefits and pitfalls, according to Luciana Burdi, deputy director for capital programs and environmental affairs at the Massachusetts Port Authority. “Apps are popping up one day after another,” she said. “You need to standardize at some point, but you don’t need to forget what’s out there. Things are coming. Be open to change.”

Raise the risk?

Technological advancements aren’t the only elements changing in the construction industry. New methods of contracts and project management are becoming more widespread. But with that growth comes the question of whether the new techniques will actually result in fewer disputes — a common goal in the industry.

“The thing that makes the most success is the facilitation that we as construction managers bring to the process. I look at myself as a human engineer,” said Ron Pennella, construction project manager at Structure Tone and adjunct professor at the Polytechnic Institute of New York University. “As a construction leader, my responsibility is to advocate for completion of the project, for the client, for the design team, for the subcontractor, for everyone else affected. It’s all about people.”

The panelists addressed the benefits and possible challenges of six emerging trends in construction management techniques and technology:

- **Integrated Project Delivery.** Benefits: Holistic evaluation of problems, more collaboration, ideal for fast-track construction. Challenges: Having to force working relationships, blurred lines of responsibility.
- **BIM.** Benefits: Design efficiency, ability to visualize complex spaces, shared platform. Challenges: complexity of the model, different needs for different contractors, question of who holds responsibility, need to control access to data.
- **Pre-fabrication.** Benefits: elimination of waste, faster, improved quality, sometimes lower cost. Challenges: Question of what can be prefabricated, more planning required, limited opportunities, jurisdictional disputes.
- **Lean construction.** Benefits: eliminate waste, quality control, speed. Challenges: Broad objectives with unclear protocols, lean means something different to everyone, planning intensive.
- **Robots and drones.** Benefits: Improved efficiency, less error. Challenges: Loss of control, no past experience working with the technology, potential for huge disputes.
- **Collaboration software:** Benefits: All information in one place, easy accessibility, improved communication, quicker decisions. Challenges: Information overload.

With these new technologies and techniques, Christopher Payne, Executive VP of McDonough Bolyard Peck, said he expects the industry to deal with fewer disputes in the future. However, when disputes do arise, they will be more complex and difficult to resolve because they will involve uncharted territory, he predicted.

Pennella added, “We keep hearing about difference with technology, but it can’t replace experience ... These machines have a usefulness, but it’s like a ruler or a hammer. You have to know how to use them.”

Emily Peiffer is the associate editor of Industry Dive’s Construction Dive publication (www.constructiondive.com). Hailing from Lancaster, PA, she received her BA from Susquehanna University. Before joining Industry Dive, Emily worked for Lancaster Newspapers and Science & Diplomacy, under the American Association for the Advancement of Science. She can be reached at: emily@industrydive.com •



Laptops and Tablets: The Latest Construction Safety Equipment

By Robert Van Hoof /Construction Management

The fact is there are hundreds of ways a person can get hurt just going from point “A” to point “B” on most construction sites. If the person engages in actual construction activities, the risk of injury climbs quickly. Even when people are safe from injury, errors and mishaps risk damaging expensive materials and equipment. These incidents can also affect production timelines and insurance.

Recordkeeping on who has been properly trained for each task can be monumental. For self-performed activities, training information may be accessible in HR records or other systems designed to track course completions and certifications. However, most construction sites have a number of contract employees, subcontractors and vendors.

Therefore, general contractors often have to depend on the contracted company to keep accurate records and ensure proper safety training. Even with morning safety meetings and regular discussions with project foremen, workers may be performing tasks for which safety training was done on the fly with little assurance that it actually meets OSHA or industry standards.

There will always be a place and need for hands-on and classroom training. However, with the accessibility and convenience of laptops and tablets, basic skills training, refresher testing and onsite certification is now possible without the time loss and cost associated with offsite courses and seminars.

E-LEARNING

Larger firms that have invested in learning management systems already have experienced many of the benefits of e-Learning. However, developing and maintaining courses comes at a cost. Access to the system is often limited. Now, with Wi-Fi connections available almost everywhere, online access to e-Learning is equipping general contractors and project managers with tools to ensure proper jobsite training. Many e-Learning course providers have established web-based platforms to aid field staff in improving workplace safety and job skills. Online certification is available for a variety of training needs, including ensuring that contract laborers understand safety equipment requirements and lifting procedures, refreshing bridge crane and forklift operators on proper rigging and hand signals, and educating confined space crews on hazardous atmospheres, necessary safety equipment and permit requirements.

CHOOSING AN E-LEARNING PROVIDER

Selecting the right e-Learning provider requires research. Not all courses and testing systems are the

same. It is important to make sure that the courses clearly state that they meet regulatory guidelines. The courses also must be designed by experts with first-hand knowledge of what a worker will face in the field.

Likewise, maintaining certificates of completion and individual employee records within the system will be very helpful. With the labor shortages faced throughout the construction industry, having documentation on preferred contract employees and sub-contractor crews will expedite staffing choices from one project site to the next.

Another consideration is pricing structure. This can vary widely, from committing to long-term contracts, to purchasing user packages, to simple pay-per-view billing. As a company enters the e-Learning market, starting with a no-commitment, pay-per-view options allows the firm to test the technology and courses at a nominal cost. In fact, some vendors will offer basic courses for free to earn a contractor's business.

For firms that already use a learning management system, integration of technology will be key. Look for a provider that can integrate the online courses and recordkeeping with the existing system, as well as support updates for the library of existing courses. The provider may even offer to host all of the firm's proprietary courses externally. This will allow for a single, online interface and eliminate some of the IT costs associated with learning management systems.

Consulting an e-Learning specialist is often the fastest way to evaluate the cost and benefits of each option. Look for a vendor that offers multiple platforms and has longevity in the field to receive the most balanced and unbiased counsel.

Construction is a dangerous industry, so much so that OSHA's National Safety Stand-Down has expanded to be two weeks long. Although falls from elevation continue to be a leading cause of death for construction workers, they are far from the only safety risk faced on the jobsite. From proper use of power tools and lockout/tagout procedures to exposures to gasses and toxic substances, OSHA has an alphabet of safety standards with which construction workers must comply. To ensure a well-trained labor force, e-Learning on laptops and tablets is the newest piece of safety equipment that should be in every toolbox. •

About the Author

Robert Van Hoof is the CEO of Strategic Vision Inc. and its subsidiaries PPVtrain.com and SCORMstore.com. He has more than 30 years of experience in the development of blended and technology-based training programs for multiple U.S. government departments and Fortune 500 companies, which include U.S. Army, U.S. Department of Homeland Security, U.S. Department of the Interior, United Technologies, Pratt and Whitney, Rocketdyne and Duke Energy. Mr. Van Hoof can be reached at vanhoofr@stratvision.com.

NYC INSTITUTIONS STEADILY INVESTING IN CAPITAL UPGRADES AND EXPANSION

Nearly \$6 Billion in Construction Projects Initiated Over a 12-Month Period

New York City's public and private institutions initiated \$2.9 billion in construction projects during the first half of 2015, up from \$796 million through June of 2014, an increase of 269 percent, according to a New York Building

Congress analysis of construction data from Dodge Data & Analytics. The sectors examined include elementary and secondary schools, hospitals and health care, higher education, courts, libraries, cultural facilities, and religious institutions.

The value of construction projects initiated in the institutional sector during the first half of 2015 represents the best start to a year since at least 2009, which is the earliest period for which the Building Congress has data.

Even more impressive, the strong start in 2015 comes on the heels of the \$3.0 billion in institutional construction projects initiated during the second half of 2014 - for a 12-month total of \$5.9 billion.

For the full year of 2014, institutional

construction starts reached \$3.8 billion, up from \$2.6 billion in 2013 and \$2.4 billion in 2012. Construction starts by value reached \$2.4 billion in 2011, \$2.8 billion in 2010, and \$3.8



NYU Langone's Kimmel Center,

billion in 2009. Over a seven-year period stretching from July 2008 through June of this year, the City's institutional sector initiated \$23 billion in construction projects.

“New York City’s public and private institutions continue to demonstrate a remarkable consistency in terms of their willingness and ability to methodically invest in maintaining and upgrading their facilities for the long haul,” said Building Congress President Richard T. Anderson. “Unlike the residential sector, which can quickly go from boom to bust and back again based on economic conditions, the institutional sector has proven to be a reliable and consistent source of construction activity year in and year out.”

Eds and Meds

Schools and hospitals continue to be the main drivers of new construction projects in the institutional sector.

In the seven years from July 2008 through June of this year, work on New York City public elementary and secondary schools accounted for 37 percent (\$8.5 billion) of all institutional construction starts by total value. Of the projects started in the first half of 2015, public schools accounted for 33 percent.

Public and private hospitals and healthcare facilities accounted for \$7.3 billion, or 32 percent, of all institutional construction starts during the seven-year period, and 35 percent of the projects initiated in the first six months of this year.

Institutions of higher education, which include public and private colleges and universities, initiated \$3.5 billion worth of construction projects, or 15 percent, of the total over the past seven years. In the first half of 2015, higher education accounted for 23 percent of construction starts by value.

New York City’s cultural facilities accounted for 6 percent of institutional construction starts over the seven-year period, followed by private elementary and secondary schools at 5 percent. Religious institutions, courts, and libraries each accounted for between 1 and 2 percent of construction starts by value.

Top Project Starts

Education and healthcare were responsible for each of the top ten projects by value during the first half of 2015. The , which is the biggest project thus far this year, is ranked as the third most valuable institutional start over the past seven years. It is surpassed only by New York-Presbyterian’s Koch Ambulatory Care Center and NYU Langone’s Kimmel Center, both of which commenced construction in 2014.

The CUNY Hunter College Science and Health Professions Building claimed the second spot on the 2015 top starts list, followed by a new residential tower and a separate academic building for the CornellNYC Tech campus on Roosevelt Island, which are ranked third and fourth. Public

school projects in Queens and Brooklyn took the next four spots on the list.

Blend of Old and New

Approximately 54 percent of the projects, as measured by total value, over the seven-year period have been for ground-up construction of new facilities. The remaining 46 percent were renovations and alterations to existing structures. Aided by the start of the Memorial Sloan Kettering facility, the percentage devoted to new construction rose to 60 percent in the first half of this year.

“The nearly 50/50 split in new construction and renovations to existing facilities is a very positive sign,” noted Mr. Anderson. “It demonstrates that New York City’s bedrock institutions are confident enough in their futures to expand where possible. And even when they aren’t in expansion mode, they are still making the investments necessary to maintain and modernize their existing facilities.”

The data for this report encompass all recorded project starts, including new construction as well as alterations and renovations to existing structures, and reflect the estimated value of each initiated project through the entire period of construction.

SOURCE: NEW YORK BUILDING CONGRESS

Dodge data used for this analysis can be purchased at dodge.construction.com. •

Port Authority Approves Design Competition for New Bus Terminal

The Port Authority of New York and New Jersey approved a competition for plans to replace the agency’s neglected 65-year-old bus terminal near Times Square with a bigger facility that may cost as much as \$10 billion.

The transit agency also approved soliciting proposals for how to meet and manage cross-Hudson commuter demand over the next 30 years, as well as an analysis of construction costs.

After two years of study, the Port Authority subcommittee recommended building a new terminal between Ninth and Eleventh Avenues, one block west of the current building. To minimize commuter disruption, the old terminal would operate until the new one is completed. The current depot serves about 230,000 daily and is operating beyond capacity.

The Port Authority board would select a winner of the design competition no later than its September 2016 board meeting.

To help finance the project, the agency could sell the current site to developers. The transit agency hasn’t identified other funding sources. •

CASE STUDY

By CONTINENTAL BUILDING PRODUCTS



SILVER TOWERS, NEW YORK CITY



Silver Towers comprises two 60-story towers located in the rejuvenated Hell's Kitchen neighborhood of Manhattan on 42nd Street and 11th Avenue. Overlooking the Hudson River, the luxury high-rise development was the largest residential 80/20 rental property in the city upon its completion in 2010. The 1.2 million-square foot property, managed by the real estate firm of Silverstein Properties, Inc., includes 1,359 rental units, 20% of which are set aside as affordable housing. With retail space on the ground floor, as well as a park, a fitness center and even a bowling alley, Silver Towers is an elegant oasis in the heart of the bustling metropolis.

Mold Defense® in Manhattan WC&C member Prince Carpentry, the project's drywall subcontractor, called on Continental Building Products (then the Gypsum business unit of Lafarge) to service its gypsum

needs. Through distributor City Lumber, also a WC&C member, Continental provided approximately five million feet of wallboard – 4.5 million of Mold Defense and an additional 500,000 of Mold Defense Shaftliner Type X.

Silverstein, Prince and City Lumber valued Continental's ability to provide LEED-certifiable product from its Buchanan facility. Over the 15-month build, Continental sent out 200 trucks' worth of special-cut Mold Defense, delivering on time thanks to a seamless supply chain involving Continental's Sales Service, Manufacturing and Transportation teams. This was the first project for Continental in Manhattan, offering the company the opportunity to leave a bold mark on the New York City skyline.

- See more at: <http://www.continental-bp.com/about-us/case-studies/silver-towers-new-york-city#sthash.k5ylkoQY.dpuf> •

Marino\WARE® Releases Environmental Product Declaration

Marino\WARE®, a 100% wholly American-owned and operated steel framing manufacturer, announces the release of third party-verified ISO-compliant Environmental Product Declaration (EPD) and Health Product Declaration (HPD) for its cold-formed steel framing systems including ViperStud® drywall framing, StudRite®, JoistRite®, structural, shaftwall, plastering and drywall finishing products.

Marino\WARE® helps build America. Marino\WARE® produces a complete line of steel construction products and services used in commercial building across the country. Marino\WARE believes sustainability and environmental management are not construction industry trends but corporate responsibilities. Architects, designers and contractors demand tools and resources to improve the environmental performance of buildings. Marino\WARE®'s products', Environmental Product Declaration (EPD) and Health Product Declaration will help them achieve their sustainability objectives by assessing environmental impact throughout the product's life cycle.

Request LEED v4 Info

Marino\WARE Engaged thinkstep and UL Environments

Marino\WARE® engaged thinkstep and UL Environments to conduct an independent, third-party "cradle-to-gate" analysis using life cycle assessment (LCA) techniques. The analysis was done according to the product category rule (PCR) for Designated Steel Construction Products and followed LCA principles, requirements and guidelines laid out in the ISO 14040/14044 standards. Thinkstep is the leader in Sustainability Performance Management--helping 40% of the Fortune 500 create business value through sustainability. UL® is a global independent safety science company with more than a century of expertise innovating safety solutions from the public adoption of electricity to new breakthroughs in sustainability and renewable energy.

CEO Remarks on EPD and HPD

"Marino\WARE®'s Environmental Product Declaration and Health Product Declaration are great news for our customers. It is our goal to show the construction industry through our company specific EPD and HPD that steel should be the product of choice for green building professionals."—*Chip Gardner, CEO of Marino\WARE®.* •

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PRODUCT NEWS

ROCKFON® Introduces Cinema Black™ Acoustic Stone Wool Ceiling Panels



Announcing the new ROCKFON® Cinema Black™ acoustic stone wool ceiling panels - cost-effectively enhancing the visual and acoustic experience in auditoriums, restaurants, and spaces specially designed for music, film and live performances.

The new Cinema Black ceiling panels provide:

- Acoustic performance - Noise Reduction Coefficients (NRC) up to 0.95

- High fire performance - UL/ULC-certified for Flame Spread and Smoke Development

- Humidity resistant - dimensionally stable at up to 100% relative humidity

- Sustainable design benefits - up to 43% recycled material content and UL® Environment's GREENGUARD Gold Certification for low-emitting products

Cinema Black panels are offered with a square lay-in edge designation, and available in 2-by-2 foot or 2-by-4 foot modular sizes with either 5/8-inch or 1-inch thicknesses. These lightweight ceiling panels are easy to carry, to cut and to install in standard 15/16-inch ceiling suspension systems.

ROCKFON stone wool ceiling products supplied in North America are supported with a 30-year warranty.

ROCKFON

www.rockfon.com

Bosch GTS1041A REAXX™ Portable Jobsite Table Saw Takes User Safety to the Next Level, and Saves the Blade Too

Bosch Active Response Technology™ expands to include flesh-detecting technology to help reduce potential user injury



Safety comes first on any construction jobsite, especially regarding a table saw where a momentary lack of focus could have permanent consequences. Bosch, the construction industry's technology leader, extends a heritage of award-winning table saw design to enhance workplace safety with the introduction of the REAXX™ Portable Jobsite Table Saw – the first saw with the company's proprietary flesh-detecting Active Response Technology™.

The Bosch Active Response Technology platform, first launched on Bosch Brute Tough™ hammer drill/drivers, helps reduce the risk of injury to users by combining advanced Bosch sensors and electronics with mechanical injury-prevention systems. The Active Response Technology system on the REAXX table saw rapidly detects human flesh that comes in contact with the blade

PRODUCT NEWS

and drops the saw blade below the tabletop. This high-speed action helps reduce the potential of serious user injury and occurs *without* damaging the blade.

After activation, the system can be reset in less than 60 seconds. A single two-shot cartridge enables activation for two incidents before replacement is needed. Just rotate the activation cartridge and reset the drop mechanism and the REAXX table saw is ready to go. All necessary parts, instructions and wrenches are located onboard the saw, including storage for extra activation cartridges.

The complexity of the Bosch REAXX on-board control system is translated to an intuitive, easy-to-understand LED light panel that communicates and manages saw operation and indicates saw status.

BOSCH TOOLS

www.boschtools.com

Announcing Total Asset Management (TAM) from TruQC and Carboline

Carboline has introduced TAM, an industry changing iPad based software that makes tracking people, projects, and assets, simpler. All the data is in real time and eliminates the need for time consuming paperwork.

"TAM solves the documentation issues that owners face in one simple and integrated solution in one central location. It saves customers a tremendous amount of time, their most precious commodity", Doug Moore

Vice President of Global Marketing and Development.

TAM offers customers multiple reports including: daily inspection report, maintenance report, custom asset checklist, and time and materials report. In addition to the multiple reports TAM also has a barcode scanning feature that allows users to retrieve key product and batch information by simply scanning the barcode on a Carboline red bucket. Critical information such as product, and batch data will automatically load into TAM once the barcode is scanned.

Another key feature is the easily accessible up-to-date Carboline product data sheets and safety data sheets within the software. The product data sheets and safety data sheets allow customers to always have the supporting documentation they need without leaving the app.

CARBOLINE COMPANY

www.carboline.com

Fortifiber® Introduces FortiFlash® Butyl 30 mil

Fortifiber Building Systems Group introduces 30 mil FortiFlash Butyl, a

heavy-duty version of its popular self-adhesive flashing designed for reliable performance in extreme temperatures.



FortiFlash Butyl 30 mil provides the ultimate combination of performance characteristics in a self-adhesive waterproof flashing: aggressive adhesion at extreme low and high temperatures, and compatibility with most standard building materials including sealants, EPDM and flexible vinyl. Finished with an ultra durable facer, the flashing seals around fasteners and is resistant to mold and mildew. A split release sheet allows for easy integration with weather resistive barriers.

"Our standard grade of FortiFlash Butyl is already one of the most trusted brands for difficult jobsite conditions," said Chris Yount, President of Fortifiber Corporation. "Now with a 30 mil thickness, we are delivering the commercial grade performance our customers demand for their most extreme challenges."

FortiFlash Butyl 30 mil complies with the installation requirements of ASTM E-2112, Standard Practice for Installation of Exterior Windows, Doors, and Skylights, and exceeds industry standards for tensile strength, nail sealability, peel adhesion and resistance to mold growth.

The product is available in 9 and 12 inch widths by 75 foot long rolls.

FORTIFIBER

www.fortifiber.com

Hitachi Introduces 18V Brushless Lithium Ion Oscillating Multi-Tool

Hitachi Power Tools has announced the launch of its new 18V Brushless

PRODUCT NEWS

Lithium Ion Oscillating Multi-Tool, model CV18DBLP4. This tool can cut, scrape, grind or sand just about

anything with the appropriate accessory. It is sold as a tool-body only, however it is compatible



with any Hitachi 18V slide-type battery and charger system. This cordless tool is convenient for quick transition between jobs and has the power to accomplish most any task.

The CV18DBLP4 achieves an impressive oscillation speed of up to 20,000 RPM with the use of a Hitachi Brushless motor. Hitachi's brushless motor technology delivers more power to the motor by minimizing unnecessary energy loss through friction and heat. Managed by a micro-processor chip that efficiently delivers current flow to the motor, brushless tools experience longer run time between charges, increased power, and extended durability with essentially no maintenance.

This multi-tool is unique to Hitachi due to the two modes of speed. A user can select Standard mode and change the vibration frequency from 1-5 or (6,000- 20,000 RPM) by adjusting the variable speed dial as needed or the user can select "auto-mode" and the tool will determine the appropriate level of vibration needed based on the load-essentially lowering vibration, reducing noise and increasing the battery run time.

HATACHI

www.hitachi.com

Rockfon's Ceiling Systems Simplify Seismic Requirements

Simplifying compliance with building codes' seismic requirements,



ROCKFON® Chicago Metallic® ceiling suspension systems are tested to meet or exceed industry standards.

Our ceiling systems are engineered to reduce installation time, to save associated material and labor costs, and

to support life safety and the property preservation during an earthquake. Assisting with proper product selection and specification, ROCKFON shares a new, comprehensive brochure titled "Seismic Relief".

According to the International Building Code (IBC), every construction project must meet a Seismic Design Category (SDC) regardless of geography. The IBC outlines six SDCs, A through F, ranging from the least to the most stringent. ROCKFON offers ceiling products to address all SDCs.

ROCKFON

www.rockfon.com

New Milwaukee Infrared Temp-Guns Feature Clearest Screens and Fastest Scanning

Milwaukee Tool introduces four new Infrared Temp-Guns™ that feature the clearest screens and fastest scanning in their categories. The new line was designed to have clearer readings, stand up to the conditions of a jobsite, and be intuitive for the user to set up common functions.

Delivering stunning readability both indoors and outdoors, each of the new units feature a premium LCD screen for the clearest readings possible. A simplified keypad and interface makes taking measurements easier than ever, and with a simple Hi/Low alert set up, users are able to

quickly troubleshoot problems. With a fully bumpered nose, shielded LCD and over-molding for increased durability and grip, the new Infrared Temp-Guns are impact resistant and able to survive drops of up to 6ft.

The most compact of the four, the alkaline 10:1 Infrared Temp-Gun



(2267-20) has a temperature range of -22 to 752°F and a 10 to 1 distance-to-spot ratio to provide a safe and accurate way to measure surface temperature for a wide variety of applications.

Within the most popular 12:1 category, Milwaukee will offer both an alkaline (2268-20) and 12V (2278-20)

PRODUCT NEWS

unit with a temperature range of -22 to 1,022°F. The 12V unit will be an extension of the Milwaukee M12 line that now offers over 70 solutions on one battery platform.

For long range measurement needs, the 30:1 Infrared/Contact Temp-Gun (2269-20) will also be available with an Infrared range of -40 to 1,472°F and a contact range of -40 to 1,022°F. With the ability to log 99 measurements, users are able to reference prior measurements and track equipment performance closely.

Backed by a 5 year warranty, the new products confirm Milwaukee's commitment to best-in-class durability and their relentless commitment to provide innovative, productivity enhancing solutions to core end users.

MILWAUKEE TOOL
www.milwaukeetool.com

Lowe's To Exclusively Offer Hitachi Power Tools Nationally

Lowe's Companies, Inc. and Hitachi Power Tools announced the introduction of the industry leading line of professional grade Hitachi pneumatic nailers and fasteners exclusively at Lowe's stores nationwide and online at Lowe.com. Lowe's now offers the broadest selection of Hitachi power tools, with a lineup of tools the pros prefer most with the latest innovations that deliver lighter, faster and more durable products. The new Hitachi Power Tool displays are joining the existing lineup of Hitachi tools at Lowe's and are

rolling out to stores this month.

To make the shopping experience simpler for consumers, Hitachi pneumatics will be featured in a dedicated brand display with color-coded nailers, associated fasteners and accessories located directly below the coordinating tools for efficiency. Pro and DIY consumers alike will find increased on-hand availability and the diversity of tool selection needed to tackle any pneumatic tool and fastener application. The Hitachi fasteners will also be clearly labeled by the local building codes for quick

and easy identification.

Hitachi provides leading heritage in wood-to-wood construction and has a long-standing reputation with the pro. Building professionals know Hitachi for residential construction as the market leader for more than 20 years and reach for Hitachi tools when durability and performance can't be sacrificed.

The new tools will join Lowe's exclusive current Hitachi offering.

HITACHI
lowes.com/hitachi

Subsidiary of Dot Foods, Inc. Acquires Grabber Construction Products

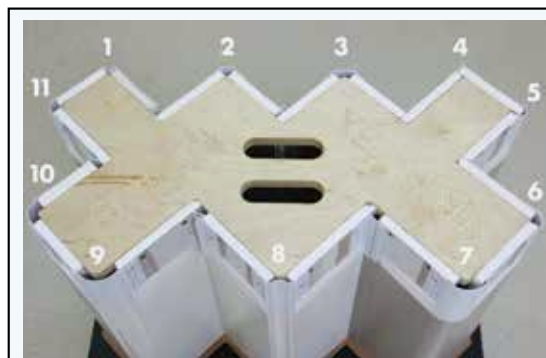
Grabber® Construction Products, Inc. has been acquired by Grabber Holdings LLC, a subsidiary of Dot Foods, Inc. ("Dot"). Svoboda Capital Partners LLC, assisted with the acquisition and holds a minority interest.

Founded in 1967 Grabber Construction Products has grown from a small family business to become a nationally recognized brand and international distributor of professional-grade fasteners and construction products to the building construction industry. Headquartered in Highland, Utah, Grabber Construction Products has 28 distribution locations across the United States and Canada including an international and Home Center division.

Dot was founded in 1960 and has grown to become the largest food redistribution company in the United States. Dot was built on a strong foundation of trusted values and innovative solutions.

PRODUCT NEWS

11 Ways To Finish A Corner: By Trim-Tex



Never look at a corner the same!

1. Reveal corner bead
2. 350 Chamfer bead
3. Chamfer bead
4. Rigid low profile corner bead
5. 350 Bull
6. 3/4" Bullnose
7. 1 1/2" Bullnose
8. Niche bead
9. 1 1/2" Step a bull
10. 3/4" Step a bull
11. 350 Step a bull

Trim-tex offers 11 ways to finish an outside drywall corner. You will never look at a corner the same with 11 options to chose from.

Trim-tex offers 11 ways to finish an outside drywall corner. You will never look at a corner the same with 11 options to chose from.

Did you know there are 11 ways to finish a corner?

90-Degree corners might be the norm, but it does not have to be that way. There are a lot of corner finishing options on the market. Some popular non-traditional corner beads include, step a bull, niche bead, reveal corner bead, bullnose bead and chamfer bead.

Step a bull and niche bead are exclusive Trim-tex corner beads. They are great for creating decorative finishes on soffits or around windows and doors. Both products add a traditional finish to the room that is more interesting than a standard 90-degree corner. Niche bead creates the appearance of millwork quality upgrades, but at a price far less than wood carpentry. Integrating step a bull and niche bead into homes creates value far above the cost of the products and is as easy as installing corner bead.

Trim-tex recently unveiled the brand new reveal corner bead. This product creates the look of drywall layers without needing to install a second sheet of drywall. Reveal corner bead excels at adding a simple and modern accent with clean straight lines.

Bullnose beads are extremely popular throughout the industry, but Trim-tex has the largest selection of bullnose corner beads and accessories. Unlike metal bullnose bead that cannot hold their round shape without being easily damaged, Trim-tex bullnose bead is made out of rigid vinyl, making it dent proof.

Finally, chamfer bead is especially great for commercial projects. Chamfer bead produces two sharp, crisp lines on every corner. Architects and clients both love the unique, clean finish of chamfer bead.

All of these popular products are made from rigid vinyl and available through Trim-tex. Rigid vinyl is made through the process of vinyl extrusion, which allows these beads to have unique shapes at an affordable cost. Shape possibilities are limitless with vinyl extrusion. In addition, vinyl never dents, rusts or molds and vinyl corner beads finish with straight, clean edges, unlike the rounded edges of metal corner beads.

Just think, these five corner beads are only a fraction of what is available through Trim-tex's 11 ways to finish a corner. A 90-degree corner does not need to be the standard any longer. Offering clients additional ways to finish a corner is a great tool for contractors. Plus, contractors can make more money and create beautiful custom homes.

TRIM-TEX

www.trim-tex.com

New Bifocal Safety Eyewear in Glasses-to-Goggles Design: Swap MAG! By Gateway

Gateway Safety announced the launch of Swap® MAG, a unique safety eyewear solution that converts from safety glasses to goggles, now with bifocal magnification. The base version of Swap safety eyewear gives users the flexibility of using it as either safety glasses or safety goggles, and acts as a powerful anti-fog product. Swap MAG offers these same great benefits, plus the convenience of a built-in bifocal to enhance small details.

"Swap MAG is a ground-breaking product that offers major benefits to both employers and employees," said Gateway Safety Vice President Matthew Love. "It brings employers the convenience and cost savings of purchasing one product instead of two. At the same time, it provides workers a new bifocal safety eyewear option in either the form of safety glasses or goggles."

With a lower bifocal positioned just right, Swap MAG is available in levels 1.5, 2.0 and 2.5 in both clear anti-fog and gray anti-fog lenses. It comes packaged with temples attached for use as stylish and comfortable safety glasses. A simple push of a button allows the user to replace the temples with an adjustable head strap (included with each pair) and transition the product into a safety goggle.

Swap MAG is independently certified by Underwriters Laboratories to meet ANSI Z87.1+, while offering 99.9% UVA, UVB, and UVC protection.

GATEWAY SAFETY

www.gatewaysafety.com

OSHA's New System Gives Greater Weight To Complex, Time-Consuming Inspections

OSHA moves to a new enforcement weighting system that assigns greater value to complex inspections that require more time and resources. The new system will allow for more strategic planning and measurement of inspections, and ensure that all workers are equally protected, regardless of the industry they work in. The system assigns "Enforcement Units" to each inspection. Routine inspections count as one unit, while those requiring greater resources — such as those involving musculoskeletal disorders, chemical exposures, workplace violence, and process safety management violations — count as up to nine units. The values are based on historical data and will be monitored and adjusted as necessary.

OSHA Assistant Secretary Dr. David Michaels announced the change at the National Safety Council conference in Atlanta earlier this week. "All inspections aren't equal — some are complex and require more time and resources — and many of those inspections have the greatest impact," he said. "This new system will help us better focus our resources on more meaningful inspections."

Inspections are one of the fundamental tools OSHA uses to

encourage employers to abate hazards. Strong evidence from several recent studies shows these that injury rates decrease at an establishment in the years following an OSHA inspection. •

OSHA Advisory Committee On Construction Safety And Health Seeks Nominations For Six Seats


OSHA is accepting nominations for six new members to serve on the 15-member Occupational Safety and Health Administration's Advisory Committee on Construction Safety and Health committee. Nominations are sought for members representing employees (2), employers (2), the general public (1) and state safety and health agencies (1). Nominations may be submitted at www.regulations.gov. Submissions may also be sent by mail or facsimile; see the Federal Register notice for requirements. The deadline for submissions is Dec. 28, 2015. •

OSHA And The American Red Cross Renew Alliance Focused On Protecting The Safety And Health Of Volunteers, Employees

The Occupational Safety and Health Administration and the American Red Cross have renewed their alliance to continue efforts to reduce workplace incidents and protect workers from hazardous exposures. During this five-year alliance, OSHA and the Red Cross will focus on providing workers and employers with information and training resources on emergency preparedness, disease prevention education and first aid.

This alliance reaffirms our commitment to training and preparation to help save lives," said Dominick Tolli, Vice President, Preparedness and Health and Safety Services at the Red Cross. "Knowing the correct steps to take in those critical first moments of an emergency can mean the difference between life and death."

Through its Alliance Program, OSHA works with unions, consulates, trade and professional organizations, faith- and community-based organizations, businesses and educational institutions to prevent workplace fatalities, injuries and illnesses. The purpose of each alliance is to develop compliance assistance tools and resources and to educate workers and employers about their rights and responsibilities. Alliance Program participants do not receive exemptions from OSHA inspections or any other enforcement benefits. •



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- Industry

ROCKFON stone wool acoustical ceiling tiles are GREENGUARD Gold certified.



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