

SUMMER 2012

# OFF THE WALL



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

## Hudson Yards Construction Set to Begin This Year...page 6

Nearly All Unions Climb Aboard  
Hudson Yards Labor-Cost Deal...page 8



WC&C GOLF OUTING PHOTOS PAGES 10-12

## CALENDAR

June 2012 — December 2012

DATE	TIME & PLACE	TYPE OF MTG.
Sept 18 (Tues)	4:00 pm Caracalla	Board Meeting
Sept 18 (Tues)	6:00 pm Caracalla	Gen Membership
Oct 16 (Tues)	4:00 pm Valentino's	Board Meeting
Oct 16 (Tues)	6:00 pm Valentino's	Gen Membership
Nov 13 (Tues)	4:00 pm TBD	Board Meeting
Nov 13 (Tues)	6:00 pm TBD	Gen Membership
Dec 11 (Tues)	4:00 pm No. Hemp CC	Board Meeting
Dec 11 (Tues)	6:00 pm No. Hemp CC	Christmas Party

## OFF THE WALL

*Off The Wall* is published through the Promotional Fund by the Association of Wall-Ceiling & Carpentry Industries of New York for the benefit of the membership. It is distributed to members, associate members, union affiliates, and legislators. Editorial contributions, including pictures and story ideas, are welcome and should be forwarded to the WC&C office, 125 Jericho Tpke., Suite 301, Jericho, NY, 11753.

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*From the  
Executive Director  
John DeLollis*

## NEW BEGINNINGS

**A**FTER TWENTY MONTHS OF NEGOTIATIONS, which started with the UBC and ended with the newly elected officials of the New York City District Council of Carpenters, the delegate body has approved our proposed changes to the WC&C Collective Bargaining Agreement in an open ballot by 60 to 26. Favorable changes were granted to the association contractor members in return for a monetary package which restored a \$2.13/hr. increase previously rescinded in addition to \$12.00/hr. at \$2.40/hr./year over five years

By far the most significant and most contentious change was the approval of full mobility. To the uninitiated this means the contractors assign all of their workforce, provided they are members of the NYCDCC in good standing, with exception of the Shop Steward who is assigned by the District Council. It permits the contractor to move carpenters from project to project to assign the best qualified to the task to be performed. There have been concerns expressed by the rank and file over this system of hiring but there are many positives. It will not reduce the number of carpenters employed, however, it should increase the percentage of NYCDC carpenters working since mobility applies to NYCDC carpenters only and any carpenters from other Councils will be matched on a one to one basis. This will also lead to increased contributions to the benefit funds and help to stabilize or improve the desperately ailing

Welfare Fund. It will also significantly improve efficiency of signatory contractors and improve quality and value at a time when the non-union sector is becoming an increasing threat to our market share.

We are a labor-intensive trade and therefore the union labor workforce is our most valuable asset. Our product is highly visible and subject to intense scrutiny and therefore quality is of utmost importance. I also believe our contractors are responsible business owners who see the need to hire and utilize apprentices to ensure the future workforce. They also value the more experienced carpenters for their knowledge, work ethic and loyalty which all adds to the quality of our product.

I am certain that in time many of the concerns of the rank and file will be eliminated and that trust among the employees, union and management will be restored. We now await the approval of the court to permit these changes to be implemented. With contract negotiations behind us the District Council can concentrate on other serious current problems and our association can get on with our educational and marketing programs. Jointly we can work together to promote the union carpentry industry.

I look forward to a new era of cooperation and understanding of each other's needs.

— *John DeLollis*



*From the  
PRESIDENT  
Michael Weber*

## Where Is the Leadership?

WHILE AMERICANS ARE SIZING UP THEIR POLITICAL VIEWS about which candidate they would like to see lead our nation for the next four years, leadership continues to be lacking in both the White House and in Congress. Somehow we have lost sight of how strong leaderships can inspire the hearts and minds of all Americans, regardless of your political beliefs.

Approximately two years ago, our Association began the process of negotiating expiring Collective Bargaining Agreements (CBA) with numerous unions we partner with in our market. All have been completed with the exception of the New York City District Council of Carpenters (NYCDCC). As I am sure you are all aware, since we began the CBA negotiations with the UBC, there have been sweeping leadership changes in the NYCDCC.

After hitting the reset button in December of 2011, when the rank and file underwhelming rejected our proposal, we have made little progress finding common ground we can all agree upon. Countless meetings and numerous broken commitments, along with three negotiated extensions, have not produced a new 5-year CBA we could all live with. The current extension expires August 31<sup>st</sup> and we will keep our membership informed should we resolve the issues standing in the way of cementing a deal.

On the international front, our negotiating committee was not successful in extending the AWC International Agreement. However, the #1 Independent International Agreement is still in effect which continues to offer favorable terms and conditions for our members. If you have any questions regarding the #1 and #4 agreements, I urge our members to consult our counsel for clarification.

The politics being played by elected officials, whether nationally or locally, are wreaking havoc on the hard-working Americans trying to stay afloat as we crawl out of this prolonged recession.

We continue our dialogue with the NYCDCC and are committed to effecting an agreement for our membership.

Enjoy the remainder of your summer and stay cool!

— Mike Weber



## 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.

### New York City's Project Labor Agreements Not Pre-Empted By Federal Law

A Federal Court of Appeals determined that six Project Labor Agreements ("PLA's") between New York City and the Building and Construction Trades Council of Greater New York ("BCTC") covering approximately six billion dollars in construction projects was not preempted by the National Labor Relations Act ("NLRA").

The PLA's at issue designated the BCTC and its affiliates as the sole bargaining representatives for project workers. The PLA's included typical PLA terms which required contractors to secure at least 88% of their labor through BCTC affiliated unions.

The challenge to the PLA's was brought by two contractor associations that had collective bargaining agreements with unions that were not BCTC affiliates. The two associations argued that their members were already bound by collective bargaining agreements with unions and would have to change those agreements in order to work under the PLA's. The associations argued that the affect of the PLA's on their members was even worse than the PLA's affect on non-union contractors.

The court rejected these contentions and found that the PLA's at issue were

indistinguishable from those at issue in the United States Supreme Court's decision in the "*Boston Harbor*" case. The Court found that the PLA's were not preempted by the NLRA. In entering into the PLA's the City was not acting as regulator but similar to a private developer to efficiently obtain services for its construction projects. The City was acting in a proprietary capacity as a market participant. Because the PLA's represented market activity, and not regulation, the preemption argument had to fail.

With respect to the plaintiff association's argument that the PLA's had a dramatic negative affect on their members, the Court found that the affect was "entirely self-afflicted". The Court stated that the associations and their members were free to renegotiate their existing CBA's to allow their members to work on the PLA projects. The Court noted that the associations and their members were free to decline work on those projects or work on other projects not covered by the PLA's. The Court concluded:

*"We recognize that, as compared to non-union contractors, it may be more difficult for [plaintiff-associations] members to comply with the PLA's terms where those terms differ from their usual practice. But this difference does not alter the market participant analysis. The affects that [plaintiff-associations] complains of are entirely ordinary consequences of PLA's, in private as well as public contracts."*

### DOL Suit Over Worker Misclassification To Proceed To Trial

A Federal Court determined that an action brought by the Department of Labor ("DOL") against a drywall company alleging misclassification of workers in violation of the Fair Labor Standards Act must proceed to trial.

The DOL brought the suit claiming that the drywall company hired drywall installers from newspaper advertisements, the internet and referral from other workers. The contractor classified the drywall installers as independent contractors. As such, the contractor did not pay the installers overtime wages when they worked more than 40 hours per week. The DOL also claimed that the contractor recruited other drywall installers classified as independent contractors from labor suppliers or "brokers". Under this arrangement, the company submitted the installer's wages along with a brokerage service premium to the brokers which then paid the workers directly.

The DOL filed a motion for partial summary judgment arguing that its claims should be upheld as a matter of law. The Court denied the motion and directed that the case proceed to trial on the issue of whether the installers were in fact misclassified as independent contractors. The Court determined that the workers status must be determined via an "economic reality" analysis. This analysis includes a fact intensive analysis of multiple factors including: the degree of control exercised by the contractors over the installers; the worker's opportunity for profit or loss; the worker's degree of skill and independent initiative; the duration of the working relationship between the contractor and the installers; and the extent to which the installers constituted an integral part of the contractor's business.

The Court found that the parties had submitted conflicting evidence on each of these factors which could only be resolved at a trial. •

# \$15B Hudson Yards Construction Set to Begin This Year

*A small city within a city will soon start rising on the 26 acres of land by the Hudson River*

By Verena Dobnik/AP

New York didn't let its loss of the 2012 Olympics keep the city from moving on to another venture: building up the largest undeveloped parcel in Manhattan.

The old Hudson rail yards on Manhattan's West Side might have become the Olympic stadium if the city had won the summer games when it bid on them years ago. Instead, a \$15 billion small city within a city will soon start rising on the 26 acres of land by the Hudson River, with the construction on the first building set for this year.

Eventually, Hudson Yards is expected to dramatically change New York's skyline.

The cluster of commercial and residential high-rises is **flanked** by parkland, a cultural center, restaurants, shops, a hotel and a school, according to the latest renderings obtained by The Associated Press.

The main developer, Stephen Ross, told the AP that groundbreaking is planned sometime in October for the 12 million square feet of real estate space — New York's most ambitious private construction since Rockefeller Center was built in the 1930s amid the Great Depression.

Some have dubbed the neighborhood "Manhattan's final frontier." Bounded by 10th and 12th avenues and West 30th and 33rd streets, it is Manhattan's largest tract of land still available for major development, followed by the World Trade Center being rebuilt downtown a decade after the terrorist attack.

Surrounding the rail storage yards in this once bleak industrial area were

potholed roads leading to car and horse-drawn carriage garages, warehouses, low-rent brownstones, cheap delis and strip clubs.

Hudson Yards' first building, set to open in 2015, is a \$1.3 billion, 46-floor tower — nearly half of it to be occupied by the Coach luxury leather goods manufacturer.

Its glass atrium will stand alongside the High Line, a mile-long, elevated public greenway transformed from a defunct freight railway weaving through the artsy Chelsea neighborhood to the south.

This inaugural tower is part of a master plan designed by the Manhattan architectural firm Kohn Pedersen Fox Associates, which has produced the tallest towers in China, Korea, Hong Kong, France and Great Britain.

Still, in New York, "to build these very large structures on top of the tracks is a huge challenge," says the firm's co-founder, architect Bill Pedersen. "It's like dental work, threading through down below."

An \$800 million platform will cover the field of open tracks that will continue to be used by the Long Island Rail Road, stretching under the nearby Pennsylvania Station transport hub linked by Amtrak to other parts of the country.

The load-bearing main pillars of the first tower will be firmly planted into the ground, not on the platform.

Ross told the AP that the chosen



courtesy of Kohn Pedersen Fox Associates (KPF)

architect for another high-rise along central, tree-lined Hudson Park and Boulevard is David Childs, who designed New York's tallest building — One World Trade Center, to be occupied by 2014.

"They're creating a whole new landscape, a whole new district of New York City," says Bob Yaro, president of the not-for-profit Regional Plan Association think tank. "It will ensure that as the economy recovers, New York will have places for new business."

America's biggest city has turned its Olympic defeat into an urban planning adventure.

London won the summer games in 2005 — a stinging disappointment for New York Mayor Michael Bloomberg.

"We didn't get it, but we didn't go and cry," the mayor said days after the games opened. Instead, he put the city's Hudson Yards Development Corp. to work on what he calls "a historic project that will create jobs for generations to come."

A 60-block stretch of the West Side was rezoned to accommodate 25 million square feet of office space New York City will gradually build as midtown

Manhattan's business district runs out of room in the future. Hudson Yards fits into this cutting-edge new neighborhood.

While the recession has slowed New York's economy, with unemployment topping 10 percent this summer, the city's media, arts, fashion, technology and finance sectors have driven the creation of more private-sector jobs than ever in recent years. The city has added 181,000 jobs since the recession, nearly 41,000 more than it lost, according to a new report from state Comptroller Thomas DiNapoli.

Hudson Yards will generate tens of thousands more jobs over the next dozen years, the city estimates.

And the community will draw people from all over with its riverfront park and the Culture Shed, an exotic five-story structure with translucent, telescoping outer shells to accommodate art exhibitions, concerts, film screenings and other public events. The architect is Elizabeth Diller, with designer David Rockwell.

The pair also are to create Hudson Yards' first residential skyscraper — and the first of the development's 5,000 apartment units, 20 percent of them designated affordable.

Ross is chairman and CEO of Related Cos., which is partnering financially with the Oxford Properties Group for the project.

"This is the greatest city in the world, but its office stock is obsolete, more than 50 years old," says Ross. "To be a real estate developer, you must have vision."

When he first proposed his development in the gritty neighborhood, "everybody thought we were crazy."

The property is leased from the Metropolitan Transportation Authority for 99 years, with purchase options.

The MTA state agency is extending the No. 7 subway line from Times Square to Eleventh Avenue, with a city corporation issuing \$3 billion in bonds to pay for the new section that will open in 2014 and take riders to the heart of Hudson Yards.

Bringing this megaproject to life hasn't exactly been harmonious.

Years of bitter wrangling among politicians, business people and residents first focused around a proposed football stadium for the Jets meant to help win the city the 2012 Olympics. The stadium failed to get state approval, with opponents questioning the benefit of publicly

financing a structure with limited use and possible traffic gridlock.

Then came various plans for Hudson Yards, which still has its virulent opponents.

Kathleen Treat, of the Hell's Kitchen Neighborhood Association named after an old adjacent area, dubbed Hudson Yards "Hong Kong on the Hudson."

Supporters say it's a great opportunity to push New York City into a 21st century hungry for more high-tech space.

"It's almost unbelievable to begin with what amounts to a blank canvas, and put it in the hands of a company that has the financial resources and experience to pull it off," says star restaurateur Danny Meyer.

His catering company will offer Hudson Yards ideas and services for private dining, special events, new eateries and open-air cafes with river views.

In the end, "it's not just another

development — it's part of a larger effort to create a physical infrastructure for a multi-decade expansion of New York City," says Lynne Sagalyn, professor of real estate at Columbia Business School.

But she says the massive venture has its risks.

"The question is, are there tenants to anchor the project?" she asks. "The demand has to be strong, while the market can change and things happen you can't anticipate."

Bloomberg compares Hudson Yards to London's Canary Wharf financial center that in the 1990s replaced languishing docks along the Thames River.

Likewise, New York is expanding its business clout from midtown Manhattan into "this new center of gravity, a center of vitality shifting to the west and south," says Pedersen. "This puts New York in a position to be competitive with the rest of the world, which is on the move." •

## MORE ON HUDSON YARDS ON FOLLOWING PAGE

### N.Y. Fed Sees Tough Lending Environment For Construction Companies

*In a recent poll looking at small business credit, construction companies topped the list of those saying banks simply won't lend to their type of business.*

By Jose Paglier/CNNMoney

It's hard for all businesses to get a loan these days, but construction companies have it the worst.

In a new survey by the New York Federal Reserve, construction companies were the most likely to say banks simply wouldn't lend to their type of business. Other sectors reported tough times, too, but nowhere near as bad.

The survey included responses from 544 companies in Connecticut, New Jersey and New York earlier this year.

Access to capital was cited by 36% of companies as the biggest growth barrier, higher than government regulations and difficulties finding qualified workers.

Seeking a small loan to solve short-term problems, like making payroll? Good luck. The smaller the loan, the more likely a lender will deny it. The denial rate for applications for small loans (less than \$100,000) was more than twice as high as it was for bigger loans.

Claire Kramer, a Fed bank officer who worked on the survey, said that the types of firms seeking smaller loans tend to be younger, weaker and riskier.

Another contributing factor could be that small loans are less profitable for major banks, so there's less reason to do them. •

# Nearly All Unions Climb Aboard Hudson Yards Labor-Cost Deal

*Related Cos. hammers out worker pact that should get first half of megaproject rolling*

**By Daniel Massey/Crain's NY Business**

After months of tense negotiations, the Related Cos. and the city's construction unions have agreed in principle to a series of cost-saving measures that will help push the \$15 billion Hudson Yards project forward and ensure that it is built with union labor.

Some four dozen unions covering more than a dozen trades agreed to cut wage and benefit packages and change work rules in order to grab a piece of a massive construction project that could keep their members working for at least 10 years. The overall deal, a project labor agreement, is not yet final, but District Council of Carpenters delegates voted to approve a 10% wage and benefit reduction for work on Hudson Yards, the last of the participating unions to agree to help Related control costs.

"We're not done, but we've made the final turn," said Paul Fernandes, chief of staff of the Building and Construction Trades Council of Greater New York. "Everyone has done in their own way things that are very substantial, not just nickel-and-dime stuff, but substantial changes to both the way they're compensated and the way they work on projects."

The missing piece now is the operating engineers who run the cranes that are crucial to major construction projects. Their union does not sign project labor agreements, although it's possible a separate understanding could be forged with Related.

## Just for starters

The project labor agreement covers the first half of the Hudson Yards project: two large commercial buildings, a residential skyscraper, a mixed-use tower and a retail complex encompassing about 8 million square feet on the eastern rail yards. Both sides expressed optimism that a further deal will be worked out when construction

is ready to begin on the remainder of the project.

Both Related executives and leaders of the Building and Construction Trades Council approached the negotiations with a singular focus, with Related Chief Executive Stephen Ross and council president Gary LaBarbera personally engaging in the talks.

Related needed cost savings to help make Hudson Yards affordable to tenants and competitive with commercial buildings being constructed in lower Manhattan. With the first building—a 46-story tower to house the corporate headquarters of retailer Coach—slated to start rising in the fall, time was running out for a deal. A Related spokeswoman declined to comment.

Organized labor had a major incentive to make a deal, with some trades facing unemployment levels of 25% or higher. Hudson Yards is the biggest development project in the city since Rockefeller Center was built in the 1930s. Some 13 million square feet of construction is planned for the 26-acre site, creating an estimated 39 million "manhours" of work.

"The dollar costs, what they're spending to build it, the amount of time, the construction jobs, the number of carpenter hours—they're all huge," said Mike Bilello, executive secretary-treasurer of the District Council of Carpenters. "There was a prospect of putting a lot of our members to work, and it's real now.

It's a good deal for our members." Mr. Fernandes compared the discounts being offered by the unions to those a shopper would get at a warehouse store. "When you walk into Costco and buy three months of groceries, you pay a lot less than when you're buying a week's worth," he explained. "When Related puts nearly 8 million square feet of construction on the

table for the first phase of the project, plus all the other work associated with people moving into the buildings, when you buy in bulk you sometimes get a better deal."

## Driving a hard bargain

Related drove a hard bargain in the negotiations and threatened to build some of the project nonunion if it did not get the savings it needed. In one instance, it decided to build the Coach headquarters with reinforced concrete instead of steel, a move that sent a signal to ironworkers that they needed to get on board.

Some 80 meetings were held in the past few months, and there were an uncountable number of phone calls, conference calls and exchanges of documents via email in what Mr. Fernandes called a "fully consuming process."

On nearly two dozen occasions, Mr. Ross made personal appeals to leaders of various unions to let them know that the project would not be feasible in the current market unless they served up significant savings.

At one point late in the spring, momentum temporarily stalled. Related had one-on-one conversations with just about every union leader involved to help jump-start talks.

Related also made it clear it wasn't just asking for savings from the union; it was hustling to increase efficiencies on its end as well. The company changed its bidding system for subcontractor work, eliminated intermediaries from its procurement process and streamlined its management structure.

"Both sides had to change the approach to how it is we promote development that uses union labor in this city," Mr. Fernandes said, "particularly given the current set of financial and economic challenges, which don't appear to be going away anytime soon." •

# PWC Honors \$700M CUNY Project At Annual Reception



Pictured l-r: Janet Torres, Office of Governor Cuomo; Paul Williams, DASNY; Richard Kennedy, Skanska USA Building and Presenters: Andis Woodlief, Skanska USA Building, Barbara Armand, Armand Corp., Lenore Janis, PWC.

"New York is open for business for everyone — that includes small businesses, minority-owned businesses and women-owned businesses. Together we can and we will get the job done."

That message was delivered by Paul T. Williams, Jr., president of DASNY (Dormitory Authority of the State of New York) and this year's Professional Women in Construction (PWC) honoree at the organization's annual Awards Reception held at the Yale Club in New York City.

The event honored Williams and the project team for a megaproject in progress, the \$705.8 million CUNY-ASRC (Advanced Science Research Center), currently under construction in Harlem and scheduled for completion in 2014.

The 400,000 s/f project will contain two new world class science research buildings, one for CUNY and one for CCNY; a combined 10 floors of laboratories, classrooms, meeting rooms, and offices.

With stated MWBE participation goals of 22% to 15% to MBEs and 7% to WBEs, Williams said that the project is on track to exceed those goals by a healthy margin.

Andis Woodlief, PWC's event chair and MWBE manager of Skanska USA Building, noted, "We know how fortunate we are to be working on such a successful project, one that has stimulated the local economy and the local subcontractor community."

Woodlief introduced honored guest Janet Torres, senior policy analyst for the Office of Governor Andrew M. Cuomo, as someone who "approaches her work... with passion and a personal accountability for the establishment of a program of merit" and is a fervent "champion" of the governor's goals.

Torres paid tribute to PWC and to DASNY and said that New York's strength is in the diversity, innovation, and entrepreneurship of all its residents.

"The State is committed to breaking down barriers to growth for MWBEs in order to build a more diverse and competitive business climate," she said.

Barbara Armand, PWC vice president and the president of Armand Corporation, introduced Richard Kennedy, co-chief operating officer of Skanska USA Building, as the person "responsible for some of Skanska's largest and most complex building construction projects."

Kennedy said that "At Skanska we understand that building better

communities isn't just about constructing new schools or hospitals. It's also about supporting local businesses..." He pledged continued support of local subcontractors and noted that over \$80 million in contracts are planned to go to MWBEs.

PWC president Lenore Janis introduced Williams as "a man with vision and a mission," a man committed to fairness and to effecting meaningful change.

She noted that "he has restructured key divisions of DASNY" to help meet customers' requirements and NYS needs. Janis noted too that under Williams' leadership DASNY is dealing with financing and construction issues concerning the City's troubled hospitals, and that he is working with labor unions to seek ways to maintain jobs in the midst of economic uncertainty.

The entire project team includes Skanska USA Building, the CM; Flad & Associates and Kohn Pederson Fox Associates for architecture/design; GPR Planner Collaborative; Cosentini Associates, Affiliated Engineers Inc. and Leslie E. Robertson Associates for engineering. Participating public agencies are the Office of Governor Andrew M. Cuomo, DASNY and Empire State Development Corporation.

For information on PWC, call 212-486-7745, or visit [www.pwcusa.org/ny](http://www.pwcusa.org/ny) •

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# Green Building Investments: Moving To “Extreme Green,” “Net Zero”

By Cheryl Kaften/TMCNet.com

The trend in new construction and retrofits can only be described as “extreme green” or “net zero.” Venture capitalists have plowed more than \$4 billion into the development of sustainably designed, energy efficient buildings. Now, they are looking at ground-breaking technologies to further develop this space, according to a report just released by Boston-based Lux Research.

To understand investment activity in the green buildings space, Lux Research analysts have followed 332 venture transactions— amounting to \$4.06 billion in 160 companies— since 2000. Of the 332 investment rounds in companies that offer technology and materials for green buildings, 152 were series A investments and 83 were series B. Start-ups from North America have attracted 77 percent—or \$3.1 billion— of the green building VC invested so far.

Last year, however, nearly 50 percent of the funding—totaling \$445 million—went into 15 late-stage investments, signaling the maturation of the first wave of green building start-ups.

Meanwhile, new opportunities are emerging in a number of leading-edge areas, including integrated design, on-site power generation, energy services and the advanced building envelope.

“Early VC investors are looking for exits for the first wave of successful green buildings start-ups and the seeds of the next crop are being sown in on-site generation and sustainable materials,” said Lux Research Analyst Ryan Castilloux, the lead author of the report, titled, “Building a Green 21st Century: Tracking Venture Investments in Green Buildings to Uncover New Opportunities.”

Among their findings:

- **Integrated design is the future.**

Driven by the European Union’s aggressive energy efficiency targets, as well as similar long-term targets in the United States and elsewhere, “integrated design” will attain key importance. Innovative start-ups in this area—including Project Frog (San Francisco) and Blu Homes (Waltham, Massachusetts)—have received \$84 million in VC funding since 2008.

- **On-site generation is a growth area.**

On-site generation materials and systems have become a hotbed for investment, raking in a combined \$983 million. This sector—represented by the likes of fuel cell company Bloom Energy (Sunnyvale, California) and solar heating company Himin Solar Energy Group (Shandong, China)—has taken in \$585 million, just since 2006. A new framework of incentives for on-site power generation and combined heating and energy is pushing more investment. Companies to watch include Baxi Group ((Derby, England), and WhisperGen ((Union, New Jersey), which both make micro-generators, as well as companies with systems that convert waste heat to electricity, such as ElectraTherm (Carson City, Nevada) and TAS Energy Houston).

- **Low-carbon concrete and cement:**

The concrete production industry accounts for approximately 4 percent of all global carbon emissions annually. Since 2005, venture capitalists have poured \$114 million into seven developers. Lux expects these



materials to become the norm in geographies where urban building booms are taking place, such as the BRIC nations.

- **M&A will surge.** Since 2010, 11 of the 16 VC-backed companies that have exited have been acquired. In the first half of 2012, there have been four acquisitions. Other mature start-ups that are ripe acquisition targets include Digital Lumens (Boston), Redwood Systems (Chicago), Adura Technologies (San Francisco), Metrolight (Franklin, Tennessee), EnOcean (Munich), Serious Energy (Chicago), Control4 (Salt Lake City) and Aspen Aerogels (Northborough, Massachusetts).

## Sustain The Project

*How tech helps you go green at each phase of the job.*

Do green building projects cost more? Not necessarily. At least that is what many contractors are quickly discovering. The EPA, [www.epa.gov](http://www.epa.gov), Washington, D.C., says integrated design processes can help identify the most efficient approaches to green buildings, which can ultimately reduce costs.

Michael Wiggins, project director, McCarthy Building Companies, [www.mccarthy.com](http://www.mccarthy.com), St. Louis, Mo., agrees, but adds one caveat—projects where green building is an afterthought can end up costing more than buildings designed with green in mind from the beginning. He adds two of the recent green projects he delivered in California had no significant increase in cost.

“The idea of designing with that in mind from the beginning is what I think is having a positive impact on the building industry as a whole, because we are able to deliver more efficient buildings to the owners without really spending a lot of extra money,” Wiggins explains. What is necessary at the start is to have all team members—architects, general contractors, subcontractors, owners, structural engineers, mechanical designers, etc.—come together to provide input in the initial building phases. The key to building green, remarks Wiggins, is the integrated approach to project delivery.

For construction teams, this could be the critical asset necessary to building green at a fraction of the cost—a combination of technologies to manage the documentation associated with green projects as well as an integrated approach to the project delivery.



## \$295M N.Y. Hotel, Residential Complex To Break Ground In 2013 At Brooklyn Bridge Park

Work on a residential and hotel complex at a park south of New York’s Brooklyn Bridge is scheduled to begin next summer in time for a 2015 opening. The \$295 million project includes a 200-room hotel, 160 condominium units, a 6,000-square-foot spa and 32,000 square feet of dining space. The developer overseeing the project is the team of Toll Brothers and Starwood Capital Group.

Pier 1, which opened in March 2010, is Brooklyn Bridge Park’s largest pier and the only one built on landfill as opposed to the others which are built on piles. The pier features two large lawns, which hosts free summer movies and other events.

## Employment Index In U.S. Climbs After Biggest Slump In A Year

By Shobhana Chandra/Bloomberg

A measure of job prospects in the U.S. rose in July following the biggest slump in more than a year, indicating the labor market in the world’s largest economy is gradually healing.

The Conference Board’s Employment Trends Index increased 0.4 percent to 108.1 from the prior month after falling 0.7 percent in June, the biggest drop since April 2011, the New York-based private research group said today. The measure was up 5.9 percent from July 2011.

The report follows Labor Department data that showed employers added more workers than forecast in July even as the unemployment rate increased to a five-month high. Faster hiring is needed to lift wage growth and spur consumer spending, which accounts for about 70 percent of the economy.

“Slow employment growth is likely to continue in the next few months,” Gad Levanon, director of macroeconomic research at the Conference Board, said today in a statement. “There is no reason to expect employers to rapidly expand

their workforce in the current economic environment.”

The Employment Trends Index aggregates eight labor-market indicators to forecast short-term hiring trends. On average, it can signal a rebound in hiring as little as three months before the fact and can predict job declines six to nine months in advance, the Conference Board said.

Improvements in five of the index’s eight components contributed to the increase in the overall gauge in July. These included a drop in jobless claims, an increase in industrial production and gains in employment for temporary workers, the report showed.

The jobless rate climbed to 8.3 percent in July from 8.2 percent. Unemployment stuck above 8 percent since February 2009 is one reason why Federal Reserve policy makers said they are prepared to take new steps if needed to boost the economy.

Including the July gain, the U.S. has recovered 4 million of the 8.8 million jobs lost as a result of the 18-month recession that ended in June 2009.

# Reshaping of Barclays Center Arena Made Possible By Collaboration, Digital Tools

By Nadine M. Post/ENGINEERING NEWS-RECORD

Opportunity knocked for SHoP Architects on July 2, 2009. On that Thursday, Bruce C. Ratner, the beleaguered developer of the controversial Atlantic Yards sports village planned for Brooklyn, N.Y., made an offer that any architect would be crazy to turn down but almost as crazy to accept.

Ratner wanted SHoP to put a better face on a critically panned redesign for his \$825-million Barclays Center arena—the centerpiece of the 22-acre transit-oriented development. And he wanted a sketch from SHoP in only five days.

The offer was loaded with other challenges and sensitivities. Ratner had knocked on SHoP's door precisely because he was under pressure to improve the arena's architecture.

Yet SHoP, formed in 1996, had never done any part of an arena or so expansive a facade. And it would be enhancing the work of a veteran arena firm—Ellerbe Becket Architects & Engineers PC (EB).

As facade-design architect working directly for Forest City Ratner Cos. (FCRC), SHoP would have to jump on a moving train and interface with EB—the architect-of-record—and the rest of the arena's design-build team, formed a year earlier. By July 2009, the 675,000-sq-ft project was well into design development, on course for a fall 2012 opening. That meant SHoP's hands were tied, though loosely, in terms of its enclosure redesign.

"We were told, 'You can't change the Ellerbe Becket program, which worked so well, or the form, which fit so well on the site,'" says Christopher Sharples, one of the founding principals of SHoP, New York City. "It was a heavy lift," he adds.

SHoP had been watching the troubled project from afar: Two FCRC subsidiaries, Atlantic Yards LLC and Brooklyn Arena LLC, had gained state approval of the public-private Atlantic Yards master plan by Gehry Partners, based on "starchitect" Frank Gehry's iconic architecture.

But in 2008, the Gehry arena was over budget, reportedly priced at \$1 billion. The recession was in full swing and FCRC could not get financing.

To cut costs, FCRC decided to switch architects and start from scratch, says Robert P. Sanna, director of construction and design development for the Brooklyn-based developer.

SHoP was aware that its redesign was going to be highly scrutinized. The New York City architectural community and the village's foes had felt double-crossed when Ratner tossed the Gehry design.

Despite all the warning signs, SHoP took the job. "We felt by joining the team, we could have a positive impact on the project and the city of New York," says Jonathan L. Mallie, a SHoP principal.

So instead of relaxing over that July 4 weekend, four SHoP partners huddled to come up with some ideas. On Monday, July 6, SHoP showed Ratner a sketch of an arena contoured by a latticework system of pre-weathered steel panels.

SHoP spent the summer of 2009 studying the skin and its impact on the structure, interfacing with the project's local structural engineer, Thornton Tomasetti (TT). In early September, when FCRC unveiled SHoP's scheme, it wasn't excoriated or widely praised. One critic likened the arena to a giant bottle opener.

The arena has three systems of 12,000 pre-weathered panels, with no two alike. Panels cover 85% of the arena's surface.

A lower band wraps the exterior wall at the suite levels. A "halo" surrounds the arena at the roof. There is also an entrance canopy over



Photo by Bruce Damonte

Arena's redesigned exterior contains 12,000 unique pre-weathered steel panels. The arena is one of 17 buildings planned for Atlantic Yards.

the public plaza. The canopy, which cantilevers 85 ft beyond the main entrance, has an opening in it the size of a basketball court. The inner surface of the opening is clad with video boards and latticework. The canopy's soffit is completely clad with the latticework.

## Awkward Position

However, SHoP wasn't the only firm in an awkward position. In late 2008, FCRC approached EB with a dubious offer it didn't refuse. "Bruce Ratner said, 'I literally want you to take Conesco Field and place it on our site,'" says Stephen J. Duethman, the project manager in Kansas City, Mo., for EB, which, as a result of a merger, operates under AECOM's name.

That strategy was not possible, he adds. But, in 2009, EB did as little as possible to modify its Indianapolis arena so that it would fit into a tight urban site. Then, FCRC and its arena design-build contractor, Hunt Construction Group, developed a guaranteed maximum price.

"[EB] inhaled the Gehry building, rendering it smaller and more compact," says Sanna. "It saved us a lot of money," he adds, declining to be more specific.

The total cost of the facade redesign is \$54 million. "We had to make the investment for public reasons," says Sanna.

After SHoP joined, the team regrouped to get the arena finished for a Jay-Z concert on Sept. 28 and the Brooklyn Nets upcoming season. As it turned out, the job was not yet out of the woods.

Last December, the facade fabricator, ASI Ltd., Indianapolis, defaulted financially. Only a third of the job's 564 pre-weathered megapanel were done, none of the 239 halo panels were made and none of the 216 canopy units detailed.

"On Dec. 23, we got a call that ASI's bank had shut the plant and locked the doors," says Gus Yogmour, senior bond claims counsel for ASI's surety, Ohio Farmers Insurance Co.

The surety was committed to picking up the slack. But the geometric complexity and engineering of the curtain wall made that a daunting task. Yogmour says it was the most complex exterior wall he had ever seen.

FCRC and Hunt had required a full-payment performance bond for the original \$32.4-million contract. By Jan. 8, the surety had bought out the bank's position and reopened the plant. "We had tried to re-let the contract, but we could not find anyone who could do it in a timely manner," says Yogmour. "There was too great a learning curve."

Instead, the surety hired 190 of ASI's employees, offering incentives to finish the job. Before restarting work, the surety also hired a rust expert to make sure the panels left on the line during the shutdown were properly treated. The surety also retained Fasano Acchione & Associates LLC to manage the job.

To help make up lost time, the surety leased a second, more sophisticated cutting machine. On May 5, the team completed all the enclosure units. The halo and canopy are set to be done next month.

To date, there is no claim from Hunt. "It's a good story," says Yogmour.

Over the summer of 2009, SHoP exported 20 examples of the rain-screen wall's form iterations to TT, using the project's 3D model. "The ability to execute the complex design quickly is a result of using technology embraced previously by all team members," says Thomas Z. Scarangelo, TT's chairman and CEO.

"In a very short time, SHoP was able to figure out the building," adds Scarangelo. With building information models (BIMs), "we were looking into each other's heads in a deep way, very quickly."

That's in part because SHoP also is committed to virtual design and construction (VDC) tools. "From the very beginning, we understood the power of technology to manage complexity," says Mallie.

In 2007, aiming to better control its designs, SHoP formed SHoP Construction Services. Mallie also is the managing director of the spin-off, which offers construction management and VDC services.



Photo by Bruce Damonte

Crews work on the 85-ft cantilever for the arena's entrance canopy, added after the structural-steel and foundation packages had been released. Thanks to shared BIM, the structural engineer was able to quickly add the extra steel to the base-building structure and the steel fabricator was able to adjust the mill order.

For the arena facade, SHoP Architects hired SHoP Construction for constructibility reviews, automated quantity takeoffs for exterior materials and model integration with EB's and TT's building systems.

To develop the surface geometry to study initial forms, the architect used software called Rhinoceros, a stand-alone 3D modeling tool developed by Robert McNeel & Associates. When SHoP identified the final form, it switched to CATIA, a multiplatform CAD/CAM software suite developed by Dassault Systemes.

Hunt awarded the \$32.4-million exterior-wall contract to ASI in February 2010. Soon thereafter, SHoP Construction became a subcontractor to ASI to detail the pre-weathered steel panels.

SHoP also developed a 3D model that would enable ASI to fabricate the panels using computer-numerically-controlled equipment, without creating its own BIM.

"If we could sequence and control information [digitally], the facade contractor didn't care how many unique panels there were," Mallie says.

## Rely On It

TT's use of BIM facilitated the entire job, starting with the structure. For the work, TT gave the steel fabricator its Tekla Structures model and said, "Rely on it," says Scarangelo.

"We used TT's unconnected model," says Chet McPhatter, chief operating officer for the Lynchburg, Va.-based fabricator Banker Steel Co. "This is very rare on a project of this type and is a viable option if the engineer is good at detailing."

On the arena in general, thanks to the model-sharing, the approval process was 50% faster than normal, says McPhatter.

Hunt already had bid the foundation and steel packages, when FCRC introduced the new facade scheme. The new steel had to be added.

BIM-sharing allowed Banker to quickly add the facade steel to the mill order and the steel package. "It just took a lot of work," says McPhatter.

On the west side of the building, the halo extends about 20 ft above the roof surface and 20 ft away from the face. To support these, TT cantilevered roof columns beyond the roof. A system of horizontal girts spanning between trussed vertical frames supports the lattice and attaches back to the cantilevered columns.

The canopy is supported by a network of steel trusses. Pairs of cantilevered trusses are laced together to create box trusses north and south of the canopy opening.

To achieve the long cantilever, the backspans of the box trusses—12.5 ft deep at supports and 9 ft, 10 in. deep at the tips—extend 100 ft into the arena, above the west entrance, to engage the arena bowl's primary columns. Another box truss spans 120 ft across the west tip of the structure. At the east side of the opening, three cross-trusses skewed in plan frame out the east face of the opening.

To limit fieldwork, Banker added SHoP Construction's facade connections to its shop drawings and installations.

## Automation

After SHoP Architects finalized the flocking pattern, SHoP Construction developed initial panel prototypes in the model. Then, it used CATIA to "unfold" the 12,000 panels of different shapes and sizes, followed by SigmaNEST's CAD/CAM fabrication and cutting software to nest panels based on the installation schedule.

Using CATIA, SHoP Construction then developed a workflow that allowed for the automatic generation of the 12,000 fabrication tickets. Each ticket has an automatically populated chart containing bending information for each panel.

SHoP also developed tickets for the rails that support the panels. Using the model, SHoP coordinated the fabricator's steel-panel support system that connects panels to the base-building enclosure.

Panels have been delivered to the site grouped into megapanel. SHoP also provided a megapanel sequencing model. Color-coded elements are automatically linked to Hunt's project schedule.

In its shop, ASI developed a 60-day pre-weathering patina line, which produces rust. The 3,000-panel-capacity line has racks that resemble a dry cleaner's line.

SHoP had learned that ASI was developing an electronic tracking system for each panel, using plastic tags with bar codes. Jumping off that, SHoP Construction generated a virtual tracking application using a custom iPhone interface to provide real-time updates to the remote building team as panels were fabricated.

On the factory floor, using the iPhone's camera, workers would scan tags as panels went through each weathering stage: water-jetting, surface preparation, bending, dipping and rinsing, and hanging.

"We don't know of any other tracking system that uploads to the model and provides a visual interface," says Mallie.

Mallie considers the app a prototype, for it was used only before ASI shut down. He says there is a "strong possibility" a similar app may be adapted for SHoP's second Ratner project: a 32-story Atlantic Yards residential tower overlooking the arena. That is, if Ratner's modular high-rise scheme, not yet a slam dunk, goes forward. •

# Examining the Cloud for Construction

ConstrucTech

With tight market conditions and a need for efficient project delivery methods, transitioning to the cloud has been a natural progression for many construction companies. But understanding what the cloud is and how each software provider is embracing the cloud is essential for contractors that are looking to make the switch—especially as many of the big software providers in construction now offer the cloud as an option.

Gartner, [www.gartner.com](http://www.gartner.com), Stamford, Conn., says the trends related to technologies for cloud computing continue to change at a rapid pace—which can cause confusion, ambiguity, and uncertainty.

For starters, the term cloud computing is quite vague. Some interchange the word 'cloud' with Internet, which may not be a completely accurate exchange of words. Cloud computing, at its core, is the delivery of technology as a service—commonly via a network. It can be broken down even further to encompass IaaS (infrastructure-as-a-service), PaaS (platform-as-a-service), and SaaS (software-as-a-service).

For construction companies looking to make the leap into this technology-service world, there are a number of big-business considerations that need to be made first. Gartner says while cloud computing lowers overall cost and reduces complexities, it also creates a number of challenges and concerns surrounding security, transparency, integration, and performance and availability, which is why it becomes vital to partner with the right software providers.

As just one example, yesterday, Autodesk, [www.autodesk.com](http://www.autodesk.com), San Rafael, Calif., announced Autodesk BIM 360, which is a set of cloud services that will work with the Autodesk Building Design Suite and Autodesk Infrastructure Design Suite, giving team members access to information throughout the project lifecycle.

The company initially launched its Autodesk 360 initiative in September 2011, and followed it up with a range of new Autodesk 360 services for Autodesk Design and Creation Suite customers and Autodesk PLM 360 lifecycle management software customers.

The launch of Autodesk BIM 360 gives geographically dispersed AEC (architecture, engineering, and construction) teams access to information for design, proposals, and feasibility evaluations, among others.

As cloud computing grows, new trends emerge. One such trend is the hybrid-cloud model. This is the combination of external cloud-computing services and internal infrastructure or application services. Balfour Beatty, [www.balfourbeattyus.com](http://www.balfourbeattyus.com), Dallas, Texas, is one organization in the construction industry that is embracing this hybrid-cloud model.



Another growing trend is the need for assistance in managing cloud adoption. Cloud-services brokerage can play an intermediary role in cloud computing. Gartner says interest in this concept has increased in the past year and will continue to accelerate.

Many of the software providers serving the construction industry today offer solutions in the cloud. It began sweeping the construction industry in late 2008 and early 2009 and has only continued to gain momentum since that time.

Oracle's, [www.oracle.com](http://www.oracle.com), Redwood Shores, Calif., announcement last week about its new SPARC/Oracle Solaris option for its Oracle Optimized Solution for Enterprise Cloud Infrastructure offers its customers a new option to upgrade, consolidate, and virtualize existing SPARC-based infrastructure for private cloud-based services.

The technology provider says this can minimize total cost of ownership by up to 81% and enable faster time to service,

reduced deployment time, and increased system utilization. Essentially, the Oracle Optimized Solution for Enterprise Cloud Infrastructure provides a means for moving SPARC and RISC-based services onto a private cloud infrastructure, according to Ganesh Ramamurthy, vice president of engineering, Oracle.

Many technology providers have taken to the cloud to give customers options. For construction companies, moving to the cloud can provide many benefits and seems to be the way of the future for technology adoption in the industry.

Just recently, Sage Construction and Real Estate, [www.sagecre.com](http://www.sagecre.com), Beaverton, Ore., moved to the cloud, giving contractors using the technology flexibility and versatility, as well as more options for mobility and collaboration.

Another area where cloud computing is gaining quite a bit of momentum is among technology providers that offer applications and software for work in the field. ToolWatch, [www.toolwatch.com](http://www.toolwatch.com), Englewood, Colo., is a tech provider that is offering cloud services to customers. In this case, the tool and equipment data is stored in the cloud. As users change or update data in the desktop application, the information syncs with the cloud.

As the cloud becomes ubiquitous in construction, understanding the fundamentals and the key players involved can help spur market adoption forward. •

## LEED Rating System Update

Members of the buildings sector are applauding the U.S. Green Building Council's decision to delay the release of the next version of its popular LEED green-building rating system. In the meantime, debate rages on over the content of the draft revision. Consequently, USGBC is holding an unprecedented fifth public comment period on the latest draft, from Oct. 2 to Dec. 10.

In response to the delay, LEED 2012 is now called LEED Version 4. The LEED v.4 ballot has also been delayed, likely until June 1.

USGBC says there are 40,000 projects certified in 130 nations and 1.5 million sq ft of building space certified daily.

The ballot delay "should be the first step of many to correct serious problems" in LEED development, said a joint statement, issued on June 20, from 26 groups representing building product manufacturers. •



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Experience — Integrity — Value — Quality

# How Emotional Fitness Can Save You Countless Hours

By Bruna Martinuzzi  
American Express OPEN

*In the area of work-life balance, the U.S. ranks 27 out of 36 countries in the Better Life Index issued by the Organization for Economic Co-operation and Development. Finding a better balance is, without a doubt, one of the biggest challenges most of us face today.*

**W**hile we cannot control all of the conditions that cause a work-life imbalance, there is one area within our control, and that is our emotional fitness. Many focus on physical fitness, but don't give emotional fitness a thought. So what is emotional fitness? Emotional fitness is our ability to take control over our choices and to have the emotional strength to cope with whatever hand is dealt to us. Being emotionally fit makes us more resilient and helps us avoid many of

the self-induced traps that rob us of precious time—time better devoted to pursuits that enhance the quality of our life.

Here are some practical tips for improving your emotional fitness.

**B**ecome aware of your hot buttons. Hot buttons are triggers that make us feel frustrated and annoyed, such as, for example, when we have to put up with people who don't respect punctuality. Knowing that this is one of your triggers, you can prepare for this so

that you don't continually experience the same frustrations. If the offender is a friend or family member, you can arrange to meet them at home where their late arrival will not infringe on your activities. If it is a business prospect, bring along electronic devices that will keep you productive while waiting. Becoming aware of recurring acts as a shield that prevents these emotions from derailing you and wasting emotional energy. Manage disturbing emotions rather than letting the emotions disrupt your day.

**T**ake the sting out of criticism. Criticism, even when merited, is one of the most difficult things to accept. It often elicits a defensive response which can become an emotional drain. No one can avoid criticism—as Elbert Hubbard humorously put it: “To avoid criticism, do nothing, say nothing, be nothing.” So, a worthwhile life skill to acquire is the ability to cope with criticism. In *The Feeling Good Handbook*, Dr. David D. Burns, M.D., advises that the simple, most important technique for dealing with criticism is to find some truth in the criticism. When you acknowledge the criticism, no matter how small, you disarm the person who is criticizing you. This immediately calms the interchange.

**C**urtail lunch engagements. Be discriminating about how many invitations to lunch you accept from people you haven't met. While it may seem hard to decline, consider that the time you save is time that you can devote to more worthwhile pursuits. The same applies to time spent with virtual acquaintances—guard against being dragged into online involvements, being signed up in different networking groups. Many can end up being digital one-night stands that lead nowhere. Being selective about how you spend your time is an important component of self-management; having the fortitude to decline

without feeling bad about it is a part of emotional fitness.

**A**void pointless arguments. In *Mojo: How To Get It, How To Keep It, How To Get It Back If you Lose It*, Marshall Goldsmith says that “many of our arguments fall into classic patterns that, if looked at from a distance, would seem silly and beneath our dignity.” One such argument is what the author calls “Let Me Keep Talking.” This is when we go too far, and just can't stop. For example, the decision-makers have heard your point and want to move on, it can be difficult for a hard-driving, smart person to let go. Instead of accepting that we weren't successful in selling our point, we may find attempts to silence us as insulting. So we keep fighting after the bell has rung and ignore the many subtle signals we get to give it up: a decision-maker interrupting us, someone trying to change the subject, a colleague rolling his eyes. Part of emotional fitness is raising our self-awareness so that we recognize when it's time to pull back.

**D**on't magnify your flaws. Much mental energy is wasted in self-recrimination. If something went wrong in a situation, do you dwell on it exclusively, discounting the positives? If you have a habit of self-recrimination, you end up losing sight of your strengths. This is guaranteed

to sap your mental energy. Make it a habit to acknowledge your values, your drive, and the energy and commitment you put to get to where you are today.

**T**emper your expectations for reciprocation. When you do something for someone, it is normal to expect a thank you or some sort of acknowledgment. When this doesn't happen, we notice it and we experience a negative emotion. This is another energy leak that is best plugged. Most likely the absence of a thank you is due to forgetfulness rather than lack of care or incivility. Do for others without expecting anything in return. Adopting this attitude adds to your emotional strength. It's liberating.

Long ago, Benjamin Franklin said: “Life is 10 percent what you make it and 90 percent how you take it.” This is perhaps one of the best definitions of emotional fitness. A lot of what happens in a day is colored by our thoughts. Emotionally fit people understand this and use it to manage themselves so that they can enhance the quality of their life. In the process, they save countless hours that would otherwise be lost in unproductive mental states.

On a scale of 1 to 10, 10 being the most fit, where would you place your emotional fitness level? •

# Should You Buy an Annuity From Social Security?

BY MICHAEL HAM/Life Health Pro



AP Photo: Bradley C. Bower

As the leading edge of the baby boomers generation is now turning 66 years old, their ideas of wealth during retirement is changing. No longer are we looking for “a number,” or target for accumulating a lump sum of cash. Instead, boomers (and possibly Gen X that follows) want an income stream that is reliable, predictable and lifelong. And what better income stream could one want than one backed by the strongest government in the universe? (*Albeit, it may be the cleanest dirty shirt in the financial wardrobe.*)

Many 401k(s) have gone virtually sideways after inflation the past 12 years, and ownership of individual stocks is generally not allowed in such ERISA plans. For those under the age of 65, piling as much money as one can into high-quality, high-dividend-paying equities has proven to be the best inflation-protected income stream. Reinvesting those dividends in a free dividend reinvestment plan (*aka DRIP*), and then taking the dividends in the form of quarterly cash payments is a no-brainer.

Since 1946, large cap stocks have returned 6.6 percent above inflation while intermediate bonds (and bond funds) have hammered out just 2.2 percent above inflation. Caveat emptor: With the

yield on 10-year Treasury bonds touching an all-time unbelievable low of a measly 1.33 percent, the chance that interest rates will rise and slam your bond portfolio into oblivion should you want to cash them out prior to maturity (likewise for both fixed and indexed annuities with a Market Value Adjustment) is quite likely.

Finding alternatives to bonds and fixed or indexed annuities to produce income for future retirees is paramount. But what about the best and cheapest annuity in town? Buy your annuity from Social Security. Not only is it quasi-inflation protected with its cost of living adjustments (COLA), its issuer is a pretty sure bet to be the last man standing in case we suffer a global economic meltdown. How does one buy an annuity from Social Security?

## Delay to 70

By paying expenses and bills from current savings or existing investments and wages, thereby delaying until age 70 the taking of Social Security benefits. Delaying Social Security from age 65 to age 70 can increase the monthly income by as much as 40 percent. “Buying” an annuity from Social Security is generally more attractive than buying a “commercial” one from an insurance company. The advantage of buying an annuity from Social Security is especially attractive when interest rates are this low.

Living on the interest generated from bonds is nigh impossible currently. The “opportunity cost” of using up existing savings and deferring Social Security has never been cheaper. And the amount of implied interest earned each and every year by delaying income is 8 percent. Yes you read that correctly: a whopping 8 percent. Maybe even tapping into 401(k) funds to delay having to take Social Security income benefits should be considered before recommending another fixed or indexed annuity, at least until interest rates rise. That might be the best deal in town.

*Michael Ham is the founder of the revolutionary and successful coaching sales system found at [www.TheSalesTalk.com](http://www.TheSalesTalk.com).*

# Newly Expanded Line of Symphony® Ceiling Panels from CertainTeed Features Additional Sizes, Low-VOC Finish

CertainTeed Ceilings has expanded its line of Symphony® ceiling panels to include 17 additional sizes in various trim choices for a total of 85 new design options. The new panels are available in both imperial and metric sizes, providing architects and designers even more freedom to specify high-performance ceiling systems that complement any space.

In addition to the new sizes, all Symphony mineral fiber and fiberglass ceilings panels now feature a low-VOC formulation and enhanced Overtone® finish that contribute to sustainable, healthy indoor environments and offer a brighter, more monolithic appearance.

“Indoor air quality continues to be a key area of focus when designing tomorrow’s schools, hospitals and office buildings, and reducing or eliminating VOCs such as formaldehyde is a key strategy for creating healthy indoor environments,” said Dawn Chittick, director of marketing for CertainTeed Ceilings. “By updating the entire Symphony line, CertainTeed has ensured that customers can have superior acoustical performance and healthy indoor air.”

Symphony f fiberglass ceiling panels have been third-party tested for VOCs and certified compliant by Berkeley Labs. The panels also meet current California Department of Public Health protocols for formaldehyde. Symphony f offers exceptional durability, a luxurious and smooth textured surface and superior sound absorption, which is perfect for enhanced speech privacy and worker productivity in open plan environments. It also offers outstanding light reflectance, humidity resistance, and contains 39 to 43 percent recycled content.

Also part of the Symphony product family, Symphony m is a mineral fiber ceiling panel providing superior acoustical performance and light reflectance. Symphony m panels are also extremely cleanable, exceed Facilities Guidelines Institute (FGI) guidelines for most healthcare applications and are certified for cleanroom design to ISO Class 4. The panels contain 72 percent recycled content.

Symphony g is comprised of a gypsum core with a reinforced mat face, offering a monolithic appearance, high light reflectance and a high CAC that controls unwanted noise between adjoining spaces through the plenum.

As experts in the science of sound, CertainTeed Ceilings serves as a single source for high-quality ceilings that create acoustically friendly, aesthetically captivating environments. Encompassing the Performa, Ecophon and Gyptone brands along with Decoustics — a leader in high-precision, custom-engineered solutions — the company offers the perfect balance of innovation, budget and beauty with products that range from basic high-performance panels to premium, customizable systems. Through its emphasis on Environmental Acoustics™, CertainTeed Ceilings provides solutions that promote healthier interiors, while having a smaller impact on the environment, which includes ceiling products with one of the highest concentrations of recycled content in the industry as well as a recycling program for used ceiling panels. The company is the first ceilings manufacturer to issue Environmental Product Declarations through UL Environment and The Green Standard. For more information, visit [www.certainteed.com](http://www.certainteed.com).

## New MetalWorks™ Ceilings from Armstrong Offer Monolithic Look and Easy Access to Plenum

*New Torsion Spring and Snap-in additions provide clean, concealed appearance with downward accessibility*

MetalWorks Torsion Spring and MetalWorks Snap-in, two additions to the Armstrong family of metal ceiling systems,



Seismic tested and approved, MetalWorks Torsion Spring panels are scrubbable, impact resistant, soil resistant, and washable. They install easily using torsion springs in a pre-slotted, standard

15/16" T-bar suspension system.

**New Snap-in Ceilings Only Need 2" Plenum Clearance**

Armstrong has also announced the availability of MetalWorks Snap-in ceiling



both offer a clean, monolithic look in a concealed grid system that provides downward accessibility to the plenum.

Available in five standard panel sizes, the durable new MetalWorks Torsion Spring ceiling is offered in six metallic colors, three laminate finishes that impart the look of wood, and an exclusive Ceiltex finish that has the appearance of drywall, but without sacrificing acoustics or plenum access.

Six standard perforation patterns are also available. Depending on the choice of perforation pattern, Noise Reduction Coefficients (NRC) up to 0.90 are possible with fiberglass infill panels.

systems, another metal ceiling that offers a clean, monolithic concealed appearance. MetalWorks Snap-in panels can be installed in a plenum with clearance as low as two inches when an MPT snap bar is attached directly to the deck. Downward accessibility to the plenum is attained with the use of a panel removal tool.

The ceilings are offered in six standard finishes and six standard perforations to enhance both design aesthetics and acoustical performance.

For additional information on MetalWorks Torsion Spring ceilings and MetalWorks Snap-in ceilings, visit [armstrong.com/metalworks](http://armstrong.com/metalworks).

modes and its slope mode, making it a laser that increases productivity on the job-site.

The tool's five laser points are visible up to 100 feet and offer accuracy of 1/4 inch for points and 1/8 inch for cross-line, with laser line visibility of up to 33 feet. A keypad can be used for simple line and point selection including self-leveling, plumb up and down, horizontal leveling, alignment, right angle setting and laser cross-line. The cross lines add value to a typical point laser as it is able to provide alignment applications such as measuring off the level line.



In self-leveling mode, the GCL 25 offers a leveling range of 4 degrees and alerts users with flashing lines when there is an out-of-level measure of greater than 4 degrees. An on-off sliding button provides a pendulum lock function for protection during transport, while sturdy product design keeps the tool fully protected against dust and splash water.

Innovative features make the GCL 25 ideal for a multitude of leveling, squaring, transfer and plumbing applications such as:

- Transferring points to the ceiling or lighting installations using plumb points
- Leveling wall sockets, light switches and chair rails, and most other leveling applications
- Squaring for room partitions or walls using the five-point mode
- Laying out frame tracks for both metal and wood framing applications

The Bosch GCL 25 is available through authorized Bosch distributors nationwide. Included with the laser are batteries and a protective pouch. Optional accessories are a magnetic target, WM1 mount, DLA001 Laser glasses and BP 350 Telescoping Pole System. To find out more or to find a local dealer, visit [www.boschtools.com](http://www.boschtools.com) or call **877-BOSCH-99**.

five-point self-leveling alignment laser with cross-line. Designed for tradesman who are in need of a more versatile and multi-functioning tool for daily use, the GCL 25 is the ultimate solution for all short-distance leveling and transfer applications.

Equipped with a five point laser and a cross line laser in one tool, the GCL 25 saves time, money and space by removing the need for users to purchase and set up two lasers on the jobsite. The tool's simple one-button operation can be used to quickly switch between its multiple self-leveling

## Bosch Introduces Multi-Use GCL 25 Five-Point Laser with Cross-Line

*Tool offers value and innovation for short-distance leveling and transfer applications*

**Bosch** is expanding the multi-use laser market with the launch of its new GCL 25

## ClarkDietrich™ Building Systems Adds BlazeFrame™ Fire-Stopping System To Its Line Of Interior Steel Framing Products

ClarkDietrich™ Building Systems is pleased to announce the addition of BlazeFrame™ to its full-line of interior steel framing products. BlazeFrame is an innovative fire stopping, head-of-wall system used for lightweight steel-framed commercial buildings. Featuring an affixed fire-stopping material on steel profiles, BlazeFrame simultaneously frames, provides a fire rating, as well as a smoke and sound seal of both dynamic and static perimeter joints.

The unique design of the BlazeFrame system offers protection and support of wall framing materials for up to three inches of movement capability, while eliminating requirements for caulks, sprays, drywall rips and contour drywall cuts throughout joint assemblies. When exposed to heat above 325 degrees Fahrenheit, the 2-mm thick fire-stopping material expands up to 35 times its size to prevent the passage of heat, smoke and flames during a fire.

"BlazeFrame is another example of ClarkDietrich's commitment to providing the building community with innovative solutions and steel framing systems that not only create jobsite efficiencies and reduce construction cost, but most importantly contribute to the safety and overall comfort of a building's occupants," said Bill Courtney, president and CEO of ClarkDietrich Building Systems. "The inherent properties of BlazeFrame make the system ideal for applications such as multi-family dwellings, offices, schools and hospitals, hotels and other large, commercial buildings."

BlazeFrame assemblies have been UL-Classified with the lowest possible L-Rating of less than 1 CFM/per lft. This includes substrates such as concrete, drywall, protected metal deck and unprotected fluted deck.

BlazeFrame complies with all building codes and has been evaluated to meet applicable safety standards with:

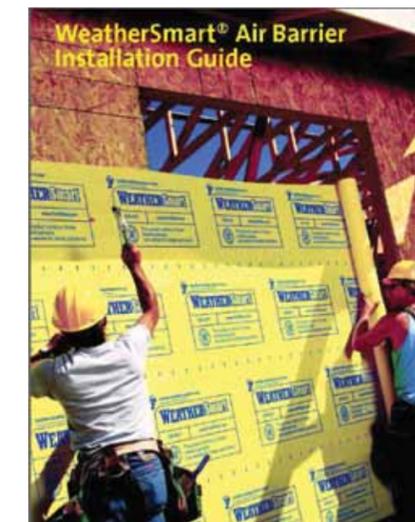
- UL 2079: Tests for Fire Resistance of Building Joint Systems
- ASTM E 1966: Standard Test Method for Fire Resistant Joint Systems
- ASTM E-814: Standard Method of Fire

Tests of Firestop Systems  
• ULC S115-M95: Standard Method of Fire Tests of Firestop Systems  
For more information on the BlazeFrame fire-stopping system, please visit [www.clarkdietrich.com](http://www.clarkdietrich.com).

## Fortifiber Publishes WeatherSmart® Air Barrier Installation Guide

Fortifiber Building Systems Group® has published a 20-page "WeatherSmart Air Barrier Installation Guide" to assist architects and builders.

The intent of the publication is to provide a guide for the installation of WeatherSmart as



both a Weather Resistant Barrier (W.R.B.) and an Air Barrier Material (A.B.M.) in residential and light commercial construction. It is not meant to be a comprehensive procedure for an Air Barrier System. The purpose is to identify critical interfaces that need to be addressed when a membrane material is installed on residential and light commercial walls as one element of an Air Barrier System.

Air barrier membranes, such as WeatherSmart Housewrap/Air Barrier, are only one element of a total air barrier system. As such, the placement of the air barrier membrane in the building envelope must be determined prior to construction to insure that it is installed in the proper position and integrated properly to all air barrier components and accessories in the envelope.

The publication is available in PDF format on Fortifiber's website, at [http://www.fortifiber.com/pdf/install\\_guides/IG\\_air\\_barrier.pdf](http://www.fortifiber.com/pdf/install_guides/IG_air_barrier.pdf).

## New Energy Codes Heighten Need for DensDeck® Roof Boards From Georgia-Pacific Gypsum

*2012 IECC Implementation Increases Importance of Durable Roof Cover Boards Over Insulation*

Higher levels of energy efficiency will be required when states adopt the 2012 International Energy Conservation Code (IECC) starting this year.

The new energy code, which calls for buildings designed to achieve a 30 percent increase in energy efficiencies over the 2006 IECC, requires a well-insulated roof in new or renovated commercial buildings. The IECC, coupled with other codes, standards or programs such as the IgCC, ASHRAE 189.1, LEED®, and Green Globes, reinforces the significance of installing a durable roof cover board such as DensDeck® Roof Board to protect the added insulation needed to meet the energy code.

"The dollar value of roofs is increasing, driven by the accelerating requirements for improved energy efficiency," said Barry Reid, LEED AP BD+C, Sustainability Manager, Georgia-Pacific Gypsum. "Protecting insulation with high-performing roof boards is important, since damaged insulation can lead to problems that are expensive to repair." He added, "It pays to protect what you create with a reliable and durable cover board like DensDeck."

Throughout the 2012 International Roofing Expo®, Georgia-Pacific Gypsum will showcase its line of DensDeck® Roof Boards, which are versatile, durable cover boards and thermal barriers for most commercial roofing application. DensDeck panels are an ideal protection component in roofs that consist of photovoltaic, vegetative or cool roofing materials; or for any roofing system that sees a lot of foot traffic.

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Information on new and existing roofing codes and standards and their prescriptive R-value ratings will be available at the Georgia-Pacific Gypsum exhibit in Booth 1253 at the show, taking place in Orlando, Fla., Feb. 22 to 24.

“While the prescriptive R-value requirements vary by climate zone, a code or program now requires some level of continuous insulation above the roof deck,” added Reid. “More insulation means that using a cover board such as DensDeck makes perfect sense.”

## Hilti HDE 500-A18 and HDM 500 Adhesive Dispensers

Quick and Easy



The Hilti HDE 500-A18 Compact Cordless Adhesive Dispenser and the manual HDM 500 Adhesive Dispenser make adhesive anchor and rebar installation quick and easy. Both cartridge holders are designed to swivel and snap into place making cartridge changes even faster, without having to put the tool down.

For more information go to [www.hilti.com](http://www.hilti.com).

## New Drywall Taping Knives From Hyde Tools

The Right Tool for Every Type of Job and User

As long as there has been drywall, there have been drywall tools from HYDE®, one

of the most respected brands in the paint and drywall trades. And now, based on research with users, Hyde Tools has redesigned its full line of taping knives to deliver the right quality and price for every type of job and every type of user.

With a full offering of four taping knife lines, Hyde Tools now provides a large selection of options to match the job at hand and the users' individual preferences. The offering includes three new, patented taping knife lines – Pro Stainless™, Pro Hardwood™ and Pro Project™ tools – plus existing line of Value Series taping knives. These tools range in size from 8 to 14 inches and have been designed to meet user needs and expectations as documented through user feedback sessions. The tools also have been field-tested.

The high-end of this newly re-engineered series is a Pro Stainless™ line of taping knives featuring eight new tools with a flexible, tapered stainless steel blade and premium soft grip handle. Rivet-free construction means the blade will never loosen with use. It also makes cleanup easier, since compound will not build up around rivets. The taping knife backings are non-rust aluminum, with options for a flexible and lightweight folded aluminum style or a stiff extruded backing. Also included: a Hammer Head® end for resetting popped nails and screws – a popular feature with professionals.

Since hardwood handles are a preferred option for some professionals, Hyde also has introduced a high-end Pro Hardwood™ line of taping knives with a patented new hardwood handle design that is smooth for comfort and easy cleanup. The 16 tools in this line have flexible, tapered blades, with a choice of blue steel or non-rust stainless. They are available with non-rust, flexible aluminum or stiff extruded backings.

For more occasional users, a Pro Project™ line offers eight tools with a flexible, tapered blue steel blade and a user-preferred, patented soft grip handle. Here too, rivet-free construction provides a securely



fastened blade and makes cleanup fast and easy. Options in this line also include non-rust flexible aluminum or stiff extruded backings.

Hyde's full series includes an existing line of eight tools that are 23% lighter than conventional taping knives. The Value Series tools offers the option of blue steel and stainless steel blades with a non-rust, folded aluminum backing. The contoured handle is riveted to the blade for extra strength.

For more information, visit [hydetools.com](http://hydetools.com), contact your Hyde Tools sales representative, email [custrelations@hydetools.com](mailto:custrelations@hydetools.com) or call (800) 872-4933.

## Magnalight Releases Portable and Rechargeable Infrared LED Light Tower

Larson Electronics' Magnalight.com has released a battery powered infrared light tower that can be extended to 8 feet in height

and operates for up to 10 hours on a single charge. The LED12W-1x4LT-IR portable light tower from Magnalight is a portable lighting system that provides wide area infrared light coverage for applications where night vision, security cameras, and similar gear is operated. Weather proof and fully portable, this infrared LED tower is ideal for military, law enforcement, and security operations where covert illumination is desired.

The LED12W-1x4LT-IR infrared LED light tower from Magnalight.com contains four 3 watt LED light bars mounted to an adjustable aluminum shaft that can be collapsed to 24 inches and elevated to a full 8 feet in height for maximum coverage of the desired location. This unit contains four adjustable infrared LED lights for high output and wide beam



# PRODUCT NEWS

## National Gypsum Introduces Five New Products

New Additions Strengthen Company's Expanding Portfolio of Mold & Moisture Resistant, Finishing and Lightweight Families

National Gypsum announced the introduction of Gold Bond® BRAND e2XP® Interior Extreme® AR and IR Gypsum Panels, Gold Bond® BRAND High Strength Fire-Shield® LITETM 30 Gypsum Board, ProForm® BRAND Ultra Lite All Purpose Ready Mix Joint Compound, and PermaBase® BRAND 1/4" UltraBacker® Cement Board.



spread and produce invisible infrared light that can only be seen through the use of night vision devices such as day/night security cameras and night vision goggles. The infrared LED light heads are 3 watts each for a total of 12 watts of high output IR illumination and can cover an area over 200 square feet in size. The LED light heads can be adjusted vertically and horizontally and are waterproof, shockproof, and carry a 50,000 hour operational life rating. This portable system is fully self contained and

includes a set of collapsible polyethylene legs to provide a stable tower platform even under windy conditions. Power for this unit is provided by a 33 amp hour AGM sealed lead acid battery rated at 500+ charging cycles and multiple recharging options include connecting the unit to a 110-120 VAC power outlet or 12VDC through an included 12 volt corded adapter with an integrated cigarette plug socket for connection to vehicles. This high power light tower is FAA, DOT, CAB, IA and TA approved for air transport, and measures only 24" high x 13.5" wide x 6.5" deep. This feature rich portable infrared light tower includes a built test meter, the ability to use the unit as a portable 12 volt power source, weatherproof construction, and a compact design that weighs only 35 lbs and can be collapsed and folded to the size of an average suitcase for easy transport. Magnalight.com offers several light system options for this portable tower including visible LED lights and higher output infrared LED lights.

“This portable infrared LED light tower is compact for easy transportation and features four 3 Watt infrared LED light heads for use with night vision systems,” said Rob Bresnahan with Larson Electronics' magnalight.com. “The LED12W-1X4LT-IR light tower is a self-contained lighting system that extends up to 8 feet in height and is approved for air transportation.”

Larson Electronics' Magnalight produces a wide range of infrared LED lights, work area lights, military Led lights, LED spotlights and LED equipment lights. The entire line of Magnalight lighting products can be viewed by visiting [magnalight.com](http://magnalight.com) or you can call 1-800-369-6671 to learn more about custom ordering options. For international inquires call 1-214-616-6180 for more details.

## CertainTeed® QR Code Reader Mobile App Reaches 100,000 Downloads, Now Offers Social Media Integration

With just over 100,000 downloads, the mobile QR code app developed by CertainTeed Corporation is helping to simplify how architects, contractors, distributors and consumers access information about the company's products. In conjunction with this significant milestone, the company is also announcing a host of new features, including the ability to share information from QR codes through social media networks.



“The use of mobile devices in the building industry is reaching critical mass, and we've worked diligently to stay ahead of the game as a value-add to our customers,” says Eric Nilsson, vice president of corporate marketing at CertainTeed Corporation. “Thus far, the

CertainTeed app and the use of QR codes have been popular at trade shows and in our marketing materials, and we look forward to expanding their use into retail establishments and at the construction site.”

The free, updated CertainTeed QR Code Reader app allows users to easily post content on Facebook and Twitter as well as share information via SMS messaging. Available on iPhone, Android and Blackberry mobile devices, the app also features a “favorites” list, where users can save and revisit accessed codes.

Launched in November 2010, the CertainTeed QR Code Reader instantly scans and reads a 2D QR code when a user points the camera of a mobile device at the code. Upon recognition of a QR code, the app rapidly processes and decodes the image, allowing users to view websites, videos, and technical documentation; send text messages; make phone calls; and save contact information seamlessly without ever leaving the application. The application also stores a history of all QR codes that have been scanned on that mobile device.

For more information, visit [www.certainteed.com/qr](http://www.certainteed.com/qr).

These five products were introduced at the Association of the Wall and Ceiling Industry (AWCI) Convention and INTEX EXPO 2012 in Charlotte, N.C., home of National Gypsum's headquarters.

• Gold Bond BRAND e2XP Interior Extreme AR and IR Gypsum Panels are the ideal solution for building owners, architects and contractors who not only need extra protection against mold and moisture, but require abuse or impact resistant properties as well. With this introduction, National Gypsum now offers one of the broadest lines of fiberglass faced gypsum panels in the industry and provides single source capabilities for our customers.

• e2XP Interior Extreme AR is an abuse resistant gypsum panel designed for interior applications requiring increased resistance to surface abrasion and indentation. The facer and

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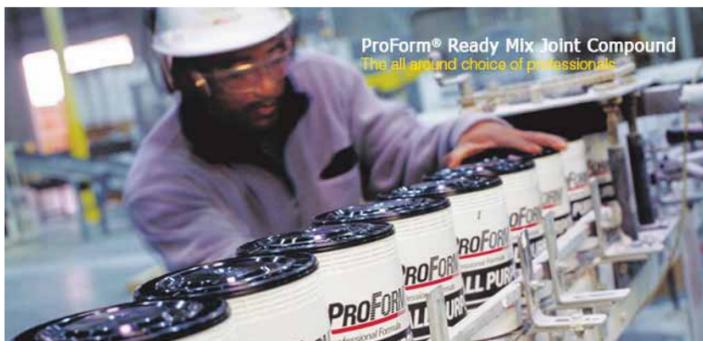
core are enhanced to provide these superior performance capabilities. e2XP Interior Extreme IR is an impact resistant gypsum panel designed for interior applications requiring increased resistance to wall penetrations. A fiberglass mesh is embedded into the core, close to the back of the board to provide superior impact and breach resistance.

Both e2XP Interior Extreme AR and IR are produced in a 5/8" thickness with a Fire-Shield® Type X core. They are manufactured with an enhanced abuse, moisture and mold resistant gypsum core and facer and are easily identified by the back facer in National Gypsum's original PURPLE™ color and the printing on the tapers. e2XP Interior Extreme AR and IR are GREENGUARD Children & Schools™ Certified for indoor air quality, the most stringent standard in the industry.

• Gold Bond BRAND High Strength Fire-Shield LITE 30 Gypsum Board panels consist of a 5/8" fire resistant non-Type X gypsum core specially formulated to be up to 30 percent lighter than standard Type X gypsum board. The gypsum board is encased in heavy natural-finish, 100 percent recycled paper on the face and back sides. For speed of installation, GridMarX® guide marks are printed on the paper surface to quickly identify nail and screw patterns and fastener lines for stud and joist framing. GridMarX offers an exclusive competitive advantage over similar products, including the potential for increased productivity and faster completion times. LITE products are easier to work with, which results in reduced fatigue and potential productivity savings. In addition, the lighter weight provides for reduced transportation costs. High Strength Fire-Shield LITE 30 is approved for single or multilayer drywall construction for 30-minute fire-rated or non-rated assemblies and is GREENGUARD Children & Schools™ Certified for indoor air quality, the most stringent standard in the industry.

• ProForm BRAND Ultra Lite All Purpose Ready Mix Joint compound is a new innovative product that combines excellent bond with superb sanding characteristics. Ultra Lite is up

to 40 percent lighter than other conventional all purpose ready mix products and is designed for all phases of finishing. Ultra Lite is can be used for both hand and taping tools and the product is GREENGUARD Indoor Air Quality Certified®.



• PermaBase BRAND 1/4" UltraBacker Cement Board is used as an underlayment for ceramic tile on floors, countertops, tub decks and outdoor kitchen counters. PermaBase UltraBacker is a rigid substrate made of Portland Cement, aggregate and a glass mesh and mat facer that provides an exceptionally hard, smooth and durable surface that is able to withstand prolonged exposure to moisture. PermaBase UltraBacker offers a competitive advantage over similar products on the market with its patented EdgeTech® technology. The tapered, reinforced edge design allows for closer nail or screw application to the edge while helping prevent damage in transit and on the jobsite. The smooth mesh and mat surface is 20 percent stronger and four times more rigid than competitive 1/4" cement boards. PermaBase UltraBacker has the lowest water absorption rate among other backerboards, which ensures more open time and better tile bond. It cuts easily with a standard utility knife versus specialty tools or expensive power tools required to cut traditional cement board and fiber cement board. The product is GREENGUARD Indoor Air Quality Certified®.

For more information, visit [nationalgypsum.com](http://nationalgypsum.com).

## Introducing TESS Weather Barrier

With the introduction of TESS Weather Barrier, all components of a TESS wall system for EIFS or stucco installations are available directly from Formulated Solutions. TESS

Weather Barrier provides interior walls with a superior level of protection against moisture intrusion and air leakage. Easily applied by brush or short-nap roller, the product imparts a seamless, continuous barrier over the substrate to protect the sheathing from damaging water penetration both during and after construction. Excellent crack-bridging ability further prevents moisture intrusion. TESS Weather Barrier contains Duracide®, a long-lasting antimicrobial that inhibits the growth of harmful mold and mildew in the wall cavity. With Zero VOCs, TESS Weather Barrier also meets the strict air quality requirements.



## Wausau Introduces Invent Retro Windows Responding To Growing Renovation Market

Wausau Window and Wall Systems announces INvent Retro™ XLT windows, meeting the needs of existing buildings' renovation needs or new construction where a classic appearance is desired. As the most recent addition to the INvent Series, Retro windows feature a narrow, beveled exterior face that replicate the look of classic steel and wood windows, while offering modern, high performance.

Helping meet Model Energy Codes, INvent Retro XLT windows with double insulating glass can achieve a U-Factor as low as 0.39 BTU/hr.sqft.°F and a Condensation Resistance Factor (CRF) as high as CRF Frame 60/CRF Glass 70. Triple insulating glass further enhances energy savings and condensation resistance.

"High-performing, historic-looking window systems are essential to meeting today's



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commercial building needs. The majority of our built environment already has been constructed, is aging and is in need, or will soon be in need of renovation. In addition, many newly constructed buildings are seeking to match an existing aesthetic within their neighborhood and on their corporate, medical, governmental or educational campuses," says Wausau's vice president, Steve Fronek, P.E., LEED® Green Associate. "INvent Retro helps accomplish both design and performance criteria."



Addressing weather-ability, durability and thermal performance, the frame uses 18mm and 24mm XLT polyamide thermal barriers. These windows also are tested to meet AAMA AW-100 Architectural Performance Class ratings, including new AAMA 910-10 lifecycle testing to 4000 operating cycles and stringent requirements for air infiltration, water resistance, life cycle testing and structural integrity.

Contributing to renovation projects' green building goals, all of Wausau's windows are manufactured using a high percentage of recycled content. The aluminum frame may be specified in 2-7/8, 3-7/8 and 4-7/8 inch depths with optional equal sightlines at vents and fixed lites. Low-profile fixed framing to maximize daylight openings also is available. Snap-in grid muntins or low-profile true divided lite muntins, and a broad selection of renovation panning may be added to emphasize historic styling.

Configurations for 2250i Retro XLT include fixed, in-swing and out-swing casements, top-hinged, awning and hopper vents. Project-in French casements without a center rail may be requested for terraces, Juliet balconies, and ground floor applications. Multi-lock hardware can be ordered for improved accessibility.

Operable units present a seasonal opportunity for natural ventilation. Integral between-glass blinds minimize maintenance,

## ICYNENE Announces Expanded Offering Of Fire Rated Assemblies For Continuous Insulation Exterior Wall Systems

Icynene, a manufacturer of spray foam insulation, announced the recent approval of five new fire rated commercial exterior wall assemblies featuring their LD-C-50 Light Density and MD-C-200 Medium Density spray foam insulation products.

Each of the new assemblies offer continuous insulation solutions and feature a combination of Icynene SPF products in both interior cavity fill and exterior continuous, along with options for Polyiso (ISO), Extruded Polystyrene (XPS), and Expanded Polystyrene (EPS) rigid insulation boards on the exterior wall side.



"The growing demand for continuous insulation solutions cannot be ignored," said Icynene VP, Engineering Paul Duffy.

"ASHRAE 90.1 now requires continuous insulation in six of eight climate zones within the continental United States. The successful approval of these five new Icynene assemblies combining engineering evaluations and NFPA 285 and ASTM E-119 testing offers architects and commercial building owners the opportunity to maximize their energy savings options with a complete air barrier system utilizing high quality Icynene spray foam insulation products on the interior, exterior, or both sides of the wall assembly. The end result offers greater architectural design flexibility now available for continuous insulation solutions within the commercial construction markets." said Mr. Duffy.

The new portfolio of Icynene fire rated assemblies offering continuous insulation solutions can be viewed online at [www.icynene.com](http://www.icynene.com).

while managing light and glare. Combined with the advantages of natural light, outside views and thermal performance, these qualities may aid buildings seeking certification under such programs as the U.S. Green Building Council's LEED Green Rating System™.

Wausau's INvent Series' quality-controlled, factory fabrication ensures the intended performance and accommodates dual-color finishes. With a palette exceeding 30,000 color choices, Wausau's painted finishes may be requested as liquid or powder coatings with ultra-low volatile organic

compounds (VOC) and VOC-free content. Durable, VOC-free anodize finishes, such as copper color that does not patina, complement the historic aesthetic.

As part of the Advantage by Wausau® standard product offering, these high-performance windows are pre-engineered and factory-glazed. Available on an accelerated delivery schedule, these competitively priced windows are backed with an industry-leading warranty of up to 10 years.

More information can be found at [www.wausauwindow.com](http://www.wausauwindow.com).

## Confined Space Rule for Construction Is Near Completion, OSHA Official Reports

*OSHA is readying its confined space in construction final rule, but no publication date is yet known.*

By Stephen Lee

DENVER--The Occupational Safety and Health Administration's final rule on confined spaces in construction is now being cleared internally and is "really close" to being issued, an OSHA official said June 4 at the American Society of Safety Engineers' annual convention.

Due to election-year politics, however, "it's hard to tell what will actually get published by the end of the year," Jim Maddux, director of OSHA's directorate of construction, said. "At least on the staff level, we've got almost all the work done on this one."

The confined space standard has been in development since 2003. Public hearings were held in 2008. An OSHA official said in

2008 the rule would reduce confined space fatalities by 90 percent (38 OSHR 665, 8/21/08; 38 OSHR 154, 2/21/08).

OSHA's most recent regulatory agenda lists a June 2012 target date for the final rule (42 OSHR 69, 1/26/12).

**Crane Directive Being Readied.**

OSHA is also continuing work on a

cranes and derricks directive to accompany its August 2010 regulation, with the goal of issuing a final document within "about the next month" for internal comment, Maddux said (42 OSHR 493, 5/31/12).

"This is really, really needed," he said. "We need to get

the directive done so we can really complete our training programs for our compliance officers, so we can get out and start enforcing the crane standard more seriously and with more consistency."

OSHA is currently enforcing the crane standard, but Maddux said there are "a number of soft spots that we're keeping away from." He did not elaborate.

OSHA is also readying a directive on highway work zones for its enforcement staff, aimed at creating more consistency in how citations are issued, Maddux said.

The directive will apply not only to roadbed work, but also to any situations in which workers are on a roadway surface, such as utility work or trenching operations, in which crews are using a roadway as a work platform, according to Maddux.

### OSHA Preparing for Uptick in Construction.

Maddux also said OSHA officials are concerned about a stubbornly persistent fatality rate in the construction sector that has been masked by a drop in actual deaths.

The number of construction deaths fell from 1,204 in 2007 to 774 in 2010, almost entirely "because the construction industry tanked," he said. However, the death rate has remained virtually unchanged, from 9.7 per 100,000 workers in 2007 to 9.9 the following year and 9.8 in 2009.

"We're not making progress," Maddux said. "The numbers are deceptive. So the question is, what are we going to do when the economy returns and construction picks up--which, in some parts of the country, it is already starting to do right now? Are we going to return to 1,200 fatalities a year?"

According to the U.S. Census, seasonally adjusted construction activity rose by 6.8 percent in the U.S. from April 2011 to April 2012.

### Enforcement Drives All Activities.

Commenting on the most frequently cited OSHA violations, Maddux said it was "distressing" that so many of the top citation categories concern personal protective equipment, such as fall protection, head protection, and eye and face protection.

"Despite all of our efforts, we still don't have people in basic hard hats, safety shoes, safety glasses," Maddux said. "We're still not getting through to enough of the construction industry on these basic issues."

Maddux also said OSHA enforcement is the prime force that drives the agency's other activities, such as outreach and voluntary programs.

"If you don't have a strong enforcement program, people really don't care about the rest of it," Maddux said. "It is our enforcement program that draws a lot of the attention to things like the consultation program, to the voluntary protection program."

Many companies currently enrolled in VPP were once the subject of large enforcement cases, Maddux said. •

## Updated Hard Hat Proposal Would Allow Use Of Gear Meeting Previous ANSI Standards

By Bruce Rolfsen/Bloomberg BNA from Occupational Safety & Health Reporter™

*OSHA seeks approval for revised rules for hard hats. If approved, changes would cover hard hats used in all industries.*

A long-awaited update to standards for hard hats used in construction and other industries was proposed by the Occupational Safety and Health Administration in the June 22 Federal Register (77 Fed. Reg. 37,587).

The proposed revision seeks to bring OSHA's rules in line with current American National Standards Institute standards for hard hats (ANSI Z89.1) adopted in 2009 (38 OSHR 505, 6/19/08).

Hard hats in use that were manufactured to meet ANSI standards issued in 1997 and 2003 will continue to be permitted. According to the notice, OSHA believes "employers will be able to continue to use the same equipment they are using currently to meet their compliance obligation under the existing standards' design-criteria requirements."

In some cases, OSHA's current rules refer to consensus standards for hard hats adopted in 1969, standards so out of date that OSHA officials doubt anyone still wears a hard hat manufactured to the 43-year-old specifications.

"The life expectancy of personal protection equipment is about four years. ... I would challenge you to go out and find something [manufactured] to a 1969 standard in the economy. You would probably have to hit every flea market," Ted Tardowski of OSHA's Directorate of Standards and Guidance told the OSHA Advisory Committee on Construction Safety and Health in December.

At the December meeting, the committee of employer, union, state government safety officials unanimously recommended that OSHA update the hard hat standards.

### Update Details

The update seeks to revise OSHA rules for head protection in general industry, 29 C.F.R. 1910.135(b)(1); shipyards, 29 C.F.R. 1915.155(b)(1); marine terminals, 29 C.F.R. 1917.93(b)(1); longshoring, 29 C.F.R. 1918.103(b)(1); and construction,

29 C.F.R. 1926.100(b) and (c).

The 2009 changes to ANSI standards added provisions for hard hats that could be worn backwards and hard hats with high-visibility coloring. A hard hat approved for being worn backwards must have passed tests for that position and be marked with an "R" signifying it can be worn in reverse. Hard hats claiming high-visibility colors feature must pass visibility testing.

Other 2009 provisions changed how hard hats' protections from electrical hazards were tested and classified.

Also, the 2009 updates required helmets to be permanently marked with a manufacturing date, the manufacturer's name, the helmet's size range, and special

use class designations.

### Direct Final Rule

Because OSHA is not anticipating substantial objections to the changes, the agency is using the "direct final rule" method for pursuing the revisions.

Under this process, the changes will take effect Sept. 20 unless the agency receives significant adverse comment. If there is significant adverse comment, OSHA will withdraw the direct final rule and pursue the revisions through a notice of proposed rulemaking, a process that allows more industry and public input, and reviews by the White House Office of Information and Regulatory Affairs.

To speed the process if OSHA withdraws the direct final rule and follows the notice of proposed rulemaking route, the agency also published the notice of proposed rulemaking in the June 22 Federal Register (77 Fed. Reg. 37,617).

OSHA accepted comments about the proposed direct final rule through July 23.

The direct final rule notice is available at <http://www.gpo.gov/fdsys/pkg/FR-2012-06-22/pdf/2012-15030.pdf>. •

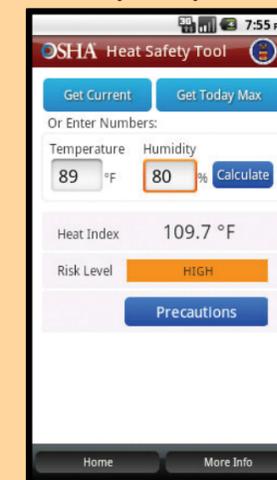
**4,547 Workers Died On The Job In 2010**

Latest Bureau of Labor Statistics Census of Fatal Occupational Injuries



## New Mobile App From OSHA Is A Heat Safety Tool

When you're working in the heat, safety comes first. With the OSHA Heat Safety Tool, you have vital safety information available whenever and wherever you need it — right on your mobile phone.



The App allows workers and supervisors to calculate the heat index for their worksite, and, based on the heat index, displays a risk level to outdoor workers. Then, with a simple "click," you can get reminders about the protective measures that should be taken at that risk level to protect workers from heat-related illness — reminders about drinking enough fluids, scheduling rest breaks, planning for and knowing what to do in an emergency, adjusting work operations, gradually building up the workload for new workers, training on heat illness signs and symptoms, and monitoring each other for signs and symptoms of heat-related illness.

Stay informed and safe in the heat, check your risk level.

For more information about safety while working in the heat, see OSHA's heat illness webpage, including new online guidance about using the heat index to protect workers. •

# PRIVATE SPENDING ON RISE AS PUBLIC PROJECTS SLOW



## Home building sector is encouraging, say economists

Construction spending in June rose to a 2-1/2 year high as double-digit percentage increases in private residential and nonresidential construction more than offset an ongoing downturn in public construction, according to an analysis of new federal data released by the Associated General Contractors of America.

Association officials said they expect the disparity between private and public construction is likely to persist and urged policy makers to put more funding into infrastructure projects.

“The June, spending gains come on top of upward revisions to May and April totals, reinforcing the notion that private construction is now growing consistently,” said Ken Simonson, the association’s chief economist.

“Even more encouraging, the improvement is showing up in a wide range of residential and non-residential categories.”

Simonson noted that total construction spending gained 0.4 percent for the month and 7.0 percent year-over-year. Private non-residential spending climbed for the fourth consecutive month and was 14 percent higher than in June 2011. Residential construction increased 1.3 percent for the month and 12 percent year-over-year, with new multifamily construction soaring 3.4 percent and 49 percent, respectively, and single-family homebuilding up 3.0 percent and 19 percent.

The construction economist said that five of the 11 private non-residential categories in the Census Bureau’s

monthly report registered double-digit percentage gains in spending from June 2011 to June 2012: power and energy construction (including oil and gas-related projects), 26 percent; hotels, 26 percent; manufacturing and educational, 19 percent apiece; and transportation (mainly trucking and rail facilities), 17 percent.

There were also seven percent year-over-year increases in health care, commercial (retail, warehouse and farm) and office construction.

Public construction spending appears to have stabilized in recent months, but the June 2012 total was 3.7 percent less than a year earlier, Simonson noted. He said only two of the Census Bureau’s 13 public categories posted year-over-year increases.

“Private non-residential and multifamily construction should continue to grow in the second

half of 2012 and beyond,” Simonson predicted. “Single-family homebuilding also should top last year’s figures, although progress may not occur every month. As a result, total construction spending in 2012 will be positive for the year for the first time since 2007 even though public construction will remain in the doldrums.”

Association officials said construction growth will remain unbalanced, however, unless lawmakers enact more funding for essential water, wastewater and other infrastructure projects.

“Although Congress has kept highway spending from falling, other types of infrastructure, including our aging water systems, need attention,” said Stephen E. Sandherr, the association’s chief executive officer. “There is nothing to be gained from letting our infrastructure deteriorate further.”

—*Real Estate Weekly Online*

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