

SPRING 2015

OFF THE WALL WC&C

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

How To Keep
From Blowing
Construction
Bids — page 22



**LAGUARDIA 4 BILLION
REDEVELOPMENT
FINALLY
TAKES OFF**

—PAGE 14



Be Wise. Build with G40 Galvanized Drywall Studs.

Specify "No EQ Coatings" to ensure you get true G40 galvanized.

When you buy ViperStud® from Marino\WARE®, you get G40 galvanized steel. If you want G40 galvanized from the other guys, you might have to ask for it!



Sales: 800.504.8199

www.MarinoWARE.com

CALENDAR THROUGH DECEMBER 2015

DATE	MEETING	TIME	LOCATION
June 15 (Mon)	GOLF OUTING.	7:30 am	NHCC/SANDS PT.
July 15 (Wed)	Board Mtg.	7:30 am	WC&C Offices
Aug 18 (Tues)	Board Mtg.	4:00 pm	Westbury Manor
Aug 18 (Tues)	Annual BBQ	6:00 pm	Westbury Manor
Sept 15 (Tues)	Board Mtg.	4:00 pm	TBD
Sept 15 (Tues)	Membership	6:00 pm	TBD
Oct 20 (Tues)	Board Mtg.	4:00 pm	TBD
Oct 20 (Tues)	Membership	6:00 pm	TBD
Nov 17 (Tues)	Board Mtg.	4:00 pm	TBD
Nov 17 (Tues)	Membership	6:00 pm	TBD
Dec 8 (Tues)	Board Mtg.	4:00 pm	No. Hempstead
Dec 8 (Tues)	HOLIDAY DINNER	6:00 pm	Country Club (Bd Mtg & Dinner)

WC&C 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.

Board of Directors

Executive Director
John DeLollis

President
Michael Weber
Island Acoustics LLC.

Vice President
Douglas O'Connor
The Donaldson Organization

Secretary
Lee Zaretsky
Ronsco (Del), Inc.

Board Members

Christine Donaldson Boccia
J.D. Traditional Industries

Philip A. Bonadonna
Pabco Construction Corp.

James Fenimore
Office Solution Installation, LLC

Robert Perricone
Component Assembly Systems

Steve Richardson
National Interiors, Inc.

W. Scott Rives
Woodworks Construction Co.

Counsel
Mark A. Rosen

Design & Editorial Services,
Donald Gumbrecht & Co

© 2015 All rights reserved. While this newsletter is designed to provide accurate and authoritative information on the subjects covered, the Association is not engaged in rendering legal, accounting, or other professional or technical advice. Accordingly, the Association cannot warrant the accuracy of the information contained in this newsletter and disclaims any and all liability which may result from publication of or reliance on the information provided herein. If legal advice or other expert assistance or advice is required, the services of a competent, professional person should be sought.

Off The Wall
Spring 2015



Features

- 4 Participation**
— From the Executive Director, John DeLollis
- 6 Contracts from Hell**
— From the President, Michael Weber
- 10-13 WC&C 2015 Gala Dinner/Dance Photos**
- 21 The Art & Science of Marketing**
Union Carpenters and Contractors

Articles

- 9 Pedestrian Injuries From Falling Debris on Rise**
In the past five years, 59 people have been struck by falling debris from New York City construction sites. And the numbers are on the rise.
- 14 Port Authority Moves Forward on LaGuardia**
The Port Authority's Board of Commissioners has voted unanimously to begin the first phase of a new vision for an overall redevelopment of LaGuardia Airport
- 16 'Time-Out' For Bad Contractors..And Not Much Else**
Bad building contractors and subcontractors with long track records of outrageous worker abuses — have little reason to fear their actions will stop them from doing business with the city
- 18 Workers Feel Frustrated, Despite Demand**
Career construction workers fearing the further proliferation of junk jobs that offer men and women in the industry low-wages and little else, say that their prospects are in sharp decline despite the current building boom taking place
- 20 How To Keep From Blowing Construction Jobs**
Frankly there is no decent excuse for majorly blowing a bid. Your estimating must be solid.

Departments

- 8 Rosen – It's the Law!**
- 24 Product News**
- 31 OSHA**



*From the
Executive Director
John DeLollis*

Participation

The Association Executive meeting at this spring's AWCI Annual Convention & INTEX Expo struck me as rather unusual. This is the meeting where I get together with other executive directors from around the country to discuss matters of particular concern. During the meeting, one of my colleagues brought up the subject of membership attendance. Soon, we were all contributing to the discussion, so much so that it took nearly all the time allotted for the meeting.

Everyone seemed to agree they've begun to notice a lag in member participation at their local events. The more we talked about it, the more I discovered that what's going on here in New York isn't so unique. Our Spring Galas and Dinner Dances to honor one labor leader and one outstanding contractor always draw a big house. And our own Conferences, which include family members and guests, meet or exceed attendance expectations. But admittedly the number of member participants at these events hovers around 25%. And when it comes to our monthly meetings, in some instances, the numbers have been lower than that.

I think we get the word out, and cost really shouldn't be an issue, so the numbers to me are a little disappointing. I know some events can be difficult to get to. But even choosing a more convenient meeting location hasn't boosted turnout. The attendees at the Association Executive meeting didn't have an answer either. They said they've tried this and they've tried that, but whatever they've done hasn't worked.

You are the owners of this association as well as its members. You fund it by your membership dues and I.P.F. paid for each hour worked by your union employees for any of the trades with which we are signatory. All of our events have been paid for by you and are really very good for you.

Over the years I've heard people saying they've learned a great deal just talking to the people they encountered at a meeting. That seems to be universal. So when the next meeting opportunity arises, I am hoping you can attend. And if you feel we're not getting the message to you or you think there's a better way of our communicating with you, let me know.

Please participate. It's for the good of your businesses. And please stay in touch with me, I'm here to help. — **John DeLollis**

NEW YORK'S PREMIER BUILDING SUPPLY RESOURCE

Park Avenue Proudly Distributes Best-in-Class Commercial Doors & Hardware



- Hollow Metal Doors
- Wood Doors
- Commercial Hardware
- Stock & Special Order
- Locks
- Closers
- Hinges
- Electric Operators
- Exit Devices (Panic Bars)
- Accessories
- Residential
- Multi-Family
- Light Commercial

Submit your next project to:
jimpell@parkavebuilding.com

CERTIFIED MBE SUPPLIER



2120 Atlantic Avenue, Brooklyn, NY 11233 | Tel (718) 403-0100 | Fax (347) 402-7981 | www.parkavebuilding.com





*From the
President
Michael Weber*

Contracts from Hell

A well-drafted construction contract clearly sets out the scope of work. The language is basically industry terms and conditions we have all been accustomed to. For example, payment terms, overhead and profit on change orders, liquidated damages, consequential damages, retainage protocol and project specific detailed scope of work for the tasks you're expected to perform. Just to name a few. At some point you will probably find yourself wondering whether you should really sign the contract in front of you. If you are like most, and don't agree to the content of the contract there is usually a competitor standing in line behind you to step up should you decide to step aside.

The estimator that handles the bid does most of the heavy lifting. With countless pre-award addenda, exhibits, checklists, unit pricing, labor rates, prequalification's, bonding, insurance and OCIP and CCIP criteria as well as projected lead times on specialty products manufactured across the globe that you have little or no control over. Does your shipment being held at JFK Customs sound familiar? Then there's also WBE, MBE, LBE etc. goals, Project Labor Agreements and proposed vendors, many of which require architect's approval before you can issue a purchase order. You almost need a legal degree to determine what you're signing up for.

Good subcontractors are being squeezed out of the market due to unattainable insurance requirements. Not to mention our ever shrinking market share as union contractors. Prequalification requirements include more detailed confidential information that are usually reserved for your banking and bonding facilities, and the information is often posted on third party web sites where who knows what security measures are in place. Be diligent in reviewing the contract you are about to sign and push back on the items that just don't feel right.

On the bright side, our market seems to be improving which often amplifies demand being placed on the contractor. Be diligent in protecting your interests and good luck in capturing your slice of the pie. —*Mike Weber*



**GET MORE OUT OF
EACH MAN-HOUR.**



TRAKLOC® STEEL FRAMING IS A SMARTER WAY TO INSTALL FASTER.

Why let field cuts and screws slow things down? Our system's telescoping studs adjust on the fly for height variations. A quick twist locks them to the track—no fasteners needed. All to help your crew get more done in less time. **STRONGER THAN STEEL™**



Interior Framing · Exterior Framing · Interior Finishing · Clips/Connectors · Metal Lath/Accessories · Engineering

clarkdietrich.com



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.

Office Worker For Electrical Contractor Denied Claim For Overtime Wages Because She Was Properly Classified As An Exempt Administrative Employee

Under the “administrative exemption” to the obligation to pay overtime wages under the Fair Labor Standards Act an employee’s primary duties must include the exercise of discretion and independent judgment with respect to matters of significance.

In this case, the employer was an electrical contractor that provided electrical services, including repair work, maintenance, electrical system design and electrical renovations. The plaintiff claimed that she was hired to perform primarily clerical functions that did not include the exercise of discretion and was entitled to be paid overtime. Although she did not have a job title or written job description, it was undisputed that her primary duties were administrative in nature and included taking service calls, preparing purchase orders and invoices, inventorying supplies, reviewing bills, obtaining permits and performing human resources functions.

The court found that she performed tasks that were critical to the day-to-day operations of the business and had the authority to bind the company on significant matters. Specifically, the court found that she facilitated and arranged for the sale of company services, implemented management policies because she was responsible for managing all aspects of the company’s employer-based insurance plan and performed other human relations related functions.

The court expressly rejected the plaintiff’s argument that she could not be an exempt employee because she was required to obtain approval from supervisors on certain matters of significance. The court found that because she was not the final decision maker on some aspects of her job did not mean she was a nonexempt employee. The court found that an employee’s decisions made through the exercise of discretion and independent judgment may consist of recommendations made to senior management.

The court cited a Labor Department regulation that said a worker is administratively exempt if her primary duty is the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer’s customers.

Two Companies Are Single Employer And Share Liability For Workers’ Back Pay

The NLRB found that two companies constituted a single employer and therefore were jointly and severally liable for back pay owed to four former employees that were improperly terminated.

The two companies at issue were Lederach Electric, Inc. (“LEI”) and Morris Road Partners, LLC (“MRP”). In finding single employer status, the Board found that the two companies’ operations were substantially interrelated. James Lederach and his wife jointly owned 100 percent of LEI and each owned 50 percent of MRP’s

shares. Mr. Lederach managed LEI’s daily operations and upon its closure, managed MRP’s operations. Mrs. Lederach served as LEI’s secretary and treasurer and then kept MRP’s financial records. The two companies shared a post office box. LEI received rent payments from MRP’s tenants. MRP allowed LEI to forego many rent payments required under the terms of a lease between LEI and MRP. Thus, the Board concluded that the two companies had common management, ownership and financial control.

It should be noted that in making the determination, the Board reversed a finding by the Administrative Law judge that found that the two companies were not a single employer.

New York City Building Trades Council Enters Into Three-Year PLA With New York City Housing Authority

The New York City Housing Authority (“NYCHA”) and the Building and Construction Trades Council of Greater New York have entered into a project labor agreement (“PLA”) extending through June, 2018, covering construction, repairs and housing rehabilitation work on NYCHA projects.

Under the PLA, the Building Trades agreed to make some adjustments to shift premiums and agreed to a no-strike and work stoppage clause.

Together with the PLA, a memorandum of understanding was entered into to ensure that the unions provide training and job opportunities for people living in NYCHA residences. Under the MOA, the Building Trades are to set aside ten percent of new apprenticeship classes for NYCHA residents. •

Pedestrian Injuries From Falling Construction Debris On The Rise



By Amber Jamieson - NY Post/ 3/22

In the past five years, 59 people have been struck by falling debris from New York City construction sites.

And the numbers are on the rise: 27 percent of those pedestrians were victimized between January and September of last year.

Trang Thuy “Tina” Nguyen, 37, died recently after being smashed by a piece of flying plywood on West 12th Street while walking past a luxury condo construction site.

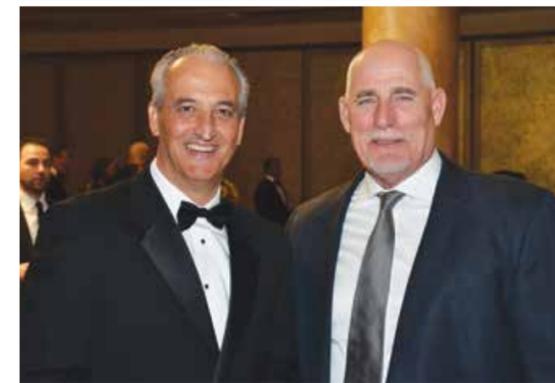
She was laid to rest in her hometown of Philadelphia just four months before she was to be married.

She is the only pedestrian killed by falling debris in the past six years, according to data from the city Building Department.

The 16 people injured in the first nine months of 2014 included two people struck by falling glass on West 57th Street in July; one driver who was injured when four cars — including a taxi — were hit by a plank that dropped from the roof of a building on East 88th Street; and two pedestrians splashed with concrete while walking down Broadway in Tribeca. •



WC&C 18th Spring Dinner Dance
Terrace on the Park April 11th 2015





PORT AUTHORITY BOARD VOTES TO MOVE FORWARD ON LAGUARDIA AIRPORT'S 4 BILLION REDEVELOPMENT

LaGuardia Gateway Partners Selected to Develop World Class Facility

For what will be their largest project ever, Skanska—as part of LaGuardia Gateway Partners—is the preferred bidder to redevelop LaGuardia Airport's Central Terminal Building.

The Port Authority's Board of Commissioners has voted unanimously to begin the first phase of a new vision for an overall redevelopment of LaGuardia Airport by selecting LaGuardia Gateway Partners to develop a \$3.6 billion world-class facility to serve approximately

to the airport and unifying previously unconnected terminals. The Board's action follows preliminary recommendations from Governor Cuomo's Advisory Panel and represents the first phase of a comprehensive master plan for a 21st century LaGuardia Airport that will be unveiled in the coming

weeks. The Panel's recommendations also call for the creation of a state-of-the-art airport that will for the first time seek to unite the airport's current four disconnected terminals.

The new LaGuardia will be a world-class facility, and will be designed to seamlessly integrate with future amenities recommended by the Governor's Panel such as premier retail

and dining space; a hotel; a conference and business center and other modern features that will generate revenue for the Port Authority. The amenities also will include transportation features such as an AirTrain, ferry service and a people mover to help passengers traverse the entire airport.

Construction of the project will be funded by a public-private partnership, with the private sector contributing more than \$2 billion and the Port Authority contributing more than \$1 billion to construct the airport and supporting infrastructure. LaGuardia Gateway Partners, the private development team,

will be responsible for designing, constructing, operating and maintaining the new terminal.

The agreements for the new world-class terminal facility and the new central entry portal to the airport will be subject to multiple future Board approvals consistent with the Port Authority's capital plan.

“For too long, LaGuardia has been the stepchild of our region's airports compared to JFK and Newark International,” said Port Authority Vice Chairman Scott Rechler.

“With today's Board action, the Port Authority continues to follow through on its commitment to modernize LaGuardia Airport, with the strong support of Governor Cuomo and his Advisory Panel.”

said Port Authority Chairman John Degnan. “By utilizing an innovative public-private partnership in this endeavor, the agency is also taking another important step in bringing state-of-the-art financing techniques to the task of updating our region's airports and other critical infrastructure.”

“For too long, LaGuardia has been the stepchild of our region's airports compared to JFK and Newark International,” said Port Authority Vice Chairman Scott Rechler. “Today we took the first step in moving forward with a comprehensive master plan to redevelop LaGuardia into a 21st century, world-class airport that the State of New York deserves.” “Today's Board action is a major step in the modernization of LaGuardia and a huge step toward Governor Cuomo's goal of 21st Century airports in New York,” said Port Authority Executive Director Pat Foye.

“We look forward to partnering with the Port Authority on this significant project for the city and state of New York,” said Stewart Steeves of Vantage Airport Group, President and CEO of LaGuardia Gateway Partners. “The team is ready to deliver an exceptional experience for the airport community and the travelers who will pass through the new terminal. We will develop a world-class facility and bring the level of operational expertise needed to deliver the airport New Yorkers deserve, both during construction and throughout long-term operations.”

The new terminal design is not expected to cost significantly more than previously anticipated for the old replacement concept. The board's action also limits the cost of the new entry portal to no more than \$400 million, with construction based on future Board authorizations consistent with the Port Authority's Capital Plan process.

LaGuardia Gateway Partners will now begin detailed negotiations with the Port Authority, airlines, and other stakeholders to finalize its proposal for developing, constructing and operating the new expanded terminal and portal while finalizing the financial terms of the public-private partnership deal.

LaGuardia Gateway Partners is comprised of Vantage Airport Group, Skanska and Meridiam for development and equity investment; Skanska and Walsh Construction as the construction joint venture; HOK and Parsons Brinckerhoff as the design joint venture; and Vantage Airport Group for management of the operations. LaGuardia Gateway Partners' members have worked on more than 350 aviation and transportation projects globally and domestically, including international airports in Chile, The Bahamas, New York (John F. Kennedy), Boston, Chicago and Los Angeles. More information is available at www.LaGuardiaGatewayPartners.com.

In January, Gov. Cuomo created a seven-member Airport Advisory Panel with expertise in business, planning and the local community to advise him and the Port Authority on the best ways to reimagine New York's two major airports. Last month, the Panel submitted preliminary recommendations to the Board in order to allow work to replace the Central Terminal to move forward in concert with a holistic master plan for the airport. Those recommendations included:

- Unifying world-class architectural appearance across all new elements of the New LaGuardia;
- A central arrival and departures portal with first-class shopping, dining, and business amenities linking previously disconnected terminals;
- Capacity for a future hotel on the airport grounds;
- Future rail connection, including plans for an AirTrain connecting the airport to the subway for the first time;
- A people-mover that enables passengers to traverse easily from one end of the airport to the other;
- A cell-phone lot waiting area and improved road configuration;
- An adequate level of parking to accommodate travelers arriving by car at the airport. •

— Source: Port Authority of NY & NJ



50% of the passenger volume at LaGuardia, consistent with the recommendations of New York Gov. Andrew Cuomo's Airport Advisory Panel. The May 29th vote is the culmination of a multi-year procurement process conducted by the Port Authority to select a team of leading private-sector construction, engineering, planning, airport management and finance firms to work with the agency in an innovative public-private partnership to construct the first phase of redevelopment of LaGuardia, which includes demolishing the Central Terminal Building and creating a new world-class facility including a new central entry portal

Time Out for bad contractors... and not much else

Bad contractors get little more than a “time-out”

By Joe Maniscalco

New York, NY - Bad building contractors and subcontractors with long track records of outrageous worker abuses — everything from wage theft to sexual harassment — have little reason to fear their actions will stop them from doing business with the city.

That reality became painfully clear during a sometimes testy oversight hearing on the mayor’s ambitious housing plan held at City Hall on April 21.

Committee on Housing and Buildings Chair Jumanne Williams [D-45th District] and Committee on Contracts Chair Helen Rosenthal [D-6th District] led the inquiry which saw the head of the Department of Housing Preservation and Development [HPD] try repeatedly to distance the agency from embarrassingly bad contractors and subcontractors, while also lamenting its inability to adequately address allegations of widespread workplace abuses.

“We rely on workers themselves [to report abuses],” HPD Commissioner Vicki Been said. “We really need workers to step forward...and that is difficult because workers fear retaliation. They fear being blacklisted...and losing their job. That is a very unfortunate fact of life on these jobs.”

Striking ironworkers Carol Turner, Ithier Lopez and LaFondra Brown continued their very public awareness campaign testifying about the horrendous worker abuses they say they and many of their colleagues have suffered in the employ of one of the city’s biggest building contractors — the Thomas Auringer family of companies.

Turner, a 52-year-old non-union construction worker who walked off an Auringer affiliated job site in the Bronx last spring, testified that the company’s principal Thomas Auringer, once causally dismissed charges of worker abuses saying, “This is my city. I do what I want.”

HPD, along with the Mayor’s Office of Contract Services, works with affordable housing developers around the city to get their projects off the ground with the help of handsome public subsidies — but supposedly only on condition that those developers are responsible players in the industry.

Those who don’t play by the rules can end up on what the city calls its “Enhanced Review” list. Ostensibly, placement on the Enhanced Review list is avoided because it negatively impacts a developer’s ability to follow through on lucrative projects.

But as Tuesday’s hearing showed, developers — and the contractors and subcontractors they hire — can slip any type of sanction merely by convincing HPD that they have “cleaned up their act.”

“People’s lives are ruined by things like carrying open containers,” a frustrated Councilman Williams told Commissioner Been. “Then there are people stealing wages, and it seems they get put into time-out and then get put back in the game. We have to find a way to punish them. And I’m not sure that has happened the way it’s set up here.”

Laborers protest bad building practices.

Commissioner Been defended city oversight of developers and their building contractors and subcontractors, saying that being placed on HPD’s Enhanced Review list is and of itself a form of punishment because it costs builders “millions of dollars.”

The HPD head also suggested that the de Blasio administration, in its drive to build or preserve 200,000 units of affordable housing over the next decade, is reluctant to scare away any developer interested in building here.

“We’re not willing to say once you have made a mistake you can never be rehabilitated,” Commissioner Been said. “We don’t

have a surplus of firms doing affordable housing work. We are trying to attract developers outside of the city. There are people who made a mistake who correct them and do a good job on affordable housing.”

HPD stoked the ire of council members right out of the gate, showing up to Tuesday’s hearing almost an hour-and-a-half late. Representatives from the Mayor’s Office of Contract Services who were also expected to participate, didn’t show at all.

Council member Elizabeth Crowley [D-30th District] was perhaps the most irate, lacing into Commissioner Been’s tenuous defense of HPD’s Enhanced Review list.

“Affordable housing is not the answer to let contractors run wild,” the Queens council member said. “How many strikes are we going to allow contractors before we debar them? This is not a ballgame. This is people’s lives.”

Organized labor fully supports the mayors affordable housing goals, but has long been critical about how it is costing those actually hammering the nails and hoisting the beams.

“Over and over again we have seen how a small group of corrupt, well-connected contractors have been awarded contracts in the millions of dollars — taxpayer dollars — only to find them brought up on charges ranging from wage theft, to tax evasion, to substandard work,” Laborers Local 79 Business Manager Mike Prohaska said in a statement. “Too much is at stake to continue to turn a blind eye.”

Contractors attached to the East Harlem project Mayor de

Blasio had previously called the “epitome” of what affordable housing development should look like, were recently hit with charges of stealing \$800,000 in unpaid wages.

“No less than four previous HPD commissioners, as well as the current commissioner, Vicki Been, have been made aware of the rampant corruption in the affordable housing industry in New York City,” Mason Tenders District Council PAC Director Mike MacGuire added in a statement.

Robert Bonanza, Mason Tenders District Council business manager, charged New York City is “neither inclined nor equipped to deal with the rampant corruption taking place in the affordable housing industry which it facilitates through HPD.”

“The only answer is for the City of New York to stand up and take a proactive stance, rather than relying on federal and state authorities to take reactive stances to clean up our city’s messes,” Bonanza said in a statement.

During this week’s hearing, Commissioner Been insisted that the city would cease to do business with developers who repeatedly “goof up.” When asked later, however, the HPD chief failed to say exactly how many times that has actually happened in the past.

Councilman Williams, who first told LaborPress back in December that he would convene a hearing on the mayor’s affordable housing plan, said wage theft, and other workplace abuses constitute a lot more than an industry faux pas.

“These are not mistakes,” Councilman Williams said. “They are planned criminal behavior.” •



LOCAL EXPERTISE. NATIONAL REACH.

ProBuild has over 400 locations in 40 states and 75 major US markets and offers a complete solution for all of your building needs. We also deliver to the 5 boroughs and Long Island, and have a dedicated delivery fleet for on-time deliveries so we keep your team and business building.

Call or stop by your local ProBuild, formerly Strober Building Supply, for all of your building needs.

- Building Materials
- Lumber
- Gypsum
- Acoustical
- Metal
- Windows
- Interior & Exterior Doors
- Roofing
- Siding
- Mouldings
- Decking
- Custom Millwork
- DryVit Products
- Full-service Capabilities
- On-site Consultation
- Vast Inventory
- Flat-Beds & Piggy Backs
- Boom Trucks 6 & 8 Story

BAYPORT
678 MONTAUK HIGHWAY
631-472-1000

FARMINGDALE
1294 ROUTE 110
631-249-2400

NEW HYDE PARK
1501 FALMOUTH AVENUE
516-561-2700 or 718-875-9700

STORE HOURS: MON-FRI, 8:30AM-5PM. SAT 7:30AM-12:30PM • www.probuild.com

McELROY, DEUTSCH, MULVANEY

CARPENTER LLP

WWW.MDMC-LAW.COM

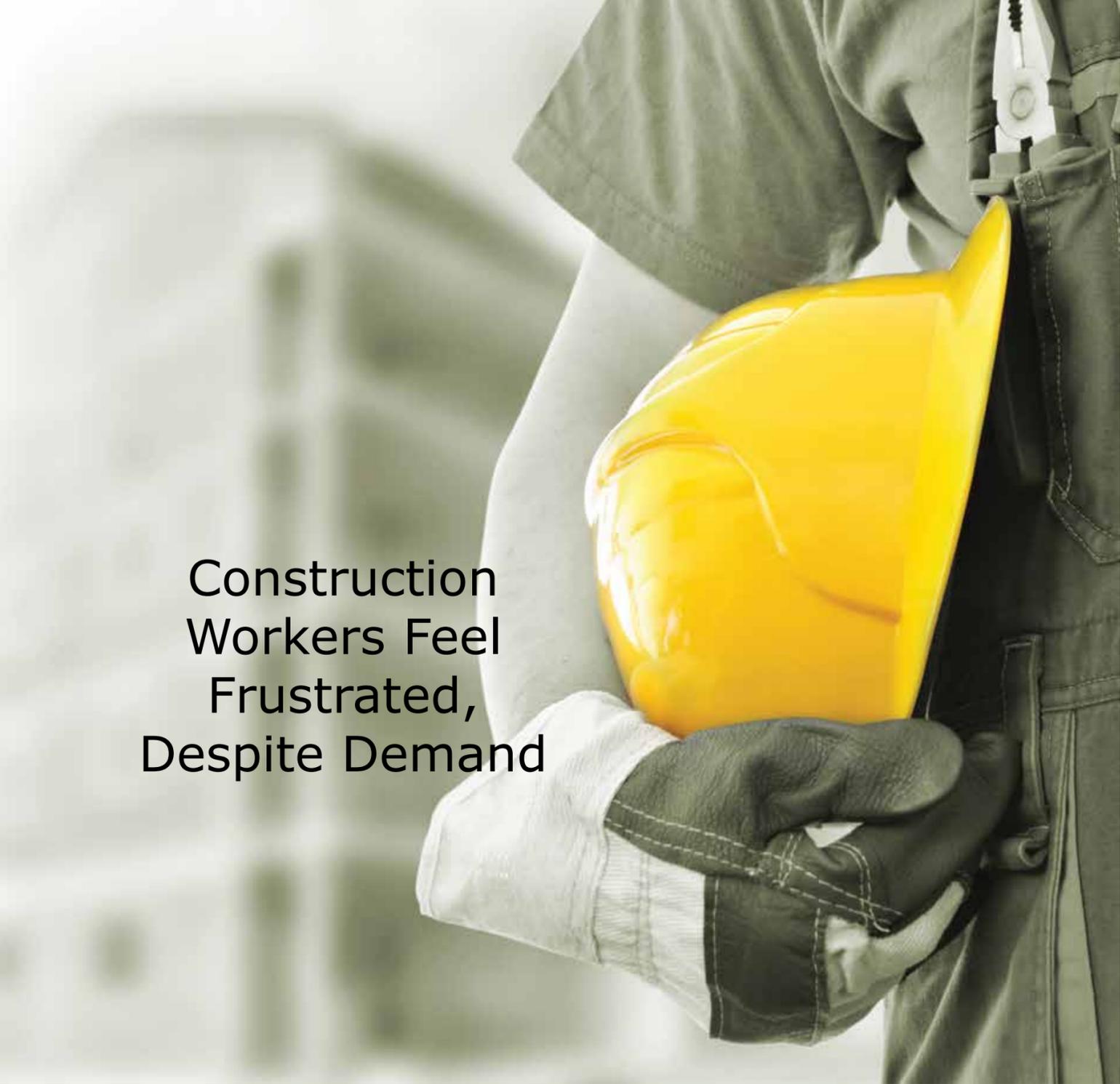
A NATIONAL LAW FIRM THAT KNOWS CONSTRUCTION

MARK A. ROSEN, ESQ.
mrosen@mdmc-law.com

88 PINE STREET, 24TH FLOOR
NEW YORK, NEW YORK 10005
(212) 483-9490
FAX: (212) 483-9129

NEW JERSEY NEW YORK COLORADO PENNSYLVANIA CONNECTICUT MASSACHUSETTS DELAWARE





Construction Workers Feel Frustrated, Despite Demand

Greater Demand, But Fewer Opportunities For Construction

By Joe Maniscalco/Labor Press

New York, NY - Career construction workers fearing the further proliferation of junk jobs that offer men and women in the industry low-wages and little else, say that their prospects are in sharp decline despite the current building boom taking place

throughout the city — and an enthusiastic new analysis from the NY Building Congress isn't making them feel any better.

According to the NY Building Congress, well over half of New York City residents employed in the building industry

also work in the same borough in which they live. The findings are based on the latest U.S. Census data compiled in 2013.

The NY Building Congress, further finds that almost 70 percent of Staten Island residents employed in the construction industry were, at least in 2013, able to secure work in their home borough. The number for Brooklyn, Queens and the Bronx workers, appear encouraging as well, coming in at 64, 58 and 55 percent respectively.

Those figures, however, do little to comfort career-oriented, union construction workers concerned that efforts to rezone neighborhoods in places like East New York, the South Bronx and East Harlem for affordable housing, will come at the cost of good jobs.

Those figures, however, do little to comfort career-oriented, union construction workers concerned that efforts to rezone neighborhoods in places like East New York, the South Bronx and East Harlem for affordable housing, will come at the cost of good jobs.

“The majority of workers that have union books don't live and work in the same borough,” said Barrie Smith, business agent, Construction and General Building Laborers Local 79. “We have a lot of members that hold union books, and we have a lot of this work that's been allocated — but we can't even put them

to work because a lot of this stuff is not even union.”

Union construction jobs are distinct from their non-union counterparts in that they offer better pay and benefits, job training, worker protections and more. The NY Building Congress' analysis of the U.S. Census Bureau's latest data, however, does not distinguish between union and non-union jobs. The same analysis also finds that only half of all building industry workers responding to the 2013 survey had healthcare.

Be that as it may, Richard Anderson, president of the 94-year-old NY Building Congress, is critical of those taking

issue with the city's rezoning efforts.

“Rezoning creates jobs,” Anderson told LaborPress. “We have to concentrate on creating jobs, and then the union, non-union breakdown is a separate challenge. You want the jobs to fight over, and once you've got them, what organized labor has to do is make its best case. There are a lot of ways of doing that. But to oppose rezoning because some of the jobs might be non-union, I think that's a questionable tactic.”

Despite the rosy view it takes on living and working in New York City, the NY Building Congress analysis does point out that diversity and equal opportunity in the construction industry is sorely lacking.

The latest findings show that Black non-Hispanic workers constitute only 13 percent of the workforce, while Asian workers represent just 10 percent. Overall, women in the industry are faring the worst, constituting even less than 10 percent of the total workforce.

“More and more, the construction workforce is reflecting the population and breakdown of New York City,” Anderson said. “It's moving in that direction. We're not quite there yet. And part of it is that architects, engineers and management are sort of behind, but the actual tradespeople are much more reflective of the population breakdown of New York City.”

But here, too, Smith points out that diversity in the construction industry could be encouraged though the creation of good, career-oriented jobs - the kinds of union jobs that come with apprenticeship programs and the resources to actually afford “affordable housing.”

“The reason why the numbers are not higher is because we have a wall basically being built up as far as non-career oriented jobs and career-oriented jobs,” Smith said. “I have close to 650 members in East New York, and a lot of those members are minorities who live in the area, born and raised, but are unable to work. People become frustrated when they see themselves having to do this non-union work because that's the only opportunity that's awarded to them.”

Feelings of frustration and a lack of opportunity seem incongruous in the middle of a building boom.

“This is the time of high demand, the construction market has never been stronger than it is right now, and we need people,” Anderson said. “And the ones who are the best candidates of those who live in the city.”

To truly and effectively confront income inequality, Smith said he would like to see Mayor Bill de Blasio and his cabinet “sit down, do more negotiating and listen to more voices.”

“The way things are going now, it is not fighting income inequality because people are going to be left with short-term jobs, and that's a problem,” Smith said. “Who can survive on \$12 an hour in 2015? They [the de Blasio administration] just want to build and get it done quickly. But they're not worried about the affect that it has on people.” •

New York Skills Program Sets Standard For US

Building Trades Employers' Association (BTEA) president Louis J. Coletti told the U.S. Conference of Mayors that New York City's thriving construction skills program could be a pathway for other cities to reduce income inequality and create middle class jobs.

The construction skills program is a publicly and privately funded course of study that places graduates in well-paying apprenticeship jobs and serves as the first step on the road to becoming a journey-person in the trade in which they are trained.

"The construction skills model is one which can be replicated in cities across our nation," said Coletti. "By bringing business, labor and government together as strategic partners, it represents what I believe is the best model not just for the construction industry, but for every sector of the economy."

The construction skills pre-apprenticeship programs are 88 percent African American, Hispanic and women.

More than 80 percent of construction skills students who graduate the program are placed in apprenticeships that are financed by BTEA contractors and their respective trade unions.

The average union apprentice wage is \$34,120, not including health benefits and pension, making it one of the best paying high-growth occupations of the last decade.

Last year, a Columbia University report called the NYC Construction Skills program the "most successful" of its kind in the country.

Coletti said the program works in New York because government is committed to using capital funds to create jobs that boost the middle class.

"Capital investment is about more than just steel, concrete, glass and bricks," Coletti said. "It is about building the physical and social infrastructure of our city by providing good jobs for those who may not be able to or want to go to college, but who want to pursue living the American dream of leading a middle class life in our city."

Coletti also discussed an expansion of the construction skills model in a new partnership with New York City's Department of Education and the City University of New York.

The group will lead a six-year program at a Brooklyn high school where students will receive technical training in architecture, engineering and construction. Students can receive a high school diploma and associate's degree at no cost.

The Building Trades Employers' Association consists of 27 trade union contractor associations, representing the 1,700 construction managers, general contractors and specialty subcontractor firms in New York City, who employ 120,000 people. — *Real Estate Weekly*



The Art & Science of Marketing Union Carpenters and Contractors

By Kevin P. McCabe

In the business world, being the best at what you do is always important in developing a solid reputation wherever your expertise is in demand. However, sometimes even the most skillful talent needs a nudge to inform and educate the business community (and the public) about the attributes of your organization and the specific skills that make you the best in the industry. Everyone needs someone to tell their story.

This is the role of the Carpenter Contractor Trust NY/NJ (CCT). Union carpenters and contractors have a story that is constantly unfolding, both inside and outside the construction community. These stories are part of the mission of the CCT. Our goal is simple, direct and unambiguous: We promote union carpenters and contractors throughout the states of New York and New Jersey. It is the stories and accomplishments of union carpenters and contractors — both on and off the job — that become the backbone of our communications effort. We accomplish this with broad marketing efforts to ensure that any developer who is considering a construction project will recognize that they should think about the advantages — skillset, flexibility, equity and productivity — that union carpenters and contractors offer when they contemplate a new construction job. Union carpenters and contractors, given their training, experience, work ethic and adherence to safety practices, are a perfectly coordinated construction team. It is our mission to ensure that everyone knows it.

In 2014, the Empire State Carpenters Labor Management Funds and the New Jersey Carpenter Contractor Trust (cctnynj.org) merged, resulting in a joint venture that utilizes its shared resources for the marketing and promotion of union carpenters and contractors.

As the membership grew, so did our efforts. A partial list of the CCT's accomplishments include:

- Rebranding. Launched an overall new image of all collateral material with new, professional-looking, informative and expertly designed brochures that abundantly explain the value of union carpenters and contractors. Thus far, we have completed brochures about

the CCT, ICRA-Training: Infection Control risk Assessment Team, Residential, Millwork and Residential. A Flooring and a Highway and Heavy Construction brochure are in progress.

- Redesign of our website. In addition to ensuring that it is more user-friendly, we have added many new features that allow visitors to explore and better understand the wide range of services that union carpenters and contractors offer.

- Video. While traditional media and messaging remain a strong component of our marketing and public relations campaigns, the digital impact has been overwhelming in recent years, and we have met this challenge. We have greatly increased our digital presence and have added new video content on a regular basis.

- Social media. We have made a significant commitment to our social media platform and maintain our relevancy with timely and interesting updates.

- Pre-Apprenticeship program. Created a new, one-of-a-kind pre-apprentice program directed to minorities and women, which introduces them to the carpentry trade as a career.

All of these accomplishments, both past and our current projects, focus on our singular goal: promoting union carpenters and contractors.

In our promotional efforts, we often highlight the team approach between union carpenters and contractors. On the marketing front, the CCT's highly skilled team is tireless at anticipating and confronting the next marketing challenge or that new digital advance. Just as our carpenters and contractors are flexible within the "new" era of the construction business, the CCT is both willing and capable of pivoting to meet new marketing challenges.

The CCT is both collaborative and focused and we look forward to assisting you. Don't hesitate to contact us.

About the author: Kevin P. McCabe is president of Edison, NJ-based, Carpenter Contractor Trust NY/NJ. Contact him at 732-225-1300 or visit www.cctnynj.org.

USI

SPECIALIZING IN
INSURANCE PROGRAMS
FOR THE CONTRACTING INDUSTRY
FOR OVER 30 YEARS!

COMMERCIAL INSURANCE - HEALTH & LIFE
BOND - PERSONAL INSURANCE

FRANK ABBATIello
FRANK CUTRONE
TEL: 516-419-4000
FAX: 877-727-5171
EMAIL:
FRANK.ABBATIello@USI.BIZ
FRANK.CUTRONE@USI.BIZ
WWW.USI.BIZ

How to Keep From Blowing Construction Bids

Proper job costing, efficient review of scope and accounting for all project costs are three key elements to making sure your construction estimator does not blow a bid.

Blowing a bid has got to be about the most frustrating error a contractor can make. Frankly there is no decent excuse for majorly blowing a bid. Your estimating must be solid. If your estimator blows a bid that means he succumbed to one or more highly avoidable mistakes including overlooking scope, not analyzing historical job cost data and failing to account for all the costs of the project.

Estimating must be based on the reality of your crew's field performance. Far too frequently estimators assume they know the time and cost it takes to perform work without ever having systematically analyzed the historical job cost data. Estimator after estimator develops elaborate estimating systems loaded with production data that has never been verified to be accurate. They commonly use numbers that have been met once in the past under ideal conditions. They assume that since the production crew hit those numbers once they should be able to hit them every time (they have no concept of random variation and how it drives ups and downs in performance).

It really is quite sad how few contractors know their cost of work. Few know how to design and deploy a proper job costing system. Fewer still know how to analyze and correctly interpret the data they collect. It is so rare that those contractors who job cost well almost always possess a strong competitive advantage over their competition.

They know which jobs to price aggressively and which ones to avoid.

Another common estimating mistake is rushing through the takeoff. Estimators must have sufficient time to make and generate accurate takeoffs. Construction drawings and specifications are notoriously inconsistent. Some designers put all of the requirements on the drawings. Some bury many of their requirements in the specifications. Often a critical note is placed on a drawing many sheets away from the norm. The details can be cryptic and difficult to figure out. Digging through all of those documents takes a ton of time. Instead of letting your estimator rush through a takeoff it is far better to cut the number of takeoffs you are processing by a third or more in order to ensure your estimator moves slowly enough to not over-look scope. By far, more bids are blown by overlooking scope than by being overly optimistic on production rates.

A third common estimating error is failing to properly account for all of the costs of the project. Properly allocating for big equipment is the central contributor to this problem. Another common costing error is overlooking overtime or off-shift work that are required to meet the construction schedule. Both lead to a gross underestimation of the required wage rates.

Another important step is to hold your

estimators accountable for the quality of the work they do. Will you jump down the throat of your estimator as fast as you will jump down the throat of your foremen? You should.

If your company relies on salesmen for accurate takeoffs and estimating, good luck with that. Salesmen sell. Estimators predict construction costs. Salesmen need to excel at persuasion. Estimators need to excel at accuracy. The two skills are almost diametrically opposed (right brain versus left brain). Don't expect salesmen to estimate well, and don't expect estimators to sell well.

If you do blow a bid, run the numbers for walking away. It often is much better to walk away than to proceed with the job and hope you'll recover enough to break even — even when a bid bond is involved. For an example, I met an excavator that lost over half a million dollars on a job he could have walked away from for \$60,000. I asked him at what point did he realize his estimator had blown the bid, and he told me it was when the prices were revealed. I asked him why he didn't walk away from the project, and he told me he didn't want to sacrifice his bid bond. He knew his price was \$400,000 low yet couldn't bring himself to sacrifice \$60,000. His story is too common.

Another opportunity to walk away often presents itself. Rarely does a general contractor take a subcontractor's bid as proposed. GCs almost always have to buy-out the project (negotiate away overlaps and voids in each trades' proposal). They then have to reach agreement on a contract with the subcontractor. You may be able to use the inability to reach agreement on contract language as an opportunity to turn down the work — and avoid doing a project you are going to lose money on.

By permission of Author

Ron Roberts /For Construction Pros.com

Ron Roberts, The Contractor's Business Coach, provides business guidance to contractors. To receive a free copy of Ron's report, "The 10 Biggest Mistakes Contractors Make" visit www.FilthyRichContractor.com or contact him at Ron@filthyrichcontractor.com.

Are you making the right assumptions about the people you work with?

Subtle signals from managers can have a profound effect on their teams, research shows, leading to suboptimal performance. One remedy is using abundant, clear communications to help minimize perceived negative signals.

By Tom Moriarty / Reprinted from Plant Services.com

We all make assumptions about the people we meet and people with whom we work. We form impressions of people almost immediately upon interacting with them. Sometimes we observe a behavior once early on in our relationship with a person, and we tag that person with a label that sticks for a long time. Other times we attribute a performance level to a group of people when we know that there is a range of performance levels within the group.

It is important to be aware of our assumptions about people and to understand that we form expectations from those assumptions. The expectations may or may not be constructive.

There is a powerful influence from one person's expectations on another person's behaviors. Behavioral scientists have documented the importance of managerial expectations for individual and team performance. It can become a problem when a leader takes the position that a person or a group of people are fixed in a low performance level. The leader's assumptions about members of that team become a self-fulfilling prophecy: "They've underperformed in the past, they'll always underperform."

J. Sterling Livingston was a well-known Harvard professor and founder of the Sterling Institute. In a January 2003 Harvard Business Review article titled "Pygmalion in Management," Livingston wrote: "The way managers treat their subordinates

is subtly influenced by what they expect of them. If managers' expectations are high, productivity is likely to be excellent. If their expectations are low, productivity is likely to be poor. It is as though there were a law that caused subordinates' performance to rise or fall to meet managers' expectations."

A great deal of research and studies beyond Livingston's have concluded:

- What a manager expects of the subordinate and the way he or she treats subordinates largely determines performance and career progress.
- A unique characteristic of excellent managers is their ability to create high-performance expectations that subordinates are encouraged to fulfill.
- Less-effective managers fail to develop high expectations, and as a consequence, the productivity of their subordinates suffers.
- Subordinates more often than not appear to perform at the level at which they are expected to.

To be effective as a leader, it is necessary to understand that our attitudes toward others will influence their performance. The expectations that managers hold for the performance of others may become a factor in those individuals' success or failure.

In addition, whether our cues are intentional or not, we regularly give away signals that can indicate our feelings about people. A manager may rarely make eye contact with people for whom he or she has little respect. A fleeting facial expression can reveal more than a leader ever intended to. The way job assignments are handed out can be a very visible indicator of our perceptions: Always giving the same person the lowest-skill jobs, for instance, sends the message, "You're not good enough to be trusted with any other work."

A supervisor who dismisses one of his or her teams as a perpetually poor performer is taking the easy route out of leadership. Taking the position that nothing can be done to improve the team's performance is an excuse for the supervisor not to try to guide the team. In this case, the supervisor's manager needs to recognize this trait and provide the supervisor with feedback and coaching.

When frequent and clear communication is lacking, people will tend toward more pessimistic interpretations. Most people want to avoid confrontation, so it is natural that people will tune in to nonverbal signals. Nonverbal indications tend to have more impact because they are perceived to be closer to the leader's true feelings.

Everyone has a need for feedback – an acknowledgement of their existence and an understanding of how they're performing. When you have low expectations for performance, you send corresponding messages. Whether you communicate your

feelings verbally, in writing, or through body language, your message will be received. •

About the author

Tom Moriarty, PE, CMRP, is a former Coast Guardsman having served for 24 years; an enlisted Machinery Technician for nine years, then earning a commission through Officer Candidate School, retired as a Lt. Commander Tom Moriarty, P.E., CMRP is president of Alidade MER. He is a former Coast Guardsman, having served for 24 years; an enlisted Machinery Technician for nine years; earned a commission through Officer Candidate School; and retired as a Lt. Commander. During his final year of service, 2003, Tom was selected as the U.S. Coast Guard's Federal Engineer of the Year; an award sponsored by the National Society of Professional Engineers (NSPE). He is a member of the Society of Maintenance and Reliability professionals, the past Chair of the American Society of Mechanical Engineers (ASME), Canaveral Florida Section, and a member of the ASME Plant Engineering and Maintenance (PEM) Division. He has a B.S. in Mechanical Engineering from Western New England College, and an MBA from Florida Institute of Technology; Professional Engineer (PE) licensed in Florida and Virginia, Certified Maintenance and Reliability Professional, various credentials in management and reliability fields. He can be reached at tjmpe@alidade-mer.com



Schultheis & Panettieri, LLP
CERTIFIED PUBLIC ACCOUNTANTS
Serving Labor for over 85 Years!

Schultheis & Panettieri, LLP
210 Marcus Boulevard, Hauppauge, NY 11788
(631) 273-4778
www.snpcpa.com

PRODUCT NEWS

Rockfon Contour Acoustic Baffles Provide Quietness And Visual Interest In Commercial Interiors

Rockfon® Contour™ frameless, stone wool acoustic baffles provide an alternative, acoustic solution for commercial interiors where suspended ceilings are not suitable.



Ideally suited for acoustical corrections in renovations and retrofits, they also offer acoustic comfort and visual interest as a design feature in new restaurants and cafés, museums, call centers, manufacturing facilities and open-plan offices.

“With a sharp, minimalistic edge and a subtle, elegant bevel, Rockfon Contour frameless baffles hang vertically to create an aesthetically pleasing acoustic solution in challenging spaces,” said Chris Marshall, ROCKFON’s vice president of marketing and business development. “In historic buildings, baffles can be installed around high windows, structural beams, pillars, and other obstacles to maintain the existing architecture, while improving acoustic performance. For a contemporary, linear look, baffle systems also can be used in open plenum ceiling designs to mask the structure above it.”

Rockfon Contour features a smooth texture and white color on both sides to optimize light reflection (LR 0.79). High light reflection supports daylighting

and energy efficiency. Contributing to buildings’ other environmental goals, Rockfon Contour products contain up to 39 percent recycled content. ROCKFON’s extensive portfolio of stone wool acoustic ceiling solutions has earned UL® Environment’s GREENGUARD Gold Certification for low-emitting products. Stone wool also is water-repellent and provides no sustenance to harmful microorganisms. These attributes are recognized by such programs as the U.S. Green Building Council’s LEED® Rating System and the Collaborative for High Performance Schools’ Criteria (CHPS).

In addition to acoustic, light reflection and environmental performance, Rockfon Contour baffles have a Fire Class A rating and are dimensionally stable even at high humidity levels of up to 100 percent relative humidity. For easy installation, these baffles are designed in a modular format of 1 foot 11-5/8 inches by 3 feet 11-1/4 inches by 2 inches. Providing low maintenance and long-term durability, ROCKFON products supplied in North America are supported with a 30-year warranty.

BASF Launches Platinum CI Wall Systems Featuring Neopor® Rigid

Designed to optimize thermal performance, improve impact resistance and comply with new energy codes

The BASF Corporation Wall Systems business have announced the launch of Platinum CI and Platinum CI Stucco wall systems featuring Neopor Rigid Insulation Board.

BASF’s Wall Systems is a leading



manufacturer of exterior insulation and finish systems (EIFS), stucco and air/water-resistive barriers.

Platinum Continuous Insulation (CI) systems are exterior wall claddings featuring platinum Neopor advanced insulation technology - the latest innovation in insulation from BASF. Neopor is a patented rigid insulation board with graphite embedded into the polymer matrix. Graphite reflects infrared energy, thus decreasing the material’s thermal conductivity and increasing its R-value. It also exceeds many ASTM C578 Type II requirements including density, flexural



PRODUCT NEWS

LENOX Gold Power Arc Curved Blades Offer Two Times Longer Blade Life



Continuing to redefine the reciprocating saw blade category, LENOX®

has introduced a curved reciprocating saw blade. The curved design, T2™ Technology and precision applied titanium coating come together in the new LENOX Gold® Power Arc Curved Blades to deliver up to two times

the cutting life of standard LENOX straight blades. The LENOX Gold Power Arc Curved Blades are designed for wood and metal cutting, as well as demolition and extreme heavy metal cutting applications.

“LENOX Gold Power Arc Curved Blades are designed for the heavy reciprocating user who understands the value of investing in a premium product that will deliver superior cutting performance,” said Matt Savarino, Brand Manager for LENOX. “These blades last up to twice as long as standard straight LENOX reciprocating saw blades, allowing trade professionals to be more productive on the job and to achieve more efficient results.”

The Power Arc’s curved design optimizes the cutting angle, allowing the blade to cut aggressively and more efficiently versus a straight blade. In a series of laboratory tests using typical reciprocating saw parameters, Power Arc blades outperformed competitive brands when cutting materials such as nail-embedded wood, black pipe, uni-strut and other common construction materials.

An aggressive blade design and proprietary technologies, such as T2 Technology and a titanium coating, enable LENOX Gold Power Arc Curved Blades to achieve extended life. T2™ Technology

and compressive strength.

“Platinum CI and Platinum CI Stucco wall systems provide an innovative alternative to meeting the new energy standards,” said Peter Daechsel, National Marketing Manager, BASF’s Wall Systems business. “They incorporate remarkably effective continuous insulation to produce superior

R-value prescribed for high performing exterior cladding systems.”

Platinum CI and Platinum CI Stucco wall systems utilize a specially selected, high density (1.45 pcf) Neopor board to optimize thermal performance and improve impact resistance. The boards are available in R-5, R-7.5 and R-10 thermal resistance for ease of design and to ensure energy code compliance. Neopor Rigid Insulation Board is also available in custom thicknesses and shapes.

For additional information about Platinum CI and Platinum CI stucco wall systems, call 1-800-221-9255, or visit www.wallsystems.basf.com.

Advance’s New Adjustable Wipedown Knives



This multi use longhandle wipedown knife features an adjustable angle blade attached to an 18 in. plastic handle threaded for an extension pole. No. 38007 is 7 in., No. 38011 is 11 in.

For more information go to www.advance-equipment.com

and the precision applied titanium coating help to disperse heat – a common reason reciprocating saw blades wear out quickly, allowing the blade to last longer.

LENOX Gold Power Arc Curved Blades can be found at home centers, hardware stores, construction and industrial tool suppliers throughout the U.S. and Canada. The suggested retail price starts at \$17 for a five pack of blades. For more information, visit www.lenoxtools.com.

New Dremel US40 Ultra-Saw™

The Dremel Ultra-Saw is a mini circular saw that was designed for users who want a tool that can do everything the Dremel Saw-Max can do, and more. With

a 7.5-amp motor and a durable drive train, the Ultra-Saw has more power for making long cuts. A metal foot and guard resists the heat generated by heavy-duty jobs like grinding and cutting metal. Large, 3.5- and 4-inch cutting wheels give our small circular saw fast cutting speeds and improved performance in a wide variety of materials. Plus, with our exclusive accessories, the Dremel Ultra-Saw offers the added ability to perform surface preparation tasks like removing paint, rust and thin-set mortar.

3-in-1 circular saw that makes it easy to saw, flush cut, and surface prep.

Long-lasting drive train, metal foot and guard to take on more difficult tasks.

Remove paint, rust, metal and concrete.

Information: www.dremel.com



PRODUCT NEWS

New Hilti Breaker Wins Gold

Newly launched Hilti products took home a gold award as well as four other prizes at this year's "iF Design Awards".

The ceremony honoring the winners of the iF Product Design Award 2015 was held in Munich in March. Several new Hilti tools received the coveted design award. The international jury of experts were particularly impressed with the new generation of the Hilti TE 1000-AVR



breaker, giving it a gold award as the best product in its category. One standout characteristic of the thoroughly revised version of the tool is HiDrive Technology, developed by Hilti, which delivers up to 50 percent greater demolition performance; and it does this with the lowest vibration in its class (5m/s²). Lower vibrations allow the user to work with the tool for an even longer period of time. Other awards were handed out to a direct fastening tool, a cordless drill driver, a rotating laser and a cordless impact wrench.

The jury evaluated the submissions according to design and ergonomic qualities as well as on the topics of innovation degree, safety, functionality and product quality. This year's competition drew some 5000 products from more than



50 countries.

"We are very happy that the interplay of form and function not only generates enthusiasm among our customers but also was able to withstand the critical scrutiny of the design jury," said Hilti's Chief Designer, Stephan Niehaus.

For information go to www.hilti.com

Milwaukee® Powers Up The Jobsite With New M12™ Four Bay Sequential Charger

Milwaukee Tool continues to deliver productivity-enhancing solutions to the professional tradesman with the introduction of the new M12™ Four Bay Sequential Charger (48-59-1204). The new charger accepts up to four M12™ battery packs, charging them sequentially. This allows the user to spend less time swapping out batteries on the jobsite and more time getting the job done.

"With the line expansion of the M12™ system and the wide adoption of the platform, users often have multiple tools and packs," says Tom Simeone, Director of Marketing for Milwaukee Tool. "This unit increases charging productivity, improves transportation and storage of packs, and reduces the amount of space used by chargers."

Featuring a compact design, the M12™ Four Bay Charger is the perfect size for a bench top and easy to store in a contractor bag. For added convenience, the charger also features integrated hang holes for vertical mounting and a skip button to allow users to choose the battery that is charging.

With Milwaukee® REDLINK™ Intelligence hardware and software built in, this charger is also equipped with the most advanced electronic system on the market. To optimize the performance of the battery pack and extend its life, REDLINK™ communicates directly with the battery to monitor cell voltage, temperature and charge status. The new unit will charge M12™ compact



New Wizard Finishing Handle from AMES Works Magic on the Job

Drywall finishing contractors will enjoy greater control, safety and productivity with the new model 8000 Wizard handle from AMES. Unlike traditional, longer handles, the Wizard places users' hands directly over the pressure plate, reducing the effort required to do the job.

The compact handle, 40 percent shorter than similar products, allows for greater maneuverability and control by staying directly in front of the user. Ergonomically and intuitively designed, the reversible front

handle will grip securely and comfortably into the user's hand.

By eliminating standard brake handles, the Wizard eliminates the learning curve associated with them, allowing new users to be as fully productive as seasoned pros. Its small size further simplifies work in tight spots, cutting down on wasted job time.

Learn more at www.amestools.com or call 888-BAZOOKA.



PRODUCT NEWS

Drywall Contractors Can Win More Business in Less Time with New App From CertainTeed Gypsum

Designed by veteran drywall contractor, smart Third Arm Quotes app takes CertainTeed contractors from quote to final billing with ease



Drywall contractors can generate accurate quotes and material lists on the fly thanks to the new Third Arm Quotes app offered by CertainTeed Gypsum. The new easy-to-use tool was designed by drywall contractors for drywall contractors and cuts the time it takes to estimate a job in half, while automatically filing the job information so it is ready when and where it is needed. This means drywallers can now quote more jobs, which provides opportunity for them to win more jobs, too. Once awarded, jobs are also easier to track thanks to the app.

The new app works with all iOS devices and can be quickly downloaded from iTunes. Once downloaded, the digital quote manager can take a drywall contractor easily and quickly through each step of the job management process.

The app was created by veteran drywall contractor Pete Wilson, owner of PR Wilson Interiors of Victoria, British Columbia, who is partnering with CertainTeed in order to help other contractors work more efficiently.

"Originally I developed this app so I could streamline my own business, but then I realized I could use it to help others in the industry work more efficiently, too. I use it everyday and find it to be extraordinarily handy. I particularly

appreciate its connectivity to iCloud, which enables me to access job details from any device. I don't have to have my iPad with me all the time. This means if I am awarded a job onsite, I can open the app right then and there in my phone, connect with my suppliers, and start the job the next day," said Wilson.

The completely customizable digital quote manager eliminates the need for contractors to go back to the office to push paperwork for quotes and material lists as these essential tasks can now be taken care of from anywhere at any time. Within Third Arm Quotes, contractors can create appointments as well as upload customer details including name, phone number, jobsite address, even driving directions to the jobsite. Notably, the tool can create an accurate materials list, which in turn can be emailed to suppliers, along with specific delivery instructions. The app can also help manage subcontractor schedules. In addition, the intuitively designed Third Arm Quotes utilizes iCloud technology so data entered into the app can be accessed across multiple devices.

"The new Third Arm Quotes manager is a truly useful app that takes all the stress out of pricing a job. In fact, it is so easy to use and accessible that it enables contractors to price twice as many jobs in the same amount of time. The more jobs priced, the more jobs won. It's as simple as that, and I think our customers will agree it's a valuable resource for their business," said Stephen Reynolds, contractor programs and finishing business development manager for CertainTeed Gypsum.

CertainTeed customers are invited to try the app at no charge for 30 days. Learn more at www.thirdarmquotes.com.

batteries in 30 minutes and extended capacity (XC) batteries in 60 minutes.

Available now the M12™ Four Bay Charger is compatible with all M12™ batteries. Now offering 70 cordless Lithium-Ion products, Milwaukee® is committed to the ongoing development of the M12™ system and will continue to provide innovative solutions that offer industry leading reliability, performance and ergonomics.

More information: www.milwaukeetool.com

New RC-XL Resilient Sound Channel from Phillips Mfg.

Phillips carries a standard duty size RC-1 Tru-25® and RC-1Weath-Ex® Tru-25®. In response to customer



demand, Phillips engineered and will now manufacture a larger resilient sound channel, RC-XL. Resilient sound

channels are manufactured to exacting specifications to minimize sound transmission through wall partitions and ceilings.

Phillips RC-1 products work great to prevent ridging and cracking in ceilings and are deeply knurled for positive screw placement and to eliminate wandering. The expanded width of the new RC-XL fits a wider variety of UL fire-resistance rated assemblies. UL provides safety-related certification, validation, testing, inspection, auditing and is approved to perform safety testing by the US federal agency, OSHA. Having a resilient sound channel that meets 30 UL Assemblies is how Phillips delivers to our customer's high standards.

Information: www.phillipsmfg.com

PRODUCT NEWS

Crisp, White Finish Now Available for Armstrong® Linear Wood Grille Looks

New finish also available on linear solid wood panels



Armstrong® Ceiling Systems has added a crisp, white painted finish to its line of WoodWorks® Grille Ceiling Systems, giving architects and designers the flexibility to brighten a space with a linear grille visual.

The new white finish, which is also available on WoodWorks Solid Linear panels, offers a contemporary, specialty look in a standard product.

With the addition of the new Grille White finish, WoodWorks Grille and WoodWorks Solid Linear are now available in five finish selections, including Grille Maple, Grille Light Cherry, Grille Dark Cherry, and Grille Walnut. Custom finishes are also available.

Backer and Dowel or Tegular Panels

WoodWorks Grille is available in Backer and Dowel or Tegular panels. WoodWorks Grille Backer and Dowel panels are available in two standard

blade sizes and are easily installed in the ceiling, on the wall, or as 90-degree angled or faceted ceiling-to-wall transitions. The solid wood panels can be ordered in custom blade sizes. A custom curved application with flexible backer is also available.

WoodWorks Grille Tegular panels feature solid wood blades that can be installed in a linear fashion or patterned for endless variety. Available in either vertical or horizontal blade patterns, the panels are designed so the suspension system virtually disappears. Continuous looks and clouds can be created with Axiom® Vector® trim.

For more information about WoodWorks Grille and WoodWorks Solid Linear, visit armstrong.com/woodworks, chat live, or call a U.S.-based TechLine expert at 1-877-276-7876, press 1.

Johns Manville Introduces New Roving For SMC, Panel And LF-PU

Johns Manville (JM), a market-leading manufacturer of glass fiber products, announced the introduction of new multi-end roving for SMC (Sheet Moulding Compound). MultiStar® 264 roving is designed to increase mechanical performance in multi-purpose polyester resins while improving run-out and glass distribution for a variety of applications in the transportation, electrical and building industries.



MultiStar® 566 roving is designed for excellent resin translucency in panel components used in the building industry.

MultiStar® 576 is designed for high-speed processing in polyurethane reinforcement systems.

The MultiStar® roving support JM customers in a variety of process technologies, such as SMC, spray-up, GMT, pipe fabrication, panel molding, PU-reinforcements and gypsum boards.

“Our continuous investment in product innovation is based on more than 45 years of expertise and highlights our commitment to this market segment,” said Brian Sapp, Global Fibers Business Director for JM Engineered Products. “These new products give added strength to JM’s large family of glass roving used for thermoset applications.”

Information: www.jm.com •

Study Finds That OSHA Underestimated Cost of Silica Rule by \$4.5 Billion a Year

Estimate One of Several Examples of How Agency Fundamentally Misunderstands Construction Industry, Raising Questions About Overall Rule

A new report released by the Construction Industry Safety Coalition (CISC) found that the Occupational Safety and Health Administration’s (OSHA) proposed silica standards for the U.S. construction industry will cost the industry \$5 billion per year—roughly \$4.5 billion per year more than OSHA’s estimates. The coalition cautioned that the flawed cost estimates reflect deeper flaws in the rule and urged the federal agency to reconsider its approach.

OSHA’s proposed rule, intended to drastically reduce the permissible exposure limit (PEL) of crystalline silica for the construction industry, has been underestimated by the Agency to cost the construction industry about \$511 million a year. The new estimates released today by CISC estimate that the costs to the industry will actually be approximately 10 times the OSHA estimate—costing nearly \$5 billion a year.

The cost and impact analysis from OSHA reflects a fundamental misunderstanding of the construction industry. The OSHA analysis included major errors and omissions that account for the large discrepancies with the CISC report. The CISC report estimates that about 80% of the cost (\$3.9 billion/year) will be direct compliance expenditures by the industry such as additional equipment, labor and record-keeping costs. The remaining 20% of the cost (\$1.05 billion/year) will come in the form of increased prices that the industry will have to pay for construction materials and building products such as concrete block, glass, roofing shingles and more. OSHA failed to take into account these additional costs to the construction industry that will result from the proposed standard, which will then be passed down to customers in the form of higher prices.

Not only will the proposed rule be more costly than originally estimated, but it would translate into significant job losses for the construction industry and the broader economy. The CISC estimates that the proposed regulation would reduce the number of jobs in the U.S. economy by more than 52,700 yearly. That figure includes construction industry jobs, jobs in related industries such as building material suppliers, equipment manufacturers and architects, as well as losses in non-construction sectors. Additionally, the losses are full time employee positions. Factoring in the many part-time or seasonal jobs, that number could increase to close to 80,000 positions lost.

“We are deeply concerned about the misguided assumptions and cost and impact errors that OSHA has relied upon in creating this proposed rule that will significantly affect our industry,” said NAHB Chairman Tom Woods, a home builder from Blue Springs, Mo. “This report reveals the critical need for OSHA to withdraw its proposed rule until it can put forth a technologically

and economically feasible rule that also works to improve industry workers health and safety.”

“This report clearly demonstrates OSHA’s lack of real world understanding of the construction industry and raises serious questions about their ability to responsibly craft industry standards,” said ABC Vice President of Government Affairs Geoff Burr. “We hope that this report will lead OSHA to withdraw its proposed rule and work more closely with the construction industry to emphasize compliance with the current standard.”

“These errors raise serious and significant questions about many of the other assumptions the agency relied upon in crafting its new rules,” said Stephen E. Sandherr, the chief executive officer of the Associated General Contractors of America. “We need measures in place that are going to allow all of us to continue the significant improvements in silica safety the industry has made, and the sad truth is that the agency’s rule is too riddled with errors to do that.”

“The assumptions that were made by OSHA in developing this rule are completely off base and we hope this report adequately tells the truth of what this rule will truly mean to the construction industry. We believe the current silica rule has done a fantastic job of reducing related illnesses so much so that it is still declining every year and current projections have it being eliminated over time,” according to Jeff Buczkiewicz, President of the Mason Contractors Association of America. “Our industry needs a rule that is based on real world construction site scenarios that is not technologically and economically infeasible to implement and this report clearly shows that this rule does not fit that bill.”

The full CISC report, which was also submitted to OSHA, can be found at: www.nahb.org/silicareport.

*The members of the CISC include: The American Road and Transportation Builders Association, American Society of Concrete Contractors, American Subcontractors Association, Associated Builders and Contractors, Associated General Contractors, Association of the Wall and Ceiling Industry, Building Stone Institute, Concrete Sawing & Drilling Association, Construction & Demolition Recycling Association, Distribution Contractors Association, Interlocking Concrete Pavement Institute, International Council of Employers of Bricklayers and Allied Craftworkers, Leading Builders of America, Marble Institute of America, Mason Contractors Association of America, Mechanical Contractors Association of America, National Association of Home Builders, National Association of the Remodeling Industry, National Demolition Association, National Electrical Contractors Association, National Roofing Contractors Association, National Utility Contractors Association, Natural Stone Council, The Association of Union Constructors and the Tile Roofing Institute. **

BISON BOARD™



Build your business **Bison Strong™** with Continental Building Products' full range of **Bison Board™** drywall and finishing products for commercial and residential projects.



LAFARGE GYPSUM
IS NOW



CONTINENTAL™
BUILDING PRODUCTS