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ISSUE 1 • 2009

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Rich Lynch
2009 AGC of Wisconsin President

The construction industry needs to stick together and understand our collective challenges.

Message from the **PRESIDENT**

Working Together to Strengthen the Industry and Wisconsin

J.H. Findorff & Son has a long legacy of leadership with AGC of Wisconsin. In the last 65 years, six Findorff executives, including myself, have served as the AGC of Wisconsin President. Without a doubt, each term provided its own challenges. Today is no exception as we are now faced with extraordinary challenges as our country's economic system is under incredible pressure to rebuild. As a result, the construction industry's reliance on the economic system has left our industry smack in the middle of this turmoil.

Historically, the construction industry has rallied together to stimulate and rebuild during this country's difficult times...examples being the periods following the Great Depression, two World

Wars and the September 11th attacks. During these tough times, AGC brought the industry together to demonstrate that the construction industry has the leadership, insight and dedication to focus and rebuild. Today is no different and we need to come together as an industry to be part of the rebuilding.

So clearly 2009 is an interesting time to be in leadership! The day to day challenges associated with running a company are multiplied as survival becomes a focus. However, rebuilding means that we must continue to invest in the future. Continued investment in the people and process that make this industry work is critical. AGC leads the way in Wisconsin with Workforce Development and we cannot let up now. A landmark program with the Department of Public Instruction (developed by AGC) is piloting this year to provide high school students a work experience in construction. In addition, AGC continues to offer a wide array of professional development programs to its members that provide project management, estimating, business development, safety and leadership training for contractors. Investing in the people that make our industry thrive is critical for our ability to succeed when the economy rebounds. **As an industry, we need to remain committed to initiatives that build our workforce and prepare us for the future.**

Watching other industries in turmoil during the last year is a good example of why the construction industry needs to stick together and understand our collective challenges.

AGC prides itself on representing the whole construction industry....general contractors, specialty contractors and suppliers and service providers. During the last few years, AGC of America led the development of a new series of contracts that protects the col-

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lective interests of contractors better than any contract in the past. In Wisconsin, AGC works with many other industry trade associations to develop recommendations for issues like project delivery, minority preferences and prevailing wages that are fair for all parties.

While many of us are competitors, we need to respect each other and the challenges we share. We need each other to succeed. **As an industry, we must remain committed to working together to strengthen the industry.**

As a group, the construction industry has the ability to dramatically help Wisconsin citizens and the State of Wisconsin survive the current economic crisis. AGC of Wisconsin recently commissioned a study that reveals the substantial impact that construction has on the state and its people. Every \$1 spent on construction results in:

- an economic impact of \$1.82
- the creation of 18 jobs throughout the economy, and
- an additional \$86,000 in state and local tax revenue

As a group we need to come together to raise the awareness of the impact our industry has. AGC is the conduit that allows us to send a unified message to our elected leaders and business leaders about the positive impacts construction has on the economy. **And as an industry, we must use our skill, integrity and responsibility to help Wisconsin survive.**

I am honored to serve as the 2009 President of the AGC of Wisconsin. There is no doubt that this will be a challenging year for us all. However, if we remain committed to building our workforce, working together and strengthening Wisconsin, our industry will emerge stronger and better prepared for the future as the economy comes around. ■

To learn more about membership, contact
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Bob Barker
AGC of Wisconsin
Executive Vice President

Message from the **EXECUTIVE VICE PRESIDENT**

Yes SIR

About every six weeks I agonize over what to write about in this column. This column was no different. Recent events put an end to my internal debate. This column is about adhering to AGC's motto of SKILL, INTEGRITY AND RESPONSIBILITY (SIR).

As you can imagine AGC staff members hear all kind of scuttlebutt about what's going on in the industry – good and not so good. Recent events highlighted the not so good.

A significant project was scheduled to be bid and we understand that there were about fifteen general contractors on hand for the public bid opening. At the public bid opening the architect and/or city officials decided to not bid the project on that day, and move the bid date to the following week. Rightfully so this decision upset many general contractors who worked hard to respond to a late addendum, and prepare bids based on reportedly poor plans.

Not only did this decision make life difficult for the bidding general contractors, it exposed the subcontractor and supplier community to potential unethical practices, like bid shopping. We heard from members who complained to the architect and city officials. The architect and city officials downplayed the decision as necessary because of the late addendum. While AGC's motto is intended to relate to the need for contractors to display SKILL, INTEGRITY AND RESPONSIBILITY, the same should be true for design professionals and public body officials.

Recent bidding has revealed examples of bid shopping. Bid shopping does not reflect SKILL, INTEGRITY AND RESPONSIBILITY, and is considered unethical by all industry standards. General contractors who shop bids hurt the industry, and this activity should be strictly forbidden by all general contractors as stated by company policy and/or a code of ethics.

For the past year or so AGC has been part of the debate related to alternative project delivery on state projects, and the state's desire to utilize more single prime bidding without the need to waive the multiple prime statute. Obviously, bid shopping is a major concern of the subcontractor community when considering this statutory change, and rightfully so. General contractors who shop bids hurt AGC's arguments in favor of single prime.

Pressures on profitability and providing value for clients are tremendous.

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Maybe now is the time for leaders to have the discussion with their project management and estimating staffs that their company intends to adhere to AGC's motto of SKILL, INTEGRITY AND RESPONSIBILITY by maintaining the highest of ethical standards.

The current state of the industry requires that the contractor community unite and help each other survive the daily tough decisions and challenges facing companies. The adherence to AGC's motto of SKILL, INTEGRITY AND RESPONSIBILITY is important to help us through these tough times. ■



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Sample Code of Ethics

We will be recognized as the leader in providing construction services to the highest standard of quality for our clients by:

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Quasius Construction

by Mark Crawford

It is not easy staying in business for over a century—it requires steady vision, unwavering commitment to quality and integrity, and the desire to listen closely to a client's needs.

"We make our clients' concerns, our concerns," says Matt Quasius, Director of Operations for Quasius Construction Inc., a general contractor based in Sheboygan for 118 years. "That is the way we have done business since my great grandfather started the company in 1891", he adds.

Today, Quasius Construction provides general construction, construction management, and design-build delivery services. It specializes in the industrial, retail, office/medical, commercial, and institutional markets and self-performs demolition, rough and finish carpentry, masonry, concrete, and millwork.

"About 30 to 40 percent of our volume comes through hard bidding," says Quasius. "The remaining 60 to 70 percent is a mix of design/build and negotiated general contractor work." Anchored by a strong base of repeat clients, Quasius Construction generates annual sales of about \$20 million, making it a leading construction firm in eastern Wisconsin.



Sheboygan — home of Quasius Construction since 1891.

A skilled carpenter, George Quasius founded the company in 1891 and focused largely on building private homes in Sheboygan and eastern Wisconsin. In the 1930s his sons, Arthur, Raymond and Leslie, joined the firm and helped expand it into light commercial and industrial construction. Being on the leading edge of new markets has always been a trademark of Quasius Construction—in the 1970s and 1980s it moved aggressively into the retail market, constructing 40 department and discount stores for the H.C. Prange Company over a three-state area. It also did much of the extensive renovation that transformed Kohler's American Club into a luxury hotel complex. In 1993, David Quasius, George's grandson, became President. Matt Quasius, Director of Operations, joined the company in 2003 and represents the fourth-generation of Quasius leadership.

Quasius Construction continues to evolve, responding to changing markets and incorporating new technologies and services to provide as much added value for clients as possible. "We are always looking for ways to do things better," says Quasius. "We have greatly expanded our project management team and our focus and ability to deliver a multitude of construction services. Every employee is focused on building relationships. We want to be the first call when a client has a building-related question or is contemplating work. From site selection and feasibility analysis to preliminary design and cost benefit analysis, our mission is to provide the options that enable our clients to make smart and informed business decisions."

"We strive to do what is in our customer's best interest. Which is occasionally not what they initially ask us to do" says Quasius. "For example, we had an opportunity to submit a design-build proposal to a prospective client for a large addition. The company explained what they were looking for and asked for a conceptual plan and budget. After a lot of head-scratching, we came to the conclusion that their proposed plan really did not fit their needs. As a result, we presented four options—three variations on what they had requested and a completely differ-



Jefferson Elementary School — Sheboygan, WI

ent fourth option. After a lengthy Friday meeting in which option 4 was not being embraced we left their office thinking, 'Well, it was worth a try.' With a weekend to think about it, we got the call Monday morning that they'd like to talk more about option 4. That is the one they went with and we have done other projects for them since. They told us they liked 'that we didn't just do what they had asked, we did much more – we understood their needs and presented options.'"

Workforce Excellence

As a union contractor, Quasius Construction is signatory to the Carpenters, Laborers, and Masons and employs the top talent in the area. This is reflected by the high quality of work, outstanding safety record, and low worker turnover. Dave Quasius, President, has been working in the family business since 1972. He states that "our commitment to building relationships is reflected company wide. We are excep-

tionally proud of our ability to retain high-caliber people throughout the organization. Many of our field personnel have 20 or more years of experience with Quasius. Vice presidents and owners, Steve Woods and Gerry Jochman, joined Quasius in 1985. Additionally, front office staff Lisa Evraets and Jenifer Wilke celebrate 20 and 30 year anniversaries with Quasius in 2009."

"With that kind of tenure, it is important not to get too comfortable with the status quo. The best way to keep getting better and more efficient, as well as add value for clients, is through education and training," continues Dave. This includes keeping clients informed about different delivery systems and building techniques and materials, including energy efficiency and green building.

Quasius Construction encourages continuing education training for both field and office personnel. "Working



Sheboygan Police Department — Sheboygan, WI



Longfellow Elementary — Sheboygan, WI

together with local and regional union trainers, we routinely host hands-on and classroom training sessions for our workforce on a variety of important topics," says Dave. "We've been especially impressed with our local carpenters and their willingness to partner with us to offer project-specific onsite training sessions, such as scaffolding, forklift, and OSHA. Several of our employees individually compiled over 100 hours of training for 2008."

Quasius Construction has been a member of the AGC since 1989. "We've been extremely pleased with the AGC, as our 20 years of membership will attest. From the AGC's advocacy work on both state and nationwide levels, to its safety and educational programs we believe the vision and mission of the AGC to be right on. It is especially difficult for small and medium size contractors to be experts in everything. That's where membership with the AGC can be a tremendous benefit."

Communication skills are paramount for safety, efficiency, quality. "From shop foremen to the President, the importance of good communication cannot be overemphasized," Quasius says. "Projects aren't completed individually—it takes a large team, from architects and engineers to subcontractors and suppliers, working with our project management and field forces, to get the job done. Great communication results in a high-quality product, on-time and within-budget delivery, and satisfied owners."

Outstanding communication is also essential for building relationships among employees, clients, and the community. "Quasius Construction and our employees are very active with several local not-for-profits, including the YMCA, Bookworm Gardens, RCS Empowers (a rehabilitation center), Rebuilding Together, and the John Michael Kohler Arts Center," says Quasius. "At our annual holiday party we encourage guests to donate to a Salvation Army Kettle and the company then matches the amount collected. For our 2008 event, Quasius Construction raised \$8,000 for the Salvation Army."

In addition to financial contributions, the company recently built and



Sharon S. Richardson Hospice —
Sheboygan Falls, WI



donated a ten-position awards platform for the National YMCA gymnastics competition. President Dave Quasius, along with other Sheboygan business people and celebrities, participated in a “Dancing with the Stars” fundraiser for Lakeland College. Quasius Construction is also partnering with the John Michael Kohler Arts Center and artist Anne Wallace to install an original, public art piece that celebrates the community and the individual stories of local families that make the community unique. Quasius will form and pour the sidewalks and work with the artist and community volunteers to stamp the stories and embed imagery into the sidewalks – paving the way for a walk through local history.

Selected Projects

Sheboygan Police Department, Sheboygan

This \$6.7-million project was completed in November 2008. The new headquarters for the Sheboygan Police Department consists of 33,626 square feet of offices, specialty spaces, lockers, interview rooms, evidence processing, and municipal courtroom and 10,517 square feet of vehicle garage and drive-

through sally port. “The new building is located on an old landfill that was closed and covered in the 1960s,” says project manager and vice president Gerald Jochman. “Foundations were reinforced with geopiers compacted under strip footings.” The steel-frame construction supports horizontal metal siding and decorative masonry. The courtroom is covered with insulated channel glass on two sides for maximum natural light.

“Quasius was very easy to work with,” says Sheboygan Chief Tim Eirich. “They were always accessible and had the best interest of the city and police department at heart. Team leaders were quick to point out deficiencies in our plan and how we could save money and still have the building we wanted. They saved the city about \$300,000.”

Sharon S. Richardson Hospice, Sheboygan Falls

A community hospice home for terminally ill patients, this \$5.8-million, 29,878-square-foot building provides three patient wings with 18 rooms, complete food preparation and dining facilities, nursing stations, family lounges, library, and chapel and set in a

beautifully rural setting. The grounds are landscaped with natural flower gardens, a gazebo, paths, and pond.

High clerestory lighting is provided in all the wings, which are laid out in a 60-degree fan from each other “to allow better views of the gardens and outdoor landscaping from each room, incorporating the maximum natural light and beauty,” says Jochman. The layout was challenging because each wing has several sawtooth walls that maximize exposure to the outdoors, with double-wide French doors that allow patients to be wheeled outside their rooms if they desired.

“The onsite job superintendent and other staff were readily available and responsive as daily decisions needed to be made,” says Nichol Slabe, administrator and CEO for the hospice. “The weekly construction meetings were a helpful communication tool that brought owner representatives together with all the key contractor representatives to address questions and issues in a timely manner. Everyone who visits our center is impressed with the design and construction of this beautiful building.”



Bethlehem United Church of Christ — Kiel, WI



Lakeland College, South Hall — Sheboygan, WI



Stefanie H. Weill Center — Sheboygan, WI

Jefferson Elementary School, Sheboygan

This \$7.1-million, 58,000-square foot elementary school for the Sheboygan Area School District was built in 2005-2006. "The structural steel support skeleton was designed for a possible future third floor," says project manager Steve Woods. "As a cost-savings measure, the exterior walls are structural-steel stud curtain walls with sheathing and facebrick. An interesting design detail was salvaging some of the stone arches and columns from the existing building for reuse on the interior of the new school."

Safety, coordination, and planning were especially important for this two-phase project, which involved constructing the new school less than 10 feet from an occupied 1895 three-story school. With only limited space for construction materials and trailers on the inner-city site, extra care and planning were necessary to insure safe access for students, teachers, and parents while keeping the jobsite secure and all subcontractors productive.

"As with most school projects, finishing late was not an option," says Woods. "The aggressive schedule, hampered by delays in steel delivery, was achieved and the move from the old school to new school occurred as planned over spring break."

"This was a very complex project," states Wayne Kolzow, the recently retired coordinator of facilities services for the district. "Quasius was a valuable member of the project team and their expertise in construction management was an important component in each phase. They provided a high level of coordination and communication, which was critical to the successful completion of the project within the established timeline and budget."

Bethlehem United Church of Christ, Kiel

Quasius Construction built this \$1.1-million, 11,900-square-foot church June through December 2005. Features include a sanctuary, gathering space, offices, classrooms, and kitchen. Construction consisted of wood framing with scissor trusses over the sanctuary. The existing steeple was renovated and stained-glass windows from the original church were salvaged as

design elements, blending the old with the new.

"We worked with the church building committee for three years while the decision to either build an addition to the existing church or a new church was debated," says Woods. "Only through multiple design options and cost-benefit analyses was consensus reached to build a new church, rather than add on to the existing building."

"Quasius was very professional," says Gene Radder, building and ground chairman for Bethlehem United Church of Christ. "I was in contact with them every morning at 6:45 to discuss what was going to get done that day, and it always got done. There was not a single change order and it came in at exactly the cost they promised. They showed tremendous leadership throughout the project and the quality of the building is above what we were expecting."

Lakeland College, South Hall, Herman

This \$2.08-million, 14,560-square-foot resident apartment complex accommodates 64 students. Features include 2,700 square feet of commons space, a two-story stone fireplace, large-screen TVs, and a serving kitchen. "The wood-frame exterior is clad with aluminum and brick veneer," says Jochman. "Two-story glass exposes the front of the commons at the entrance." Challenges included a very tight budget and the proximity of the construction site to a designated wetland area.

"The Quasius staff was easy to work with, knowledgeable, and professional," says Lew Apel, director of facility management and planning for Lakeland College. "They always responded right away to any questions or issues. We received a building that met our vision, being both functional and attractive, on time, and within budget."

Leonard Louis A. Gentine Center, Plymouth

Sargento Foods hired Quasius Construction in 2007 to undertake this \$2-million, 16,000-square-foot remodeling project, which consisted of remodeling a former mechanical fabrication shop into a modern technology center with



Leonard Louis A. Gentine Center — Plymouth, WI



both private and open office spaces and a multiple-use training center. (Quasius Construction built the original building in 1971.) According to Chris Meyer, Facility Engineer for Sargento Foods, "Quasius did an exceptional job of meshing the actual site conditions to plan and specification variances and the original warehouse and shop design to new 'open style' offices, and deciphering the actual needs and wishes of the Sargento design team (including one very persnickety Lou Gentine)."

"Windows and skylights were added to bring in an abundance of outside light," says Woods. "All exterior walls were rebuilt with structural steel studs with a detailed EIFS applied as the finished surface. With new MEP systems installed, this is essentially a new building."

The Future

Quasius Construction will keep doing business the way it always has – building relationships that last. The economy, of course, is a challenge, both for the company and its clients.

"With announcements of layoffs everywhere you look, it can be hard to keep in mind that not all companies are closing their doors or laying off employees," he says. "Many companies are holding their own, and those with

certain specialties are thriving. Tough times can separate leaders from the rest of the pack. With a proactive approach and a positive attitude, we plan to lead the way."

Overall, 2009 has been a little slower than the peak a few years ago, but steady. "The bid market has been very competitive but there are opportunities out there," says Quasius. "New projects are not quite as large as those we're completing now, but that is okay. As some projects in the pipeline have been put on hold, other opportunities have arisen. We are also taking advantage of the slowdown to update marketing material, revisit our strategic plan, and do more training."

Quasius Construction is also continuing to build its relationships with clients through this downturn. "We are doing our very best to partner with clients and prospects to get the most out of their construction planning, even if it is just answering questions about the market right now, building designs or material costs, financing options, or suggesting other ways to approach a decision they need to make," says Quasius. "They know they can depend on us to be there." ■

Quasius Construction has been a member of the AGC of Wisconsin since 1989.

Illingworth-Kilgust Mechanical

ILLINGWORTH AND KILGUST UNITE TO PROVIDE WISCONSIN BUSINESSES RELIABLE, LEADING-EDGE AND COMPREHENSIVE MECHANICAL AND HVAC SOLUTIONS

Illingworth Corp. and Kilgust Mechanical, Inc., two EMCOR companies with 115 years total experience serving Wisconsin businesses, have been combined to provide, comprehensive, leading-edge HVAC and mechanical systems solutions statewide. Illingworth-Kilgust Mechanical, with offices in Milwaukee and Madison, offers a diverse range of clients a host of services, including design, installation, commissioning and maintenance of high-performance mechanical systems.

"Across healthcare, education, public/government, manufacturing/industrial, and more, we have a proven track record of helping clients achieve more efficient operations, reduce energy consumption, and realize a more effective response to today's most complex and demanding facilities challenges," said Dan Pfeifer, President of Illingworth-Kilgust Mechanical. "Particularly in today's challenging economy, we recognize that businesses need the efficiencies and expert capabilities a single source provider offers, as well as the confidence that doing business with a financially sound organization like EMCOR affords."

Illingworth-Kilgust Mechanical is known for its work on high-profile projects in Wisconsin. In the Madison area, work was completed on the first phase of Capital West, an 11-story residential condominium and is ongoing at the University of Wisconsin School of Medicine Faculty Office Building. Projects in the Milwaukee area include the Potawatomi Bingo Casino and Harley-Davidson Museum.

According to David Bultman, Vice President, Illingworth-Kilgust Mechanical is continually investing in new technology to create efficiencies,

ensure safety and improve quality control. "Our leading edge sheet metal and industrial piping prefabrication facilities use today's most advanced technologies, including computerized plasma cutting tables, spiral helix machines, and automated pipe welding to custom fabricate ductwork and industrial piping assemblies," he noted. "Comprehensive Building Information Modeling (BIM), employing the latest 3-D computer assisted design technology, enables us to virtually design a facility's entire mechanical system, avoiding potential design conflicts, and therefore delays to projects, early in the process."

As an EMCOR company, Illingworth-Kilgust Mechanical brings to clients the benefit of being a local provider of services with the financial and bonding strength of an industry leader. A Fortune 500® leader in mechanical and electrical construction, energy infrastructure, and facilities services for a diverse range of businesses, EMCOR was named the World's Most Admired Company in the Engineering/Construction Industry, by FORTUNE Magazine, as well as the Best Managed Company in the Construction Industry, by Forbes Magazine, both for 2009.

Another factor in the company's continuing success is its commitment to safety. Illingworth-Kilgust was recently were nominated for the Wisconsin Council of Safety (WCS) 2008 Corporate Safety Award. EMCOR was selected by CNA Insurance companies as the first recipient of its Chairman's Safety Innovation Award, which recognizes an organization's exceptional safety performance and commitment to safety and accident reduction.

"At Illingworth-Kilgust Mechanical and within the entire EMCOR organization we are passionate about the safety of our workers and their safe return home from work every day; we have made a commitment to the goal of achieving zero accidents and won't be satisfied until we've met that goal," Mr. Bultman said."

Looking ahead, Mr. Pfeifer believes Illingworth-Kilgust Mechanical's future success will be the result of a corporate culture that combines an entrepreneurial spirit with an ongoing commitment to clients. "We have a strong entrepreneurial culture of a local firm, coupled with the financial strength of a Fortune 500 company," he said. "We understand that our employees are our greatest asset and that customer service is much more than a marketing slogan, but a way of life for a successful organization."

For more than 10 years Kilgust Mechanical has been a member of the AGC of Wisconsin. "We have utilized the professional education through AGC to enhance our safety and project management skills" says Bultman. "Serving on the Specialty Contractor Board of Directors for the last couple of years has given me the opportunity to get more involved in working with AGC on promoting our industry and the best practices that make all contractors more successful" he continues. "AGC offers a lot of very valuable services for specialty contractors like Kilgust and we find them to be a valuable business partner in our success as a contractor."

For more information about Illingworth-Kilgust Mechanical, Inc. contact Dan Pfeifer, President, at 414.476.5790 or Dave Bultman, Vice President, at 608.222.9196. www.illingworth-kilgust.com, email: daveb@kilgust.com. ■



Illingworth-Kilgust has been a Specialty Contractor member of the AGC of Wisconsin since 1996.

DEAR BARRY,

Q

We are a general contractor starting a new project of considerable size. What would be a good way of getting our schedule together, how will it benefit the project, and what should be included?

A

Thanks for the question. There are many things to consider when starting a project and taking the time to put a thoughtful and detailed schedule together. The most important part of the process is getting input from all of the subcontractors involved.

It's probably easiest for me to give you a random list of the positive things that go along with the scheduling process and also some methods used to develop the schedule.

1. Verify the start and end dates with the Owner and architect.
2. Refer back to your final estimate on the project and use the divisions within the estimate to establish a basic list of tasks. One can then further breakdown these divisions into individual steps and sequence of the project. For example, concrete could break down to include concrete footings, foundations and concrete slab. Repeat this process and expand each division to further define the construction process.
3. Always make sure you are establishing milestone dates. These dates are established as check points during the project you can use to gauge if you are on schedule or behind. An example of a milestone date would be completion of building shell or being watertight to start interior construction.
4. Add durations for each division and verify you utilize the right sequence for building the building.

5. Engage all subcontractors for the project to ensure that everyone on the project team can meet the project completion date. For more difficult projects, a scheduling meeting with all subcontractors may be needed prior to completing the schedule. Meetings can take place with subcontractors individually or all at the same time. Either of these methods works, although a separate meeting with each subcontractor allows more input from both parties to develop work items and time restraints. For self-performed work that the general contractor is performing, refer to your estimate for establishing durations for each trade of work that you would be performing.

Always review the time of year that the project will be constructed and when different phases of the project will fall in the different seasons. You may want to consider extra days for weather delays and a method to track the impact of the delays. These delays can drastically effect the completion of the project and create problems for the subcontractors on the tail end of the project. The start date, completion date, overtime requirements and any liquidated damages should all be noted during the first meeting.

Whenever possible, shop drawing submittal and approval should be incorporated into the schedule and in the subcontracts. Delays in either submittals or approvals can be a great detriment to timely delivery of materials. Remember to send this schedule to the architect and engineers so they understand when the submittals are required to be returned. Per-

mitting and State or local submittals should also be included if applicable. Establishing any other preconstruction items at the front of the schedule will ensure that no steps are missed prior to the start date.

Preconstruction scheduling meetings will help build teamwork between all of the contractors, and give everyone a chance to get to meet the other managers and foreman. Hopefully it will lessen some of the adversarial relationships on the project and solve some of the conflicts on the job site before they develop.

The meetings should start a dialog that ties into some of the sequencing problems we discussed in the last Dear Barry column. It should help define potential conflicts and barriers ahead of time, therefore ensuring the successful completion of the project.

If the owner is involved in the meetings, a well run and thought out meeting and agenda will give them comfort knowing that they have chosen the right General Contractor for the job.

There are a number of good software programs on the market that tie critical paths together, proving to be a very valuable tool in keeping a project on time.

It is important to update the schedule daily so that delays can be addressed and changes can be made ahead of time. By doing this, contractors don't end up with dealing with a compressed schedule that requires stacked trades or additional overtime and problems can be minimized.

REMEMBER: A good schedule that is kept current will allow contractors to optimally plan their work crews and schedule material deliveries to the job site. It helps with the sequencing of work to allow all contractors adequate time to get the work done in the most safe and efficient manner and makes for a more harmonious project.

Barry Cade

Have a Best Practices question for Barry?

E-mail: BarryCade@agcwi.org



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Rob Tortelli, Vice President Surety, has been an AGC Wisconsin Associate Member since he began his career in the industry nearly 23 years ago as a company underwriter for USF&G and later as the head of Security's Bond Department.

Since 2004, Rob has served on the AGC Wisconsin Legislative Committee and was an Associate Board Member in 2006. In 2008, Rob served as Vice President for the Board and now assumes the President's post for the 2009 Associate Board.

For more than 25 years, Security Insurance has supported Wisconsin's construction industry through AGC and other construction-related associations. Rob credits AGC's staff for its ongoing commitment to the industry, membership, and issues important to construction in Wisconsin.

For more information on Security Insurance, please visit <http://www.securityins.net> or contact Rob Tortelli, (262) 785-9490. ■



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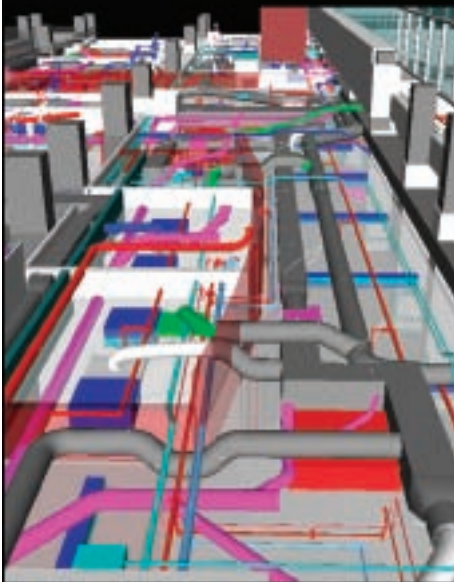


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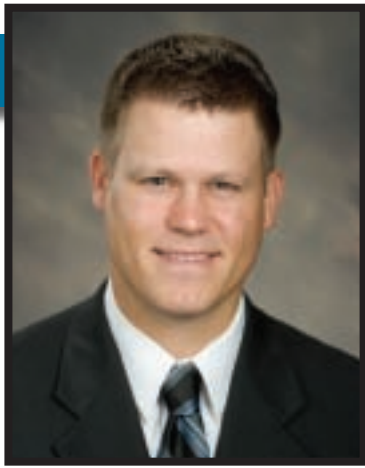
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FINANCIAL MANAGEMENT

Construction Contracts: Professional Review Remains Critical

It's important to have a better understanding of what you're signing and what the potential pitfalls may be.

As a general rule, most contractors take some time to review contracts, or have a third party review contracts before signing them. The scope of the work, what's involved in performing the work, or whom the contract is with, may dictate the degree to which you read before you sign.

In many instances, there are terms and conditions that are easily interpreted, understood and complied with. But, as you may imagine, there is a percentage of time where contracts are signed and in essence have bound one contractor, contractually, to another, with agreed upon terms and conditions, that

unless there is cause to reexamine, become part of a file, never to be looked at again, or may be sparsely reviewed internally, or with a outside party such as an attorney or insurance agent.

As a component of many contracts, there are hold harmless provisions, indemnification provisions, and a list of various types and limits of insurance that one party requires another party to carry.

In addition to limits and types of policies that are required, there can be conditional language that affects the mechanics of how each respective contractor's insurance coverage responds

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if there a claim that caused multiple parties to participate, or be named in a suit, etc.

You'll find that the "upstream" party, usually an owner or general contractor, will require a subcontractor to name the general as an additional insured on one or more policies – a common and widely accepted condition to most contracts. You may also see that a general contractor will require a sub to include language that indicates that the sub name the general on a "primary" basis or a "primary and non-contributory basis", or the types and limits of insurance may vary from contract to contract.

Those conditions, in addition to the indemnification provisions within construction contracts, and a variety of other aspects of these contracts have varying impact on the degree to which a policy may, or may not respond at the time of a claim.

A critical point to consider is that it is entirely possible that a given contractor may not have congruence between the construction contracts, and their insurance policies – meaning what they rep-

resent or agree to contractually may not align with how their insurance policies would respond in a claims scenario.

If you are engaged in the signing or reviewing of these contracts, it's important to know or have a source that can help you interpret, review and advise you. You may receive information on how to make decisions that could lead to potential modifications, or at a minimum help decipher the meaning and the ramifications of the contract language to your insurance policies.

For contractors, it's imperative to review the contract. Having an advisor review the contract helps mitigate the potential gaps and unintended consequences. It's also worthwhile to know the credentials of the advisor performing these reviews. Are they experienced in contractual review, the potential insurance ramifications, do they have a working knowledge of the construction contract and industry, and do they know the various legal environments and case law examples that help guide the manner of any modifications?

Unfortunately, there is some degree

of the construction contract that may not be well understood. It remains very critical to have a resource internally and externally, in the form of an advisor, that can help contractors ensure, to a higher degree, that you have a better understanding of what you're signing and what the potential pitfalls may be. ■

Mr. Tim Cleary is an Account Executive and member of the Construction Group in the Madison office of M3 Insurance Solutions, Inc. His primary role is to place property and casualty insurance products and to counsel existing clients about risk management strategies and insurance planning. Tim is a designated Construction Risk and Insurance Specialist (CRIS) and Commercial Lines Coverage Specialist (CLCS).

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