

SMACNA

News

Volume 41 - Number 13 - 2007 Year In Review

SMACNA 1943-2007

SMACNA Working For You In 2007

*Don't Overlook The Accomplishments
And Prestige SMACNA Has Achieved On Your Behalf*

MARKET SECTOR COUNCILS

- ▼ Completed work on the "HVAC Contractors' Guide to Bidding Green Building Projects" that was presented at the 2007 HVAC Contractors Forum.
- ▼ Published four issues of the Contracts Bulletin series. The bulletins examined Owner Controlled Insurance Programs (OCIPs), the Personal Side of Personal Guaranties, Change Orders and Extra Work and the new ConsensusDOCS standard form contracts.
- ▼ Published a new electronic issue of the HVAC Systems Expertise newsletter featuring one of the first residential towers to pursue the Leadership in Energy and Environmental Design (LEED) certification.
- ▼ Completed work on "The HVAC Bid Specification Reference Manual" based on the MasterFormat Division 23 – HVAC for publication on SMACNA's Web site.
- ▼ Continued work on a user's comprehensive document, "HVAC Systems – Understanding the Basics."
- ▼ Published a new electronic issue of the Residential Report newsletter featuring new residential video training available for employees.
- ▼ Began updating and reformatting the "Blue Book of Sheet Metal and HVAC Equipment" for publication in the first quarter of 2008.
- ▼ Published an electronic issue of the Architectural Metal newsletter featuring a project where an Oregon contractor helped restore a historic courthouse.
- ▼ Began development of model specifications referencing SMACNA's technical publications on select sections of MasterFormat Division 23 – HVAC.
- ▼ Convened a task force to develop architectural sheet metal PowerPoint presentations for SMACNA chapters to deliver at the local level in conjunction with local AIA chapters or for member presentation to individual firms. Completed presentations include Custom Metal Wall Panels, Standard and Custom Metal Finishes, "Architectural Sheet Metal Manual," Incorporating Sheet Metal Details in Restoration Project Design, High End Architectural Sheet Metal, Custom Metals – Interior Applications and Custom Metal Roofs.



ASC And SMACNA Endorse A401 And ConsensusDOCS 750 Construction Contracts

In 2007, the majority of trustees of the Associated Specialty Contractors (ASC), including SMACNA, voted to endorse the American Institute of Architects (AIA) Document A401-2007 Standard Form of Agreement between Contractor and Subcontractor.

As an ASC member, SMACNA participated in the revision process over the past three years by providing AIA with written recommendations, comments supporting desired changes, reviewing and commenting on revised language written by AIA and meeting with AIA committees to discuss the reasons for the requested changes, as well as the potential impacts of proposed language. Most of the changes proposed by

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SMACNA's mission is to provide products, services and representation to enhance members' businesses, markets, and profitability.

- ▼ Published the “Best of 2007” issue of the Architectural Metal newsletter, featuring the most outstanding projects and stories from the past year.
- ▼ Convened a task force to examine and update the “Cost Reference Manual” to serve as the basis for a member change order document.
- ▼ Proposed a NEMI-sponsored survey on the industrial market and potential opportunities.

LEGISLATIVE SERVICES

- ▼ Held a 2007 National Issues Conference with allied associations to improve prospects of legislative success and to raise the profile of union-signatory contractors on Capitol Hill. Focused on such issues as federal procurement reform, 3 percent withholding repeal and immigration reform.
- ▼ Supported H.R. 1888, the Cool and Efficient Buildings Act, to create a valuable incentive to upgrade commercial buildings with readily available high efficiency HVAC technology using 30 to 40 percent less energy.
- ▼ Endorsed the Buildings for the 21st Century Act of 2007, H.R. 539. Without the passage of this important extension, the energy-efficient commercial buildings’ tax deduction will expire at the end of this term in Congress.
- ▼ Strongly supported the proposed revisions to the Federal Acquisition Regulations in FAR Case 2006-011. We believe these changes provide a targeted way to ensure that federal contracts are awarded only to companies that meet legal obligations.
- ▼ Opposed comprehensive immigration reform without meaningful construction industry wages and benefit standards; fair, aggressive and consistent employer sanctions; and substantive protection for construction employers from potential liability for the hiring practices of their subcontractors or materials suppliers.
- ▼ Supported an amendment that was accepted to include small business protections in H.R. 6, CLEAN (Creating Long-Term Energy Alternatives for the Nation) Energy Act of 2007, so that current law to safeguard small businesses from unfair competition by utilities was included under the section on Utility Energy Efficiency Programs.
- ▼ Supported development and introduction of federal procurement reform legislation, H.R. 3033, to ensure the federal government is required and has the tools to make responsibility determinations before awarding government contracts in order to protect the federal government from doing business with unlawful employers. This would enhance opportunities for SMACNA contractors who comply with the law.

ASC And SMACNA Endorse A401 And ConsensusDOCS 750 Construction Contracts

Continued from page 1

ASC were incorporated in the final language of the document. SMACNA and ASC believe that the 2007 A401 is better than the 1997 version it replaces. ASC has endorsed the AIA A401 for more than 30 years.

Last fall, a diverse group of 20 construction associations representing designers, owners, contractors, subcontractors and sureties launched ConsensusDOCS, more than 70 collaboratively drafted construction contracts. The Associated Specialty Contractors (ASC) and SMACNA were active participants in this three-year effort.

The release of ConsensusDOCS represents the first time that broad industry representation has had an equal voice in collaboratively drafting construction contracts. The unprecedented buy-in for these contracts reflects a genuine effort to identify and utilize best practices to better the industry.

ConsensusDOCS is unique because each document was drafted with an effort to reflect the project’s best interests, rather than a single party interest. These documents help facilitate parties to focus on better project results, rather than negotiating risk-shifting contract terms or worse, contract claims in court, to assess fault.

SMACNA has endorsed both the ConsensusDOCS 750 and the AIA A401. An initial analysis of both contract forms finds the consequential damages, pay when paid and dispute settlement clauses in the AIA A401 more favorable to subcontractors. The additional insured, schedule and indemnity clauses in the ConsensusDOCS 750 appear to be more favorable to the subcontractor. There are inherent strengths and weaknesses in both documents and SMACNA will be releasing member-only Contract Bulletins on each document.

For a complete list of the member organizations participating in ConsensusDOCS, visit www.consensusdocs.org/about_member_organizations.html. For more information or to make a purchase, visit www.ConsensusDOCS.org. As an endorsing organization, SMACNA members are entitled to receive a discount when purchasing the publication online. Please use the following codes: Partner Code: SMACNA; Promotion Code: 200. ▼

President's Column

Addressing Member Issues And Concerns Behind The Scenes

One role that SMACNA plays on behalf of its members is to represent their views and concerns to government bodies and other industry organizations and players. A lot of this has to be done "under the radar" and won't be reported in SMACNews or in the SMACNA annual report. Oftentimes these activities are done quietly behind the scenes and thus may go unnoticed and unpublicized.

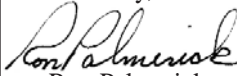
No more dramatic example exists than in the legislative arena. Legislative language gets proposed, amended, deleted, added or dropped at the last minute in the Congressional version of "Let's Make a Deal." It's not just a matter of making the dramatic push to get a bill introduced or passed. A victory is sometimes stopping something from happening, getting language deleted or changed to make it better – even convincing a key member of Congress to not actively oppose a proposal.

Other examples of SMACNA working behind the scenes on your behalf include:

- SMACNA's labor department works with the Sheet Metal Workers' International Association to resolve many local labor management issues before they result in formal grievances, contract renewal disputes or work stoppages.
- SMACNA also serves on the Joint Administrative Committee of the AFL-CIO's Plan for the Settlement of Jurisdictional Disputes, which is designed to expediently resolve jurisdictional disputes on covered jobsites.
- SMACNA is a member of the ANSI A10 Committee for Construction and Demolition Standards and ANSI B11 Committee for Machine Tool Safety, and related subcommittees. These committees are charged with developing consensus safety and health standards for construction worksites and metal forming machines, respectively.
- SMACNA works extensively with the code groups such as National Fire Protection Association and the International Code Council to advance the adoption of SMACNA standards within the body of the model building codes, thereby setting the standards for the entire industry.
- In the sustainable or green building arena, SMACNA works through various committees with the U.S. Green Building Council; American Society of Heating, Refrigerating and Air-Conditioning Engineers and the Green Building Initiative to develop the protocol by which buildings will be judged to have complied with these industry standards.
- In addition, much has been accomplished with our long-standing and close association with ASHRAE in which we have developed joint standards and worked on various key technical committees. This is done partially to ensure our SMACNA standards are integral to ASHRAE activities in the areas of design, construction and sustainability, but also done to make certain that our members' business opportunities can be expanded in the market.

From new manuals, to educational programs, to business, safety and technical advice, the list of services from SMACNA is long and impressive. But please don't overlook the accomplishments and prestige SMACNA has achieved on your behalf by working quietly behind the scenes to represent members' issues and concerns.

Sincerely,


Ron Palmerick
SMACNA President

- ▼ Endorsed the Terrorism Risk Insurance Revision and Extension Act of 2007, H.R. 2761. Without the passage of this necessary bill to extend a most important anti-terrorism law, the two-year extension in place would have expired Dec. 31, 2007.
- ▼ Supported the Independent Contractor Proper Classification Act, S. 2044. This legislation reigns in rampant worker misclassification abuses that plague the construction industry.
- ▼ Supported the Death Tax Repeal Permanency Act of 2007, H.R. 2380. This legislation would make major reforms to the estate tax law affecting business and personal asset transfers from generation to generation.
- ▼ Supported the Leasehold Depreciation Improvement Act of 2007, S. 1361/H.R. 2014. This legislation would permanently establish the leasehold depreciation period at 15 years for all HVAC system equipment in non-residential buildings to 15 years.
- ▼ Supported H.R. 976 legislation that would increase the business direct expense limits to \$125,000 per year and indexing future limits to inflation. This bill would encourage the growth and continued expansion of small business firms.
- ▼ As of Oct. 31, 2007, SMAC PAC raised approximately \$168,000 in personal money and approximately \$87,000 for the Administrative Fund. SMAC PAC has begun making candidate contributions for the 2007-2008 election cycle. SMAC PAC has made more than \$85,000 in candidate contributions during the primary season and hopes to exceed \$300,000 in candidate contributions for the 2007-2008 election cycle.

EDUCATIONAL SERVICES

- ▼ Provided leadership training to industry professionals at the sold-out annual Business Management University and Business Management Graduate programs.
- ▼ Offered 10 educational courses so chapters could provide their contrac-

tors national caliber programs at the local level. Courses included Achieving Greater Project Success and Profitability through Pre-Construction Planning; Advanced Sheet Metal Estimating; Basic Sheet Metal Estimating; Creating Impact: Effective Meetings and Presentations; Cumulative Impact of Change Orders; Gaining Customer Loyalty by Design; Leading Your Team: Effective Performance Management; Lean Works in Construction; Service Managers Training Program; and The Effects of Schedule Compression on Labor Productivity. As of Sept. 1, 2007, SMACNA funded 33 of these programs.

- ▼ Offered endowed scholarships to chapters. An endowed scholarship may be established with a donation of \$40,000 to the College of Fellows.
- ▼ Provided 35 Supervisory Training Programs to SMACNA chapters for 1,338 participants funded through the International Training Institute (ITI).
- ▼ Held a webinar, Creating Kick-off Meetings with Impact. The program was designed to help project managers, estimators and operation managers create project kick-off meetings with impact and learn the importance of preplanning and being prepared, among other topics.
- ▼ Convened a task force to develop a national program on "Speaking with Impact: Creating Effective Presentations and Meetings." Participants will learn how to build confidence and best prepare for meetings while building trust, credibility and empathy. Participants will have the opportunity to be videotaped and receive feedback.

SAFETY AND HEALTH SERVICES

- ▼ Published three issues of the Safety Focus newsletter addressing topics such as working in hot environments –training workers to recognize the hazards, Fall Protection Tip Sheets and recall announcements for a circular saw and two electrical switches.
- ▼ Conducted SMACNA Safety Excellence Awards Program (SSEAP). Each year, the SSEAP recognizes SMACNA contractors who show outstanding safety performance. The results of the survey provide information on safety programs that are published in the "Safety Profile."
- ▼ Offered the SSEAP survey online so members could complete and submit it electronically. The number of electronic submittals increased from last year.
- ▼ Promoted the Construction Users Roundtable (CURT) Safety Awards Program by submitting four SMACNA member contractors for consideration for the award.

The Latest Safety Products From SMACNA

SMACNA has produced many safety and health products over the years including manuals on important topics such as Fall Protection, Respiratory Protection, Environmental Risk Management, Scaffold Compliance and Hazard Communication Toolbox Talks. All current SMACNA safety and health manuals are available in PDF format for download at no charge from the Members Only Safety Web page of the SMACNA Web site at www.smacna.org/safety.

Other SMACNA products currently available at no charge to members include an online OSHA Recordkeeping Course, Service and Construction Vehicle Safety tip cards, Heat Stress tip cards and a Personal Protective Equipment information pamphlet.

The Sheet Metal and Occupational Health Institute Trust (SMOHIT) produced three new programs that are available to SMACNA members. More facilities and jobsites are requiring specific OSHA training in order to work on the site. The OSHA 30-hour course DVD provides training on industry-specific topics needed in these situations. The Respirator Safety Program CD provides four hours of information on the types, selection, inspection, testing and care of respirators. The Hoisting and Rigging Training Program (CD and instructor's guide) addresses safety issues related to load calculation, risk management and types of equipment.

To order any of these SMACNA and/or SMOHIT safety and health products, contact Mike McCullion, director of safety and health, at (703) 995-4027 or mmccullion@smacna.org. ▼

- ▼ Published 10 Safety Bulletins alerting members to issues such as the Multiemployer Enforcement Policy Decision and the new standard for Employer Payment of Personal Protective Equipment.
- ▼ Advertised and distributed seven new SMOHIT safety products including sending each SMACNA member firm complimentary copies of DVDs related to safety orientation and the "Big Four Plus Two" industry hazards.
- ▼ Maintained a Safety Listserv for members to network and communicate. The Listserv has proven to be a good source of information on issues such as which cut-resistant gloves are popular with workers and employers alike.

- ▼ Completed an OSHA/SMACNA Alliance by providing input into the Fall Protection Safety Workgroup and completing several other related projects.
- ▼ Offered safety heat stress cards at no charge to SMACNA members. The cards can be used to train employees on the hazards of heat exposure.
- ▼ Developed and offered free pamphlets on the use and care of Personal Protective Equipment.
- ▼ Prepared a Construction Site Inspection Checklist to address key safety and health issues on job sites.
- ▼ Continued work to revise an existing SMACNA product, "Guide to Safety Policies and Procedures," to include updated model written programs, new safety and health checklists and revised training toolbox talks.

LABOR SERVICES

- ▼ Offered a two-day Better Bargaining Session that focused on interest-based bargaining methods toward conflict resolution.
- ▼ Held a Collective Bargaining Orientation that provided attendees with advice on preparing for bargaining and a comprehensive discussion on the legal framework for bargaining. A portion of the program was dedicated to how the Pension Protection Act of 2006 impacts collective bargaining.
- ▼ Dispatched staff and outside labor counsel to local, regional and national meetings to educate the membership on the collective bargaining implications of the Pension Protection Act.
- ▼ Published five issues of the Labor Report newsletter. The Labor Report keeps chapters and contractors up to date on the latest labor happenings around the country.
- ▼ Assigned panelists to hear 10 grievances, compared to nine grievances midterm in the previous year. Issues grieved included travel pay and back-ground checks.

- ▼ Teamed up with SMWIA and members of several other Labor Management Cooperative Committees to sponsor a Collectively Bargained Workers' Compensation Seminar. The program included comprehensive guidance on structuring a CBWC program, legal/regulatory considerations, information on operating a CBWC program and tips on how to set up a successful CBWC program.

PARTNERSHIP PROGRAMS AND SERVICES

- ▼ Published four issues of the Partners in Progress magazine. The magazine is published by the Sheet Metal Industry Joint Labor Management Cooperative Trust and is a joint publication of the SMWIA and SMACNA with a readership of 145,000 throughout the U.S. and Canada.
- ▼ SMACNA and SMWIA have sponsored three regional or local Partnership Programs designed to assist local parties in jointly identifying problems and creating solutions to better serve customers, gain market share and increase job security.

- ▼ Published two issues of the Partnership Communicator newsletter, located on the Partners in Progress Web site. This resource contains a broad range of public relations materials that can be modified to meet local needs. The newsletter is currently published on a quarterly basis.
- ▼ The LMCC has four Expertise Web sites: Partners in Progress, HVAC Expertise, Architectural Expertise and Industrial Expertise. These sites build on branding the concept of "expertise" as a way to differentiate the SMACNA/SMWIA partnership in the eyes of the customer.
- ▼ In 2007, the LMCC placed advertisements in Building Operating Management, Architectural Record, BOMA, Constructor and SNIPS magazines. Also as part of the branding program an effort was made to get locals, contractors, JATCs and chapters signed up to use the expertise logos. SMACNA contractors have used the expertise logos on proposals, estimates, invoices, business cards, truck side panels, advertisements and Web sites.

NIBS BuildingSMARTalliance

In July 2007, close to 60 participants met at the National Institute of Building Sciences in Washington, D.C., some via teleconference, to hear industry leaders discuss what they expect from the buildingSMARTalliance.

The buildingSMARTalliance is a program of the National Institute of Building Sciences (NIBS) to protect, enhance and promote the use of buildingSMART concepts, policies and technology to achieve a historically new threshold of performance in the building industry, including design, construction and operation of buildings.

SMACNA is providing initial funding to the buildingSMARTalliance that will operate within the independent NIBS for public/private expansion of the International Alliance for Interoperability whose Industry Foundation Classes have initiated open standards for national and international links through Building Information Models (BIMs).

Presentations included the use of software that is based on open standards that allow the exchange of information among multiple products; experiences of firms journeying into BIM; survey data and analysis of the level of success and market penetration of BIM projects; and case studies on the level of capability of smaller firms. ▼

Rectangular Industrial Duct Construction Standards, SI (Metric) Version

The second edition of the “Rectangular Industrial Duct Construction Standards,” published in August 2007, is identified as the SI version (Metric - le Système International d’Unités) to differentiate it from the version published in 2004 as the Inch-Pound.

The publication is based on the same theoretical work and scope of the earlier Inch-Pound version. What differs between the two publications is that in the SI version the data is expressed in metric units and the ratings are based on the use of materials produced under and to ISO standards, in both strength and physical dimensions or Hard Metric. This characteristic makes the information directly usable in the international market.

This second edition expands the scope of the 1980 version, updating the original text to incorporate a revised theory of design, new materials and more user-friendly tables. Included are new tables for stainless steels and aluminum, plus expanded chapters on materials, welding practices and a guide specification. It covers the simple, low or moderate temperature and pressure (or vacuum) indoor systems, as well as the more complex outdoor systems that operate at moderate to high temperature and pressure (or vacuum), and are subject to higher and more complex external loading.

SMACNA members may purchase “Rectangular Industrial Duct Construction Standards,” Metric (SI) Version, second edition, at the member price of \$92 for the CD and \$77 for the PDF download. The IFUS price for the CD is \$164 and \$196 for the PDF download.

Architects and engineers may purchase the publication at the discounted price of \$254 for the CD and \$212 for the PDF download. The list price for the CD is \$354 and \$295 for the PDF download.

To order, contact SMACNA’s Publications Department at (703) 803-2989 or visit www.smacna.org/bookstore. ▼

- ▼ Over 21,000 SMWIA/SMACNA “Live Up To The Promise” Sheet Metal Industry DVDs have been distributed to signatory contractors, SMACNA chapters, SMWIA business managers, agents, international representatives, organizers and local JATCs at no

charge. To request additional copies, visit the Partners in Progress Web site at www.pinp.org.

- ▼ Co-sponsored the International Training Institute Apprenticeship Contest.
- ▼ Planned Joint Labor Management Partnership Conference for 2008 with SMWIA.

TECHNICAL SERVICES

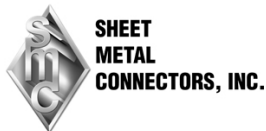
- ▼ Collaborated with ASHRAE/BOMA/AIA/USGBC to develop a guideline document and a professional development course that will describe an integrated process for achieving improved indoor air quality in all elements of a building.
- ▼ Made more than 700 drawings, charts and tables in their “native file” format available to SMACNA members on the Members Only section of the SMACNA Web site.
- ▼ Participated on the American National Standards Institute (ANSI) Homeland Security Standards Panel (HSSP).
- ▼ Presented \$10,000 to ASHRAE to support “ASHRAE 1299-TRP Energy Implications of In-Duct Filtration in Residential and Light Commercial Applications.”
- ▼ Continued SMACNA staff representation on various NFPA, AWS, ICC, ANSI-HSSP, GBI, USGBC and ASHRAE technical committees.
- ▼ Published the third edition of the “Sheet Metal Welding Guide.”
- ▼ Issued the newly revised fourth edition of the “HVAC Systems – Duct Design” manual, which presents the basic methods and procedures required to design commercial HVAC air distribution standards.
- ▼ Participated as a voting member in the development of BSR/ASHRAE/USGBC/IESNA Standard 189P, Standard for the Design of High-Performance, Green Buildings Except Low-Rise Residential Buildings.
- ▼ Received reaccreditation by the American National Standards Institute (ANSI).
- ▼ Completed ANSI canvass group to review “IAQ Guidelines for Occupied Buildings Under Construction,” referenced by LEED, with the goal of receiving ANSI listing for the publication.
- ▼ Participated in the National Institute of Building Sciences (NIBS)-led High Performance Building Standards Initiative.
- ▼ Started working on revisions for both the “Residential Comfort Installation Standards” and “HVAC Applications” manuals.
- ▼ Provided 22 SMACNA technical programs for chapters.

SMACNA Thanks And Urges Support Of 2007 Associate/Patron Members

Sustaining Associate Members



Sustaining Patron Members



Contributing Associate Members



SMACNEWS is published monthly by the Sheet Metal and Air Conditioning Contractors' National Association for its national, international and associate members.

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www.smacna.org**

- ▼ Responded to more than 800 technical inquiries regarding SMACNA standards from SMACNA contractors, architects, engineers, etc.
- ▼ Made the third edition of the "Seismic Restraint Manual: Guidelines for Mechanical Systems" available for 60-day review.
- ▼ Continued development of revisions to the "Accepted Industry Practice for Industrial Duct Construction" and "HVAC Air Duct Leakage Test Standard."
- ▼ Published the second edition of the "Rectangular Industrial Duct Construction Standards," metric (SI) version.
- ▼ Started revision of the "Guide for Steel Stack Construction," third edition, slated for publication in the last quarter of 2008.
- ▼ Conducted edge metal testing for ensuring compliance with ANSI/SPRI ES-1 for the SMACNA "Architectural Sheet Metal Manual."

Playing An Active Role In The Sustainable Buildings Arena

American National Standards Institute (ANSI)-accredited Standards Developing Organizations (SDOs) are participating in the High Performance Building Council (HPBC) that was launched under the direction of the National Institute of Building Sciences.

The HPBC is assessing existing voluntary consensus standards and rating systems for high performance buildings, how they can be used and what other standards are needed. SMACNA is an ANSI SDO and is participating to ensure that its relevant standards are considered.

In 2008, HPBC will issue a report to Congress identifying relevant existing and draft standards, as well as any "gaps" where standards may be needed. The report is called out in Section 914 of the Energy Policy Act of 2005. There is strong interest in high performance buildings because in the U.S. they account for 39 percent of total energy use; 68 percent of total electricity use; 12 percent of total water consumption; and 38 percent of carbon dioxide emissions.

SMACNA is also participating on ASHRAE's Special Projects Committee 189 as a voting member to develop a "Standard for the Design of High-Performance, Green Buildings Except Low-Rise Residential Buildings," which is expected to be published in 2008.

In addition, SMACNA's "IAQ Guidelines for Occupied Buildings Under Construction" is referenced by the U.S. Green Building Council's LEED Green Building Rating System for Existing Buildings and New Construction. SMACNA recommends the guide to architects, engineers, construction managers, facility managers and building owners who will be involved in construction activities inside occupied buildings. ▼