

# FINISHING CONTRACTORS ASSOCIATION

# CONTRACTOR TALK

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## INDUSTRY UPDATE

with Ed Zaucha, FCA Chairman, APG International CEO

In late 2005, the FCA began exploring the implications of LEED, or Leadership in Energy and Environmental Design, for FCA members. At that time, benefits were geared toward architects, interior designers and developers through a third-party certification process that awarded points for meeting “green” benchmarks.

At that time, many FCA members already were working on LEED projects and learning just how much paperwork was involved to help their customers earn the LEED rating points.

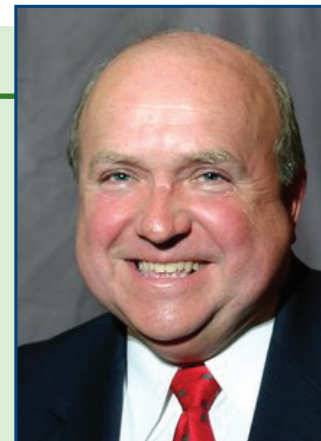
The FCA established a relationship with the USGBC’s national office in order to keep abreast of the direction of the green building movement. The USGBC officials were in the process of developing criteria that would impact the entire workflow process, thus eventually affecting finishing contractors. Therefore, FCA became the first association to invite USGBC officials to a board meeting in order to help the council understand the role of finishing contractors in the building process.

In late 2007, USGBC launched an accreditation program for individuals on a construction project and the addition of a ratings point for engaging a LEED Accredited Professional. Now, the green building movement has worked its way down to finishing contractors. To address the need for more education in LEED, the FCA and IUPAT’s Finishing Trades Institute

launched its pilot LEED AP training class for contractors this year. While the FTI, FCA and LMCI are still working on the content and methodology for future classes, there will be more to come as the demand for accredited professionals continues to rise.

While there are still issues with the requirements to meet the LEED standards, such as the sources for raw materials, there is no question that the program itself is here to stay. From a small rating system for architects, LEED has mushroomed to provide ratings incentives for everyone from developers and engineers to landscape architects and construction managers. State and local governments across the country are adopting LEED for public-owned and public-funded buildings; there are LEED initiatives in federal agencies, including the Departments of Defense, Agriculture, Energy, and State. LEED projects are in progress in 41 different countries, including Canada, Brazil, Mexico and India.

So if union finishing contractors are to retain or regain market share, one more benefit we can offer our customers is a LEED accredited professional on the project. **FCA**



**FINISHING CONTRACTORS ASSOCIATION**

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## Bridging the Gap Between Field and Office

Last month we wrote about the benefits of integrated scheduling and project management systems. Given this issue's focus on green construction, we thought a follow-up article on leveraging software to improve environmental friendliness would be in order. With gas prices being so high, trips back and forth between the field and office can get expensive. And those trips are not very economically friendly either.

Project managers and accounting staff are often a world apart. They differ in personality, computer skills and the type of work they do. While many contractors are content to let these two worlds remain separate, the best firms are integrating what's managed in the field with what's accounted for in the office. This helps cut down on all of the paperwork being stored in job files and saves valuable time driving back and forth.

Forward-thinking finishing contractors are getting a handle on their project profitability by implementing integrated project management and accounting systems. By deploying an integrated system to share data between accounting and the field, they know their profits at each point in time. Even better, they can correct course before it's too late to get a tough project back on track.

In addition to improving environmental friendliness, below we outline three principal benefits of integrated construction management software.

### Accurate Revenue Recognition

Accountants play by the book (we hope), which in construction usually means recognizing revenue on a percent completion basis. Yet while they are charged with recognizing revenue, accountants aren't the ones with the most up-to-date percent completion data. Project managers often have that info. Most contractors will want to smoothly match their revenues to their expenses so as to avoid reporting losses.

By integrating project management and accounting, the office can understand exactly where each project stands and recognize revenue accordingly. This is especially important in light of the steady stream of invoices and payables processed by accounting.

### Maintain Profits on Change Orders

Change orders can be a great source of above-average profits on a job. However, too often they go unbilled or end up in dispute. Even if you end up negotiating a resolution to a change order dispute, you'll probably end up making far less

than you should have. It's therefore critical that any change that has a cost or procurement impact must be tracked, approved and billed. You also need to make sure that a change order that originates in the office makes it into the field and vice versa.

By implementing a web-based project management system, change orders that originate in the field are documented and tracked through a disciplined approval process that reaches back to the office. Office staff can then make sure that the change order gets billed for accordingly, eliminating a lot of the paperwork that often goes back and forth. This will also remove the need for executives to drive out to the field to check up on projects.

### Measure Productivity

Ultimately, productivity leads to profitability. The costs of labor and materials each day are fairly certain. What's less certain is how much progress you'll make by employing these resources. Hit your metrics for "zero call-backs" and you've got a profit. Smart contractors realize that key productivity metrics are a leading indicator of job profitability. Where possible, they gather detailed metrics that measure their cost per unit of work.

Achieving this level of detailed measurement requires collaboration between operations and accounting. Superintendents can update a project management system with the number of hours worked and tasks completed at the end of each day. Office staff can know right away what has been completed, how much is being spent, and how profitable the project is so far. This resulting information is a powerful tool for gauging and improving productivity in the field.

### Conclusion

While the personalities in operations and financial management may not necessarily match, their view on the business can. Bridging these two worlds requires a well-designed, integrated program. The challenge is to gain consensus throughout the organization that communicating and sharing data will make everyone's life a lot easier – and greener. **FCA**



**By Don Fornes, CEO Construction Software Advice, The FCA IT Partner**  
Don Fornes is CEO of Construction Software Advice, a Web site that compares and reviews construction systems. Don and his team have helped hundreds of contractors find software to improve their project management processes. He can be reached online at [don@softwareadvice.com](mailto:don@softwareadvice.com) or visit <http://www.softwareadvice.com/construction>

## A Sub's Point of View: Taking on LEED Projects

**PHILADELPHIA**—When Eureka Glass takes on new clients, the first thing Eureka officials must do is convince the client that the Philadelphia based company can do the job. This is especially important when the bid specs contain LEED language. With a dozen LEED projects under his belt, Terry Webb, President of Eureka Glass, knows a thing or two about LEED. Although Webb says LEED is not the main marketing tool, since most of the work performed is repeat business.

“I choose the client, when the client goes LEED, I go LEED,” says Webb. This is the case for most contractors. Going green is not something subs chose, but more something that chooses them. Webb understands that he and his company must take on LEED projects not only to keep up with market share, but to stay ahead of the curve. Although Webb is not currently a LEED AP, he soon plans to take the LEED AP exam.

Although Webb says it is too early to tell if LEED fits into a sub's overall bottom line, however, LEED fits in with his marketing more than anything. When owners and general contractors know your company is capable of completing not only a LEED project built to LEED specs, but also the paperwork that goes along with a LEED project, they are likely to remember you for future business.

When taking on a LEED project, you have to prepare yourself for the amount of paperwork this entails. As LEED first came onto the scene, it was the GC taking on the rigorous task of filling out the necessary paperwork.

As LEED becomes more prevalent, it is usually the subs that are left to complete the paperwork. At Eureka Glass, this task tends to fall on the project manager's plate. At first, it seemed cumbersome, but Webb calls LEED paperwork “the norm,” now.

Whether you are a project manager, sub or estimator, companies in the union finishing trades are highly considering becoming LEED Accredited Professionals, or LEED AP.

Estimators who are bidding their first LEED project should, “get on the phone with the GC early on in the bid process,” Webb says. This will ensure you have the proper information you need before it's too late and you lose the project.

Webb and his team at Eureka Glass face challenges everyday. With LEED, this challenge comes in the form of figuring out what needs to be done on Eureka's end when taking on a new LEED project. LEED can be very open-ended, so remember to stay informed with new LEED rating systems, point requirements and most importantly green products. **FCA**



**Terry Webb, President,  
Eureka Glass,  
Philadelphia, PA**

## Green Products

When the specs say to build green, do you know which products to use? You should not feel limited to one product or another. A product can be called green for many different reasons, such as being recyclable, the product contains low or no VOCs or it may be energy-efficient. While some products may be “greener” than others, generally, green products follow /similar guidelines:

**As a general guide, look for products containing these terms:**

- *Locally produced*
- *Contain recycled content*
- *Can be recycled*
- *Are low or non-toxic*
- *Have a longer shelf life than other products*
- *Renewable*
- *No off-gasses*
- *Been salvaged for reuse*



## LEED Training for Contractors

You can now take the two most important LEED training classes designed to help you understand sustainability and help you prepare for the LEED Accredited Professional (AP) exam.

The LMCI plans to host the classes in areas where contractors express enough interest.

Whether you're new to the sustainability idea and need to know the basics, or if you're planning on taking the LEED AP exam, now is the time to get involved. Through a partnership with the Green Academy at Tri-County Community College in Ohio, you will receive training certified by the U.S. Green Building Council. Tri-County's Green Academy is your best choice for training because the school is a USGBC Education Provider Program, or EPP. This means the USGBC has certified all course materials.

The Canadian GBC has adopted the USGBC standards so that the courses are good in Canada, too.

Two different one-day courses will be offered to interested contractors. Each course is taught in a one, eight hour day. The first class is an introduction to sustainability, LEED and how to bid specs containing LEED specifications. You'll also learn best practices for the installation of energy efficient, LEED, construction.

The second class is for those who wish to take the LEED AP exam.

The LEED AP Prep Class prepares contractors to take the LEED AP exam. After the class, participants will know the design and construction elements needed to receive proper contractor accreditation and building certification according to the USGBC and LEED guidelines. Contractors will be able to describe and understand all elements of sustainable sites, understand various LEED points for LEED for New Construction and be able to determine how to obtain the assigned credits for each LEED category.

Just choose from the list of available dates. If at least 15 contractors, project managers, estimators and staff are interested in the area, the class will be scheduled.

Both courses are designed with the contractor in mind, and are meant to keep you ahead of the green building curve. If you plan on attending one class, the cost is \$175 per person. Taking both classes? The cost drops to \$135 per class, per person. Courses will be offered in areas with enough interest from contractors. For more information, or if you would like to schedule a class in your area, please contact Kristin Bromberg at the FCA, (703) 448.9001, or via e-mail, [kbromberg@finishingcontractors.org](mailto:kbromberg@finishingcontractors.org) **FCA**

## Greening the Forum

You will have the opportunity to learn more about LEED and green at the 2008 Finishing Industries' Forum. Mark your calendars to attend the "can't miss event of the year." During the week of Nov. 10-14, 2008 Labor and Management will meet at Caesars Palace in Las Vegas to discuss industry issues. This fourth annual FCA-IUPAT industry forum will be hosted by the Labor-Management Cooperation Initiative, LMCI.

Lately, you cannot open a trade publication without hearing about the latest green technology or trend, so it's no wonder that green is on the agenda this year.

On Tuesday, Nov. 11, 2008, the Interpreting Green Bid Specs workshop will take place in the morning and afternoon. This will be presented by Tri-County Community College – The LMCI's Green Academy partner. They are a USGBC EPP, or Education Provider Program. With many new proposals going green, this class will bid specs containing language and specifications in

LEED projects that are sometimes intimidating, restrictive and have a major financial impact on the final proposal.



On Thursday, the last day of the Forum, plan to attend the Green and BIM workshop. This session will focus on the ways in which green and BIM together are shaping the future of construction. Facilitator Dennis Neeley, a Licensed Architect, Professor and Software Inventor plans to relate the BIM and Green movement to the early years of CAD. At the time, CAD revolutionized the construction industry by removing the architects' drafting table. BIM and Green will do the same for contractors by removing hard copies of plans, making things virtual, and thus creating less waste.

## LEED AP Test Specs/Sample Questions

When the United States Green Building Council first formed, all LEED projects were processed internally. When the high influx of LEED projects came on board, it became too much for the USGBC to handle, and thus, the Green Building Certification Institute, GBCI, was formed. According to the GBCI, there are specific items you will need to know and be able to apply in order to pass the LEED AP exam. GBCI lays out four main categories, each containing explicit points to know.

1. Knowledge of LEED for New Construction Credit Intents and Requirements.
2. Coordinate Project and Team
3. Implement LEED for New Construction Process.
4. Verify, Participate In and Perform Technical Analyses Required for LEED for New Construction Credits.

Test your LEED Knowledge with sample text questions below.



### LEED for New Construction v2.2 Sample Exam Questions ©2008 by Green Building Certification Institute

#### SECTION ONE: Knowledge of LEED for New Construction Credit Intents and Requirements

**1. Which two of the following are considered sources of potable water in LEED? (Choose two)**

- A. Irrigation wells
- B. Captured rain water
- C. Municipal water system
- D. Municipally supplied reclaimed waste water

**2. A proposed 40,000 Sq. Ft. building with five equal floors is located within a university campus with no zoning requirements. In order to achieve SS Credit 5.2, Site Development: Maximize Open Space the vegetated open space area adjacent to the building must be \_\_\_\_\_ Sq. Ft.**

- A. 2,500
- B. 5,000
- C. 7,500
- D. 8,000

#### SECTION TWO: Coordinate Project and Team

**1. Which LEED-referenced standard includes a volatile organic compound (VOC) limit for waterproofing sealers?**

- A. Green Seal Standard GS-11, Paints
- B. Green Seal Standard GC-03, Anti-Corrosive Paints
- C. Bay Area Air Quality Management District Regulation 8, Rule 51
- D. South Coast Air Quality Management District Rule 1113, Architectural Coatings

**2. Which strategy will contribute to earning points for both EA Credit 1, Optimize Energy Performance and EA Credit 2, On-Site Renewable Energy?**

- A. Utilize ground source heat pumps for heating and cooling
- B. Implement architectural passive solar and daylighting strategies
- C. Install active solar thermal energy systems that employ collection panels
- D. Purchase tradable renewable energy certificates

#### SECTION THREE: Implement LEED for New Construction Process

**1. Which two are true statements about the LEED certification process?**

- A. No credits are awarded during a Design Phase Review.
- B. Appeals may only be filed following a Construction Phase Review.

C. LEED Certification may be awarded following a Design Phase Review

D. Additional information must be submitted during the Construction Phase Review for any Design Phase attempted credits that have changed.

**2. A project involves the renovation of an existing commercial office building, which includes 4 of 10 stories and the core and shell. Project scope includes window replacement, HVAC equipment replacement, plumbing replacement and tenant fit-out of the owner occupied space. Which rating system product(s) should be used for this project?**

- A. LEED for New Construction
- B. LEED for Existing Buildings and LEED for Commercial Interiors
- C. LEED for Commercial Interiors and LEED for Core and Shell
- D. LEED for Core and Shell and LEED for Existing Buildings

#### SECTION FOUR: Verify, Participate In and Perform Technical Analyses Required for LEED for New Construction Credits.

**1. Which three should be included in the specifications to inform the contractors and subcontractors of the requirements for MR Credit 2, Construction Waste Management (Choose three)**

- A. Quantity of waste leaving site
- B. Description of waste material
- C. Approximate amount of recycled material
- D. Requirement to identify haulers and recyclers
- E. Description of the requirement for a site logistics plan

**2. For a 200-occupant, all-residential condominium, the architect's plan indicates the use of bicycle racks that hold 10 bicycles inside the parking structure. What must the architect do to comply with SS credit 4.2, Alternative Transportation: Bicycle Storage & Changing Rooms?**

- A. Replace the bicycle racks with bicycle lockers
- B. Increase the number of bicycle racks to hold 30 bicycles
- C. Provide two shower/changing rooms in the parking structure, one for each gender
- D. Confirm that the bicycle storage location is within 200 yards of the building entrance

For information about obtaining LEED accreditation, or if you need help registering to take the exam, please contact Kristin Bromberg with the FCA at [kbromberg@finishingcontractors.org](mailto:kbromberg@finishingcontractors.org), or call her at (703) 448.9001.

**FCA**

## LEED for Canada

The Canada Green Building Council, CaGBC, adopted the LEED for Core and Shell, from the USGBC. This applies to new construction or major renovation projects with leased spaces. The specific points on the chart below will be applied retroactively to allow people to benefit from its flexibility.

Project teams currently involved in the LEED Canada for New Construction certification process should contact the CaGBC with questions. The CaGBC can be reached at 1-866-941-1184, or via e-mail at or info@cagbc.org.

Please note, the USGBC adopted ASHRAE 90.1-2004 while the CaGBC still uses ASHRAE 90.1-1999, however, the two are in fact equivalent.

LEED for Core and Shell (USGBC)	LEED Canada, Core and Shell Application Guide (CaGBC)
Available points do not match NC (61 VS 69 )	Available points match NC
Fewer points required for each certification level	Certification levels match NC
Removed the most difficult to achieve points (e.g., 2 EAc1 points, 2 EAc2 points, 1 EQc4 point, 1 EQc7 point)	These points remain available for CS projects
Removed MRc6 (Rapidly Renewable credit)	Retained MRc6
Required percentage for MRc3 (Resource Reuse) dropped	MRc3 level the same as NC

## MEMBER BENEFITS

### New Member Benefit

You have that FCA Labor Productivity Factors Survey lying around somewhere. So, dig it out of your e-mail inbox or from that stack of mail and take the time to fill it out.

It's really easy and designed with busy contractors in mind. Just pick at least 10 projects that represent both those that went well and those that did not. Then fill out the two page questionnaire for each one. After you've finished either mail or fax the questionnaires to the FCA national office.

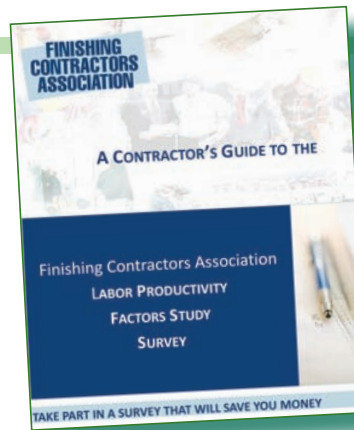
The results will be analyzed by Dr. Gerald Williams of R. Brown Consulting and his team of student researchers.

Williams says the goal of this survey is to provide contractors with the data to support claims without having the expenses of engaging consultants or attorneys. It's the first of its kind for the finishing trades, developed by the FCA's Business Practices Advisory Committee.

Tim Wies, a drywall contractor from Missouri, heads the committee that looks at ways to help contractors improve their businesses. He says filling out the survey is a small investment of time that will pay off.

"Think of it this way, the next time a customer says you need to prove a claim, you could hand him the results of this survey," Wies said.

Each FCA member who participates will receive the results FREE. **FCA**



## FASTFACTS

### WHAT

The FCA Labor Productivity Factors Survey

### TWO WAYS TO PARTICIPATE

- Download the Contractor's Guide and Survey Tool ([www.finishingcontractors.org](http://www.finishingcontractors.org). Choose "Hot Topics", then "Labor Productivity").
- Request a printed copy from the FCA by calling (703) 448-9001.

### THEN PICK 10 PROJECTS

- Fill out the 2-sided questionnaire.
- Fax or mail it to the FCA.

### QUESTIONS

Jay Weaver (703) 448-9001, e-mail: [fca@finishingcontractors.org](mailto:fca@finishingcontractors.org)

**DEADLINE: OCT. 31, 2008**

## Can Highly Glazed Building Façades Be Green?

When I see a fully glazed, floor to ceiling commercial or institutional building, I see an energy consuming nightmare of a building that requires lots of heating and cooling at the perimeter just to maintain comfort. The result, on a cold winter day, is that offices exposed to the sun require cooling, while those in the shade need heat. Unless the control system is highly tuned, too many of the occupants will also be uncomfortable. Although it is well accepted that green buildings are above all low energy consumption buildings, there is a mistaken belief, almost a myth, that buildings with large expanses of glass are somehow green.

Glazing systems, including almost all modern high performance ones, have very little ability to control heat flow and solar radiation. Older windows also did little to control heat loss and solar gain. Hence, most older buildings had restrained window-to-wall area ratios. Most of the tremendous performance gains in glazing technology over the past 25 years have been squandered on increased window area, not improved performance.

Good quality, thermally-broken commercial windows and curtainwalls typically have U-values of about 0.5, corresponding to an R-value of two. By using the best available low e-coated, argon-filled double-glazed units (with a center-of-glass R-value of four) in thermally broken aluminum frames, overall window R-values of three can be approached. If the goal is low energy

buildings, why cover large portions of any building with such a low R-value system, particularly in cold-and-hot climates? Spandrel panels are not much better in this regard. Although, often packed with three or more inches of insulation (providing a nominal R-12), the metal back pans and aluminum framing short-circuit the insulation so that their overall R-value is typically closer to only four. Most so-called “high-performance” curtainwalls with a mix of vision glass and spandrel panels have overall R-values of less than four. It is difficult to understand how such a choice of exterior wall could be considered a green system, when a simple low cost wall with only an inch of continuous rigid insulation will provide significantly better control of heat flow.

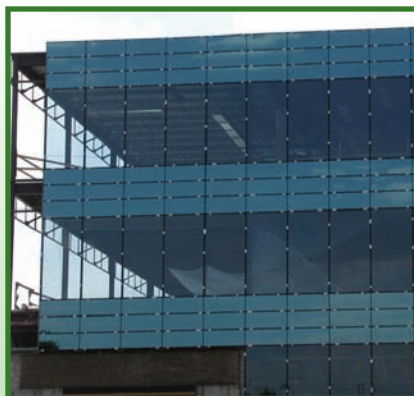
But, the thermal qualities are only part of the story. Glazing lets light in. That, after all, is the primary reason we use glazing. The solar heat gain that results is the reason many buildings require air-conditioning. The size of a building’s air-conditioning plant is almost always defined by the glazed area: more glazing means more chillers, ducts, coils, and fans. In the past, thermally massive offices, schools and shops with limited glazing could tolerate little or no mechanical air-conditioning. It is a testament to the miracles of modern glazing (which uses low-e, low emissivity coatings to selectively allow more visible light than infrared heat radiation), that many



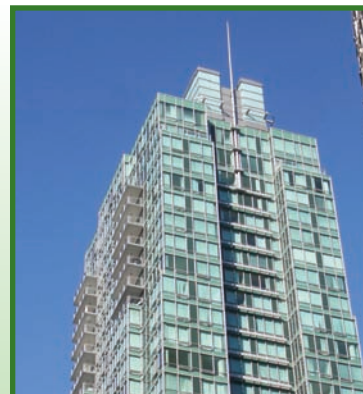
**John Straube, Ph.D., P.Eng.** is a principal of Building Science Corporation, in Somerville, MA and a professor of architecture and engineering at the University of Waterloo in Waterloo, Ontario. This article can be found online at [www.buildingscience.com](http://www.buildingscience.com)

buildings can have such large window areas and remain comfortable in the summer. Nevertheless, even very good commercial clear glazing still allows about one-third of the sun’s heat to enter.

It is true that daylight can offset the need for electric lighting and provide a psychologically healthy connection to the outdoors, but one doesn’t need floor-to-ceiling glass for that. In most occupancies and building types, there is no benefit to vision glass installed at floor levels (unless the occupants spend much of their time lying on the floor near the window), but there is a substantial energy penalty. Good daylighting design can reap all the benefits of glazing using vision glass



An all-glass “high-performance” thermally-broken curtainwall with low-e, argon-filled glazing units and R-12 spandrel insulation. Sleek appearance but dismal performance by any normal standard. The R-value of the combined spandrel and glazing is less than R-4, and the solar gain is high enough to require air-conditioning on cold sunny winter days.



Almost the entire façade of this condominium tower is covered with low R-value and high solar gain curtainwall. It is almost impossible to achieve a low energy, comfortable building with this approach.

covering less than half the enclosure. Numerous studies have shown there are no daylighting or energy benefits with window-to-wall ratios over 60 percent, and in most cases an area of between 25 and 40 percent is optimum. Even at these ratios, windows in a low-energy building should generally be high performance (triple-glazed in cold climates), with large thermal breaks and some form of exterior shading (preferably operable).

The U-value is the reciprocal of the R-value. A U-value of 0.33 is an R-value of three for example. As the climate becomes cold or very hot, a low U-value becomes important for energy savings and for comfort. Buildings with low U-value windows and/or curtainwalls can dispense with special, and costly, perimeter heating even in very cold climates.

The Solar Heat Gain Coefficient (SHGC) is the fraction of solar radiation that hits the glazing that passes through the glazing and becomes heat inside the room. For example, if the SHGC of a glazing unit is 0.50, and the sun is shining on the window with an intensity of 250 Btu/hr/ft<sup>2</sup>, 125 Btu/hr/ft<sup>2</sup> will enter the building as heat. The lower the SHGC the greater its shading ability. Although houses in cold climates often can benefit from solar heat gain in cold weather (i.e., passive solar heating), modern offices and assembly spaces should have sufficient insulation and air tightness that the interior heat generated by occupants and activities provide most of the heat, even in cold weather. Bright sunny days often causes

overheating of over-glazed south-facing offices during cold (e.g. -10° F) days, whereas during unoccupied nights, when heating is needed, the low R-values result in heating demand. Operable exterior shading obviates the need to choose a low SHGC window, but entails significant design effort, changes the appearance, and can be costly. Increasing opaque spandrel area, and reducing vision area, also reduces the total solar gain into the building of course.

The third measure, visible transmittance (VT), reports the percentage of visible light transmitted through the glazing. A typical clear, double-glazed window will have a VT of 0.60, meaning it admits 60 percent of the visible light. When daylight in a space is desirable, as in showrooms, high VT glazing is a logical choice. In offices and classrooms, where glare is a real issue, mid-range VT may be specified for large glazing areas, or high VT for small glazing areas. Low VT glazings such as bronze, gray, or reflective-film windows were often used in office buildings of the past as they also reduced solar heat gain. Modern spectrally selective (SS) windows allow for both a high VT with a low SHGC (and always have a lower U-value than uncoated glass). These SS windows allow for significant daylighting and psychological benefits while avoiding overheating during sunny days.

In the end, glazing is a classic design problem that requires one to balance the desire for thermal comfort, energy efficiency and light quality (all of which require small window areas)

with equally important desires for view, daylight and connectivity with the outdoors (all of which benefit from large vision-glass areas). Less window/curtainwall area, and higher system performance is the low-cost, high performance prescription for buildings suffering from excessive glazing area. Carefully choosing, and then specifying, overall system U-value, SHGC and VT is the best start to delivering high performance glazing on your next project.

Many designers have shown that beautiful and high-performance buildings can result from a proper balance of quantity and quality. All too often, however, designers appear to choose all-glass curtain walls or floor-to-ceiling strip windows because they make it easy to create a sleek impression while leaving all the tricky details in the hands of the manufacturers. How much longer can we afford to pay the energy bills that result from that choice? It's high time to revive the craft of designing beautiful facades that don't cost the earth.

**Post Script:** *There are super windows in research labs with R-values of seven, ten, and even 12 with dynamically operable shading capable of reducing the solar gain to less than 0.10 during bright sun and opening up to 0.60 or more during dull days. Other systems that incorporate light diffusing element and phase change materials can reduce energy flows across daylight panels by a factor of ten! Eventually such technology should become more affordable and available, opening up the possibility of high glazing area and high performance. **FCA***



Residential windows usually come with an affixed sticker providing verified and useful performance values: the U-value, Solar Heat Gain Coefficient and the Visible Transmittance. Commercial window specifiers need to define these performance metrics in their construction documents



A modern office building with a near-optimal window-to-wall area for energy and daylight performance in Boston, Mass.

## LEED Building Standards and Collective Bargaining

LEED (Leadership in Energy and Environmental Design) Building Standards have vaulted from relative obscurity to national prominence within a very short time. These Standards have the overall objective of lessening negative environmental impact during the construction phase of the building, as well as making the building more efficient and sustainable to the end user during the life of the structure.

As more builders and developers embrace these standards, there will be an impact on how work is performed at the construction site. What is less clear, however, is how the typical collective bargaining agreement, and the bargaining process itself, will be implicated.

For example, LEED Standards encourage the refinishing and reuse of existing construction materials, which may have the beneficial affect of increasing work opportunities in the finishing industries. However, the Standards also encourage that construction work be performed in a different manner. The Standards encourage:

- Taking steps to reduce pollution from construction activities, by reducing airborne dust generation.
- The implementation of an indoor air quality management plan for the construction and pre-occupancy phase of the building.
- The utilization of carpet, floor, drywall, panel, and glazing adhesives that minimize the release of air contaminants.
- The application of paints and coatings that reduce air contaminants that are irritating, or harmful, to installers and occupants and
- The installation of low-emitting materials in carpet systems.

The Model Collective Bargaining Agreement for the Finishing Industry touches upon some of the issues raised by these standards. Article VI, Function of Management, makes it clear that the employer has the right “. . . to observe the employer’s, and/or contracting entity’s rules and regulations that do not conflict with the agreement, . . .” and to “. . . decide upon methods, equipment, and procedures to be used in the performance of all work covered by this agreement . . .”

Obviously, this language makes it clear that the contractor may observe LEED Standards during construction activity.

However, other issues are less clear. For example, the use of more environmentally friendly techniques and products may have implications for the training of apprentices. Local JATCs will need to review the issue of appropriate training for apprentices, as well as work opportunities for employees. Article XXX of the Model Agreement provides a method for bringing that training to employees outside of the apprentice program. It directs the local parties to establish rules for journeymen upgrade training, and instruction on the issues of environmentally friendly construction procedures, as well as the use of different materials, fits squarely within the intended application of such a provision.

On a less positive note, it is possible that other issues will emerge that the parties must contend with. Any time that work is performed in a different manner, the potential for rival jurisdictional claims exists. For example, the removal, refurbishing, and reinstallation of materials salvaged from an existing building may generate competing assignment claims by those involved in the refinishing of such materials, versus those employees that have traditionally performed demolition work.

These and other issues will arise as contractors become more involved in performing work in this emerging market. Parties to a productive bargaining relationship should have little difficulty in addressing these challenges, and may, in fact, treat them as opportunities to capture market share.

FCA members can download the Model Collective Bargaining Agreement from the Web site, [www.finishingcontractors.org](http://www.finishingcontractors.org). Just click on “Labor Relations,” then choose “Model CBA.” **FCA**



**By Steve Burton  
FCA Counsel**

Steve Burton helped draft the FCA-IUPAT Model Collective Bargaining Agreement and is an expert on collective bargaining language.

## Greenwashing

Going green means either you or your company are taking a proactive approach to help the environment by recycling, reducing energy and waste or by using recycled material and content wherever possible. For example, GovPro.com, a Web site serving local, state and national purchasing professionals, defines greenwashing as “the act of misleading purchasers regarding the environmental practice of a company or the environmental benefits of a product or service.”

While you don't need to be a LEED AP to consider yourself or your company green, if you don't have a LEED AP assigned to a project that's striving for a LEED Rating, you will not be helping your customers achieve that rating by leading them to believe you are knowledgeable about green construction practices. Yes, you may consider yourself green even you are simply recycling office paper. However, you cannot use the term LEED AP unless you have passed one of the LEED AP exams, because LEED is a trademark for the United States Green Building Council. LEED AP is the term that your customers who seek to meet LEED standards want to see when they hire sub contractors.

In 1992, the Federal Trade Commission (FTC) issued its *Guide for the Use of Environmental Marketing*, which outlined acceptable and unacceptable environmental marketing practices. In the late 1980s and 1990s many companies were inflating their images or their products' environmental benefits, hence, the need for the 1992 document. Since then, the practice of Greenwashing died down, until recently.

It's important to keep in mind that just because a company claims to be green does not mean it practices green in all that it does. How does this affect your company? It's all in the marketing and advertising. However, to truly be green, construction companies need to have a LEED AP on staff.

According to the FTC, the 1992 guidelines – which were updated in 1996 and 1998 – required manufacturers to provide specific details explaining any environmental claim without overstating an environmental attribute or benefit. All the claims of “earth smart” and “eco-friendly” were to be done away with. As a result, manufacturers became more careful and precise with their environmental claims. Basically, the guidelines stated that claims must provide substantiation and specificity.

In January, 2008 the FTC began reviewing the guidelines once again. No date has been set as to when a revised version will be released. **FCA**

### FASTFACTS

*Greenwashing on product labels may include the following:*

- Earth/Eco-friendly
- Earth smart
- Made with non-toxic ingredients
- 100 percent natural
- Vague or confusing language
- Fluffy language



## CONTRACTOR TALK

Volume 3, Issue 5 • October 2008

*Contractor Talk* is published every other month by the Finishing Contractors Association. The newsletter is distributed as a benefit of membership to the contractors in the FCA.

Members are encouraged to contribute stories and photos. Please include your name, e-mail, phone numbers and address so that we may contact you to verify your submission.

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## Surety Bonding Program

FCA has teamed up with Ullico Casualty Company to bring FCA members in the U.S. a choice in surety bond options.

Here are answers to the most frequently asked questions about this latest member benefit. To help you understand how this Surety Bonding Program works, we've put together this overview of questions and answers.

For full details, simply log onto the FCA Web site, [www.finishingcontractors.org](http://www.finishingcontractors.org). Click on "Hot Topics" and Choose "Surety Bonding."

### Why Did the FCA Choose to Partner with Ullico And CCI Surety?

- Ullico has developed innovative surety programs expressly designed to meet the needs of FCA members.
- ULLICO Casualty Company is the risk solutions provider for labor and employers who hire union workers.
- The FCA Surety Bonding partnership with Ullico provides an easier approach to more bond options which might result in larger projects and larger bond programs.
- FCA members receive direct access to the responsive ULLICO Casualty Management team and the surety bond underwriters.
- Increase the competitiveness, lower costs and provide reliable access to surety bonding for FCA members.
- Options designed to help contractors who may be struggling financially to obtain bonds.

### How Do I Apply for this Program?

- To apply, either you or your insurance agent can call CCI Surety, Inc., toll-free at 866-317-3294 and ask for the bond department.
- Identify yourself as an FCA member or agent for an FCA member.



LEED Certified: The Wyatt, Portland, ORE, Long Painting

LEED Certified: The 937 Condominiums, Portland, ORE, Long Painting

- You will talk to a knowledgeable person at CCI Surety, who will help you work out a bonding solution custom-designed to meet your needs.

### Do I Have to Give Up My Current Broker?

- Not at all. In fact, your broker or agent can realize a commission working with Ullico and CCI on your behalf.

### Who Can Qualify for the Program?

- U.S. FCA members in good standing.
- Special solutions for smaller contractors including a one-page application that requires only the credit history of the owner/company and no lengthy financials.

### What Are the Bonding Limits

- Generally \$2 million single bonds with aggregate of \$6 million in bonded work.
- Smaller bonds of \$300,000 and under, based upon the credit of the owners and the company sales of \$2 million or less.

### More Information

- For questions about the program and qualifications call CCI Surety's Bonding Department at 866-317-3294.

- To download forms, go to the FCA Web site, [www.finishingcontractors.org](http://www.finishingcontractors.org). Click on "Hot Topics" and choose "Surety Bonding." **FCA**



LEED Certified: Corbett Crescent Condos, Portland, Ore. Long Painting



LEED Certified: The Elizabeth Lofts, Portland, Ore. Long Painting

## Green + FCA at the Finishing Industries Forum

In addition to learning about LEED and green, you can take advantage of all the FCA opportunities to learn and network at the Finishing Industries Forum. The FCA sessions are designed with you in mind, so please make time to attend. The Forum is Nov. 10-13, 2008 at Caesars Palace, Las Vegas. It is the joint FCA-IUPAT industry event, hosted by the LMCI.

### FCA Events

*Monday, Nov. 10, 2008 1-5 p.m.*

#### FCA Board of Directors Meeting

Meet the leaders of the FCA at the Board of Directors Meeting and see how they guide the direction of your association.

*Tuesday, Nov. 11, 2008, 2:15-3:45 p.m.*

#### Business Practices Advisory Committee

Learn how to save money, be more competitive and shop for surety bonds through the products and services developed by the FCA Business Practices Advisory Committee.

#### Glazing Advisory Committee

For glaziers, meet the members of the FCA Glazing Advisory Committee who are gathering for its first face-to-face meeting to set a direction of actions that will address your unique needs.

*Tuesday, Nov. 11, 2008, 4-5:30 p.m.*

#### Workforce Advisory Committee

Hear the latest trends in recruiting and training – from a management perspective – and learn how management trustees work with the Finishing Trades Institute.

#### Industrial Painting Advisory Committee

Learn more about the latest initiatives designed to help meet the challenges you face.

*Wednesday, Nov. 12, 2008, 2-5 p.m.*

#### FCA Annual Business Meeting

Learn about the new initiatives and plans of the FCA, all designed to add value to your membership. **FCA**



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PLEASE ♻️ RECYCLE

