



St. Louis Metro A.S.P.E. Chapter 19

# *The Gateway Estimator*

Volume 9 Issue 1

[www.stlouis-aspe.org](http://www.stlouis-aspe.org)

February 2007

## **St. Louis Metro Chapter 19 Officers & Board 2006-2007**

### **Board Meetings**

First Tuesday of the month at 5:30 p.m.

### **Officers & Directors**

Dan Davenport, McCarthy - President  
David Briegleb, H & G Sales - 2nd V.P.  
Brad Davis, Paric Corporation - Secretary  
Jim Stukenberg, GRS Construction Co. - Treasurer  
Matt Ford, Universe Corporation  
Elmer Rhodes, Commerical Document Solutions  
Robert Schubert, K & S Associates, Inc.  
Mark Uthe, Biddata LLC  
Fred Waldrop, Murphy Company  
Kevin Wiwczaroski, G.H. Voss - Past Pres.

### **Committee Chairs**

#### **Membership**

Mark Uthe 314-434-0444

#### **Education**

Chair Open

#### **Scholarship**

Bob Partl 314-739-1800

#### **Awards**

Matt Ford 314-439-2800

#### **Newsletter**

Debbie Murphy 314-368-7198

#### **Certification**

Fred Waldrop 314-997-6600

### **Important Numbers**

#### **President**

Dan Davenport 314-919-2226  
[DDavenport@McCarthy.com](mailto:DDavenport@McCarthy.com)

#### **Executive Director**

Debbie Murphy 314-368-7198  
[estimating@stlouis-aspe.org](mailto:estimating@stlouis-aspe.org)

## **From The President**



Hello All:

I hope that you all had a great Christmas holiday and were able to spend some time with your friends and loved ones. I took some time off to spend with my family. Part of my "quality time" was spent cleaning out the basement with my

bride! It took two days and a lot of letting go. "You really don't think you need six commercial caulking guns do you hon?" A lot of items went to the Habitat for Humanity Re-store, the recycle bin, and the dumpster. It was like a colonic for my house.

Hey how about that ice storm! We are so lucky here in the St. Louis area to not have to deal with all of that snow. Just give us those temperatures that create the ideal conditions for ice, sleet, and freezing rain to fall. After several hours of precipitation then have the temperatures plummet into the teens! That's how I like to start the winter. Mother Nature has created a lot of work for the construction industry this year.

### **Monthly Meetings**

Our October monthly meeting was a presentation on the manpower crisis we face in the construction industry now and for the next ten to twenty years. Fred Waldrop of Murphy Company, Terry Eivens of the AGC, and RJ Morris of McCarthy Building Companies, Inc. co-presented the session. Presently, experienced estimators are in great demand, so it's a "sellers" market.

Our November meeting on the sixteenth of November was a joint meeting with NAWIC. The timely and controversial topic was the new 64/40 Highway project that was awarded the following day to the Gateway Constructors consisting of Granite Construction from California, Fred Weber and Millstone Bangert of St. Louis

**From The President - Continued on Next Page**

## From The President

### Continued from Page 1

with Parsons Transportation Group, Inc. and URS Corporation. Additional members include Gerstner Electric, Inc., Crawford, Bunte, Brammeier, Horner & Shifrin, Inc., Terracon Consultants, Inc. and Vector Communications. Additional and updated information can be found at [www.thenewi64.org](http://www.thenewi64.org).

Also that night our Chapter 19 of ASPE signed a Partnering Agreement with the local NAWIC Chapter 38 to promote and cooperate with each other in the betterment of both societies. Kimberly Staats of Castle Contracting and yours truly inked the agreement that is in effect through the year 2007.

Our Holiday Celebration was December 14 at Maggie O'Briens from 5:30 to 7:30 P.M. I hoped you stopped by to share a glass and toast the season with your fellow estimators.

#### **Board News**

We need volunteers to assist with planning and working the 2007 golf tournament and Night at the Races in May. You may contact any of the board members to confirm your desire to participate.

Time is running out for Certification this year. If you are interested in attaining more information on certification please contact Fred Waldrop at Murphy Company.

#### **General Ramblings**

The Cardinals are the World Champions of Baseball! I am sure that it is just me but I wasn't as excited this year as when they won the World Series in 1982. I remember back

then that I grabbed my 5 year-old daughter and 2 year-old son and headed down to Old Busch Stadium when the seventh game had reached the 8th inning. We had to park about a mile away and I raced to the stadium, one kid in each arm, and arrived just as Bruce Sutter got the final Milwaukee batter on a called third strike. The fireworks and cheers were electrifying. As the crowds streamed out we worked our way into the stadium to meet my brothers. What great memories!

Well the elections are over (praise the Lord) and there has been a swing in congress to the "Other" party. What if any changes in Washington will affect our industry? If you listen to those on the far fringes of one party, we will all be taxed to death among other dire predictions. Hopefully our legislators will work together and move our country in a positive direction with leadership devoid of destructive actions or obstructive behaviors. Elections since 2002 have been so close that I don't think either the Democrats or the Republicans can claim a clear mandate.

Let us all work toward a better tomorrow by helping one another whenever and wherever we can. I always liked the idea of "practicing random acts of kindness." God bless and Happy New Year to All. It is definitely going to be a great year in 2007. Yeah definitely!

Best Regards,

*Daniel R. Davenport, CPE*

*President 2006-2007*

*St. Louis ASPE Metro Chapter 19*

Meeting of the American Society of Professional Estimators (A.S.P.E.) St. Louis Metro Chapter #19



**Higher Education in  
Construction Management:  
SIUE Department of Construction**

**SPEAKER: DIANNE KAY SLATTERY, P.E., CPC,  
ASSOCIATE PROFESSOR AND CHAIR**

**Thursday, February 22, 2007**

**Maggie O'Briens**

Across from Union Station - 2000 Market Street, St. Louis, Missouri

**Social Hour - 5:00 pm Program - 6:00 pm Dinner - 6:45 pm**  
**Members: \$30 Guests: \$35 Students: \$20**

**Reservation Deadline: Friday, February 16, 2007 at 4:00 pm**  
**FAX Registration Form to Cyndi Walker at 314-781-3836**

**PLUS!!!** *Gotta Be There to Win Attendance Prize  
for members & 50/50 drawing*

**MONTHLY MEETING RESERVATION FORM**

**ASPE:** RSVP by faxing response. Complete and send entire sheet to: **Cyndi Walker: FAX 314-781-3836.**  
Bring cash or a check, *made payable* to **ASPE**, to the meeting. "No Shows" will be billed.

**Non-Members:** Send registration form with check, *made payable* to **ASPE**, to **Cyndi Walker** at Golterman & Sabo, 3555 Scarlet Oak Blvd., St. Louis, MO 63122.



Name \_\_\_\_\_  
Email \_\_\_\_\_  
Company \_\_\_\_\_ FAX \_\_\_\_\_  
I'm bringing a Guest! (Name) \_\_\_\_\_  
Company \_\_\_\_\_ FAX \_\_\_\_\_

**American Society of Professional Estimators**

*A.S.P.E.: Dedicated to the promotion of the profession and benefit of the construction industry.*

## **SAVE THE DATE**

July 12 – 14, 2007

ASPE National Estimating  
Academy & Convention  
Park City, Utah

### **Four Chapter Members Seeking CPE**

The American Society of Professional Estimators (ASPE) offers a certification program for qualified applicants. The following applicants have at least five (5) years of estimating work experience and have been accepted into the program: Steve Renschen of Jacobs, John Raham of Jacobs, Everett Myers of CRB and John Smith of Tarlton have signed up for Certification classes. Workshops will be conducted by Certification Chair, Fred Waldrop.

## **Meet Board a Member: Jim Stukenberg, CPE**



Jim has been in the construction industry for over 25 years. He started out as a junior estimator and worked his way to senior estimator. Along the way he has been a project manager and assistant superintendent and even a superintendent on some smaller projects. Jim is currently a senior estimator with GRS Construction Co. in Columbia IL.

Jim has been a member of ASPE since 2000 and is now serving as the treasurer for our chapter. He is a Certified Professional Estimator (CPE) as recognized by the American Society of Professional Estimators. He has two daughters but no grand children. He has recently become engaged and is working on, no make that assisting with, March wedding plans.

**IF YOU WOULD LIKE TO ADVERTISE YOUR BUSINESS IN  
OUR NEWSLETTER FOR ONE YEAR, PLEASE SEND TWO  
BUSINESS CARDS & A CHECK  
MADE OUT TO A.S.P.E FOR \$50.**

**MAIL TO: JIM STUKENBERG, GRS CONSTRUCTION  
808 SOUTH MAIN., SUITE D, COLUMBIA, IL 62236**

# ASPE GOLF TOURNAMENT NEWS



Golf Tournament Chair Dave Briegleb did a great job organizing our 4th Annual Golf Tournament last year with \$4469.53 raised for our Scholarship fund.

## MARK YOUR CALENDAR

### August 24

This year the tournament is scheduled for August 24, 2007 at Bear Creek Golf Club, 158 Bear Creek Drive Wentzville, MO 63385. Look in your e-mail box and in the next Gateway Estimator for details.

## ASPE Chapter 19 Needs You!

We need your help. Chapter 19 has Board Officer and Director positions available. Board members organize our annual Night at the Races, ASPE Golf Tournament and our informative monthly meetings. Those wishing to enhance their estimating career by serving on the board should contact any current board member or President Dan Davenport.


## On-Line Courses Offered By ASPE

Self-Paced courses may be started at any time: Textbooks are provided with your tuition. For more information visit: <http://www.aspeeducation.org>

**Introduction To Construction Estimating**, is an online course presented by ASPE. You can start this class at any time. \$410 for members, \$440 for non-members.

**Essential Construction Math**, is an online course presented by ASPE. You can start this class at any time. \$410 for members, \$440 for non-members.



# ASPE Chapter 19 The Gateway Estimator Sponsors



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WIN THE RACE  
 ON BID DAY

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 St. Louis, Missouri 63131

314-434-0444  
 314-985-0622 Fax

# January Meeting: Killer Contract Clauses

presented by Susan Linden McGreevy of Husch & Eppenberger, LLC law firm

The person, or team, who prepares the estimate for a construction project has a heavy responsibility. Err on the side of being too cautious and you don't bid low enough to get the job. Err on the side of being too risky and you bid so low that you lose money. One essential element of getting the right estimate is having all the required information.



**ASPE Chapter 19 President Dan Davenport thanking Susan Linden McGreevy at our January 18 Meeting**

## **I. What's been "incorporated by reference" into the contract?**

The problem is that the specifiers don't read the entire code that they are including. The wholesale incorporation of codes cuts both ways. Additional requirements for the contractor in those codes – either higher standards, greater safety margins, more frequent inspections than any of the parties would otherwise have intended. This can dramatically affect the productivity on which the estimator was relying in calculating its bid. Many times these codes are referenced in the specific section of the technical specs. Just as often, however, they are thrown into supplementary general

conditions which may or may not be furnished to the subcontractors or vendors, or to anyone's estimator.

## **II. Are there any restrictions on working conditions?**

The construction worksite was three feet from the garden. All the prisoners wore the same blue jeans and red shirts and blue ball caps. Anytime there was a prison "incident," such

as an escape or riot, all of her company's work would be stopped. None of the workers would be allowed to have weapons on their persons or in their vehicles, or lighters, matches, smoking products, music, etc. Background checks required of all persons working on the site.

All of these conditions would affect the way work was done and even who could do it. None of these conditions were explicitly spelled out in the specifications. But there was a paragraph, again in the supplementary or special conditions that said that "the site was adjacent to a state correctional facility. Bidders are instructed to contact that facility directly to ascertain

what, if any, information it might have that would impact bids.”

Similar kinds of restrictions are common when working in occupied spaces such as hospitals, schools, condominiums. No one told the contractor that there was a very active, rich, retired and litigious neighborhood association that did not want anyone jackhammering or pumping concrete before 8:00 a.m. or after 4:00 p.m. Again, the person estimating the work wasn't in the loop on this restriction and budgeted far fewer days for completion of concrete decking than he would have if he had all the right information. How often do you know: Where will you be allowed to store materials or bolt-up components on site? Where can workers park their cars?

### **III. Will there be partial occupancy?**

As often as not, it is anticipated right from the beginning that work will be occupied by an owner or its tenant on a piece-meal basis. Everything changes once tenants are in a building. The number of changed conditions that can affect the productivity rates on which the bid was based are plentiful.

Will you be able to use the freight elevator in an existing building at all times, or have to share it with tenants? Will there be noise restrictions, requiring smaller tools? Will there be restrictions on the use of overtime? Will there be greater clean-up requirements? Will you now have to park farther away or enter through the back door – all of which will take your workers longer?

It is in everyone's interest if the people preparing the estimates and bids are aware of any potential plans for partial occupancy so that they can figure them into productivity rates and other costs.

### **IV. Material price increases or delays in delivery.**

With natural disasters, political upheavals, bankruptcies and wars, there is hardly a type of construction material that hasn't been vulnerable to either price increase or product scarcity in the last few years.

Of late, contract drafters have been instructed by their clients to take a hard line. Much more specific language in contracts and purchase orders on the subject of just what, if anything, will entitle a contractor or vendor to relief. That relief could be an extension of time, a price increase, or the right to cancel the order – but it could be that there is no relief at all. Because these are “custom” clauses, they might be found in the supplementary conditions. Or they might be found in the boilerplate general conditions (where some language was crossed out or added to).

Unless the vendor supplying the material or equipment is in a position to agree not to increase prices and to meet schedule delivery dates no matter what, the contractor will get caught in the middle, being contractually responsible for things that it cannot control. Many, if not most, vendors will not or cannot agree with these clauses.

## **V. Warranty terms.**

It is very, very common now to find warranty terms in the contract on which you are bidding that are different from the terms you can live with – or that you can get those from whom you are buying to accept. Warranties that are for longer terms that you can get a supplier or subcontractor to accept. Warranties that start over at the time of repair/replacement. Warranties that include performance or output standards that may be questionable in the application.

The scope of warranty will be supplied by the UCC if the parties don't specify one, and the UCC warranties are pretty generous to buyers. Virtually all manufacturers of materials and equipment for sale in the U.S. are adamant that their warranty terms, and only their warranty terms, will be allowed. As a result, the estimator really needs to know exactly what the warranty terms of the contract she's trying to get are, so that she can match them up against the terms she can get from the vendor.

The warranty terms are not all set out in just one place: the contract itself, the general conditions, the special/supplementary conditions, the "front-end" (i.e., section 00700), of the spec book, or buried in the technical sections. Only by giving the estimator all the warranty information can the bidding company have any hope of fitting together what must be given with what can be gotten, and determine if there is a match.

## **VI. Is there any part of the project that is considered "design-build?"**

This is so important because the firms to whom these parts of the work are contracted must have professional liability insurance adequate to cover potential liability. Sometimes it is not easy to draw the line between what is, and is not, "design" work.

It really is the job of the licensed designers to tell everyone if there are parts of the planned work that will need the seal of another design professional who is not a sub-consultant of the architect or engineer of record. There are many firms that are unable or unwilling to provide such insurance coverage and the estimators need to know from whom they can take prices and whom they needn't bother. A low bid based on disqualified subcontractor prices is not much good to anyone.

## **VII. Related issue: insurance/indemnity requirements in general.**

In the Good Old Days, insurance requirements in construction contracts were pretty standard and straightforward, and didn't change a lot from time to time. In the last five years, the insurance marketplace has changed a lot, and it is not unusual for some insurers to refuse, or price high enough to make unavailable, coverage that used to be taken for granted. Legal issues have crept into the insurance clause negotiations.

Will your insurer (or your supplier's insurer) cover a "broad form" versus "narrow form" indemnification? Will they extend additional insured status to the owner's architect, engineer, lender, inspector, attorney and brother-in-law? Will they include "all-risk" comprehensive coverage, coverage for mold, asbestos, silica? If not, you will be in breach of contract the minute you sign on the dotted line.

The number of builders who can get insurance coverage for condominium construction has shrunk considerably. As bad as it is to be sued by the owner of an 80-unit apartment complex, it's much more than 80 times worse to be sued by the owners of each and every condominium in the complex.

Old boilerplate insurance requirements in bid packages that require the use of ISO forms that are no longer published and limits of insurance that simply can't be bought in the conventional marketplace. It does no good for an estimator to spend hours coming up with pricing for a kind of work for which the contractor can't ultimately get insurance



# **Attention Members: Keep ASPE Informed**

**If you (or your company) have information of interest to your estimating peers, please send it to Chapter 19. Jobs acquired, completed, promotions, awards, etc!**

**Send your information to Debbie Murphy at [estimating@stlouis-aspe.org](mailto:estimating@stlouis-aspe.org) to be included in the next Gateway Estimator.**

## Informative Web Sites

**St. Louis Chapter 19 ASPE**  
[www.stlouis-aspe.org](http://www.stlouis-aspe.org)

**National ASPE**  
[www.aspenational.org](http://www.aspenational.org)

**National ASPE Education Board**  
[www.aspeeducation.com](http://www.aspeeducation.com)

**Association for Advancement of Cost  
Engineering, St. Louis Section (AAEC)**  
<http://web.networkusa.net/aacestl>

**American National Standards Institute  
(ANSI)**  
[www.ansi.org](http://www.ansi.org)

**American Society of Civil Engineers  
(ASCE)**

[www.asce.org](http://www.asce.org)

**Ass. General Contractors of St. Louis  
(AGC)**  
[www.agcstl.org](http://www.agcstl.org)

**ASA Midwest**  
[www.asamidwest.com](http://www.asamidwest.com)

**Greater St. Louis Chapter of the  
Construction Specifications Institute  
(CSI)**  
[www.stlcsi.org](http://www.stlcsi.org)

**National Association of Women in  
Construction (NAWIC) - [www.nawic.org](http://www.nawic.org)**



## ASPE is Off to the Races Again on June 2

ASPE St. Louis Chapter 19's Fifth Annual Night at the Races is scheduled for June 2, 2007 at Fairmount Park Race Track in Collinsville, IL. We meet at 5:30-6 p.m. in the First Turn Cafe for buffet and a lot of fun and excitement. Races start between 7-7:30 p.m. Details to follow.

# Ask a CPE (Certified Professional Estimator)

by Laura Chlevin Nieuwsma, CPE - ASPE San Diego Chapter #4

The following question is one by which I believe every estimator has been haunted ...  
**“What is the difference between ‘Value Engineering’ and ‘Scope Reduction’?”**

Value = the most cost-effective way to reliably accomplish a function that will meet the user’s needs, desires, and expectations. It is an organized process which identifies opportunities to remove unnecessary costs while assuring that quality, reliability, performance, and other critical factors will meet or exceed the customer’s expectations. The improvements are a result of recommendations made by the general contractor, construction manager, subcontractors, architects, engineers, owners and operators, to name a few. VE is an organized effort to improve the value and optimize the lifecycle costs of a facility. VE generates these cost improvements without sacrificing needed performance levels. VE techniques can be used to achieve a number of things: save money; reduce time; and improve quality, reliability, maintainability, and performance.

Scope = the detailed description and extent of area which is agreed upon between two parties. Scope Reduction is the deletion or reduction in size or quantity of a specific scope of work. Very often, Scope Reductions are included in the process of Value Engineering which creates the confusion of its true intent. Ideally, when a list of items is created by a team working on Cost Reductions, the two should be clearly identified. A couple of examples on a recent project of mine help to describe the differences. The first example is Value Engineering, the second being Scope Reduction.

1. On a hotel project, the original foundation design was deep pile foundations with 14’ to 16’ pile caps under the entire tower. After researching the reasons for this design approach, it became apparent that we could revert to a more conventional tower design by adding a basement under the tower on top of a 5’ and 9’ thick matt slab. This resulted in a \$26 million dollar savings to the project. The mechanical spaces which were taking up the second floor entirely were now able to be put in the basement, and the second floor was utilized as additional guestrooms and public space. The operation of the hotel did not change.
2. The Owner requested an alternate deduct to eliminate the Spa Building. The costs associated with each trade were compiled and a value was identified. Affectively, a decision could be made by the Owner to change the scope of work and eliminate the building resulting in a cost savings to the program, but it also changes the operation of the hotel.

Please send your questions or comments to [lauran@roel.com](mailto:lauran@roel.com) or fax to 619.278.6604. Or, you may submit a comment or interesting thought as well.

# ASPE Member Companies

Ahal Contracting Co., Inc.  
Alberici Constructors Inc.  
Architectural Systems  
Bangert Computer Systems  
Biddata, L.L.C.  
C & R Mechanical Co.  
C & R Duct Fabrication  
Castle Contracting LLC  
Clayco Construction  
Commercial Document  
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Golterman & Sabo, Inc.  
GRS Construction  
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H & G Sales Inc.

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Taylor Excavating Company  
The Stovey Co.  
Volk Construction Company  
Wachter, Inc.  
Wiegmann Associates

## RELATED LOCAL NEWS

### NAWIC News

NAWIC Chapter 38 is hosting a meeting on February 15 at Pujols5 Grill in Westport Plaza. Topic: Plumbing Demonstration. 5:30 p.m. Networking, 6:00 p.m. Dinner, 6:45 p.m. Program. \$25 per person. For reservations, contact Anne Houchin, at 314-535-4544 or at [ahouchin@ahernfire.com](mailto:ahouchin@ahernfire.com).

### AACE News & Events

The Association for the Advancement of Cost Engineering invites ASPE members to attend their meetings. February 13 Lunch at Future of Ethanol in the U.S. presented by: Abengoa. March 13 at MoDOT facility Tour of MoDOT Transportation Facility and update on the Hwy. 40/I-64 Rebuild Project. Dinner following the tour. Please e-mail David Motherwell, CCE at [david@ameren.com](mailto:david@ameren.com) for details.

### ASA-Midwest Council

The ASA-Midwest Council invites ASPE members to their meeting on February 21 at Syberg's on Dorsett. Social Hour: 5:30 p.m., Dinner: 6:30 p.m., Program 7:15 p.m. \$40 Per Person. For reservations contact Reba Gillick at [ed@asamidwest.com](mailto:ed@asamidwest.com) or 314-214-1664.

### St. Louis AGC Events

Young Constructors Mardi Gras Ball is scheduled from 7-11 p.m. on February 2 at the Maggie O'Briens. \$45 per person in advance, \$50 at the door. Domestic bottle beer, wine, mixed drinks & appetizers. Silent auction, attendance prizes. Proceeds go to AGC of St. Louis Construction Career Center. Contact Mary Jobe at 314-781-2356 or [mjobe@agcstl.org](mailto:mjobe@agcstl.org).