



Designing for Failure: Lessons for California, Courtesy of Katrina

While Katrina was clearly a natural disaster, the severity of the disaster and difficulty of recovery in New Orleans were greatly aggravated by shortcomings in the engineering of public works. The extensive and sustained flooding of the city damaged or destroyed much of the highly interdependent infrastructure of the city, complicating and delaying the recovery. In retrospect, failures of the levees and floodwalls are attributed to a number of overly simplistic and optimistic engineering assumptions made regarding design details, including not considering all potential modes of failure. At the highest level however, was the failure to consider the consequences of failure of the engineered systems, either due to defect in design or construction, a lack of maintenance or monitoring, or the inevitable exceedance of design assumptions.

In a future major earthquake, California is at risk of a fate similar to New Orleans, where catastrophic failure

of key components of our highly interdependent infrastructure could lead to a protracted recovery for the affected areas. Since everything from immediate humanitarian relief to long-term economic recovery depends upon a functioning infrastructure, developing resiliency in our infrastructure must be our top disaster mitigation priority.

JOHN OSTERAAS, Ph.D., P.E. is a Principal Engineer and Group VP at Exponent Failure Analysis Associates. For thirty years he has been involved in the investigation of engineering failures, specializing in investigation and analysis of buildings damaged by extreme forces, with emphasis on earthquake damage.

AIA/CES Learning Units: This program meets AIA/CES criteria. Participants will receive 1 hour of LUS (learning units) per each program which also applies to 1 HSW (Health, Safety Welfare) Hour.

- When: **THURSDAY, October 12, 2006**
- Location: Michaels at Shoreline, 2960 Shoreline Blvd., Mountain View (Shoreline Blvd., north of 101, adjacent to the Shoreline Golf Course)
- Times: Social time: 5:45 PM
Dinner: 6:30 PM
Program: 7:30 PM
- Menu: Green salad, Chicken Portabella Chicken stuffed with mushroom duxelle with a Mornay sauce, served with rice and vegetables. Apple strudel for dessert with coffee and tea.
The price for dinner is \$28.00, which includes gratuity and tax. **Credit cards cannot be accepted for this meeting.**

Please make your reservations by noon on Tuesday, October 10th. No shows will be billed.

Email Gus Sharvey, CSI at GusSharvey@sbcGlobal.net or phone (408) 629-4088. Guests are welcome.

President's Message *by Marvin Bamburg*

2006-2007 Board of Directors

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Our last meeting with the topic of "Daylighting" brought out more attendance than normal – there were 38 present. I know that we can thank AEDIS Architects for their support (they almost filled one table by themselves), but it also must have been the topic. Meetings with attendance of over 30 people seem to have greater vitality and certainly the networking opportunities are much enhanced.

Next month's meeting will be one of these also. "Lessons for California, Courtesy of Katrina" will be the topic of the joint meeting with the Structural Engineers Association of California. It will not be at our regular place or on the regular date so please take note. At our last meeting with that group, there were over 100 people in attendance! See the meeting notice elsewhere in this newsletter.

Hope to see a good turnout for the CSI Western Region Conference in Reno in November. You can find out more about it in the notice elsewhere in this newsletter. There are some provisions for partial reimbursement of expenses for you who attend. The Chapter's policy is as follows:

WEST REGION CONFERENCE: Reimbursements will take place after the event with proof of registration, as well as proof that the member actually attended the event and has

complied with the requirements below.

BOARD MEMBERS: Reimbursed 100% of their registration fee provided;

1) They attend a minimum of one seminar, when ever possible and submit a written report (paragraph or article) for publication in the newsletter, or present a verbal report to the Board.

2) They attend a minimum of one workshop, as determined by the Chapter President, and report back to the Board.

3) They attend the annual business meeting and conference wrap-up (speak-out session) on Sunday morning.

MEMBERS: Reimbursed 50% of their registration fee provided;

1) They attend a minimum of one seminar, when ever possible and submit a written report (paragraph or article) for publication in the newsletter, or present a verbal report to the Board.

2) They attend a minimum of one workshop, as determined by the Chapter President, and report back to the Board, unless otherwise instructed by the President.

3) They attend the annual business meeting. Exceptions may be made at the discretion of the President.

We are forming a Special Events

Bamburg *cont'd on Page 3*

SUMMARY

Bamburg *cont'd from Page 2*

Committee to try to find a way to raise some additional income for the Chapter without raising dues. The purpose is to help defray the cost of educational programs, to enhance our meetings and to add benefits to the membership. We need a young, energetic, creative person to help several of the more “mature” members on this – any volunteers?

Our Chapter will be 50 years old in 2010 – only 4 years off. It is appropriate that we begin planning for that event now, so an Anniversary Committee is forming. If you want to lend a hand, just give me a call or an email. See you in October...



Photo at right:

Visitors from Aedis Architecture & Planning of San Jose were out in force for the Daylighting Presentation.

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Minutes of the Board Meeting

CSI, Santa Clara Valley Chapter
(Draft, Board Approval Pending)

PLACE: Ramada Inn, Sunnyvale

DATE: September 2006

The meeting was called to order
by Chapter President Marvin
Bamburg at 5:04 pm.

Attendees

Board Members Present: Marvin
Bamburg, CSI, AIA, – Presi-
dent; Krista Nelson, RA, CSI,
LEED® AP – Vice President;
Dave Ingram, CSI – Imme-
diate Past-President; Albert
Wege, CSI, CCCA – Treasurer;
Hannah Moyer, AIA, CSI, CDT
– Professional Director, Barbara
Brosh, CSI – Industry Director,
Jim Morelan, AIA, CSI; Profes-
sional Director.

Committee Members Present:
Julie Brown, CSI, CCS, SCIP
– Awards & Historian; Gus
Sharvey, CSI – Operating/
House; Gary Barnett, RA, CSI,
CCS.

**The minutes of the August
meeting** were reviewed by those
present.

The following changes were
made:

Change the RA after Hannah
Moyer to AIA.

Change Barbara's last name to
Brosh.

Add under paragraph III:
"It was moved that the budget
for 2006-2007 be approved.
The motion was seconded and
carried."

The minutes are accepted, sec-
onded, and carried.

Treasurer's Report:

The Visa totals for last month
did not match the expected
totals. The report that Albert
Wege receives is not detailed.
Albert is not on the Visa
account, so he cannot follow
up. He will check with Nancy
Rhea to see if she's authorized to
get more detailed information
regarding who paid.

Albert has brought extension
cords for the phone line and
power so that the Visa machine
can be located at the front desk.

A notice will be put in the
newsletter that no credit card
payment will be available for
October's program. It appears
that the machine does not work
from phone numbers other than
the hotel.

The treasurer's report as pre-
sented is filed, pending the audit.

Region Director's Report:

West Region Conference will be
November 2-5th in Reno. Regis-
tration is available now.

The reimbursement policy for
attendees will be published in
the newsletters.

President's Report:

The annual report to the region
is due by the end of the month.
Hannah Moyer will send
Marvin Bamburg the program
dates and names and attendance.
Hannah will coordinate with
Albert to get the attendance
for programs that she doesn't
already have in her form.

Unfinished Business: None.

Minutes cont'd on Page 5



James O'Keefe, CSI

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SUMMARY

Minutes *continued from Page 4*

New Business:

Albert Wege and Dave Ingram to sign the bank form.

Dave Ingram moved that we accept the Conference Reimbursement Guidelines from last year for this year's conference; motion was seconded and approved.

Committee Reports:

Special Events: No report

Membership: Badges – 5 badges are needed. They cost \$11.70 each or we can order 25 at a time and have them in stock. It saves \$.50 per badge to do it this way. If the badges are held in inventory, they will also ship quicker. It was recommended that the badges be ordered individually since it would be easy to lose track of the number of blank badges that we have in stock as committee members change each year.

Educational Seminar: To date, two individuals have signed up for the seminar. Hannah has checked with Karol regarding the final cancellation date. Karole wants to know as soon as possible. There is a \$300 for the room charge. The board recommends waiting until two weeks before the deadline since most people sign up at the last moment.

Programs/Technical:

The winery (Rudon/Smith) is lined up for December's program. Committee is working on programs for the beginning of the

calendar year.

The joint meeting with SEAONC is next month at Michael's. The board meeting will be held at Michael's as well. The meeting will be 45 minutes because the social hour starts at 5:45. The board will meet at the patio, weather permitting. If not, the meeting will be in the dining area. All committee reports are to be in writing to keep the board meeting short.

There are only 4 portfolios left to hand out as thank you gifts. Julie Brown can check into the costs but it doesn't appear that it was budgeted for this year. Hannah Moyer will follow up with the company to get current cost information for discussion at a future meeting.

E. AIA Liaison: No report.

Greeter/Raffle: Barbara will cover tonight.

Annual Roster: Should be published next week.

Dave Ingram is coordinating with Jim O'Keefe regarding following up with members that haven't renewed.

Editor: Moving forward and the newsletter went out on time.

Historian:

The new album has been purchased.

It would be a good idea to digitize photos for the 50th anniversary.

Awards: No report.

Website: Functioning and is updated.

Minutes *cont'd on Page 7*

Planning Calendar 2006

Chapter Meetings

NOTE THE CHANGED MEETING DATES - THESE ARE NOT THE 1st THURSDAY OF THE MONTH!!!!!! PLEASE MAKE NOTE.

Oct 12 Designing for Failure - Lessons from Katrina for California [Joint meeting with SEAONC] - This will be a different location than normal.

Oct 14 Education Seminar; Advanced Plans Reading (see flyer)

Nov 9 Feng Shui

BACK TO THE 1st THURSDAY OF THE MONTH!!!!

Dec 7 Holiday Celebration

Planning Ahead

Oct 16-18 – CSI Academies, Salt Lake City

West Region Conferences:

Nov. 2 - 5, 2006 – Reno
2007 – Los Angeles

June 20-22, 2007 – CSI Institute Convention & University, Baltimore, MD

Visit our website at
www.csiscv.org or

The West Region's website at
www.westregioncsi.org



West Region Corner



INSTITUTE DIRECTOR, PROFESSIONAL, WEST REGION PRESIDENT

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The West Region Conference, being held this year in Reno, NV, is approaching quickly. The conference starts on Thursday, Nov. 2nd with the annual West Region Board of Directors meeting and concludes on Sunday, Nov. 5th with a Specifiers Forum hosted by SCIP.

In between there will be a product show and welcoming reception on Thursday eve-

ning, technical presentations on Friday, and CSI workshops on Saturday. Outstanding achievements by CSI members in the region will be recognized at the banquet on Saturday evening. Registration information, with complete details on all conference programs, and applications for sponsorships and exhibitors, should have reached you in the mail by now. If not, please see the region website or contact Matt Crawford, mcrawford@kellymoore.com, Valarie Harris, valarieh@pacbell.net, or Jan Piccola, jp Piccola@frazee.com.

Turning to Institute business, the next meeting of your Institute Board of Directors will be held in Denver, CO on November 17th to 19th. Jan Piccola and I will both attend representing the West Region. Also attending from the West Region will be Sheryl-Dodd Hansen, the Institute Vice President, Professional. The principal item of business before us will be interviewing candidates to fill the role of the executive director of the

Institute. The Institute has hired a professional search firm, Korn Ferry International, to assist the Institute's board in finding, evaluating, and then hiring our new executive director. If all goes as planned, the process should be concluded this fall.

...a committee of the Institute's board has undertaken a review of our governance structure.

Coincident with the selection of a new executive director, a committee of the Institute's board has undertaken a review of our governance structure. Some of the things we are considering include the size of the Institute's board of directors, how officers of the Institute are elected, how the regions function, the cost of our current governance, and the role of the Institute staff. I am

West Region *cont'd on Page 7*

Jim Balboni
Project Executive
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Western Region



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SUMMARY

West Region *cont'd from Page 6*

serving on the committee with a small group of other board members. It is our intention to have preliminary recommendations ready to present in Denver at the meeting this November.

This is a challenging assignment no matter how you look at it. Many members will oppose any change, thinking that everything is fine the way it is. Others take the opposite view, wondering how we've gotten along as well as we have for so long without the wheels coming off.

You can be sure those of us on the committee are approaching the task with an open mind, and we're not rushing into this. The committee was actually formed two years ago. Meetings have been held, conference calls made, research has been done on how other similar organizations govern themselves, and, as a result, we're starting to see what's out there.

To move things along with more focus, we recently hired a consultant group headed by a former executive director of the AIA. With his group's experience we're confident we will have examined

our recommended governance changes from every possible angle. (We have already agreed there will be changes.)

We are doing this carefully but we also must have our recommendations finished in time to give our new executive director a clear direction on the governance of CSI. Once we have made or recommendations to the Board, then the implementation phase begins. Sounds easy, but as we have come to learn from the past experience in other organizations, this may be the hardest step in the process. Sometimes the will to act fades a little when the time comes to actually take the leap. Stay tuned!

Minutes *cont'd from Page 5*

Operating/House: 38 signed up this month.

Toys-for-Tots: Flyers will be generated next month.

Marketing Committee:

Picked up more sales of the full sponsorship package and a few newsletter ads. Dave will send Gary Barnett the information for the newsletter ads including the art-

work once they've paid.

Table tops have been set up for next month.

Picked up two sponsorships for the holiday or awards banquet.

If there are any committees that need money from marketing, let Dave know so he has a goal.

Operating Guide Task Force:

Held the kick-off meeting and are beginning to the process.

Announcements: None

The meeting was adjourned by Chapter President Marvin Bam-burg at 6:05 p.m.



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“Must” We Use “Shall” In Our Specifications?!

*By Ronald L. Geren, RA, CSI,
CCS, CCCA*

It’s interesting how people can get so wrapped up on such trivial matters; especially when it comes to the English language and the use of certain words in a legal setting, even when it’s construction related. I’m writing this article as a result of a particular topic that appeared in the 4Specs.com discussion forum in September 2004. The topic initiator indicated that he had a “California public-agency client” which was advised by its attorney not to accept contracts or specifications that use the word “shall,” and to use either “will” or “must” in its place.

Surprisingly, the topic generated the most responses in the shortest period of time (51 responses in 25 days), and third in total number of responses behind “Battle Plans for MasterFormat ‘04” (89 responses) and “Favorite Typos?” (63 responses). Some poked fun at California lawyers (who wouldn’t?), some took a philosophical view, while others quoted the Manual of Practice (or MOP) and a variety of legal sources.

With my interest now piqued, I decided to do a little research of my own.

Unexpectedly, I discovered that

the Oregon Attorney General’s office was even advocating the use of “must” in lieu of “shall” at a public law conference. This led to my discovery of the “Guidelines for Drafting and Editing Court Rules” by Bryan Gamer. The “Guidelines,” as I’ll refer to it in this article, are published by the Administrative Office of the United States Courts (<http://www.uscourts.gov/rules/guide.pdf>).

The Guidelines recommend that “shall” should be replaced by either “must” or “may,” or “...some other, more appropriate term.” According to the Guidelines, “must” is equal to the statement “is required to” (as opposed to “must not” meaning “is required not to”). Traditionally, “shall” has come to mean “has a duty to,” which is supported by the Guidelines, provided that it imposes a duty, or legal

obligation, on the subject of the clause. Its common application in specifications can be directly translated using this interpretation. For example:

The Contractor “shall” examine substrates before applying finish.
...can easily be translated into:

The Contractor “has a duty to” examine substrates before applying finish.

In this case, the contractor has a legal obligation to examine the substrates, and failure to do so could be considered a breach of contract.

However, I’ve seen applications of “shall” that do not conform to the traditional legal meaning. To make my point, read the following example paragraph from an actual specification:

Fans shall be of the inline type with FRP housing and mixed flow impeller.

Now, if the fans were not of the “inline type with FRP housing and mixed flow impeller,” can they be sued for breach of contract? The answer is obviously “no” (but I’m sure somebody out there would’ve tried). The correct language, according to the Guidelines, would be:

Fans “must” be of the of the inline type with FRP housing and mixed flow impeller.

The use of “must” informs the contractor that the fans are “required to” have those features.

That’s enough of the “legalese” side of the controversy. Now I’ll

Note from Managing Editor

Several e-mailed versions of the Summary have been returned to the Web Master due to incorrect addresses or a blocked account. To ensure that your newsletter is delivered, please verify your profile with www.csinet.org to ensure your e-mail and physical addresses are correct. Please notify Gary Barnett of any changes, as soon as possible, to ensure uninterrupted delivery of your newsletter and other SCVCSI mailings.

Must cont’d on Page 9

SUMMARY

Must *cont'd from Page 8*

get on my soapbox and discuss the way it really should be done...

If specifications are to be clear, concise, correct, and complete, then they must (notice I didn't use "shall") be written using a style that "is characterized by accuracy, brevity, and clarity." (Ref. 5.8.1 PRM-MOP or FF/170.1 MOP, 1996 ed.). In my opinion, you can avoid the semantic confusion completely by following a few simple recommendations which are easily found in the CSI Manual of Practice.

The use of "shall" is characterized as the indicative mood, and its use is wordy and clumsy. If I could remove all the "Contractor shall's" and "Product X shall's" from the specifications I receive from consultants, I could reduce a project manual by several pages. Rather than saying the "Contractor shall..." do something, just say what needs to be done. This is called the imperative mood. Remember, the specifications are written for the contractor, the entity that is a party to the owner-contractor agreement, not the painter, electrician, carpenter, etc. So why repeat who

"shall" be doing something when we all know it's the contractor. Leave it up to him to decide who he wants to actually perform the work; that's his job. Let's take a look at my first example:

The Contractor shall examine substrates before applying finish.

This sentence can easily be written without having to identify the subject of the requirement:

Examine substrates before applying finish.

See how simple that is? Plus, we eliminated three words!

Must *cont'd on Page 10*



THE CSI WEST REGION CONFERENCE

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Hilton Hotel - Reno, NV

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Must *cont'd from Page 9*

Now let's tackle "must."

In specifying requirements for specific items, products, materials, etc., a shortened, or "streamlined," form can easily be incorporated. This can be achieved by placing the subject first, followed by a colon, and then the requirement. The purpose of the colon is to replace the words "must be" (My wife, the physician, says the colon has another purpose, but I won't go there). At this point I depart from the MOP (ever so slightly), which is understandable, due to the "shall" versus "must" debate. The MOP states in its sample specification text that the colon replaces "shall be" (Ref. 5.8.11 PRM-MOP or FF/170.5 MOP, 1996 ed.). In either case, the words can be eliminated, thereby avoiding the whole mess. To illustrate the concept, we'll return to my second example sentence:

Fans must be of the inline type with FRP housing and mixed flow impeller.

...can be streamlined as follows:

Fans: Inline type with FRP housing and mixed flow impeller.

It's direct, clear, and readily understandable, and, we've eliminated four words!

Architects and engineers complain that contractors don't read the specifications. Why would they when the language used is passive and not active. Nobody wants to read paragraph after paragraph of "Contractor shall's" to get to the meat of the

requirements.

So, if you follow the advice above and the MOP, then in the future, when a "public-entity client" asks you to replace all the "shall's" with "must's," all you have to say is "okay, no problem."

And, for the finale, I'll answer my interrogatory article title: NO!

To comment on this article, contact the author at ron.geren@gouldevans.com.

About the Author: *Ronald L. Geren, RA, CSI, CCS, CCCA is the specification writer and code reviewer for the Phoenix Office of Gould Evans. He is a 1984 graduate of the University of Arizona, and has held various technical and managerial positions for military, state, and private agencies.*

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Simple Thoughts

Can you cry under water?

How important does a person have to be before they are considered assassinated instead of just murdered?

Why do you have to "put your two cents in"... but it's only a "penny for your thoughts"? And, where's that extra penny going to?

Once you're in heaven, do you get stuck wearing the clothes you were buried in for eternity?

Why does a round pizza come in a square box?

What disease did cured ham actually have?

How is it that we put man on the moon before we figured out it would be a good idea to put wheels on luggage?

Why is it that people say they "slept like a baby" when babies wake up like every two hours?

THE CSI WEST REGION CONFERENCE



BIGGEST LITTLE CONFERENCE IN THE REGION

RENO

WEST REGION CONFERENCE 2006

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- Companion Registration for two.
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Four Aces

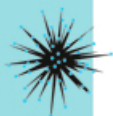
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- One-Quarter Page ad in conference program.
- Select signage displayed at each conference venue.
- Full Conference Registration for one.

Questions? Please contact:

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So. CA: Janet Piccola (714) 936-2890
jpiccola@frazee.com



Full House (choose ONE of the following)

\$500

- Center pieces for Luncheon (5 tables)
(Use creative pieces to promote your company or firm)
 - Center pieces for Dinner Gala (5 tables)
(Use creative pieces to promote your company or firm)
 - Provide lanyards with Company Name or Logo
 - Provide tote bags with Company Name or Logo
- All choices will be given recognition in conference program.

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- Table top Display – 6' table

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 - Center pieces for Dinner Gala (5 tables)
(Use creative pieces to promote your company or firm)
 - Provide lanyards with Company Name or Logo
 - Provide tote bags with Company Name or Logo
- All choices will be given recognition in conference program.

Dealer

\$250

- Recognition in conference program.

COMPANY CONTACT

E MAIL PHONE FAX

MAILING ADDRESS:

CITY: STATE ZIP

MC/VISA# EXP. DATE CHECK ENCLOSED \$

Fax Reservation to 650-595-0435 Attn: Matt Crawford.

Checks payable to: CSI- West Region Conference. Mail to: Matt Crawford c/o Kelly-Moore Paints, 1057B Commercial St., San Carlos, CA 94070

Sponsored by the Santa Clara Valley Chapters of the
Construction Specifications Institute
American Construction Inspector Association



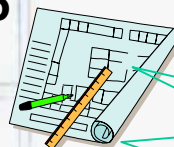
presents an all day seminar on

Advanced Plans Reading

Saturday, October 14, 2006
7:30 am to 5:30 pm

Ramada Inn Silicon Valley
1217 Wildwood Avenue, Sunnyvale, CA

@ Lawrence Expressway & US 101 (408) 245-5330



**(8) AIA Learning
Units Available!**

**Lunch, plans and study
packet included in fee!**

7:30 AM - 8:00 AM.....Registration & Snacks
8:00 AM - 12:00 NoonSeminar:
Principles of Construction Documentation
Contracts / Intent
Minimum Content of Construction Documents
Code / Standards / Requirements
Review of Symbols, Legends and Plans
Drawing Methodologies
10:00 AM..... **Break**
Plans / Elevation / Sections / Details
Scopes of Work
12:00 Noon - 1:00 PM..... **Lunch**
1:00 PM - 5:00 PM.....Seminar:
Coordination of Work Scopes
Plans Review Sessions
3:00 PM..... **Break**
Problem Solving
5:00 PM - 5:30 PM.....Q & A

Who Should Attend?

Architects / Contractors / Engineers / Estimators
Construction Managers / Interior Designers
Product Representatives / Property Owners
Inspectors / City Planners / Facility Managers

Instructor

Dawn Anderson, AIA, CSI, CNCS is a registered architect and OSHPD / ICC certified inspector with over 25 years of contract document production, quality assurance, and construction administration experience. Currently, she is the lead inspector at several major medical campus' and adjunct professor at the San Mateo Community College's Building Technology Department.

QUESTIONS? Email: gonedawning@yahoo.com

Mail or fax registration information below with payment today!

Registrant: _____

Company Name: _____

Complete Address: _____

Phone: _____ Fax: _____

Attach list additional attendees with email addresses!

I authorize the CSI to charge my credit card in the amount of: \$ _____ for _____ registrants at \$165.00 ea.

Cardholder's Name: _____

Credit Card # _____ Exp. Date: _____

MC ☐ Visa ☐

Signature: _____

Standard Registration: **\$165.00**

At the Door Registration: **\$185.00**

Send registration & payment to:

As It Stands
PO Box 229
San Jose, CA 95124
Fax: 408-371-5858

Deadline for
reservations is
10/7/06

Checks payable to:

"CSI - Santa Clara Valley"
Visa or MC payments accepted.