



THE NEWSLETTER OF
THE BALTIMORE
WASHINGTON DC
CHAPTER OF ICRI

THE AGGREGATE

• PRESIDENT'S MESSAGE
• SAFETY & LEGAL
• FALL GOLF OUTING

3RD QUARTER 2021

MESSAGE FROM OUR PRESIDENT

BRIAN RADIGAN - *TREMCO COMMERCIAL SEALANTS*

CHAPTER CALENDAR

OCTOBER 11-13, 2021

ICRI National
Fall Convention

OCTOBER 7, 2021

ICRI-BWC Fall Golf Outing
Waverly Woods Golf



Dear Chapter Members,

I hope this note finds you safe and productive as I know this has been a busy summer for all of us. For our members, the summer months can be the busiest and most profitable. As demands during the peak of the season increase, we can easily find ourselves struggling to find balance between managing business and making time to enjoy with family and friends. We all know, too well, the hours our work demands on us during this time. I hope that you recognize that your dedication to your business warrants a few summer weekends to yourself. Before you know it, the Fall and hybrid schedules will sneak up on us. Enjoy the summer while its here!

As for Chapter News, I wanted to share the following updates. The pandemic still continues to be a challenge to meet in-person as we have been accustomed to in the past. The effect of the Delta variant still needs to be met with social distancing along with restrictions on large gatherings in several parts of the Metro DC/Baltimore area. Even with that said, there is still plenty to look forward to.

- We are currently in the middle of moving our September 7th event to a location that will allow us to properly host up to Chapter expectations. We will keep you posted with a revised date and location for this.
- The 29th Annual Golf Outing has been scheduled for October 7, 2021 and has been moved to Waverly Woods Golf Course. We held the tournament there last year and found that their protocols allow us to keep a shotgun start for the outing which was not an option elsewhere. With the success of last year's outing, the Board felt it prudent to continue this momentum with a supporting partner. The course continues to enforce several safety precautions and you can refer to their list on our website. Taylor Crampton is organizing the event this year and is available to answer any questions. I look forward to seeing you there!
- Scholarship Applications are due on September 16th, 2021 and are available for college students. If you have any questions, please contact Dominic Huey who is the chair of the Education and Scholarship Committee at dhuey@structural.net.
- Submissions for the Outstanding Project of the Year Awards are due on September 17th, 2021. I urge any and all firms to take advantage of this opportunity for some great recognition of their peers. Additional information is available on our website. Contact our chair of the Awards Committee, Luke Valentine, with any questions regarding submissions at lvalentine@etc-web.com.
- The ICRI National Fall Convention which is scheduled to be held in Minneapolis, Minnesota (in-person) on October 11th through the 13th. Refer to the National Chapter's website for further information on the event.
- Our Annual Fall Technical Seminar is scheduled for December 2, 2021 at Concrete Protection & Restoration's office. More information to follow.

Please continue to use caution and be vigilant in safety on the job sites. I hope that you also take a beat to enjoy the remainder of the summer as well. I wish you all good health to you and your loved ones. I look forward to seeing you all at the next event!

Brian

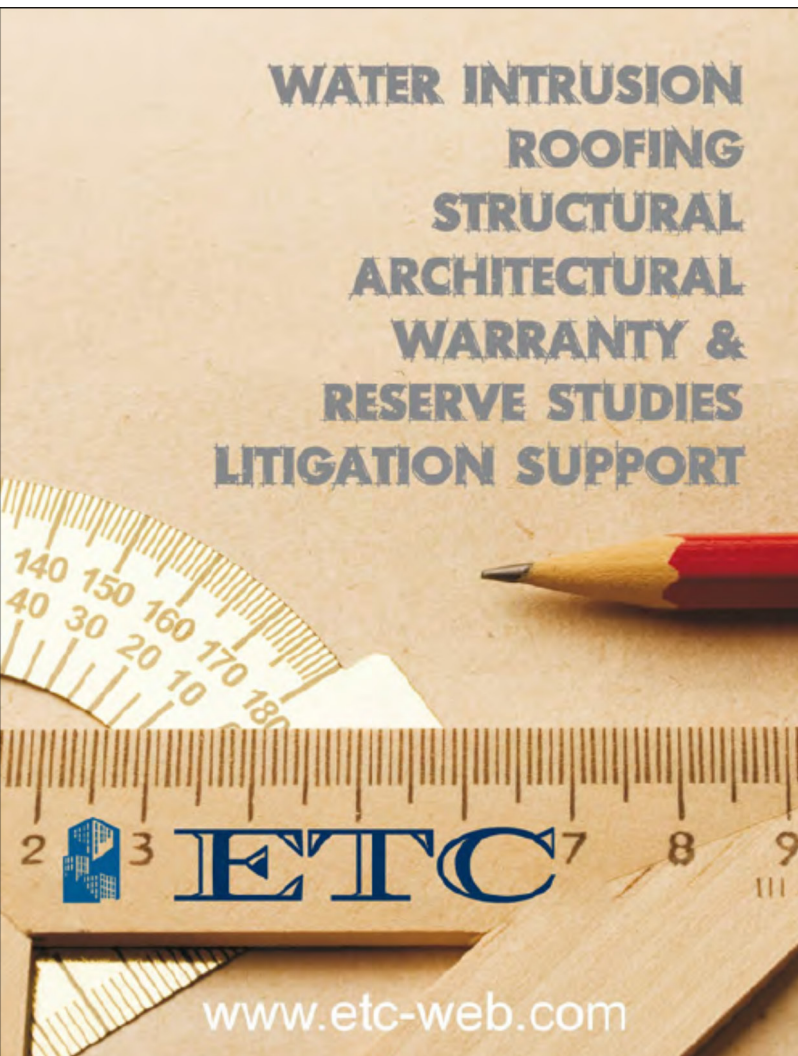
AN OUNCE OF PREVENTION IS WORTH A POUND OF CURE: HAVE YOUR SUBCONTRACT REVIEWED BEFORE YOU SIGN IT

by **Kenneth K. Sorteberg, Esquire**

Often my subcontractor clients come to me for advice regarding disputes they have with general contractors. Just as often, I hold my head in my hands and think to myself, "If only my client had come to me before he or she signed this one-sided subcontract."

General contractors typically request that their subcontractors sign customized, onerous, one-sided subcontracts. My advice to subcontractors is first, tell the general contractor you would like to use the standard AIA A401-2007 subcontract form, which is very fair to subcontractors. If the general contractor balks at using this AIA subcontract form, then the next step is to review and modify the general contractor's customized form. I will discuss a few of the possible modifications below.

- Strike out the "pay if paid" clause, which basically says the subcontractor will not get paid unless the general contractor gets paid by the Owner.
- State that you have the right to stop work if you have not been paid within 45 days after submitting your invoice.
- Modify the final payment clause to state that final payment and retainage will be paid to you within 45 days after your work is completed.



- State that the schedule and any updates must be approved by you.
- Modify the "no-damages-for-delay" clause so that you can get paid for your extended equipment costs and extended general conditions costs.
- Limit your exposure to delay and liquidated damages to, say, \$10,000.
- Strike out the attorneys' fees clause, or state that you will not be liable for any attorneys' fees incurred by the general contractor or by any others.

Please feel free to contact Ken Sorteberg at sorteberg@constructionlaw.com with any questions or suggestions for future Legal Columns. Mr. Sorteberg is a civil engineer and an attorney (licensed in MD and DC) who focuses his practice on construction law.



EMERGENCY Action Plan

By David Caple

In the event of an Emergency how many of your employees know what to do? Where to meet? Who to call?

No two Restoration Projects are completely the same. Therefore, even if you think you have a grasp of the basics of what to do in the event of an emergency, it is important that you know the specifics of the site where you are working and how to respond at that particular location. Without a plan in place, an emergency can quickly become a catastrophe. Emergency Action Plans should be in writing, posted at the jobsite, and reviewed with the employees on site by their supervisor. When preparing an EAP ask yourself:

1. What is the emergency escape route from this site?
2. Where is the rally point or the location all the employees should meet once out of the worksite?
3. Will any employees be responsible for critical operations before they can evacuate (such as shutting down equipment or assisting others)?
 - a. If so, have them perform a small drill or mock evacuation so the scenario doesn't seem so foreign in the event of an emergency.
4. Who is First Aid Trained on the Worksite?
5. Who are the emergency contacts and what services do they provide?
6. How will employees not present be notified of the situation?

If you can answer these few questions you are already on your way to completing your EAP.

In the event of an emergency, an alarm or horn may be considered for alerting the employees to specific emergencies. This will also alert employees with certain responsibilities during an emergency they need to respond.

Be sure to review the plan when the job begins. Review the plan with all new employees to the worksite and anytime there is either a change in the plan itself or a change in the work environment, be sure to alert all workers how the changes impact what their response should be. During a toolbox talk or a safety walk is a good time to review this information.

These are just the first steps in developing a basic plan. For more complex worksites with multiple work stations and/or spread out activities a more detailed plan may be required. Contact your safety department or a safety consultant for assistance in developing plans that require more detail.

David Caple, COHC, CEAS

Construction Safety and Health Specialist, is the Principal Member of Pinnacle Safety Network, LLC. He has over 15 years experience in a combination of structural restoration and safety.



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FORENSIC ENGINEERING OF THE STRUCTURAL FAILURES

By **Kevin Goudarzi, P.E.**



Engineering investigation and determining of the causes of a structural failure of any constructed facilities such as bridges, buildings, industrial structures, metro stations, etc. along with the legal procedure and giving testimony refers as Forensic Structural Engineering. The forensic structural engineers bring their knowledge and experiences into investigation and act as a detective investigator and they will be expert witness when confronted by the attorneys and other opposing experts while litigation process.

The first steps after a structural failure

Preserve Destructible and Perishable Evidence

After a collapse, any condition and circumstances of the site could be a potential evidence. There are durable evidences that may remain unchanged for a period of a time and there are perishable evidences that needs to be documented immediately after collapse. An example of a perishable evidence is the weight of the snow accumulation on the roof which is extremely important as it indicated whether the failure was due to the design or construction error or any unforeseen overload.

Reserving Samples

In large size structural failures, its not practical to reserve entire structure and therefore the forensic engineer needs to take sample of both failed and non-failed elements and components of the structure.

Documentation of Conditions

The documentation of the failure could be in form of field note, photographs, video, etc.

Interviews

The interviews with witnesses and other persons on site could provide the valuable information for the forensic engineer. The interviews should be performed as soon as possible after collapse as they help to identify and locate the witnesses, receive fresh information and assist in formulating the scenarios for investigation.

Preliminary Evaluation

After initial information was collected during the above steps, the forensic engineers may be able to provide a preliminary evaluation and could develop the failure scenarios, testing program and perform the preliminary structural analysis. The engineers may identify the missing documents, additional required expertise and more persons for interview after the first steps.



Legal Process after a Failure

Simply, the legal process may consist of assembling the investigative and legal response team, developing the action plan, establishing a plan to protect the confidentially, cooperating and dealing with public agencies such as OSHA and FEMA, dealing with media and special consideration of the interested parties.



Engineering Investigation of Structural Failures

The steps of the engineering investigation and determining the causes of structural failures are as follows:

- a. Assembling the investigation Team
- b. Document Review
- c. Field Investigation
- d. Laboratory Analysis
- e. Structural Analysis
- f. Determining the Cause of Failure

Reference: Robert T. Ratay, "Forensic Structural Engineering Handbook" January 2000.



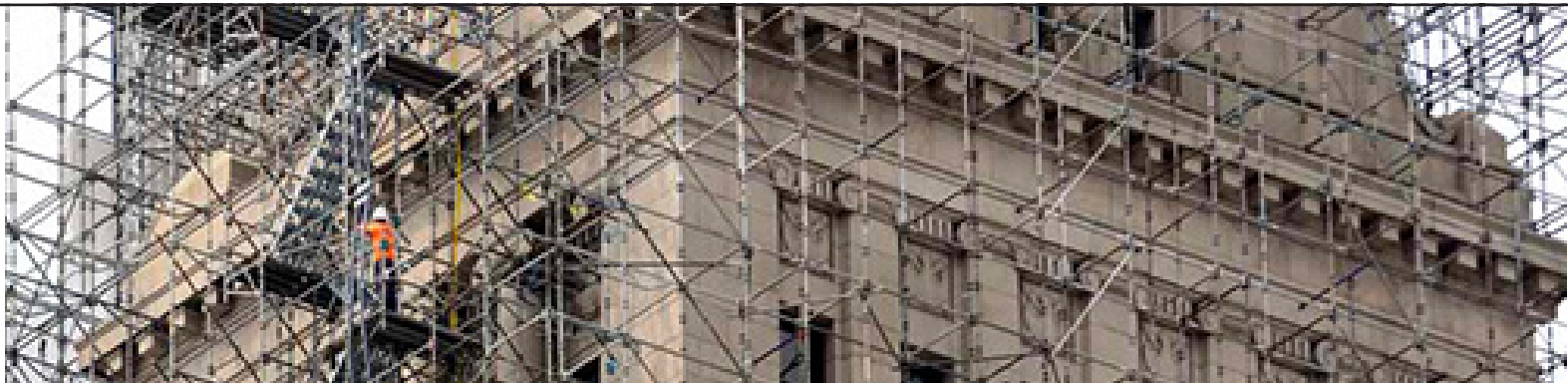
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ICRI BW Chapter Outstanding Repair Project Award

Submission instructions at www.icribwchapter.org/outstanding-repair-project-award/

SUBMISSION DEADLINE IS SEPTEMBER 17, 2021

Each year, the BW Chapter of ICRI presents awards for recognition for exceptional and innovative repair projects in the Baltimore/Washington, D.C. area. To be eligible, repair and/or restoration must be the major aspect for the overall project. This is defined by at least 25% of the project costs being associated with the repairs and/or restoration scope of work. The repair and/or restoration portion of the project must be performed, designed and/or supplied by an ICRI Baltimore-Washington Chapter member, in good standing and the project submitted for consideration must be completed between June 1st the year prior to the Award (2020) and by May 31st of the year of the Award (2021). A single phase of a long term project may be submitted provided it meets the above completion timeline. Maximum of one (1) award per individual ICRI Baltimore-Washington member or member-company with multiple submittals. [CLICK FOR DETAILS & APPLICATION](#)



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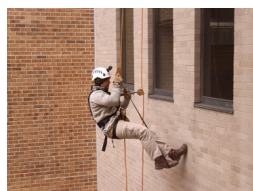
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ICRI Baltimore Washington Chapter 2021 Fall Golf Tournament

Thursday, October 7th, 2021

SCHEDULE:

7:30 am: Course and
Driving Range Open
9:00 am: Shotgun Start

REGISTRATION:

Single Golfer: **\$230**
Foursome: **\$875**



TOURNAMENT LOCATION:

WAVERLY WOODS GOLF COURSE
2100 WARWICK WAY
MARRIOTTSVILLE, MD 21104
WWW.WAVERLYWOODS.COM

****REGISTRATION DEADLINE IS SEPTEMBER 24, 2021****

Player Name

Company

Contact Information for
yourself or your team:

Name

Phone

Email

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at lunch table)

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☐ **\$1500 Hole in One Sponsor**
(Includes free foursome and
sign at hole)

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Drive, Men's/Women's
Closest to Pin)

☐ **\$1500 Putting Contest Sponsor**
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sign at putting contest)

☐ **\$200 Hole Sponsor**

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ICRI BW Chapter Scholarship Program

APPLICATIONS NOW AVAILABLE AT WWW.ICRIBWCHAPTER.ORG/SCHOLARSHIPS

Each year, the chapter offers both an academic and industry scholarship to qualified individuals. Criteria and eligibility rules and applications can be found on our web site under the heading **SCHOLARSHIPS AND AWARDS**.

CONTINUING EDUCATION SCHOLARSHIP PROGRAM GUIDELINES AND APPLICATION 2020 (ACADEMIC)

Each scholarship granted under this program may be up to \$1,000.00, plus a one year individual membership in the National ICRI and the Baltimore Washington Chapter of ICRI. The award shall be for one year. Applicants may reapply for subsequent years. The Scholarship Award may be used towards an accredited institution of higher learning, professional certification program or a continuing educational program. The winner will have to submit an accountability of the Scholarship Award.

CONTINUING EDUCATION SCHOLARSHIP PROGRAM GUIDELINES AND APPLICATION 2020 (INDUSTRY)

Each scholarship granted under this program may be up to \$1,000.00. The award shall be for one year. Applicants may reapply for subsequent years. The Scholarship Award may be used towards an accredited institution of higher learning, professional certification program or a continuing educational program. The winner will have to submit an accountability of the Scholarship Award.

Questions: Dominic Huey: dhuey@structural.net or call at 443-293-6395



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THE BALTIMORE/WASHINGTON D.C. CHAPTER OF ICRI IS SEEKING TECHNICAL ARTICLES FOR PUBLICATION IN ITS QUARTERLY NEWSLETTER, THE AGGREGATE.

The Aggregate is the official newsletter for The Baltimore/ Washington, DC Chapter of The International Concrete Repair Institute and is published quarterly and sent to all current sustaining members of the chapter. In addition to chapter news, highlights, and possible advertising opportunities, The Aggregate includes informative technical articles on a variety of issues related to the concrete repair industry.

The ICRI BWC chapter is looking for individuals interested in contributing a technical article (s) related to industry practice or instruction, technology and design, professional concepts/issues, project profiles, or any other topics relevant to ICRI members. Articles will be presented as the main article in an upcoming edition of The Aggregate. Articles do not necessarily need to be authored by an ICRI member, so please forward this request to any individual outside of the organization who may be interested in submitting. This could be a great opportunity for younger professionals to get published or for someone to share an informative or interesting lesson learned article. Please visit the Aggregate archives on the ICRI-BWC website to see the types of articles that have been published previously.

Also, technical article contributors to the Aggregate will receive a complimentary registration for the succeeding quarterly dinner meeting for ICRI BWC. Please contact Brian Radigan (bradigan@tremcoinc.com), Chapter President for more details.

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