

Building Scene

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Super job: minding the nuts, bolts

By Gerald Frawley
staff writer

When buying a home from a builder — especially in the production home market, but sometimes in the custom home market — the guy with the paperwork with isn't the guy with the hammer.

In fact, chances are the builder won't be on the construction site half the time a house is being built.

The one who does the day-to-day, nuts-and-bolts work is the construction superintendent.

He's the one who pushes the workers, supervises progress, catches and corrects mistakes and makes sure everything goes according to plan.

Darryl Patterson, president of the financial services firm of Patterson, Bryant & Associates in Troy, recently built a home at Vintage Estates in Rochester Hills and can attest to the importance of the superintendent.

"I probably spent a lot more time (at the site) than I needed to," Patterson said.

Birmingham building/development company S.R. Jacobson Development Corp. built his home, and he's very satisfied with the results. But some credit must go to the superintendent, Patterson said.

"Scott (Jacobson) is a very good guy, but Scott's not on the job site," Patterson said.

Patterson said for a person building a home, it's wise to get to know the construction superintendent and become a person to the construction superintendent and not just a faceless name.

Patterson said he feels it's important to establish a "level of trust" because he's the one most responsible for looking out for the homeowner's interests.

BRIAN YAMARINO, construction superintendent for homes built by S.R. Jacobson Vintage Estates in Rochester Hills, said it takes a special type of person to be a construction superintendent.

"A superintendent is a middle-man pin cushion — you're basically a punching bag," he said. Home buyers, builders, contractors — each has its own agenda, and the construction superintendent has to answer to them all.



Brian Yamarino, construction superintendent for homes built by S.R. Jacobson at Vintage Estates in Rochester Hills, is responsible for all

The hours are long, the stress is incredible and the pace is hectic. Everything that needs to be done can never be accomplished in a 24-hour period, he said.

People who fail to accept that fact, he said, generally don't last. Yamarino, a seven-year veteran of the construction game, has been a construction superintendent for two years.

"A superintendent's job has a lot to do with prevention," Yamarino continued. "If nothing went wrong, you wouldn't need the superintendent."

BEFORE ANYONE arrives, the construction superintendent likes to walk through the homes in progress, noting things that have to be taken care of, and planning for the coming day.

of the homes built by his company in phase one of the project.

"A superintendent that doesn't walk around with a notebook isn't a very good superintendent," he said.

Then it's back to the trailer and more planning and scheduling for the coming week and the week after depending on what stage of building the home is in.

"That's about the time the workers start coming in." The most important thing he does, Yamarino said, is meeting with the contractors to discuss the day's work. "The number one reason things go wrong on a construction site is lack of communication."

"I have to stay on top of it — the rule of thumb — don't turn your head and if you see something go wrong, act on it right away, because no matter how bad it is, it will be worse if you have to fix it later."

"But that's the thing about this job. No matter what

you do, something always goes wrong," he said.

The rest of the day is filled with trying to be everywhere at once, being an extra hand wherever necessary, going over bills, and a lot of screaming and hollering at contractors. The day ends with superintendent back on the phone, calling contractors and suppliers to make sure everything runs smoothly, he said.

So why do they do it? More than anything else, being a construction superintendent gives one a sense of accomplishment.

"This was just a piece of ground — now it's a home and people are living there," Yamarino said.

DAN HOUGH, one of two construction superintendents at Stonebridge in West Bloomfield, said hectic days are a way of life for the superintendent. "Basically, what I do is be 100 percent in charge of scheduling, quality control and watching out for foul-ups."

Stonebridge is a joint venture by Noonan/Cohen Associates in West Bloomfield and the Selective Group in Farmington Hills.

Hough, a 10-year veteran of the construction industry, said a construction superintendent is a diplomat, a gofer, a third hand when needed, the responsible party when something goes wrong and the unsung hero of the building trades — he's generally the difference between a good and bad home.

Hough said another name for a construction superintendent might be fireman.

"It's crisis management — people come to me with a fire and I run around all day putting fires out."

The superintendent's charge is to build the perfect home — which is patently impossible.

"The perfect house has never been built — and I don't think it will ever be built — but it's our job to get it as close as possible," Hough said.

EVEN THOUGH the superintendent is considered a construction job, the contractor's most used tool is the telephone, Hough said. "Keeping yourself out of trouble means keeping in constant contact."

Hough said one might think one phone call would be all that's necessary to get a contractor to the job site, but in many cases the superintendent has to make several followup calls.

"It's not that they're lazy or bad — contractors are swamped with work and they have to prioritize," he said. As in the rest of life, the squeaky wheel gets the grease, he said.

Hough said despite all the hours and all the hassles, superintendents get something out of their work that few can appreciate.

"You stand back and look at a half-million dollar home and know you've made a major accomplishment."

It's a certain thrill that those in the building industry probably wouldn't understand, Hough said.

"When it all comes down to the end — you see people walk into a finished home and living there."

Booth lauded for role in construction liability law

By Doug Funke
staff writer

William D. Booth, a lawyer and senior vice president at Plunkett & Cooney, has been fascinated with construction liability since his first such trial 30 years ago.

That case — the collapse of a high school under construction in Saginaw — was just an appetizer for what was to come involving landmarks like the Pontiac Silverdome, Renaissance Center and Hart Plaza.

Booth, a Bloomfield resident, also was instrumental in promoting a state law limiting liability for design professionals, then successfully defending its constitutionality before the state Supreme Court.

Booth was honored recently with the William B. Somerville Award from Schninner Management Services, an insurance underwriter, the American Institute of Architects and the National Society of Professional Engineers.

"The award is intended to recognize dedication and commitment of individuals who promote a better understanding and enthusiasm for defense of liability claims against design professionals," said Tom Porterfield, a vice president at Schninner.

"There's only a very small cadre of attorneys who have taken it upon themselves to invest time and effort to become specialists in this unique law."

PROBLEMS RESULT when plaintiffs take a shotgun approach and haul everyone with a peripheral interest in a project into court, he said.

A law limiting liability for design professional to six years, shepherded through the legislature in 1987 by Booth, was badly needed, he said. An amendment in 1988 extended liability to 10 years in cases of gross negligence.

"A building that has a useful life of say 50 years, without this statute 45 years down the line, you, as an owner, can sue me as the architect," he said.

"That is difficult to insure against or protect yourself against. I have no way of insuring myself against that type of loss. That's very important."

Design professionals over the years have been dragged into lawsuits on matters outside of their direct control, Booth maintained.

A current fight is to stop proposed federal regulations that would make design professionals liable for safety on the construction scene.

"We're not against safety on the job," he said. "It's a laudable thing. We should do everything we can."

"OSHA wants to increase responsibility for safety on a project to include architects and engineers. They aren't trained in safety matters. They're rarely on a project on a daily basis."

"It... gives them exposure... when they're not being paid for it and they don't have authority. Now, it's an employee's employer's responsibility," Booth said.

CONTRACT DISPUTES also can provide a steady diet of legal work.

"You don't know what's underground no matter how many borings you do. You can't see it all," he said.

Booth initially was drawn to construction liability law three decades ago. A school collapsed as it was going up.

"I was called to help one of the parties in the lawsuit. I was born and raised in Saginaw. I happened to know the architect and the plaintiff man who was killed. I ended up being the leading attorney for the design group."

The American Institute of Architects liked his work and encouraged him to stay in that line, Booth said.

"I had some engineering background. I understood the principles, spoke the language, learned quickly. Plus I went to seminars."



William D. Booth
construction liability lawyer

Booth since has been involved in litigation stemming from roof collapses at the Silverdome, the design of the steps at Joe Louis Arena and the fountain at Hart Plaza.

Occasionally, design professionals are responsible for problems that develop, Booth said.

"We sit down and settle those lawsuits as quickly as we can as quickly as we can," he said.

Since 1968, Booth has missed only one big seminar for lawyers who specialize in construction liability — the Annual Meeting of Invited Attorneys — Porterfield said. That's because he was involved with a trial.

BOOTH IS THE fourth Somerville Award recipient, named for a lawyer who worked to standardize contracts in the construction industry, since it was instituted in 1983.

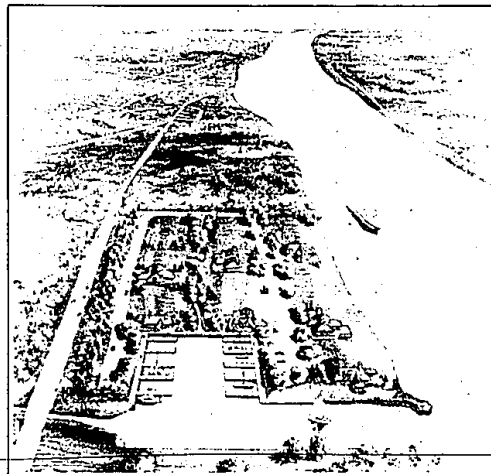
"We look to individuals... who have represented design professionals and helped them avoid liability situations," Porterfield said.

And they can get it from all directions — suppliers, the general public, owners, contractors, subcontractors, he added. Booth, for his part, enjoys the work.

"I like the idea being connected with a project," he said. "It's kind of fun. It's interesting and intellectually challenging."

His colleagues believe that the award is well placed. "Bill's significant accomplishments and contributions both in the field of law concerning design professionals and to the education of attorneys in the legal profession are responsible for this outstanding recognition," said Joseph V. Walker, managing partner of Plunkett & Cooney, Detroit.

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