Message from the President

by Gregory B. Janey, CCM President, CMAA - NE

President, Janey Construction Management & Consulting, Inc.

Plans for the coming year are promising as CMAA’s value continues to increase. The New England Chapter is gaining momentum in membership, Certified Construction Managers (CCMs) and Young Member involvement. Strategic planning is underway within all committees in an effort to enhance the existing programs and generate a greater return for the Chapter and organization as a whole. Membership growth and retention are key elements of the organization’s strength. Over the last year, our chapter realized a significant increase in membership, and as a result, established a goal this year to ensure that the momentum is upheld. Our committees are planning membership drives through incentives and continued outreach efforts that will expand regional, young and veteran involvement, resulting in a diverse business population. In addition, we plan to strengthen and create new relationships with institutions such as hospitals, schools and public agencies creating awareness about CMAA’s value within the industry.

I am pleased to report that the NE chapter established a new Committee this year under the national model CODE, “Creating Opportunities for Diversity and Equality”. This committee will concentrate on implementing a strategy to promote and maintain a diverse population within the NE Chapter through public and private outreach. In doing so, these new relationships will stimulate membership and recover missed opportunities for the Chapter.

The Chapter will continue to be a strong advocate for CCMs “Certified Construction Manager” to exist amongst one of the notable professional designations in the

(continued page 2)
industry, as well as promote CCMs to be considered as a preferred option during the public and private procurement process. NE will continue to sponsor the “Professional Construction Management Workshop” along with technical education, since the future of CMAA, our young members are key. Through the leadership and continued mentoring, the Chapter will strengthen our bridge to young members and create a natural path not only from CMIT to CCM but YM Committee, to full Board and beyond.

Upcoming events include Joint programs to create interdisciplinary relationships and shared interest within the industry; i.e. (SAME), LCI, BSCE and others. As the industry continues to evolve, the Chapter will continue to sponsor education and information sessions to “stay ahead of the curve” including Lean/Pull Planning, Integrated Project Delivery, and statutory changes that will affect our members and organization. Additionally, the Chapter will increase awareness of CMAA’s role in the industry. We will use the organization’s recent involvement with ABET as an example of CMAA’s impact on Construction Management standards of practice.

The CMAA National Conference & Trade Show was held in San Francisco from October 19 through October 22. This year, the Conference had a record breaking attendance of over 1,100 participants across the United States and abroad. The New England Chapter was well represented with a significant presence from young members, and public and private agencies. Congratulations to our own, Sam Sleiman, PE CCM, Director of Capital Programs at the Massachusetts Port Authority, as he was elected the new Chair of the CMAA National Board. Also, since CMAA joined ABET as a society member, three universities applied for accreditation under the specific Construction Management Program, and final approvals are expected during the next ABET board meeting scheduled for November 2014.

Finally, I am pleased to announce that our National President Bruce D’Agastino and Sam Sleiman PE CCM, Chair of CMAA are scheduled to speak at our Owners Luncheon this spring. This program is expected to be a well-attended and informative event with attendance from across the industry.

On Behalf of the NE Chapter, I appreciate your continued support and look forward to ....new involvement with our various committees. (end)

CMAA National Conference & Trade Show, San Francisco

New England Chapter members made presentations throughout the conference. Here are some of the highlights:

**QUANTITATIVE MEASUREMENT OF THE VALUE OF PROJECT CONTROLS**

It is commonly believed that the use of Project Controls adds value to construction projects by improving cost and schedule outcomes. However, few, if any, studies have demonstrated this. In 2009, the Massachusetts Bay Transportation Authority (MBTA) implemented rigorous Project Control measures on its capital projects. The presenters compared “before and since” data to demonstrate that rigorous Project Controls resulted in improved cost, schedule, change order, and claims outcomes. Attendees learned about the specific measures implemented and were able to take away data to help them promote rigorous Project Controls on capital projects.

By Speakers D.J. Mason, III, PE, Chief Operations Officer, Keville Enterprises, Inc. and Horace Cooper, CCM, Director of Project Controls, Massachusetts Bay Transportation Authority (MBTA)

**PERFORM A RISK ASSESSMENT...PREDICT THE FUTURE, REDUCE SURPRISES, INCREASE SUCCESS!**

Risk management has different meanings for different people, industries and situations. In the CM world, it means reducing cost and schedule uncertainty. A formal process to identify, analyze and quantify risks is crucial to risk management. This approach allows the project team to prioritize risks and justify mitigation measures. Guests learned the benefits of a quantitative risk assessment process, including the ability to make better, more informed decisions. Many public owners are managing risks earlier in the project life cycle, rather than waiting until the construction stage. The audience was tasked with thinking how does risk affect the CM’s role during pre-construction and beyond? By Speakers Eric Schatz, PE, Senior Consultant, ARCADIS U.S., Inc., Horace Cooper, CCM, Director of Project Controls, Massachusetts Bay Transportation Authority, and Dumrong Ongkasunb.

Each year CMAA’s National Conference & Trade Show offers education and networking opportunities for professionals from all aspects of the construction industry and this year was no different. Construction managers, owners, project managers, engineers, architects, contractors, and others interested in the construction industry greatly benefited from attending this conference. Regardless of whether you are an associate starting out in your career in CM, or a seasoned industry veteran, the CMAA National Conference & Trade Show will be of great benefit to you so mark your calendars for next year!

CMAA’s National Conference & Trade Show offers:

- Education Sessions - Best in class practices to enhance your CM/PM know-how and productivity.
- Networking - Your connection to peer networks and the industry’s top certification program.
- Solutions & Technology - Innovative solutions and services on the CMAA Trade Show Floor.
“The CMAA 2014 National Convention was the most stimulating and professional that I’ve seen. And I’ve seen a few, more than a dozen. It was almost “Boston centric”, with so many from the New England area speaking and participating in so many ways. I’m sure that’s one of the reasons it was tops. (No, I’m not biased.)” Carl B. Sciple, PE, CCM Advisory Director, MOCA Systems, Inc.

LEAN PROJECT DELIVERY, CONTRACTS, AND INSURANCE - MAKING THEM WORK FOR YOUR PROJECT

Owners ask project teams to embed lean practices in design and construction through RFPs, and trade organizations have been offering lean learning opportunities to its members. Panelists explored how projects can leverage contracts and insurance to improve the quality of lean implementation. Barriers to lean implementation and how contracts and insurance play a pivotal role in improving the collaborative process and outcomes. By Speakers Dr. Luciana Burdi, Intl. Assoc. AIA, Deputy Director, Massport; Cynthia C.Y. Tsao, PhD, Owner, Navilean; Lisa Dal Gallo, Partner, Hanson Bridgett LLP; Andi Schoppa, Senior Construction Consultant, Zurich Services Corporation; and James Pease, Senior Project Manager, Sutter Health

MEASURING THE SUCCESS OF A $3 BILLION "LABORATORY OF INNOVATION"

MassDOT’s Accelerated Bridge Program (ABP) was initiated to improve the efficiency of critical infrastructure project development and delivery. At the onset of the $3 billion program, MassDOT introduced numerous initiatives to expedite project delivery. Guests learned how MassDOT’s traditional Statewide Road and Bridge Program advanced in parallel to the ABP and provided an unprecedented “control sample” to measure the benefits of the initiatives implemented under ABP. By Speakers Victoria Sheehan, Office of Project Controls & Performance Oversight Team / Program Manager of Strategic Planning & Highway Performance, Massachusetts Department of Transportation; Chris Seavey, Lead Program Budget & Reporting Analyst, Keville Enterprises Inc.; and Matthew Poirier, V.P. Director of Project Controls, Keville Enterprises Inc.

Photography Credits: CMAA’s National Conference & Trade Show by Mark Gedris, Vice President of Marketing at CMAA (Construction Management Association of America) and Carl B. Sciple, PE, CCM Advisory Director, MOCA Systems, Inc.
Up and Coming Events

Current Enforcement Trends on Public Construction Projects
December 9, 2014
A panel comprised of forensic professionals and in house counsel will discuss legal, accounting, and regulatory/prosecutorial risks of current enforcement trends, including M/W/DBE Compliance, Pricing of Claims and Change Orders, and Adherence to Project Labor Agreements. (See the full program article on Page 9 of this Newsletter)

Owners Forum Luncheon - CMAA/SAME Joint Meeting held at the Westin Hotel Waltham, MA March 10, 2015
Representatives from the USACE, MassDOT, MBTA, and Massport will discuss their current and future Capital Improvement Programs. Confirmed guest speakers include Colonel Christopher Barron, the Commander of New England District, Corps of Engineers; Sam Sleiman P.E. CCM, Chair of CMAA; and Bruce D’Agostino, the CMAA National President.

21st Annual CMAA-NE Awards Luncheon held at the Revere Hotel Wednesday, April 22, 2015
Since 1995, the CMAA New England Region Chapter has presented annual awards to recognize exceptional achievement in the New England construction management community. In order to recognize the work of excellent project management, teams as well as outstanding industry leaders, the awards will be presented in multiple categories. Stay tuned for the 21st Annual New England Chapter Awards Program ‘Call for Nominations’ and Sponsorship opportunities.

19th Annual CMAA Golf Outing for CM Scholarships held at the Brookmeadow CC, Canton, MA May 20, 2015
Save the Date’ for the New England Chapter Golf outing which is the largest contributor to the annual scholarship program. Sponsorship opportunities for this event are available year round.

Committee News

Young Member (YM) Committee Upcoming Events
The committee mission is to bring together young CMs in the New England Region and help grow the NE Chapter of CMAA with committed professionals by programming fun and interesting Young Member activities. Some of the upcoming events the committee is planning for include:

- YM Luncheon Webinar Series December/January 2015
- CMIT/CCM Networking Event February 2015
- Longfellow Bridge Site Tour / Harbor Cruise June 2015

Young Member (YM) Committee Event Recap

On August 5th, the Young Members Committee of CMAA New England hosted another successful event in the Boston area. The Networking Social at Our House East on Gainsborough Street, Boston saw a great turnout of young professionals and conversation covered a range of topics including current projects, career aspirations, and local industry observations. There was also discussion on CCM/CMIT certification, the upcoming CMAA National Conference and Trade Show in San Francisco, CA, and future events in the New England Area. We on the committee would like to thank those individuals who helped plan the event and also those who attended. With autumn fast approaching, stay on the look-out for future CMAA New England Chapter events. The breakfast programs started up in September and the Fall Newsletter is packed with updates. If you or someone you know is looking to get involved with CMAA New England Chapter or the Young Members Committee in particular, please do not hesitate to contact us! You can also join our LinkedIn Page ‘CMAA New England Chapter Young Members’. By Austin Chaffee, YM Committee Co-Chair

OCTOBER NETWORKING SOCIAL AT THE WESTON WATERFRONT M.J. O’CONNOR’S IRISH PUB
On October 30, 2014 from 6:00 to 8:00 pm the CMAA NE YM Committee held a free social networking event at the Weston waterfront M.J. O’Connor’s Irish Pub. The “Young-Minded” construction professionals shared appetizers while they continued to share the conversation about the New England construction industry, CMIT certification, CMAA National Conference.

Join our Linked-In Group here: [link]

Membership Committee
The results of the latest membership update (10/20/14) indicate that the current New England Chapter membership is holding strong and stands at a total of 506 members. Way-to-Go Membership Committee!

Certification and the SOP Course
CMAA NE has been coordinating with CMAA’s national leaders and is planning on holding the next SOP course in the spring of 2015. Look for more detailed information in the CM Advisor and in the email notifications that are sent from our Chapter. National has given us early notice to update our calendars for the spring conference as well. The conference will be in Long Beach April 12-14. Don’t worry about double booking because we will be sure to avoid the 2 weeks prior and the 2 weeks post conference for the SOP course. The Certification and SOP Committee will keep you posted as we move forward on dates and times.

For further information please contact Clark McCormick, P.E., CCM, LEED AP; PMA Consultants LLC; via his E-mail: cmccormick@pmaconsultants.com
CMIT Capstone Updates
The CMIT Capstone is now updated to the 2014 edition. The test is conducted with 200 questions.

Information regarding details on the application and references for mentors can be found here: https://cmaanet.org/certification/construction-manager-in-training-cmit

Creating Opportunities for Diversity and Equality (CODE) in Design and Construction
Owners are trending towards creating better opportunities for the ‘right’ project/program team. These teams encompass comprehensive requirements that include technical, managerial, and team diversity experience that provides the owner and all participants with a win-win projects. The New England Chapter of CMAA is working towards building the Chapter and its various committees to include the ‘right’ team as well. If you or anyone you know is passionate about developing this important concept of inclusion within your organization and within CMAA please contact any one of our Board or committee members. Every project and every team will benefit with your participation.

2014-2015 CMAA SUBCOMMITTEES

- **Advisory/Governance**
  - Chair: John Phillips
  - Vice Chair: Steve Marshall
  - Mike Bertoulin, Paul Hemphill, Carl Sciple, Greg Janey

- **Awards**
  - Chair: Mike Bertoulin/Paul Hemphill
  - Vice Chair: Kay Barnett-Smith
  - Steve Eustis, Jim Driscoll, Rick Bessom,
  - Wendy Riggs-Smith, Kay Barnett-Smith, John Phillips

- **Certification**
  - Chair: Clark McCormick
  - Vice Chair: Horace Cooper
  - Bob Barton, Steve Marshall, Mike Bertoulin, Greg Janey, Courtney Lackard, Steve Farrell

- **Communications**
  - Chair: Kristine Gorman
  - Vice Chair: Jonathan Hausner, Missy Reed, John Phillips

- **Finance**
  - Chair: Missy Reed
  - Vice Chair: John Phillips
  - Steve Marshall, Mike Bertoulin, Greg Janey

- **Golf**
  - Chair: Rick Bessom
  - Vice Chair: John Phillips
  - Paul Hemphill, Jim Driscoll, Clark McCormick, Russ Adams, Kristine Gorman, Austin Chaffee, Paul Showstead, Bob Leger

- **Government Affairs**
  - Chair: Bob Barton
  - Vice Chair: Jonathan Hausner
  - Rohn MacNulty

- **Membership**
  - Chair: Kay Barnett-Smith
  - Vice Chair: Greg Janey
  - Jim Driscoll, Steve Farrell, Paul Hemphill, Bob Barton

- **Newsletter**
  - Chair: Kristine Gorman
  - Vice Chair: John Phillips
  - Steve Farrell, Jim Hughes, Katie Choe, Austin Chaffee

- **Programs**
  - Chair: Jim Driscoll
  - Vice Chair: John Phillips
  - Steve Marshall, Paul Hemphill, Mark Hasso, Mike Bertoulin, Carl Sciple, Greg Janey

- **Scholarships**
  - Chair: Kay Barnett-Smith
  - Vice Chair: Katie Cho
  - Ralph Jacobs, Mark Hasso, Paul Hemphill, Wendy Riggs-Smith, Steve Marshall

- **Young Member**
  - Chair: Austin Chaffee/Brian Goudreau
  - Advisors: Carl Sciple/Steve Farrell
  - Eric LeGuelaff, Tim Mackay, Mehri Paydar, Nicholas Torello, Jim Driscoll, Greg Janey

- **Technical/Lean/Code**
  - Chair: Jim Driscoll
  - Vice Chair: Carl Sciple/Steve Farrell
  - Greg Janey, Courtney Lackard, Luciana Burdi, Kay Barnett-Smith, Joe Allegro, Steve O’Connor, Cynthia Tsao, Elaine Campos, Anne Sciro, Bob Mischler, Tom Ellis

Click here now to become a 2015 Sponsor!
Member News

Houssam H. “Sam” Sleiman, PE, CCM, Director of Capital Programs & Environmental Affairs at the Massachusetts Port Authority

Elected chair of CMAA at the Association’s annual meeting in San Francisco on October 19, Mr. Sleiman has more than 25 years of experience in the design and construction industry. He joined MassPort in October 1993 and has held several previous positions in the Authority. As the head of Capital Programs, he directs the overall management of the Authority’s capital investment program, safety program, utilities management, in-house design and environmental permitting and management.

Mr. Sleiman is a licensed, registered Professional Engineer in the Commonwealth of Massachusetts and a Certified Construction Manager (CCM). He has strongly supported the Construction Management Standards of Practice and CM certification for MassPort programs.

CMAA’s new chair has been a member of its national Board of Directors since 2009. In addition to his leadership positions in CMAA, he is an active member of the American Association of Airport Executives (AAAE), Airports Council International-North America (ACI-NA), and American Society of Civil Engineers (ASCE).

He holds a Master of Science degree in Civil Engineering and Bachelor of Science degree in Civil Engineering from Northeastern University. Mr. Sleiman was named one of Engineering News Record’s (ENR), Top 25 Newsmakers of 2009 as well as Person of the Year for 2009 by The New England Chapter of CMAA. by Construction Management Association of America (CMAA) John McKeon

Confidence in the Old and the New New England Chapter Leaders

“The New England Chapter of the CMAA has certainly accomplished a lot this past year. Foremost, it has seen exceptional growth, by as much as a remarkable 22%. This is a direct result of the commitment of chapter leadership. Past Presidents Steve Marshall, PE, CCM, of Massport and John Phillips, P.E. at O’Brien & Gere have worked tirelessly with others to build chapter participation and recognition. Through the continued growth of the Chapter’s Young Members Committee and the newly established committee under the national model CODE, “Creating Opportunities for Diversity and Equality”, New England will continue to be a leading resource for CMs nationally. This was an exciting year for me as the national chairman of CMAA. I enjoyed getting to know so many of you. As you probably know, I recently handed over the gavel to Sam Sleiman of MassPort at our San Francisco convention. I am confident that under his leadership, the CMAA will continue to grow and make great strides in the year ahead.” Milo Riverso Ph.D., P.E., CCM, President and Chief Executive Officer STV Incorporated

Paul F. Hemphill, CCM, AC, MCPPO, Vice President, City Point Partners

Paul recently joined City Point Partners LLC and brings to them more than 30 years of construction leadership where he will oversee their growing Owner’s Project Management (OPM) practice, supervise the Construction Services Group, and manage a team of Resident Engineers and Inspectors. Throughout his distinguished career, Paul, a Certified Construction Manager, has overseen an array of multi-million dollar projects from schools and libraries to affordable housing developments and healthcare facilities. Some of Paul’s projects of note include the $88M project to cap the City of Quincy’s landfill and transform it into a 350-acre golf course and recreation complex; Project Construction Director for the $31M Ashburnham JR Briggs Elementary School; and construction oversight of the $16M renovation and addition to the City of Quincy Thomas Crane Library, a nationally registered historical landmark. He was also at the helm of the $16M Needham Public Library renovation, which won the “Project of the Year” award from the Construction Management Association of America (CMAA).

Paul is also a well-respected leader and mentor in his field. As a past-president and current Board member of the CMAA NE, he’s received numerous accolades and awards for outstanding leadership. He holds a BS in Construction Management, Real Estate Law, and Finance from Bradley University in Peoria, IL and an AS in Building Construction Technology from Wentworth Institute of Technology.

DID YOU KNOW THAT ON AUGUST 8, 2014 GOVERNOR DEVAL L. PATRICK SIGNED A BILL REGULATING RETAINAGE ON PRIVATE CONSTRUCTION PROJECTS? “AN ACT RELATIVE TO FAIR RETAINAGE PAYMENTS IN PRIVATE CONSTRUCTION.”

STAY TUNED FOR MORE INFORMATION ABOUT THE NEW LAW FROM CMAA – NEW ENGLAND’S LEGISLATIVE AFFAIRS LIASON JONATHAN R. HAUSNER, ASSOCIATE AT ROBINSON+COLE
Welcome New Members

As Senior Vice President, Mr. Hutchins leads the continued development and growth of Gilbane’s Massachusetts and New Hampshire offices. Mr. Hutchins oversees the operational, sales and administrative functions of the Massachusetts business unit which encompasses 210 staff members throughout their offices located in: Boston, MA (the New England head office), Springfield, MA and Merrimack, NH.

Most recently, Mr. Hutchins held the position of District Manager of Gilbane’s Massachusetts offices. Under Mr. Hutchins’s leadership the district more than doubled the number of construction projects it oversees with current construction projects valued at $2 billion, and increased the number of employees in Massachusetts from 80 to 190.

In four of the last five years, the district has been recognized as a Best Place to Work in Massachusetts by the Boston Business Journal and has twice been named as a Boston Globe’s 100 Top Places to Work.

Mr. Hutchins began his career with Gilbane as an intern in 1997, and then joined Gilbane’s demanding Management Trainee Program in 1998. He has since served in many positions for Gilbane, including business development manager, project engineer, project manager, regional quality manager, project executive, and district operations manager. Additionally, Mr. Hutchins has been the Director of the district’s Special Projects Group, where under his leadership the department exceeded expectations in sales, client satisfaction, and growth.

CMIT Journey Spotlight

My name is Chris Eastman and I am a Resident Engineer for MWH Constructors. I gained my CMIT in June of 2013 after realizing that I enjoy the fast pace and organized chaos found during a project’s construction phase. Here is a piece of my CMIT journey.

Several years ago, a coworker of mine was researching various certifications related to construction management. I decided to look into the CM certification myself and found the CCM, along with CMAA, to be very intriguing. Unfortunately, I did not come close to qualifying for candidacy. After my initial discouragement, I found myself back on the CMAA website and discovered the CMIT Program.

I stirred up the energy for commitment, then filled out the forms, printed a copy of Capstone, and looked through the first chapter all in one day. After that, it collected dust on the corner of my desk for a month. The 90-day timeframe was quickly expiring and at the halfway mark, I convinced myself that I was not going to let this opportunity slip away. Methodological studying commenced, and before I knew it, I was taking the online assessment. That assessment took me over five hours to complete, but at the end of it all I saw “Congratulations!” and promptly started my mini-celebration at the nearest steakhouse.

Shortly thereafter though, I found myself needing help with the next steps of my CMIT journey. I must have emailed every volunteer mentor in the northeast. Some weren’t even located in the country anymore! I met with a few CCMs and eventually found a mentor to help me organize my experience and guide me through my CCM application.

Now I am to the point of knowing what experience I need to complete the qualification matrix. Communicating my goals of certification to my employer has been received well and they continue to actively seek for the right situations for me on projects. I still meet with my CCM mentor every 6 weeks and those meetings have been instrumental in keeping me on task and engaged. My mentor also encourages me to push forward, despite hesitations I may have. This time next year I plan on having a conclusion to my CMIT journey.
## Current Legislative Status

### Pending Bills of Interest

[https://malegislature.gov/Bills/Search](https://malegislature.gov/Bills/Search)

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<th>BILL NO.</th>
<th>TITLE</th>
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<tr>
<td>S.2271</td>
<td>An Act relative to fair retainage payments in private construction</td>
<td>Signed by the Governor, Chapter 276 of the Acts of 2014</td>
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<td>S.617</td>
<td>An Act requiring notice and an opportunity to repair certain</td>
<td>House Accompanied a study order, see H4136</td>
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<td>S.1536</td>
<td>An Act allowing cities, towns and districts to procure contracts for</td>
<td>House Accompanied a study order, see H4143</td>
<td>6/4/2014</td>
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<td>the design, construction, financing and operation of wastewater and</td>
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<td>water treatment facilities</td>
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<td>S.868</td>
<td>An Act relative to health and safety on public construction projects</td>
<td>Bill reported favorably by committee and referred to the committee on</td>
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<td>S.1380</td>
<td>An Act promoting construction growth</td>
<td>Senate Accompanied a study order, see S2111</td>
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<td>H.3435</td>
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<td>H.2792</td>
<td>An Act to promote responsible contracting on state construction</td>
<td>House Discharged to the committee on House Ways and Means</td>
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<td>see H4143</td>
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<td>H.1727</td>
<td>An Act to limit indemnity and insurance responsibility for general</td>
<td>Hearing scheduled for 07/16/2013 - Senate Accompanied S891</td>
<td>2/27/2014</td>
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<td>contractors and subcontractors in construction work</td>
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<tr>
<td>S.1478</td>
<td>An Act to further define fraud in public construction contracts</td>
<td>House concurred - Joint Hearing scheduled for 04/16/2014</td>
<td>4/24/2014</td>
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<td>An Act relative to energy efficient construction</td>
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<td>committee on Senate Ways and Means</td>
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<td>H.2785</td>
<td>An Act concerning proprietary specifications in public construction</td>
<td>House Accompanied a study order, see H4143</td>
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<td>H.3695</td>
<td>An Act relative to the expansion of the Boston Convention and</td>
<td>House Accompanied a new draft, see H3952</td>
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<td>H. 3933</td>
<td>An Act providing for capital facility repairs and improvements for the</td>
<td>An Act providing for capital facility repairs and improvements for the</td>
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Other Chapter News

Current Enforcement Trends on Public Construction Projects

DECEMBER 9, 2014 BREAKFAST MEETING

PANELISTS:
- Patrick McCuehin - Patrick McCuehin is a CPA and the Senior Managing Director responsible for FTI’s Construction and Government Contracts Group in North and South America.
- Daniel Castleman - Daniel Castleman is a lawyer and FTI Consulting Senior Managing Director at with more than 35 years of investigative and litigation experience. Before coming to FTI, he was a prosecutor at the Manhattan District Attorney’s office for 30 years.
- Brad Gordon - Brad Gordon is a Senior Vice President for Gilbane Building Company and serves as General Counsel and Corporate Secretary.

The panel will discuss the legal, accounting and regulatory/prosecutorial risks of current enforcement trends, citing relevant examples. The discussion will focus on three areas that are currently “high risk” for CM Firms, owners and contractors that work on publicly funded projects, and will include current examples of issues that are being pursued by agencies at this time:

M/W/DBE Enforcement: Projects that are federally funded or funded by states, cities and public benefit authorities have strict requirements of M/W/DBE compliance toward achieving mandated goals. In metropolitan areas that have numerous large public projects there has been a surge in investigations into non-compliance with these requirements, and regulatory and prosecutorial agencies are assertively pursuing violators, including monitoring issues with State transportation agencies. The panel will explore the developing enforcement environment and the risks construction companies on these projects face.

Pricing of claims and change orders: Most public agencies have False Claims Statutes that cover potential violations in a variety of areas, including those relating to pricing and accounting of change orders and claims for extra work, delay and disruption. At the Federal level – and increasingly at the state level – contractors must adhere to strict contract accounting standards prescribed under federal pricing guidelines that either fall under the Federal Acquisition Regulation (FAR) System, or similar procurement guidelines specific to the governing federal agency (e.g., Federal Aviation Administration). These regulations are often mirrored or used as guidance at the State and local Government level. Non-compliance is a fine line and can result in damaging financial and operational consequences. The panel will explore these issues and the risks they present.

Adhering to Union Labor Agreements: While the risk of submitting inaccurate payroll amounts on publicly funded contracts are small (although falsifying certified payroll can occur) there are numerous examples of contractors either intentionally or unintentionally (due to changing work schedules) not paying union labor in accordance with union contracts, charging public and private clients for bonuses in the form of increased hours not actually worked or for vacations not mandated by CBAs. The panel will explore the significant legal and practical implications raised with many different agencies and parties when this occurs.

Please click here to register or on line at: http://www.cmaa-ne.org/breakfast.html

September 2014 Breakfast Meeting - Overview of Resiliency and Massachusetts Implementation Plans

- res-i-li-en-cy: noun - the ability of a system to prepare for disruptive events, recover within a reasonable timeframe with minimal damage, and sometimes emerge even stronger.

Massachusetts has clear needs to improve the resiliency and adaptation of its infrastructure in the face of natural disasters and other emergencies. On the morning of Tuesday September 16, 2014 forty-two public and private industry guests attended the CMAA-NE breakfast meeting at Wentworth Institute of Technology in Boston to hear a panel presentation on how resiliency in the aftermath of the recent Super Storm Sandy is impacting Operations and Capital Programs.

The panel discussed weaknesses in the Northeast’s infrastructure, coastal protection and transportation infrastructure issues they are addressing. Panelists made recommendations, shared their progress to date, and how they are making these recommendation improvements a reality.

PANELISTS INCLUDED:
- Joseph Barr, AICP New England Planning, Environmental and Traffic at Lead Parsons
- Dana Swenson – Panelist, SVP for Facilities for UMass Memorial Health Care;
- Robbin Peach – Panelist, Program Manager of Resiliency at Massport; AND
- Joseph A. Barra, Esq. - Panelist, Partner - Construction Practice Group at Robinson + Cole LLP

October 2014 Breakfast Meeting - Laser Scanning: How to Increase Efficiency in Design & Construction Planning on Renovations Projects

Renovation work accounts for most of the construction that occurs in Boston each year – not surprising given the history surrounding this region. However, procuring accurate as-built information of our buildings poses a challenge to the design and construction industry. Multiple layers of risk mitigation by the owner, design team, contractor and subcontractor are associated with renovation projects to protect each entity from “unforeseen conditions” or “rework of existing”. These two categories account for the greatest risk of increased cost or schedule extensions for renovation project teams.

Guest speaker Christopher Fogg, Virtual Design & Construction Manager at BOND asked the thirty something attendees whether they knew of a method of reducing unforeseen conditions, or including rework of existing during the bid process? His presentation focused on asking, “Can a renovation project be ’pre-coordinated’ without the subcontractors ever visiting the jobsite?”

Christopher manages more than eight years experience as an estimator and more than five years leading BOND’s Building Information Modeling (BIM) process. Chris is constantly pursuing ways to utilize technology in the construction industry to benefit efficiency and quality on projects. Christopher’s in-depth explanation of how Laser Scanning Technology can increase the efficiency of renovation teams across industries, particularly but not limited to Healthcare and Academic markets was well received by engaged clients, consultants, and students in the audience.
Our Mission
The Mission of CMAA is to promote the profession of Construction Management and the use of qualified Construction Managers on capital projects and programs.

Our Vision
The Vision of CMAA is that all owners will realize capital project and program success by using professionally qualified Construction Managers.

Join us
Enter into the profession at one of New England’s five Higher Education Institutions offering a degree program in Construction Management.
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FOR CONSIDERATION INTO THE CMAA-NE 2014-2015 QUARTERLY NEWSLETTERS PLEASE CONTACT KRISTINE C. GORMAN, CMAA-NE NEWSLETTER CHAIR

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