Greetings CMAA NE community, I would like to thank all of you for your participation during the Fall/Winter season 2014/15. It has been an outstanding year for the NE Chapter, over the last several months the Chapter has been energized. This increased energy is in part due to the change in the economy but also CMAA value which has raised involvement and contribution at all levels; Members are excited! Our Chapter committees, in their evolution are creating a fresh approach to improving the existing infrastructure to strengthen our core. As an example we are delighted with the recent younger member presence on the Board it has been a huge success offering collective, forward thinking initiatives.

The newly formed CODE Committee (Creating Opportunities for Diversity and Equality) has inspired the membership to think outside the box. Since the CODE Committee was activated this year it has developed new alliances among organizations with similar missions including WTS (Women’s Transportation Seminar) COMTO (Conference of Minority Transportation Officials), and NSBE (National Society of Black Engineers). It is our intention that these new relationships will expand and provide the potential to speed up promotion of diversity within the AEC industry. Discussions are underway with team members to launch a joint program late spring/summer 2015, the theme will concentrate on diversity and opportunities.

Membership interest has been very encouraging from the CMAA community. We are expecting a significant increase this spring/summer 2015, the theme will concentrate on diversity and opportunities.

The MBTA, and MassDOT recently expressed interest in joining the NE Chapter, as MEGA members. The CMAA NE Membership Committee is scheduled to present to these agencies in the coming months. Stay tuned. Our most recent public sector membership now includes the Federal Highway Administration (FHWA).

Also following the national trend the NE Chapter anticipates rapid growth of CCM’s (Certified Construction Managers) due to the value added streamlined process, implemented this year. Currently the CCM Committee is coordinating presentations and creating new relationships with universities, owners, and practitioners. Professional advancement has been strong, as involvement continues to expand. Led by our
The NE Chapter’s recent programs and events have exceeded expectations this year. An increased cross-section of industry members and guests are attending the Breakfast Programs and have provided positive feedback on CMAA’s value, content of the programs, and presenters. Programs include a wide variety of subjects, amongst the notables are; University Capital Programs, The Massachusetts Gaming Commission, and Lean Construction. **Please look forward to our 21st Annual CMAA Awards Luncheon being held on April 22, 2015 at the Revere Hotel in the Carver Ballroom, Boston, MA. Join us for this annual recognition of the projects and people in the New England area. Keynote Speaker will be Marty Walsh, Mayor of Boston.**

Finally, we are pleased to report that CMAA members, via our website, have access to statutory changes related to the Architectural Engineering and Construction Industry. In an effort to keep CMAA membership informed, and prepared, our website now features legislative information about changes in prompt pay, and the blank retainage law; both of which will have impacts on all project participants. See the newest information later in this Newsletter.

On behalf of the NE Board I hope you enjoy the 2015 Winter Newsletter and our upcoming programs.

---

**Up and Coming Events**

**March Luncheon Program, Owners Forum Luncheon - CMAA/SAME Joint Meeting**

Learn the Army Corps, Massport, MassDOT, and the MBTA’s procurement process, and what they are looking for in consultants and contractors. Also hear what the national outlook is for the construction industry and network with panelists Sam Sleiman, PE, CCM Director of Capital Programs & Environmental Affairs at Massachusetts Port Authority; Victoria Sheehan, Manager of Strategic Planning and Highway Performance for the Massachusetts Department of Transportation; Colonel Christopher Barron Commander & District Engineer, US Army Corps of Engineers - New England District; and Edmond Hunter, Assist. General Manager of Design and Construction at the MBTA. The Luncheon keynote speaker, Bruce D’ Agostino, CMAA’s CEO and National President, will share his thoughts on the state of the industry, and what CMAA and SAME have been doing together on the national front.

---

**21st Annual CMAA NE Awards Luncheon**

The 21st Annual Awards will be held this year at the Revere Hotel in the Carver Ballroom, with Keynote Speaker Mayor Marty Walsh, and will feature some of the best projects from all over New England.

Each year project teams take on the toughest challenges the New England Region can throw at them. From the design and engineering to the construction means and methods, all the players in this industry have a role in bringing about innovative solutions. CMAA New England wants to recognize this dedication and hard work by acknowledging the projects and the project teams that make it all happen.

With the completion of last year’s Annual Awards Luncheon this year’s Awards Committee begins all over again. Lining up the venue, soliciting awards nominations, securing speakers, developing the program, sponsorships, flyers, and press releases are just a few of the responsibilities charged to this committee.

Held in April each year, the upcoming Awards Luncheon will continue to build upon the successes the committee has experienced in years past and will feature multiple outstanding projects. We hope to see you there and we hope to see your project(s) take home awards.

**Award Categories and Sizes/Constructed Values:**

- **Infrastructure Projects -** <$10M, <$50M, <$100M, and >$100M
- **Building Projects -**
- **New Construction -** <$10M, <$30M, <$50M, <$100M, and >$100M
- **Renovation/Modernization -** <$20M, and >$20M
- **Excellence in Program Management**
- **Person of the Year Boston**

Click here to check out photos and award winners from previous years and see below for the nomination applications and program flyers:

Awards Event: Wednesday, April 22, 2015
Registration - 11:00 AM
Luncheon 12:00 AM to 2:00 PM

REVERE HOTEL BOSTON COMMON
200 Stuart Street, Boston, MA

RSVP NO LATER THAN: Friday, April 17, 2015. Click Here to Register.

Questions? Contact: Michael Bertoulin
CCM, PE at bertoulin@pbworld.com or Paul Hemphill, CCM at phemphill@citypointpartners.com


Applications Deadline Extended to: Friday, March 13, 2015


Technology products are evolving that are revolutionizing the ability of owners and construction managers to accelerate both design and construction processes in delivering projects.

This high level national conference will explore the technology and innovation side of construction management practices.

Sunday - Tuesday, April 12-14, 2015
Hyatt Regency Long Beach, CA
200 South Pine Avenue
Long Beach, CA 90802


Brookmeadow County Club
100 Everendon Road
Canton, MA 02021

Please register on line at: http://cmaane.org/meetinginfo.php

Questions? Contact: Rick Bessom, PE, CCM, rbessom@massport.com (617) 568-5962 or John Phillips, PE, john.phillips@obg.com (617) 592-8331

19th Annual CMAA Golf Outing for CM Scholarships
‘Save the Date’ for the New England Chapter Golf outing which is the largest contributor to the annual scholarship program.

Tickets:

- $165.00 Individual Player
- $200.00 Sponsor without Golf
- $850.00 Corporate Sponsorship

Sponsorship opportunities for this event are available year round.

Event: Wednesday, May 20, 2015
7:00 AM to 5:00 PM

Back by Popular Demand.....CMAA NE Technical Committee: Schedule Control Boot Camp II: October 2015

Practical Best Practices in Project Schedule Control; CPM vs. No CPM; What Do I Really Need to Know to Answer the Question, “How is the project doing?”

Coming in the fall of 2015

Come join us for an interesting evening as we take a step back from project management in-the-cloud, 3d, 4d, and examine our schedule control roots and best practices during the Technical Committee: Schedule Control Boot Camp II.

A panel of seasoned planners & schedulers will be sharing their professional experiences on both large and small projects related to:

- Designing a schedule control system backwards; i.e.: output reports, their purpose and audience
- The two part project schedule control specification: for Owners; for those
Longfellow Bridge Harbor Cruise
Organized by Young Members Committee

The Longfellow Bridge is a historical and iconic landmark that carries subway, automobile, bicycle and pedestrian traffic between Boston and Cambridge. After 100+ years of service, the structure is currently undergoing a major reconstruction and is scheduled to be completed in the fall of 2016.

CMAA Young Members Committee would like to provide a unique perspective of this historic project from the vantage point of the Charles River. A cruise will originate from the Cambridge Side Galleria and tour the historic bridge with commentary from construction management professionals involved with this historic reconstruction effort.

Event: Tuesday, June 9, 2015
4:30 PM Boat Boarding
5:00 PM - 6:30 PM Cruise Tour

Cambridge Riverboat Company
10 Cambridge Side Place

Cambridge, MA 02141

Please register online at: http://cmaa-ne.org/index.php

Questions? Contact: Austin Chaffee, CMIT (617) 330-9900, achaffee@dcbeane.com or contact Brian Goudreau, P.S.P., ENV SP at (860) 301-4677, brian.goudreau@arcadis-us.com

SCHOLARSHIPS NEWS:

The annual CMAA-NE scholarship application process has begun. Applications are due on March 20, 2015 with recipients to be selected in early April. As in the past, the committee has encouraged all recipients to volunteer at the CMAA-NE Golf Tournament in May. Five New England schools are invited to submit qualified candidates for a scholarship award, with recipients announced at the CMAA-NE Annual Awards Banquet in April.

APPLICATIONS ARE DUE ON MARCH 20, 2015
Any questions or comments should be directed to Committee chair Kay Barned-Smith at kaybs@verizon.net.

About CMAA NE Scholarships

The Construction Management Association of America (CMAA) NE is the local chapter of CMAA, and is an organization that annually awards a limited number of scholarships to qualified students to help them defray the costs of pursuing a degree in Construction Management or a related-degree program. The amount of the scholarships varies from year to year, but typically averages $3,000.

Eligibility Criteria:

Must have completed a minimum of one full academic year of studies, and must have a minimum of one full academic year remaining prior to completing the degree being pursued (No Freshmen or Seniors).

Must be enrolled in a Construction Management degree program, or other CM-related degree program, with a minimum 3.0 GPA and show a strong interest in a career in CM, as demonstrated in the response to the essay question in the application package.

NOTE: Incomplete applications will not be considered by the Selection Committee. The application and all associated attachments must be scanned and submitted electronically. Hard copy applications and attachments will not be considered.

Committee News

Advisory/Governance

The committee is comprised of experienced past presidents and advises the Board and ensures the continued proper management of Chapter activities including regulations, elections, succession etc. If you have any questions or suggestions, please reach out to past Presidents John Phillips, PE at john.phillips@obg.com or Steve Marshall, PE, CCM at typho30@aol.com.

Certification

Promotes the CCM certification with area public and private enterprises, and provides guidance, instruction, and professional Construction Management classes in advance of CCM/CMIT testing.

Dates for the PCM Course have been finalized with CMAA National and are being held April 27-29, 2015 in the Annex Building South Room 013 at Wentworth Institute of Technology in Boston, MA.

Questions about the process can be sent to Clark McCormick, PE, CCM, LEED AP at cmccormick@pmaconsultants.com or Horace Cooper, PE at (617) 222-5910.

With a Happy New Year wish Mark Hasso was pleased announce, “Our Junior CM students at Wentworth took the CMIT test and a total of 79 passed.”

Bravo Wentworth!
CMIT Guide: Where to Start, How to Finish, Event Recap
On February 24, 2015 the Young Members Committee hosted an information/networking event centering on the CMIT and CCM credentials. The event allowed for a thirty (30) minute presentation with opportunities for networking and general discussion. Austin Chaffee, CMIT, of DC Beane and Associates Construction Company and Christopher Eastman, CMIT EIT, of MWH Constructors prepared and presented the material to a mixed group of current students, young CM professionals, prospective CCMs and CMITs, and current CCMs. Topics of the presentation answered all of the following questions;

- What is CMIT?
- Why should I consider becoming a CMIT?
- What are the benefits and why should I remain a CMIT?
- How do I become a CMIT?
- What do I do once I have passed the test and have earned my CMIT certificate?
- What are the different experience modules towards achieving my CCM?
- What is Responsible-In-Charge Experience?
- What resources are available as I prepare to take the CCM exam?

CMAA NE Board members such as John Phillips and Steve Farrell added to a well-rounded conversation about CMIT and CCM. For those of you who could not make the event, we had almost 20 in attendance, each at a little different stage of the CMIT/CCM program. Eric LeGuelaff (MBTA), who is on the YM Committee, is pursuing his CCM and learned that at this stage he doesn’t need to go through the CMIT program. We had a gentlemen from JM Coull, Inc. who was very interested in reorganizing his CCM application. Latoya Baskin (Janey Co.), also a YM Committee member, was also there to get some guidance on her CMIT journey. We had 4 Wentworth students, 2 Northeastern students, and several others that were learning about the program for the first time. It was a diverse group.

The slides are available on CMAA New England Chapter’s website, www.cmaa-ne.org, and on the YM Committee LinkedIn page, https://www.linkedin.com/groups?mostRecent=&gid=5014100&trk=my_groups-tile-flipgrp.

You can consult these web pages for future YM Committee events and information.

To learn more about sponsoring YM Committee events or have questions or interest regarding the YM Committee, please feel free to contact Austin Chaffee at achaffee@dcbeane.com.

THE YM COMMITTEE WOULD LIKE TO EXPRESS ITS GRATITUDE TO JANEY CO., PARTICULARLY GREG JANEY, CMAA NE CHAPTER PRESIDENT AND PRESIDENT OF JANEY CONSTRUCTION MANAGEMENT & CONSULTING, INC. FOR SPONSORING THIS EVENT AND PROVIDING THE LIGHT SNACKS AND REFRESHMENTS.

Finance
Monitors, advises, and adjusts Chapter finances to meet and/or exceed Chapter budgets and expectations.

Recently the Committee released the 2015 CMAA NE Sponsor Opportunities that range from $250-$1,250 annually. The program is designed to allow combination packages, as your budgets allows and remains extremely competitive with the AEC industry.

Opportunities include advertisements in our quarterly Newsletter, recognition in our Annual Awards brochure, and Annual Sponsorship which includes Newsletter, Awards Brochure, Web advertisement, and a spot on our annual Golf Tournament Sponsor Board. Download the Sponsor Application and advertisement specifications here: http://cmaa-ne.org/downloads/cmaa_finance_committee_form_2015.pdf

Questions regarding the program or payment can be sent to the CMAA Finance Director, Missy Reed via Email: missy.reed@fticonsulting.com or (617) 897-1504.
Government Affairs
The Government Affairs Committee tracks legislation concerning construction activities and informs/advises membership.

To join the committee or have something published contact the CMAA NE Government Affairs Chair: Robert Barton, PE, CCM, LEED AP at rbbarton@bcccm.com or (508) 840-9698; or Vice Chair Jonathan Hausner, Esq., at jhausner@rc.com.

As promised in the Fall 2014, please see the article at the end of this Newsletter that breaks down the newly developed Massachusetts Retainage Act.

Young Members, Event Re-Cap
Introducing “APS” For CM’s
By: Brian Goodreau, PSP – ARCADIS-US

APS (Advancing Productivity Seminars) for CM’s is a series of live lunchtime webinars geared towards educating construction managers on tips and tricks of technology within the industry. We are proud to announce the kickoff of this exciting new program in 2015. Featured in 2015 are four “101” courses covering the basics of Microsoft Office, Scheduling Software, Document Controls Systems and Estimating technology. In 2016, the series will feature the “200-level” courses, expanding beyond the basics.

The Young Members hosted the first of the four featured webinars for 2015 on Friday February 6, 2015. Overall, the event was a great success with over 40 participants via the web. The presenters were Brian Goodreau and Mehri Paydar of ARCADIS, and Latoya Baskin of Janey Construction Co. The first event, entitled Microsoft Office 101 for CM’s: Time-Saving Tips that Every CM Should Know featured useful how-to advice on popular Microsoft Office applications such as Word, Excel, PowerPoint, Outlook, and OneNote. If you were unable to attend the event live, the presentation content is available on the Young Member’s page of the CMAA New England website. After the presentation, the Young Members distributed a quick survey to all the participants. Initial feedback from the event was good, with many attendees excited for future events.

Stay tuned for upcoming webinars in the APS for CM’s series. In May the Young CM’s will present Scheduling Software 101 for CM’s, followed by sessions on document controls systems and risk analysis in August and November. In 2016, the series will go beyond the basics of these applications and discuss advanced software techniques.

Programs
The CMAA NE Programs Committee brings together informative monthly breakfast presentations for the membership and interested parties to network.

For information regarding upcoming Programs please contact the Committee Chair Jim Driscoll at jdriscoll@gilbaneco.com or Vice Chair John Phillips, PE at john.phillips@obg.com.

MEMBERSHIP NEWS:

Kay Barned-Smith, AIA, CCM, City of Boston
Kay Barned-Smith, AIA, CCM and Vice President of Membership for CMAA-NE has recently joined the City of Boston to act as the Owner’s Project Manager for the Connect Historic Boston Infrastructure Project. The City has been awarded a TIGER Discretionary Grant that will help fund the work to ‘transform non-vehicular transportation in downtown Boston’. Seven city streets will be reconstructed as shared or complete streets and work will include a protected two-way cycle track, accessibility improvements and other amenities for an enhanced resident and visitor experience.

Kay Barned-Smith, AIA, CCM
Project Manager, Connect Historic Boston
Public Works Dept.
Boston City Hall, Room 714
One City Hall Square
Boston, MA 02201
Office: 617 354 4778

Member News

Kay Barned-Smith, AIA, CCM, City of Boston
Kay Barned-Smith, AIA, CCM and Vice President of Membership for CMAA-NE has recently joined the City of Boston to act as the Owner’s Project Manager for the Connect Historic Boston Infrastructure Project. The City has been awarded a TIGER Discretionary Grant that will help fund the work to ‘transform non-vehicular transportation in downtown Boston’. Seven city streets will be reconstructed as shared or complete streets and work will include a protected two-way cycle track, accessibility improvements and other amenities for an enhanced resident and visitor experience.

Kay Barned-Smith, AIA, CCM
Project Manager, Connect Historic Boston
Public Works Dept.
Boston City Hall, Room 714
One City Hall Square
Boston, MA 02201
Office: 617 354 4778

Questions, Suggestions?
Members with questions, suggestions or an interest in joining the membership committee should contact committee chair Kay Barned-Smith at kaybs@verizon.net.
Jean Hartnett—Civil Engineer, Parsons Brinkerhoff

Jean Hartnett is a civil engineer with 6 years of experience in the design of highway, transit and civil infrastructure projects. Jean’s experience encompasses feasibility studies, investment studies and alternatives analyses, as well as concept design for transportation infrastructure and structures. Major projects include the Consolidated Rental Car Garage at Logan Airport that opened fall 2013, and currently the I-90 Allston Interchange Multimodal Transportation Project. Jean received a Bachelor of Science in Civil Engineering from the University of New Hampshire. She possesses a NICET Highway Design certification, LEED AP, Envision certification and Massachusetts PE. See more on Jean’s LinkedIn profile here: http://linkd.in/1AyU9Qn

Jake Cabrera – Resident Engineer, Keville Enterprises

He graduated from Worcester Polytechnic Institute with a B.S. and M.S. in Civil Engineering. With Keville Enterprises, Inc. Jake has had the opportunity to be part of projects such as the Green Repair Program at the Massachusetts School Building Authority, the Accelerated Bridge Program (ABP) at MassDOT and, currently, the Checked Baggage Inspection System (CBIS) Recapitalization Project at Logan International Airport. He has also achieved certification in OSHA 10-hour Construction Safety and Health and recently the CMIT certification. Find more on Jake’s LinkedIn profile here: http://linkd.in/1Ecls9q

Breakfast Programs Snapshots

September “Resiliency”
A moderated panel of local agencies/owners discussed the need to improve the resiliency and adaptation of the State’s infrastructure in the face of natural disasters and other emergencies, and what has been done to date to make improvements a reality. The “lessons learned” by New York City from the devastation caused by Superstorm Sandy was used as the backdrop.

October “3D Laser Scanning, How to Increase Efficiencies on Renovation Projects”
An in-depth explanation of how Laser Scanning Technology can increase the efficiency of renovation teams. The focus was on the Healthcare and Academic communities, but the application can be used for other clients.

November “University Building Programs”

Representatives of the Massachusetts State College Building Authority (MSCBA), UMass-Boston, and Northeastern University discussed their on-going building endeavors, and their future capital improvement programs.

December
Cancelled due insane weather. Even the Boston harbor froze!

January “Massachusetts Gaming Commission, Casino Update: Construction Gets Started”
The Chairman of the MA Gaming Commission did a follow-up of a presentation to the Chapter in 2012, and presented where the Casino permitting review and approval process has been, where it is now, and what’s coming.

February “Harvard University, Allston Capital Improvements Program”
The Associate VP for Planning discussed Harvard’s Institutional Master Plan for Allston. Overviews of their 10-year plan that started in 2013, their 15-year plan, and what is envisioned in 25 years was presented.
The New England Chapter of CMAA boasts a very diverse membership, consisting of CM Practitioners, Owner Members, Academics, and Associates. There is another group though that makes significant contributions to this chapter and represent the future of the construction industry; that group being the Young Members Group and even more specifically the Construction Manager-in-Training (CMIT) Members. Our CMITs range from students at the local institutes and colleges to young professionals who are in their beginning stages of their careers.

One of those local institutes is Wentworth Institute of Technology which over the years has been a tremendous supporter of the CMIT Program. Specifically, Wentworth has recently incorporated the CMIT Assessment into the Construction Management course work during each student’s junior year. The fifth class of CM students completed the CMIT Assessment this past December and due to their program schedule, are both currently out on Co-Op.

NE Chapter: Drew Sylvia and Andrew Wolstencroft are both in their junior year in the Construction Management program at Wentworth, have recently passed the CMIT assessment, and due to their program schedule, are both currently out on Co-Op.

NE Chapter: Excellent! Now you both are out on Co-Op now. This is your first required Co-Op, but you both took advantage of the optional Co-Op this past summer. Which companies are you working for and what are you doing for that company?

Andrew: Currently, I am working with DC Beane and Associates for my spring Co-Op. This is my second Co-Op experience. Over the summer I worked with Bond Brothers, Inc. During my co-op with Bond I filled the role of Project Engineer. I worked on the MIT campus on a project to completely renovate the MIT chemistry and math labs. Some of my responsibilities included updating RFI’s, completing walkthroughs with subcontractors, and assisting the project management team in any way possible. This spring I am working for DC Beane and Associates as a Field Engineer at the Bristol-Myers Squibb campus in Devens, MA. As a Field Engineer, I have been in charge of many tasks. These tasks include taking man counts, processing RFI’s, and updating the work to complete list for each subcontractor as the project is on its way to substantial completion. I have enjoyed both experiences greatly and feel that the Co-Op program at Wentworth has a direct connection to the success of its students. Working in the field is something that cannot be replicated in the classroom.

Drew: Although some of my peers may have thought differently, I believe I was well prepared to take the exam on exam day. If someone was looking to take the CMIT exam, I would encourage them to read the Capstone book cover to cover, as well as make notes and identify key points to help them understand the material. Also, adding tabs to the book to help you easily navigate is a major help. The key is understanding the information; not memorizing it and trying to remember it all.

NE Chapter: Sounds like you both are gaining great experience. Do you feel there is any connection between the CMIT Program and what you are doing at your Co-Ops?

Drew: There is some connection between the CMIT Program and my current Co-Op. The primary connections are with document control, contract/contractor management, and quality control and assurance.

Andrew: I absolutely feel that the CMIT Program has improved my understanding of the construction management process. During my summer Co-Op with Bond I was confused when it came to the relationships of the stakeholders involved. After completing the CMIT program I understand the different contractual agreements between the owner, architect, general contractor, and subcontractor much more clearly. With a better understanding of the roles and responsibilities of each stakeholder, I feel that I have been able to make a greater impact on my spring Co-Op with DC Beane. This increased understanding can be directly credited to the CMIT Training Program. (cont. next page)
NE Chapter: That is great to hear. So the next step in the program is finding a mentor. A mentor could be someone who has a career path similar to one you yourself want to take or just someone who has been in the construction industry from multiple angles and can offer valuable advice on a wide range of issues. Andrew, is there anything specific you are looking for in a mentor?

Andrew: Although Wentworth has provided me with many well respected professors who are also involved in the CMAA organization, I have not yet found an official mentor. However, because of the close relationship between the CMAA and Wentworth I am confident that I will be able to find a knowledgeable and helpful mentor in the near future. Currently, I am focused on my spring Co-Op and all of the learning opportunities provided through the experience. I hope on finding an official mentor before the end of my summer semester. When considering a mentor I will be looking for someone who has been successful in the industry, and can also understand the modern challenges within construction.

NE Chapter: Drew, I believe you are in the same situation, but I am interested to know your thoughts. Furthermore, one issue that is really troubling CMAA right now is the disproportion of CMITs to CCMs. Are you experiencing difficulties finding CCMs to be your mentor?

Drew: Although Wentworth has provided me with many well respected professors who are also involved in the CMAA organization, I have not yet found an official mentor. However, because of the close relationship between the CMAA and Wentworth I am confident that I will be able to find a knowledgeable and helpful mentor in the near future. Currently, I am focused on my spring Co-Op and all of the learning opportunities provided through the experience. I hope on finding an official mentor before the end of my summer semester. When considering a mentor I will be looking for someone who has been successful in the industry, and can also understand the modern challenges within construction.

NE Chapter: Drew, I believe you are in the same situation, but I am interested to know your thoughts. Furthermore, one issue that is really troubling CMAA right now is the disproportion of CMITs to CCMs. Are you experiencing difficulties finding CCMs to be your mentor?

Drew: I do not have a specific mentor as of yet. Though I have many mentors in my life I have not attempted to officially get one as part of the CMIT program yet. The only primary things I would be looking for in a mentor is possibly someone who has experience as a business owner or senior management professional, someone with residential construction management experience and some commercial history, and someone who is/was just as driven as I am. And to be entirely honest, I have not tried to find a CCM to be my mentor. I am still a bit unclear as to the process behind that but having a CCM would be beneficial to see what I can become.

NE Chapter: It is interesting you mention that the process is unclear. This communication and guidance is something that CMAA is working to improve and has a group of CMITs brainstorming ideas alongside the Board of Directors. One idea that has been tossed around is allowing CMITs to mentor fellow CMITs. Do either of you think you would gain the same experience if your mentor was a fellow CMIT? It could be someone who is close to attaining their CCM credentials and could offer guidance to you as you go through the program.

Drew: I believe so; a mentor to me is someone who can help you reach your goals and is someone you aspire to be like in your professional career. I have had mentors in the past who have given me invaluable insight into the professional world and I appreciate that. To me I see value in having a CCM and/or a CMIT as my mentor. Both offer different levels of expertise and knowledge of the industry that can be beneficial to someone making their way into their professional careers like myself.

Andrew: Having a fellow CMIT who is close to achieving the CCM designation would be a very good solution to the lack of CCM mentors in my opinion. If a mentor has recently gone through the entire CCM process, I can see how they could be a great asset in helping others complete the CCM program.

Last question, do either of you have concerns that CMAA should be aware of and can possibly help you with?

Andrew: The CMAA organization has already had a large influence on my development as a construction manager. Being a part of the CMAA organization is a great benefit to all of its members. I am very excited to begin taking advantage of the networking and learning opportunities that the CMAA provides. From mentoring breakfasts to webinars the CMAA is doing an excellent job in helping its member succeed and stand out in this evolving and competitive industry.

NE Chapter: Thank you both for your time and best of luck with the rest of your Co-Op semester, classes, and your CMIT journeys.

Call to All CCMs

This is a call to all CCMs, like Carl Sciple, Northeast Director at MOCA, WE NEED YOU!

Please make yourself available to mentor our CMITs. Follow the link here to become a mentor; you will be surprised how easy it is. https://cmaanet.org/certification/cmit/mentor-list/become-a-mentor. Our CMITs are located throughout New England, so please do not feel like you cannot be a mentor if you are located outside of the city limits.

By: Jonathan R. Hausner, Esq., Robinson + Cole

A new law is now in effect for construction contracts executed after November 6, 2014, that not only affects the amount of retainage that a construction stakeholder may withhold but also mandates processes for project completion. In short, the new law is a game changer. The summary below describes how the game has very recently changed in Massachusetts private construction.

DOES THE NEW LAW GOVERN MY PROJECT?
The new law applies to projects where the contract for construction is one for which a “lien may be established under sections 2 or 4 of chapter 254 on a project for which the person whose contract with the project owner has an original contract price of $3,000,000 or more . . . “ However, the statute does not apply to projects containing or designed to contain at least one but not more than four dwelling units.

WHAT EXACTLY DOES THE NEW LAW REQUIRE?
The statute (1) imposes a limit on the amount of retainage that may be withheld, (2) creates a detailed mandatory process for establishing the date of substantial completion, (3) establishes a mandatory process for submitting punch lists and completing punch list items, and (4) mandates a process for the application for payment and payment of retainage.

You can review the Act on-line here https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter276

HOW MUCH CAN A CONSTRUCTION STAKEHOLDER BACK AS RETAINAGE?
The statute imposes a limit of 5 percent on the amount of retainage a construction stakeholder may assert on an applicable project.

THE NEW “SUBSTANTIAL COMPLETION” PROCESS
The statute defines substantial completion as “the stage in the progress of the project when the work required by the contract for construction with the project Owner is sufficiently complete in accordance with the contract for construction so that the project Owner may occupy or utilize the work for its intended use.” Substantial completion may apply to all or a part of a project. This definition should be familiar to construction stakeholders because it does not differ vastly from that contained in other General Laws and industry standard form contracts.

The statute outlines the substantial completion process as follows:

1. The contractor must submit a Notice of Substantial Completion (in accordance with the statutory form provided in subsection c) within 14 days of reaching the stage of the project that the contractor believes meets the definition above.

2. The owner must then accept or reject the contractor’s notice within 14 days after its receipt. If the owner fails to act on the notice, it will be deemed accepted after the 14-day time period lapses. Upon acceptance, the project’s substantial completion date is established and binding for all purposes outlined in the project’s construction contract (for example, liquidated damages cut off, commencement of warranties, and insurance coverages).

3. If the owner rejects the contractor’s notice, the rejection notice must state the factual and contractual basis for rejection and be certified as being made in good faith. The contractor may avail itself of the construction contract’s dispute resolution procedures on an expedited basis. If the contractor does not submit to the dispute resolution process, it may resubmit the notice to the owner and seek acceptance again.

THE PUNCH LIST PROCESS
The Massachusetts legislature has also established a statutory punch list submittal and completion protocol:

1. The owner must provide the contractor with a written punch list (again, certified as being made in good faith) within 14 days after acceptance of the Substantial Completion Notice. The punch list must include a description of all incomplete/defective work and a list of all required “deliverables.” The statute defines a deliverable as “a project close-out document required to be submitted by the person seeking payment of retainage under the person’s contract for construction; provided, however, that a lien waiver or release, which is a deliverable, shall comply with chapter 254; and provided further, that ‘deliverable’ shall not include any document affirming, certifying or confirming completion or correction of labor, materials or other items furnished or incomplete or defective work.” The contractor may dispute items on the punch list.

2. The contractor must then pass the list on to its subcontractors within an additional 7 days (21 days after acceptance of Notice of Substantial Completion). The contractor is free to add items to the list it passes down to its subcontractors. Like the owner’s list, the contractor’s list must be certified as being made in good faith. Subcontractors may also dispute items on the punch list the contractor provides.

3. After the process above has been completed, the owner and the contractor must fulfill their punch list obligations “in good faith and in a timely manner.”

WHEN AND HOW DOES RETAINAGE GET PAID?
Stakeholders against whom retainage is being held may seek release of retainage no sooner than 60 days following substantial completion or a final and binding resolution of a dispute about the substantial completion date. Note, however, that the owner and contractor may allow for an earlier submission of an application for payment of retainage in the construction contract. The application for payment of retainage (1) must be certified as being made in good faith and (2) must include the punch list previously received, indicating whether each item on that list has been completed or repaired, and a list of each deliverable delivered.

The stakeholder receiving the retainage application must then release retainage amounts for such items within 30 days. That stakeholder, however, may continue to withhold amounts for (1) outstanding work and/or incomplete or defective work, (2) missing deliverables, and (3) pending claims.

The amount an owner may withhold at this stage is limited to the following:
1. The reasonable value of outstanding deliverables agreed upon by the parties and, absent an agreement, not more than 2.5 percent of the total adjusted contract price
2. 150 percent of the cost to correct incomplete or defective items
3. The reasonable value of claims and any costs, expenses, and attorneys’ fees incurred as a result of the claims if permitted in the contract

Owners have a special restriction when it comes to continued retainage withholding. Specifically, unless an owner has declared the prime contractor in default, the owner cannot hold retainage for subcontractor work that is not the subject of the owner’s claim(s) against the prime contractor.

This new legislation, like the Prompt Payment Act, will have a broad and lasting impact on the construction industry in Massachusetts. Regardless of what a construction contract says, the act will control for projects with a contract value over $3 million (with the notable exception for smaller residential projects). The most glaring trap for the unwary is the automatic or deemed approval of a Notice of Substantial Completion because “approval” of the notice establishes the substantial completion date for various critical issues (for example, liquidated damages and warranties). Further, as projects close out, owners and contractors may begin to feel a cash flow squeeze when lower-tier contractors begin to avail themselves of the retainage payout process. It will be some time before construction stakeholders know the full impact of the new law, but parties may wish to build the new deadlines and strictures into both contracts and contract administration protocols.

For additional questions regarding CMAA NE Government Affairs Committee or this article please contact the CMAA NE Government Affairs Co-chair Jonathan Hausner, Esq. at (617) 557-5982 or jhausner@rc.com

Legislative Updates

The legislative action update is currently brief since there are no legislative actions affecting our community currently under consideration. There is a hyper-link provided here so the membership can check out any pending legislative actions.

Once the budget has been introduced as legislation, the CMAA NE Government Affairs Committee will include that web link directing members to pertinent parts of the budget as last year’s budget was some 700 pages.

Attached are key points on the new Certificate of Insurance legislation that might be of interest to our members and goes into effect next month (April 2015).

New Law Governing Certificates of Insurance in Massachusetts - GC/Sub implications!
Effective April 7, 2015 there are new laws governing how COI’s are requested, required, prepared and issued with implications to Insureds and Certificate Holders; especially General Contractors and Subcontractors.

- COI’s can’t be prepared, issued or REQUESTED or REQUIRED on certificates that have not been filed with the commissioner of insurance by or on behalf of an insurer.
- A COI is NOT a policy of insurance. A COI does not confer rights beyond which the referenced policy of insurance expressly provides.
- Cancellation notice is governed by the subject policy and MAY NOT be altered by a COI.
- COI’s issued in violation of the new Chapter 175L MA General Laws shall be NULL and VOID.
- The commissioner of insurance has the ability to investigate the activities of any person (issuer or requester) they reasonably believe is in violation of this act and to also IMPOSE a FINE of $500 per violation!

House Committees
Ways and Means, https://malegislature.gov/Committees/House/H34

Senate Committees
Ways and Means, https://malegislature.gov/Committees/Senate/S30

Pending Bills of Interest
https://malegislature.gov/Bills/Search
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.
## CMAA-NE Officers

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
<th>Company/Role</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>President</td>
<td>Greg Janey</td>
<td>Janey Company</td>
<td><a href="mailto:greg@janeyco.com">greg@janeyco.com</a></td>
</tr>
<tr>
<td>1st Vice President</td>
<td>Jim Driscoll</td>
<td>Gilbane Building Co.</td>
<td><a href="mailto:jdriscoll@gilbaneco.com">jdriscoll@gilbaneco.com</a></td>
</tr>
<tr>
<td>2nd Vice President</td>
<td>Kay Barned-Smith</td>
<td>City of Boston</td>
<td><a href="mailto:Kaybs@verizon.net">Kaybs@verizon.net</a></td>
</tr>
<tr>
<td>Secretary</td>
<td>Clark McCormick</td>
<td>PMA Consultants</td>
<td><a href="mailto:cmccormick@pmaconsultants.com">cmccormick@pmaconsultants.com</a></td>
</tr>
<tr>
<td>Treasurer</td>
<td>Missy Reed</td>
<td>FTI Consulting</td>
<td><a href="mailto:Missy.Reed@FTIConsulting.com">Missy.Reed@FTIConsulting.com</a></td>
</tr>
</tbody>
</table>

## Directors

<table>
<thead>
<tr>
<th>Name</th>
<th>Company/Role</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bob Barton</td>
<td>BCC Construction Management</td>
<td><a href="mailto:rbbarton@bcccm.com">rbbarton@bcccm.com</a></td>
</tr>
<tr>
<td>Mike Bertoulin</td>
<td>Parsons Brinkerhoff</td>
<td><a href="mailto:bertoulin@pbworld.com">bertoulin@pbworld.com</a></td>
</tr>
<tr>
<td>Rick Bessom</td>
<td>Massport</td>
<td><a href="mailto:RBessom@massport.com">RBessom@massport.com</a></td>
</tr>
<tr>
<td>Austin Chaffee</td>
<td>D.C. Beane and Associates</td>
<td><a href="mailto:achaffee@dcbeane.com">achaffee@dcbeane.com</a></td>
</tr>
<tr>
<td>Steve Eustis</td>
<td>Skanska</td>
<td><a href="mailto:Steve.Eustis@skanska.com">Steve.Eustis@skanska.com</a></td>
</tr>
<tr>
<td>Steve Farrell</td>
<td>Farrell Consulting Group</td>
<td><a href="mailto:sfarrell@farrellconsultinggroup.com">sfarrell@farrellconsultinggroup.com</a></td>
</tr>
<tr>
<td>Kristine Gorman</td>
<td>STV Incorporated</td>
<td><a href="mailto:Kristine.Gorman@stvinc.com">Kristine.Gorman@stvinc.com</a></td>
</tr>
<tr>
<td>Mark Hasso</td>
<td>Wentworth Institute of Technology</td>
<td><a href="mailto:hassom@wit.edu">hassom@wit.edu</a></td>
</tr>
<tr>
<td>Jonathan Hausner</td>
<td>Robinson &amp; Cole LLP</td>
<td><a href="mailto:jhausner@rc.com">jhausner@rc.com</a></td>
</tr>
<tr>
<td>Paul Hemphill</td>
<td>City Point Partners</td>
<td><a href="mailto:phemphill@citypointpartners.com">phemphill@citypointpartners.com</a></td>
</tr>
<tr>
<td>Steve Marshall</td>
<td>Massport (Retired)</td>
<td><a href="mailto:typho30@gmail.com">typho30@gmail.com</a></td>
</tr>
<tr>
<td>John Phillips</td>
<td>O'Brien &amp; Gere</td>
<td><a href="mailto:JohnP@provwater.com">JohnP@provwater.com</a></td>
</tr>
<tr>
<td>Carl Sciple</td>
<td>MOCA Systems</td>
<td><a href="mailto:cbs@mocasystems.com">cbs@mocasystems.com</a></td>
</tr>
</tbody>
</table>

For consideration into the CMAA-NE 2015 Quarterly Newsletters please contact Kristine C. Gorman, CMAA-NE Newsletter Chair at kristine.gorman@stvinc.com.