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Cover, top photo: Indian Head Casino project by Performance Contracting, Inc. Photo by William James Photography.
Cover, large photo: Our Lady of the Assumption Church project by Comren Construction (2009), Inc. Photo by Povi (Paul) Pedersen.
Cover, right photo: Providence Regional Medical Tower project by Expert Drywall, Inc. Photo by Benjamin Benschneider.
This page, top photo: Colonel James Nesmith Readiness Center project by Performance Contracting, Inc. Photo by Lara Swimmer Photography.
Greetings!

I have been involved with the Northwest Wall and Ceiling Bureau for over 30 years, and for the next 2 years I have the honor and privilege of serving as your President. I am grateful for the opportunity to give back to the construction industry that has given me so much. I would like to acknowledge our Past President, Steve Henricksen, and thank him for a job well done! When times are difficult and challenging, as they certainly have been the last few years, we often lean on our leaders. Through unimaginable personal challenges and uncertain economic times, Steve Henricksen has been an oak. Thank you Steve, for your service and leadership!

With the economic crisis waning and key indicators forecasting better times ahead, it is important to recognize the amount of change we have all gone through. The NWCB has gone through its fair share of change, including our founding Executive Director, Bob Drury, retiring; the introduction of our new executive Director, Mark Eisenmann; restructuring of the NWCB bylaws and board of directors; the challenge of changing the funding mechanism from the Washington and Oregon Contractor Associations; and the first dues restructuring the NWCB has implemented in 20 years. That being said, it is important we take a look under the hood and evaluate our strengths, weaknesses, threats and opportunities. This will fortify our foundation as well as help us set our sights on a clear vision so that the NWCB will continue to be the ‘go-to’ organization for the wall and ceiling industry and its members for years to come.

One issue the NWCB staff and I will be focusing on is how to increase contractor participation at NWCB sponsored events and seminars. One of the best ways for NWCB members to achieve a reasonable return on investment is through participation. We have all invested either time and/or money in the NWCB, and with increased involvement from a planning and attendance standpoint, we will realize a better ROI. I will be calling on the NWCB Staff and Board of Directors for advice and direction as to how to accomplish this.

To the NWCB Staff, sponsors and to those who helped put the convention together; a sincere thanks to you for all your efforts as we experienced another wonderful convention. Particular thanks to our Canadian members who hosted the already infamous ‘United Borders Happy Hour.’ Laura and I are already looking forward to our next convention and the opportunity to spend time with friends in our industry.

I am excited to work with our Board of Directors, Mark Eisenmann and the NWCB staff. Thank you for the opportunity to serve as your President!

James G. Taylor Jr., NWCB President
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Aracell Lopez, who is working toward a dual degree in Architecture and Construction Management, has been selected to study abroad in Rome this fall. She has been a member of the Associated Students in Construction (ASIC). Josh is on track to graduate next June and aspires to someday own his own construction company. Congratulations, Josh!

Recently, the Northwest Wall and Ceiling Bureau was approached by a group in the Midwest region to assist in the development of their own wall and ceiling association. In our initial discussion, we asked them why they wanted to develop an association. They responded with many different reasons, which all focused around the desire to raise the standard of the wall and ceiling work being performed within their region. Associations of all kinds are formed when a group of people, with common interests, unite to hone their craft and resolve issues they share. I’m humbled and flattered that they approached us to assist them in their worthy ambition.

At the same time I can’t help but reflect on the history of the NWCB. More than 63 years ago, a group of people united to work together on issues that were of mutual concern, which when resolved, would benefit the entire industry. This group of volunteers had the ambition and fortitude to form an organization that eventually became known as the NWCB. One of the key elements that helps the NWCB be successful is the hard work of volunteers. It is the continued volunteer support from our members that will keep us at the leading edge of our industry. Please continue to participate in chapter meetings, social events, seminars and the convention. In addition, consider getting involved with a committee or volunteer to assist at an event. The growth, health and continued success of our organization greatly depends on its members.

The NWCB is putting the finishing touches on a slate of seminars and chapter meetings for the fall/winter of 2013 and winter/spring of 2014. The seminars will provide an educational forum along with the opportunity for architects to pick up AIA Continuing Education Learning Units. The chapter meetings will also provide educational information along with networking opportunities. Please watch for the upcoming announcements and meeting information.

We are also working on the details of a number of industry educational and social events which will be taking place this fall and winter. These gatherings provide an excellent opportunity to spend time with people in the industry along with office colleagues. Keep your eyes open for the announcements and we are looking forward to seeing you at these events.
Please allow me to introduce myself and then we can get to business. In late February, I was offered the combined position of Executive Director of Oregon’s Associated Wall and Ceiling Contractors and NWCB Oregon Representative. This dual role certainly comes with challenges, but since my first day on March 8, I have found the position to be enjoyable, interesting and rewarding.

Carrying deep roots in the region dating back to the earliest settlers in Oregon, I grew up in the Willamette Valley. After graduating from Linfield College and considering my options, I found a career in political campaign management. Since then, I have gained 15 years of experience leading organizations in the association and public affairs sector.

Following in the footsteps of NWCB’s Jim Young and the very long-time Executive Director Ed Charles is an honor, and I feel lucky to have this opportunity. This dual role is intended to strengthen the symbiotic relationship of the two organizations, and I am confident that together we will move both organizations forward for years to come. Just a few months on the job, I recognize that there is certainly a lot to learn about this group and your key section of the industry, but I am truly enjoying the relationships I am building already.

Now down to business . . .

The NWCB Oregon Chapter is getting organized so that we can continue offering a high level of professional seminars and technical resources. We already have a few dates on the calendar for next fall. Please save those dates now, and then watch for more information including specific locations, times and how to best register. These events are important, both for their technical offerings and for the opportunities they present to work together proactively for the industry.

With high-level, large projects still being rare, this market is lagging behind the other construction sectors, and there is little doubt that nerves are still raw about market prospects. Historically, this market follows the residential and small commercial markets, which in our area are on a steady upward trend, but only time will actually tell how much regrowth we actually see. To date, Oregon’s employment department, through their www.qualityinfo.org site, still shows very limited regrowth in overall construction.

To combat this lagging market and to give our members the best opportunities, I will be pushing a proactive effort via both electronic and in-person outreach in extension to what has long been provided by the Bureau in Oregon. I will be reaching out to architects and specification writers to make sure that the Bureau resources are the first they consider and that Bureau members have the best possible opportunity to win a given project.

Whether you are a contractor, union leader, manufacturer, supplier or design professional, I encourage you to give me a call or drop me an email if you have any questions, suggestions or comments on anything related to the Oregon Chapter of NWCB. You might remember the number 503.295.0333 or catch me via email at john@nwcb.org.

I look forward to meeting and spending time with all of you. I would like to thank those who have already so graciously welcomed me to this fine organization. I am very happy to be here.
Smooth Troweled Exterior Finishes

Albert Carrillo

A popular decorative Portland Cement Plaster finish, one used for many years in the Southwest Region, is the Smooth Troweled finish. Some common terms used to describe this finish are “Smooth Steel Trowel,” “Slicked Finish” and “Santa Barbara Smooth.” There are varying degrees of texture produced within the smooth troweled finishes. These textures can range from “concrete” smooth to a smooth finish with slight undulations and trowel marks, to surfaces left with voids (cat faces). Smooth finishes with added coloring may also be applied to create a color-varied finish commonly referred to as “Tuscan” style.

The smooth finish look is achieved by multiple passes of the trowel over the finish coat. Minimal amounts of water (using misting bottles) can be spritzed onto the surface for added workability. The multiple-pass troweling action
pushes the aggregate of the finish toward the bottom and raises the “cream” or “fat” to the top. The “cream” is a cement-rich layer, which, when troweled, fills voids and compacts tightly, creating the desired smoothness of texture. In colored cement, the extra troweling causes the color to mottle or vary in tint, creating an aged “Tuscan” look. Achieving a smooth finish is a very laborious task requiring an experienced hand, which makes this finish one of the more challenging and costly to apply. Smooth finishes provide an aesthetically pleasing, “softening” look to the finished building.

When smooth finishes are chosen, the stucco surface dimensions should not exceed those recommended for stucco application: No wall section larger than 144 sq. ft., and no ceiling or soffit area larger than 100 sq. ft. This may require the use of expansion joints or metal trims within a given elevation.

One may compare a smooth finish to an eggshell: it is hard, brittle and thin. The Portland cement in the plaster mix acts as a binder and creates a very strong matrix. Because it is thin and rich in cement at the surface, the finish is more susceptible to cracking. The cracks typically associated with smooth finishes are a result of movement in the cement stucco (lineal cracks) or shrinkage during hydration (micro surface cracks). The shrinkage during hydration, associated with all cement plaster layers, is multiplied geometrically in smooth finishes. Spritzing more water onto the surface to make it more workable than what is required for proper hydration of the stucco layer can lead to micro cracking during hydration. (An experienced plasterer can mitigate this occurrence). The thinness of the smooth finish will also make the undulations of the cement stucco surface more visible. (In many instances these undulations are a desired architectural effect.)

Careful consideration should be taken when determining if a crack should be patched or not. Because of the smooth nature of the finish, any patching or repair work will be noticed, even if slightly visible. In most cases the necessity to patch a given area will require re-spreading of the entire surface area.

Smooth finishes are typically applied in a two-pass method, with the first pass acting as a scratch and/or filler layer. This layer should not be spritzed with water or slicked out so as to provide a suitable surface for the second pass to “key” into. The second pass is applied soon after the first scratch layer has dried to sufficient hardness so as not to be disturbed during the application of the second pass. Timing and experience are critical to achieving the final appearance. Spritzing with too much water can compromise the integrity of the cement layer. If you trowel too soon, the finish is left with chatters, pits and holes. If you don’t use enough water or trowel too late, the finish will not smooth out and could burn or turn dark.

Acrylic finishes can also be used to achieve a smooth finish, but they cannot be troweled to a “concrete smooth” finish. The formulation of the finish doesn’t create a “cream” layer, therefore limiting the texture smoothness to the size of the largest aggregate in the mix. Acrylic finishes are not as hard or brittle as cement and therefore not as susceptible to cracking. Color variations are more noticeable in acrylic smooth troweled finishes.

—Albert Carrillo, Arizona Manager for the Western Wall & Ceiling Contractors Association and the Technical Services Information Bureau. Albert has spent many years in the stucco and EIFS industry as an applicator, contractor and EIFS representative.
Henry Klein’s Life

Mark Eisenmann, NWCB Executive Director

Have you ever wished that you had met a certain individual? Someone who has impacted your industry, community or maybe even your family and, at the time, you didn’t realize their influence. Henry Klein is one of those people. Henry had an enormous impact on all of us in the wall and ceiling community; people in the industry speak of him with only the highest regard. Henry’s son is a fraternity brother of mine and one of my best friends, and yet our paths never crossed.

Recently when I was talking with Bob Drury, past Executive Director of the Northwest Wall and Ceiling Bureau, and told him that Henry had passed away, he said:

“Henry had the most wonderful spirit with a thirst for knowledge, yet so humble. He was a strong advocate of our industry. He loved stucco, Interior and Venetian plaster and construction details that only a true craftsman can build. Henry always had time for me. Everyone in the community knew and loved Henry.”

Henry Klein’s life, like that of many late 20th century architects, began in Europe. Born in the small town of Cham, near Bavaria, he moved to Switzerland and, eventually, the United States. He attended Cornell University and graduated from the school of architecture in 1943. After serving in the U.S. Army, he began working in New York City for large architectural firms. He was unhappy designing structures that he never visited for clients that he seldom met. So Henry decided to go west to the Pacific Northwest, where the mountains reminded him of his home country of Switzerland. After working for Pietro Belluschi in Portland from 1948 to 1952, when Belluschi took a job as the dean of architecture at MIT, Henry then ventured north to the Puget Sound area.

When he visited Mount Vernon, in the center of the Skagit Valley, Henry felt at home. The small towns in the valley reminded him of the towns in Switzerland. In addition to the hometown feel, he was attracted to the area because there were craftsmen available to build the structures he wanted to design. He decided to stay a few days to see if it might be feasible to make a go of it and start his own firm. Immediately he was referred to Mount Vernon’s principal business leader, Larry Brotherton, president of Pictsweet Frozen Foods. Brotherton asked Henry a few questions about the feasibility of a migrant housing project he was working on. The next day Brotherton invited Henry over to his house for lunch. He was so impressed with Henry that he asked him to design a new house for him and his wife. So began Henry Klein’s career in the Northwest as the first architect in Skagit County.

At the beginning, Henry didn’t have much experience with carpentry, but quickly learned his way with the guidance of excellent craftsmen—often strongly opinionated Scandinavian craftsmen. As with the Brotherton residence and the many projects to follow, it was the leadership of the craftsmen that helped guide his success. From these experiences, Henry developed a reputation of working with others that became the benchmark of his approach to design for the rest of his career.

Henry also developed the small-town virtue of carefully listening to everyone that spoke to him, which developed the community’s trust in him. Soon businessmen, bankers and other professionals who didn’t have knowledge of architecture, began to approach him for projects they were interested in. The firm grew and often employed 8 to 10 people. Toward the end of his career, as many as 18 people worked for the firm. His warm personality helped his staff develop the feeling of belonging and they avoided the large corporate image.

From Henry’s Louis Sullivan Award, acceptance speech, 1981:

“My practice increased, not because its results were seen as art but because the earnestness of my purpose was perceived as honesty; the trust it brought me gave me renewed courage to impress on my patrons my strong belief that building entailed a larger responsibility than to oneself; no matter how small, the architectural statement carried beyond the property lines to their neighbors, our town, our region and perhaps even beyond.”

Like many architects, Henry began with designing houses. They constitute approximately one third of his total designs. After 30 years, his team had ventured into many different types of building design which included steel, concrete and masonry structures. In an interview with The Northwest Journal of Architecture & Design (June/July 1985), Henry remarked:

“By choice and by necessity we don’t specialize in any one type of building, which is the nature of a practice in a rural county.”
In 1981, Henry Klein was awarded the Seventh Biennial Louis Sullivan Award for Architecture. The International Union of Bricklayers and Allied Craft workers created the Louis Sullivan Award in 1970 to demonstrate the appreciation of the union masonry craft worker for architectural excellence. The award periodically honors U.S. and Canadian architects whose architectural work, over time, exemplifies superior design in which masonry is a major element.

Louis Sullivan was an influential American architect who mentored many architects of which Frank Lloyd Wright is most notable. Because of Sullivan’s remarkable accomplishments, he is often described as the “father of skyscrapers.” He also coined the phrase “form follows function.”

A few additional quotes from Henry’s Louis Sullivan Award, acceptance speech, 1981:

“I saw myself as the general practitioner who heals the visual wounds we inflict on ourselves, and in the process hopefully finds himself. For inspiration, I sought no more than the daily occurrences of life; and my only aim was, and still is, to give my clients a building which satisfies their needs.”

—Henry Klein

“I want to pay my respects and show my admiration for you craftsmen from whom I learned the nature and limitations of the material you use and the difficulties of striving to perfect our craft in achieving the goals we set for ourselves.

I work with bricklayers, tile setters, plasterers and carpenters whose years of learning their craft paralleled my years of trying to understand my profession. We are friends and we talk about our work like pilgrims on a journey to the same destination.

Craftsmanship is the touchstone of architecture. It speaks of quality and the striving for perfection. When all the fires are gone out, the spark of craftsmanship glows even in the ruins.

You who have made your craft your life’s work remind us that the recognition of limits is not only a constant from which we cannot escape, but is also the center of our art and the reflection of God’s world.”

Henry passed in March of this year. He was blessed with excellent health and practiced architecture for nearly fifty years. He has left behind his beloved sons, countless friends, many beautiful buildings, and a nearly impossible life standard that we can all strive to achieve. Our industry was blessed to have had Henry as one of its strongest advocates.

“Craftsmanship is the touchstone of architecture. It speaks of quality and the striving for perfection. When all the fires are gone out, the spark of craftsmanship glows even in the ruins.

You who have made your craft your life’s work remind us that the recognition of limits is not only a constant from which we cannot escape, but is also the center of our art and the reflection of God’s world.”

—Henry Klein
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NW WALL & CEILING BUREAU’S

Outstanding Project of the Year Awards

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NW Wall & Ceiling Bureau’s Outstanding Project of the Year Awards

Oregon

Exterior—Commercial

Indian Head Casino

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Architectural Firm
Worth Group Architects

Suppliers
Knez Building Materials Co.
Service Partners

Manufacturers
BASF Wall Systems
GP Gypsum
Hilti International Inc.
SCAFCO Steel Stud Company

New Sandy High School

Wall & Ceiling Contractor
Cascade Acoustics, Inc.

Architectural Firm
Dull, Olson, Weeks Arch, Inc.

Suppliers
Building Specialties Inc.
GTS Interior Supply
Knez Building Materials Co.
Spears Construction Supply

Manufacturers
G-P Gypsum
Hilti International Inc.
SCAFCO Steel Stud Company

Renovation/Restoration

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Suppliers
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Commercial Construction Supply
Pro-line Insulation

British Columbia
INTERIOR—COMMERCIAL

Our Lady of the Assumption Church
Wall & Ceiling Contractor
Comren Construction (2009), Inc.

Architectural Firm
Toby Russel Buckwell & Partners Architecture

Manufacturers
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Suppliers
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British Columbia
RENOVATION/RESTORATION

JJ Bean
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2013 Convention & Trade Show

The 63rd Northwest Wall and Ceiling Industries Annual Convention and Trade Show were held at the Rancho Las Palmas Resort & Spa in Rancho Mirage, California, April 18-20. Over 400 wall and ceiling industry professional attended the event, which featured a trade show, industry meetings, informative seminars and fun social events. Rancho Las Palmas offered an ideal setting for networking, which, according to the NWCB post-convention survey is at the top of the list of reasons why people attend this industry event.

This annual event is possible because of the support of the manufacturers, dealers and labor organizations who participate by exhibiting at the trade show and sponsoring convention events, and the industry contractors who support the event with their participation and sponsorship dollars. Thanks to all who made this event possible! Remember, this is your industry event, and the NWCB staff is always eager to hear from you. If you have ideas or suggestions for future convention, please contact the NWCB office.
Industry Person of the Year

The Recipient of the prestigious Industry Person of the Year Award was Chris Burrows, president of Evergreen Building Products Inc.

In addition to running a successful materials dealership with multiple branches, Chris is an accomplished mountaineer who has climbed the highest peak on every continent. He is a 9-time Squash National Champion for both hardball and softball squash events. Chris is also a regular competitor in cycling competitions including the RAMROD (Ride Around Mount Rainier in One Day), Death Ride in California (129 mile race, 15,000 ft of climbing, 5 mountain passes) and often has competed in the Seattle to Portland bike race.

In 2003 Chris was nominated by the United States Olympic Committee as Athlete of the Year.

Chris has served on the NWCB Board of Directors for many years and is also active on the Convention Committee. He has been a great supporter of the NWCB. Congratulations, Chris!

New NWCB President

Steve Henricksen (left), president of D. L. Henricksen Co., Inc., passed the gavel to Jim Taylor (right) of the Raymond Group at the April convention in Rancho Mirage. Jim will be at the helm as the NWCB president for the next two years.

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Georgia-Pacific Gypsum
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Grabber
www.grabberman.com

2013 Best Booth Award

Hilti took home the 2013 Best Booth Award. In the picture, from left is Brandon Winters, Christie Rooney and Grant Olson. Well done, Hilti!

For more convention photos, visit our Facebook page at www.facebook.com/nwcb1
The 2013 Screw-Off Champion is Troy Slogowski from the Harver Company in Lake Oswego, Oregon. Congratulations!
Rob Van Alstyne

recently retired after a 40-year career in the industry. Rob, a lather by trade, worked for several of the NWCB Contractors in the Northwest. He quickly moved up through the ranks from apprentice to journeyman to foreman. He became active in his local union and moved on to work for the Pacific Northwest Regional Council of Carpenters. He was hired on as a regular staff member and later became the Director of Market Recovery and Contractor Relations, a job he held for over a decade. Rob also supported the wall and ceiling industry through involvement with the Northwest Wall and Ceiling Bureau. Rob participated on many special committees and was a long-time member of the NWCB Board of Directors.

Ed Charles

has been a key figure in the wall and ceiling industry for over 40 years. From the early days of the Northwest Drywall Contractors Association, through the formation of the NWCB and Northwest Wall & Ceiling Contractors Association (NWCCA) as well as the Associated Wall & Ceiling Contractors of Oregon and SW Washington (AWCCA), Ed has been at the forefront of the industry, leading and supporting its growth and development. Ed has also played an active role with the Association of the Wall and Ceiling Industry (AWCI) the Finishing Contractors Association (FCA) and other industry organizations showing undying support of the industry.

Ed’s retirement from the NWCCA in early 2008 was the first step back from a long and giving career. At the end of June, he retired from the AWCCA as well. His accomplishments and contributions will be well remembered for years to come.

Murray Corey

was hired as the BC Wall and Ceiling Association (BCWCA) executive director in 2005. His positive contributions to the association and the industry are many.

He was instrumental in the reinstitution of The Wall & Ceiling Installer (Lather) training program. When a training facility was needed, he took the reins on raising funds and finding and coordinating the construction of the BCWCA Training Centre/administration office in Cloverdale, BC, acting as the general contractor during construction.

Murray created an industry site review program for both members and non-members, and worked with the AWCC Wall & Ceiling Specification and Standards committee to create and release the 2012 version of the manual in both online and print format.

Murray’s accomplishments were formally recognized as he was presented this year’s prestigious “Joe Whitehead Memorial Award” for outstanding dedication and contribution to the Wall & Ceiling Industry.
Approved Components of Fire Resistive Designs

Terry Kastner

The components or materials allowed in a Tested Fire-Resistive Design are limited to those elements specifically identified in the description of the tested Design. Substituting, omitting, or adding elements to those described for a tested Design is prohibited unless specifically approved by the testing agency.

Substitutions

Where the word “Proprietary” appears in design descriptions, either the design or one or more of its components are considered proprietary. Each proprietary system shall be built utilizing the components specified by the company or companies listed under the detailed description for that system. For example: UL Design V438 is a “Proprietary” interior wall partition consisting of light-gauge metal-framing members with mineral fiber insulation and one layer of 5/8” type X drywall on each side. The proprietary product is the 5/8” type X drywall produced by National Gypsum Corporation and no other drywall product, unless specifically approved by inclusion in the test narrative, may be used with this assembly. The other elements, metal studs, insulation, joint compounds, fasteners, etc., are not proprietary products and may be provided by a variety of manufacturers, provided the products meet the requirements of the test and appropriate standards. For example the Floor and Ceiling Runners must be Channel shaped, fabricated from min 25 MSG corrosion-protected steel, min width to accommodate stud size, with min 1-1/4 in. long legs, attached to floor and ceiling with fasteners 24 in. OC max. or as otherwise noted in the assembly narrative.

Additions

Adding elements not specifically identified in the Design may adversely affect the performance of the design and unless elements are listed as “Optional” in the assembly or specifically permitted by UL and/or GA, they may not be arbitrarily applied to the Design. For example UL and GA allow the substitution of screws for nail fasteners: “Screws meeting ASTM C1002 shall be permitted to be substituted for the prescribed nails, one for one, when the length and head diameter of the screws equal or exceed those of the nails specified in the tested systems and the screw spacing does not exceed the spacing specified for the nails in the tested systems.” Although screws and nails may be substituted, UL and GA do not permit the use of adhesives as a substitute for screws or nails in a Fire-Tested Assembly. Unless adhesives are specifically addressed in the Design as either a mandatory element or an optional element, they are not permitted to be added to the Tested Assembly, for whatever reason.

If the documents specify a specific assembly, you must comply with the requirements of that assembly. If you wish to substitute for a proprietary product identified in the assembly, consider requesting an alternative design that permits the products you would prefer and achieves the same performance as the assembly specified in the documents.

Omissions

Tested Fire-Resistive Designs describe all of the elements that are required for that assembly and the manner in which those elements are to be installed. Omitting any single element that is described for the Design or the manner in which it is to be installed will invalidate the stated performance. For example one of the elements of UL Design V438 is a layer of drywall on each side of the partition. It is obvious that by not providing one of the layers of drywall the assembly will not perform as designed, but the omission of an element such as insulation may also affect the designed performance. Regardless of how insignificant an element may seem, unless the design states that an element is “Optional” it must be included in the assembly.

—Terry Kastner is Technical Consultant for Northwest Wall and Ceiling Bureau.
The question that comes to mind when I think about the new energy code and all the talk of green, sustainable building is why Today’s EIFS is not being embraced by everyone. If you were around the construction industry in the early 80’s, like I was, the US was coming out of the 70’s energy crisis, and as a country, we had become more energy conscious. This led to a boom in the EIFS industry. EIFS was popular because it offered proven energy efficiency and near limitless design—all at a reasonable price. I remember people talking about EIFS saving the owner enough in energy cost to virtually pay for itself in a few years.

Then it happened: someone had a leak. Moisture got into the structure and caused mold to grow. Suddenly, EIFS was bad. You couldn’t open a magazine without seeing an advertisement to be part of an EIFS lawsuit. It became part of a national consensus that EIFS was bad. This became the perception; it was not the reality. The reality is that poor installation, improper flashing, leaking windows, and inadequate sealant were the bulk of the problem, not bad EIFS. I am proud to say that there are quite a few jobs that I worked on in the 80’s that still have their original EIFS cladding today and are performing without problems. I’m not saying they don’t require some maintenance—all buildings and homes need some on a regular basis.

A couple of years ago, our company did a maintenance upgrade on a wood-framed building that had EIFS installed in 1988. The building had original wood-framed windows that had been painted a number of times, but the window frames had finally succumbed to the elements. All of the sealant joints appeared to be original and had well exceeded their service life and were brittle and cracked. There was some minor damage to the EIFS where a tree branch had hit it or a barbeque had been left to close, but all in all, the system was in good shape. The plan was to replace all of the wood windows with new commercial-grade...
aluminum windows, remove all the old sealants and install new silicone sealants, plus clean, patch and recoat the EIFS. Today (two years later) the building still looks like new and has decades more service life ahead of it.

So the EIFS industry had to make a choice: innovate or die. They realized while they had a good system when it was installed and maintained properly, if a window or a sealant joint leaked, the entire industry was thrown under the bus. So they decided to add a second layer of protection—a belt-and-suspenders system. They developed liquid-applied weather barriers that would protect the substrate in case of a leak while still allowing the EPS to be adhesively attached. Also the attachment method was changed to allow for positive drainage of any incidental moisture that may enter (leak) into the system.

These innovations led to Today's EIFS. This innovative system has been scrutinized and tested more than any other cladding, from fire testing to drainage- and air-barrier tests. The liquid-applied air and weather barriers work so well that they have been copied by manufacturers of other systems and are becoming widely used under all types of claddings because of their cost effectiveness combined with their exceptional performance.

So why are you not considering EIFS on your next project? I continually hear: “I get sued when I use EIFS.” Is this fact or perception? Reality is that anyone in the construction industry is at risk of being sued. Over the past decade, I have seen or heard of all kinds of construction-defect lawsuits over buildings with about every cladding imaginable: brick, metal panel, cement panel, lap siding, stucco, vinyl siding, curtain walls, and the list goes on and on. Even though many times there are leaking windows involved, we are not going to stop constructing buildings with windows. What about leaking roofs? Are we going to exclude insuring the installation of roofs?

As long as there is construction there will be risks, and as an industry we need to do a better job of minimizing or eliminating the risks. We can do this by making sure that the installers are properly trained and committed to quality. How do you think the low-price contractor is getting so cheap? It is by cutting corners, not investing in training and not paying a living wage to the very people that are installing products that have to withstand the elements. Really, is somebody whose price is 20 to 30 percent less than the average bid somebody that you want to use on your building envelope? Today’s EIFS is no different than any other cladding—having it installed by a trained, high-quality contractor is the best risk you can take.

Today’s EIFS can replicate just about any finish from traditional plaster to brick, metal panel and granite. It meets all of the criteria of the new energy code. It has a single source for application and warranty. It saves money by reducing the size and cost of the structure to support it. It truly is a green, sustainable cladding. Who wouldn’t want to use it if they knew the facts? It is time for people to re-consider, re-look, and re-value Today’s EIFS.

—Larry White has been involved in the Wall and Ceiling Industry for 33 years as an applicator, supervisor, project manager, estimator and is currently Western Partitions’ Corporate Plaster Department Manager.
The One-Year Construction Warranty: Limiting Liability by Contract

Seth Millstein, Pillar Law PLLC

In some states, by statute, contractors must provide warranties covering all work. In Washington, for anything other than new construction, there is no such requirement. But the myth persists nevertheless. Many contractors think there is a mandatory one-year warranty covering their work. This is simply incorrect.

So does that mean that contractors should not offer warranties? I have found that, for several reasons, it is good practice to offer a warranty. First, it proves you’ll stand behind your work. Second, it can serve as a great marketing tool. In the event that your client discovers a problem—nail pops poking through freshly painted drywall for example—a simple warranty call allows your crew to get out there and touch bases with the client again. Even if you don’t think your work caused the problem, you get the opportunity to prove that you’re willing to go “above and beyond” and resolve matters. And, in turn, this can prove to be an invaluable marketing tool. Third, satisfying your client often allows you to avoid a potential lawsuit, the subject of this article: effectively limiting liability by contract.

Let’s start with a simple hypothetical situation: Contractor A offers a one-year warranty to its clients, commencing on the date of the final invoice, which covers all warranty issues, known or unknown, for one year. For the purposes of this example, let’s assume Contractor A performed a large kitchen remodel, and issued its final invoice on January 1, 2011. In the middle of March, 2012, Contractor A gets the dreaded call. The owner has discovered a serious problem: faulty wiring behind a new partition wall. The owner tells Contractor A that it has hired an expert; the proper remedy would require tearing down the wall and rewiring. Including permits, the cost will be in excess of $50,000. Contractor A tells the owner that while they are truly sorry, by contract the owner had one year to report such problems. That date, January 1, 2012, has now unfortunately come and gone. The owner persists: “But we just discovered the problem. They were hidden.” Contractor A calmly points out that its warranty covered all issues “known or unknown.” The call ends there. Contractor A hangs up wondering if its contract will really provide protection.

The answer is no. A 2005 case called Graoch Associates #5 Ltd. Partnership v. Titan Construction Corp. opened the door for other claims. In that case, an owner hired a general contractor, Titan, to build an apartment complex. Titan subcontracted the siding work to Purcell. The subcontract contained a warranty provision that called for Purcell to remedy defects arising “within one year of substantial completion.” The owner sued Titan more than five years after Purcell finished its work, alleging among other things defective siding. Titan sued Purcell. Purcell resisted, arguing that its one-year warranty expired years earlier, and that it should no longer be a party. The trial court agreed. Purcell was dismissed. The court of appeals, though, disagreed. Division I held that the one-year warranty only protected Purcell from claims relating to repair of non-conforming work. The court decided that the one-year warranty did not protect Purcell against breaches of its underlying contractual obligation to perform all work free from defects. In other words, the one-year warranty did not provide an exclusive remedy. This, in turn, brought Purcell back into the case. Titan could now pursue it for breach of the underlying contract, i.e., work unrelated to its obligations under the warranty.

So what does this mean, practically, for contractors in Washington? What’s the difference between a “warranty” obligation and other “contractual” obligations? There is no perfect answer. It is still not crystal clear. But what is clear is that every contractor should make a few simple changes to tighten contractual limitation clauses. Graoch opened the door, and it’s the contractor’s obligation to seal it back up again.

So let’s return to Contractor A, and let’s fix its warranty so that it provides some real protection.
Remember that Contractor A provided a one-year warranty, commencing on the date of the final invoice, covering all warranty issues, known or unknown for one year. Rather than just covering “all warranty issues,” this clause should have been broader. It should also have said that “all claims and all causes of action” also expired at the end of the one-year period. That way, the owner in the above hypothetical could not go around the warranty clause and say the work in question was actually a breach in the underlying contract work, not just a breach of the warranty (i.e., Contractor A did not return to repair work initially performed correctly). Contractor A could sleep at night again because, as amended, all claims and all causes of action are now limited to one year, which naturally includes claims for breach of contract too. Not just warranty claims.

So is it always this easy? Nothing is truly bullet proof, particularly when it comes to construction contracts. There are other issues all contractors should consider before re-drafting their contracts to better limit liability. Still, with just a few tweaks, Contractor A could have gone a long way towards defending himself when the unhappy owner hired a lawyer, and Contractor A receives an invitation to go to the “dance” (otherwise known as receiving a summons to join the lawsuit).

—Seth Millstein has been practicing real estate and construction law in Seattle since 2004. He represents contractors and suppliers across Washington. For more information, visit www.pillar-law.com.
**CALENDAR**

**NWCB NORTHWEST CHAPTER**

**Thursday, September 5, 2013**
3rd Annual Robert Drury Invitational Golf Tournament
Druids Glen Golf Course, Kent

**Thursday, October 10**
Chapter Seminar:
“Acoustics—the Science of Controlling Sound”
Registration at 8:30 am
Program 9:30 am - 11:45 am
Washington State Convention and Trade Center

**Thursday, November 21**
Chapter Seminar:
“Exterior Cladding Systems”
Registration at 8:30 am
Program 9:30 am - 11:45 am
Washington State Convention and Trade Center

Please visit the NWCB web site or call the NWCB office at 206.524.4243 for details on the Northwest Chapter events.

**BCWCA - LOWER MAINLAND**

**Wednesday, September 11**
Annual Golf Tournament
Newlands, Langley

**Saturday, November 23**
Christmas Dinner and Dance
Langley Cascades Coast Hotel

The Lower Mainland Wall & Ceiling Association holds monthly dinner meetings 2013. Please visit www.bcwna.ca for details.

**BCWCA - SOUTHERN INTERIOR**

**Friday, December 13**
Christmas Dinner and Dance
Coast Capri Ballroom, Kelowna

For more information on the Southern Interior Wall & Ceiling Association events, please visit www.bcwna.ca.

**BCWCA - VANCOUVER ISLAND**

The Vancouver Island Wall & Ceiling Association holds lunch meetings. Details will be posted at www.bcwna.ca

Please visit the NWCB web site or call the NWCB Oregon office at 503.295.0333 for details on the Oregon Chapter events.

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Please visit the NWCB website for the latest information:
www.nwcb.org

Check out the Convention and Trade Show website for the latest information at:
www.wallceilingshow.org

Email
Most NWCB communications are sent by email. The best way to ensure that you are not missing any important communications from us is to add our ‘from address’ and our sending domain ‘e2ma.net’ to your trusted/safe sender list or address book.
The 2014 Northwest Wall and Ceiling Industries Annual Convention and Trade Show will be held May 1-3 at the Hyatt Regency Huntington Beach Resort & Spa in California. The theme of the event is “Catch the Wave!”

This event is the largest networking event for the professionals in the wall and ceiling industry on the West Coast. It is your opportunity to access the latest industry insights by participating in meetings, seminars and exhibits. The convention golf tournament and social events are great venues for making and renewing contacts in the industry. The finest wall and ceiling industry projects will be recognized with the 2014 Outstanding Project of the Year Awards.

Dubbed as “Surf City USA,” Huntington Beach is all about surfing and the beach. In fact, the Hyatt Regency Huntington Beach is the only hotel in the area with beach access. Experience the Pacific Ocean by walking or biking on the beach, catch a wave on a surfboard, build a sandcastle, join in on a game of volleyball, or build a bonfire in one of the fire pits on the beach as the sun sets. Everything you need—from surf lessons and shovels and buckets to S’mores essentials and firewood—is available at the resort.

Situated in Orange County, Huntington Beach is close to a multitude of memorable activities for the entire family. Take advantage of the location and schedule a couple of extra days to visit attractions such as Disneyland, California Adventure, Universal Studios, Aquarium of the Pacific, Knott’s Berry Farm or Hollywood. The Hyatt Regency offers a complimentary shuttle service to Disneyland—all Mickey fans should reserve their spots early!

The Hyatt Regency features elegant and spacious guestrooms with private balconies or patios and deluxe amenities. You can plunge into an ocean-view swimming pool while enjoying the bustling activity at the family pool with water slides or relax in the calm and quiet of the Spa Grotto and its multiple hot tubs. The resort offers several dining options, from casual to fine dining restaurants, and lots more dining and shopping options are a short walk or shuttle ride away in downtown Huntington Beach. The Pacific Waters Spa pampers guests with organic products and rejuvenating treatments. You can keep up your workout routine during your stay at the state-of-the-art fitness center or rent a bike and explore the beautiful California coastline. The Business Center and Internet access in your guestroom and in the conference center make it easy to stay in touch with your business while you are away.

Start planning your Huntington Beach convention getaway now! Room reservations are available by calling 888.421.1442 or online at https://resweb.passkey.com/go/NWCB2014. More details on the convention will be available soon at www.wallceilingshow.org.