A special feeling for concrete block has asserted itself at the new Charles A. Dana Creative Arts Center of Colgate University in Hamilton.

Dramatic effect is achieved through the use of specially patterned precast masonry units which, when laid up in a stacked bond pattern, give a ribbed-like appearance.

The units used at Colgate have a rough textured fluted surface resembling split block. For that reason the units are called corduroy block.

Three varieties of the precast block were used: 4 in. one-side fluted; 6 in. one-side fluted; and 6 in. both sides fluted. The fluted areas extend approximately 1 in.

Some 38,000 of the buff-colored units went into the building.

- Charles A. Dana Creative Arts Center at Colgate University, Hamilton
- Architect: Paul Rudolph
- Contractor: Ryan and McCaffrey Inc.
- Concrete Masonry Units: Cossitt Concrete Products, Inc., Hamilton
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EMPIRE STATE ARCHITECT

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1972 Report

By Richard G. Stein, FAIA — Chairman

It is always useful for us as a Board for Architecture to restate our point of view and our functions. We are in the midst of a changing period in practice, in the responsibilities of the architect and in the examination procedure that will determine who receives licenses to practice architecture. The underlying purpose in licensing people as architects is the protection of the public in the matters of health, safety and welfare. Over the years there has been an increasing recognition by our elected officials and the courts that the quality of our environment visually, physically and ecologically is as important a health and safety factor as the structural stability and mechanical adequacy of our buildings. As a result, all of these continue to be major areas for the examining and licensing procedure.

In our dealings with other registration boards, we attempt to develop a uniformity of standards that will continue to make a New York State license universally acceptable for reciprocity and also to make New York State open for every practitioner who has demonstrated his competency to practice architecture.

It may be of interest to know a few of the ways in which we carry on our work. On the average, we meet monthly. We evaluate adequacy of experience, we consider special cases that do not fall easily into the criteria that have been established for examination eligibility, we grade the examinations that are taken in June and December and have discussions among ourselves concerning the objectives, methods and results of the examination process. In addition, after each of the multiple choice examinations have been given to candidates, we, as a Board, review every single examination, determine by a series of weighted grades for different questions what is a reasonable passing score on the examination for a properly qualified candidate. In grading the design and site planning examinations, we begin by reviewing a randomly selected group with all Board members participating in the discussion and establishment of uniform grading attitudes and standards. When these have been established, the remaining projects are divided for grading by smaller groups within the Board. Any projects that are deemed to be below passing but within a grade category that might be judged differently by different examiners is immediately reviewed, and should the second group decide a passing grade is merited, this grade is the one that will be given to the project.

Since we consider the examination and registration procedure as part of the whole educational process, we hold periodic meetings, at least one a year, with the deans or department heads of all the architectural schools in New York State including Columbia, Cooper, Union, City College, Pratt, RPI, Syracuse, Cornell and Buffalo so that we can remain conversant with what is being taught, what the attitudes of the school are and let the schools in turn know our experiences and our reactions to the success or failure of the schools as reflected in the registration examination. We have also instituted meetings with the licensing boards of related professions—engineering, for example—in order to clarify the areas of responsibility undertaken by each of the professions. An additional function has to do with our comments and attitudes towards legislation, regulations and rules relating to the practice of architecture. Since the recodification of the professional statutes this past year, this has involved some minor shiftings of the different regulations. The major purpose of the recodification has been to simplify the law and the procedures and to make it more uniform among all of the professions.

Finally, we are also involved in situations where architects are charged with unprofessional conduct. We serve as an evaluative body to see whether charges are justified and if so we make recommendations to the Board of Regents in each case. We are not involved in those cases where a non-architect purports to be a practitioner. These situations are handled directly by a section within the Education Department that deals with professional conduct.

I might point out that while it is not mandatory that we see candidates personally, it is convenient from the point of view of their eventual NCARB registration. We enjoy having these interviews as our one opportunity to meet the candidates personally so that they are neither numbers to us nor are we a faceless board to them.
Some people don’t call for bids, they just call Cowper.
Wonder why.
The Law for Registration of Architects in the State of New York

The New York State Board for Registration of Architects deems it proper to make an informal report to the organizations interested in its work. The first regular annual report to the Board of Regents of the State University will be printed for public use in due course.

The law, known as “Chapter 454, An Act to Amend the General Business Law, in Relation to the Practice of Architecture,” was signed by the Governor on April 28, 1915, and became effective immediately. The members of the Board were appointed by the Regents and held their first meeting for organization October 22, 1915. The Board undertakes to meet one day weekly, usually in Albany on Thursdays. Since its organization, up to October 6, 1916, thirty-two (32) meetings have been held.

The work of the Board thus far has consisted: first, in formulating regulations for its own procedure; second, in outlining standards for examinations; third, in preparing for publication information regarding the Registration Law; and, fourth, in passing upon applications for certificates.

There were received about nineteen hundred (1900) applications for the granting of certificates without examination. Almost all of these applications are from men who had been practising when the Registration Law went into effect. Inasmuch as the law is not a license law, those who were in practice before the law went into effect may continue to practise without certificates. Hence the Board believes that certificates should be withheld from all except those who appear to be reasonably well qualified to use the title architect. Among the applicants there have been those who have considered Real Estate, Automobiles, and even Undertaking, along with Architecture, as legitimate branches of their contracting business. The Board has found it a tedious and time-consuming matter to review the large number of applications, many a second and third time, and to examine thousands of drawings submitted under affidavit. Thus far, ten hundred and sixteen (1016) applicants have been reported to the Board of Regents as entitled to certificates, one hundred and ninety-seven (197) have been reported to the Regents with the finding of the Board of Registration that “the evidence submitted was not such as to entitle them to registration without examination,” and about seven hundred (700) applicants remain to be considered.

The Board for Registration of Architects has undoubtedly made mistakes, and recommended the issuance of certificates to men not entitled to receive certificates. The Board would be glad to correct any mistakes possible, and asks the help of the profession that it may do so. Information regarding any person who has attempted wrongfully to obtain a certificate should be sent to the State Board for Registration of Architects, Education Building, Albany, New York. Such communications will be treated as confidential. Reports may be made personally to a member of the Board, and thus permit an investigation without the name of the reporter appearing in the record. The Board would be glad to know the names of several authors of anonymous letters, who might give information to make their letters of real value.

The Board of Registration is pleased to report that it sees already evidence of beneficial effects of the Registration Law, and trusts that the most important work which the Board will have to do in future will be found in its efforts to raise the standard of education of architects by means of its examinations, or rather by means of its syllabus of required study and experience which may guide students of architecture in their preparation for the examinations. The good will and cooperation of all the profession is confidently hoped for, in order that the law may be administered wisely.

Architects are requested particularly to report to the Board the names of any persons who began to use the title of Architect in this state after the 28th of April, 1916.

D. EVERETT WAID, President, New York State Board for Registration of Architects.

The above was received from E. Gilbert Barker of Glens Falls, Past Secretary of NYSAA/AIA.
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EMPIRE STATE ARCHITECT / JUNE 1972
HENRY NICHOLS COBB  
Born April 8, 1926 in Boston, Massachusetts, Phillips Exeter Academy, Diploma 1943 (class of 1944), Harvard College (NROTC) A.B. 1946 (class of 1947), Harvard Graduate School of Design M. Arch. 1949, one of the three founding principals of I. M. Pei & Partners. The AIA recognized I. M. Pei & Partners to receive the Institute's Architectural Firm Award in 1968. Mr. Cobb has been principally responsible as design partner for the May-D&F Department store and Plaza in Denver, recipient of an AIA First Honor Award in 1959; Place Ville Marie, (1962); the new campus of the State University College at Fredonia, New York (1968); the Harbor Towers waterfront redevelopment project in Boston (1971); and the headquarters building of the John Hancock Mutual Life Insurance Company; Urban Renewal Plans for Government Center, Boston (1961), and Bunker Hill, Los Angeles (1963). He is a trustee of the American Academy in Rome. In 1971, Mr. Cobb served as Chairman of the AIA national Committee on Design, of which he has been a member since 1969. He is also a member of the AIA's special "Operation Breakthrough" Review Committee, and of the HUD "Operation Breakthrough" Design Advisory Board. He served as Chairman of the 1972 AIA Honor Awards Jury.

WILLIAM J. CONKLIN  

DAVID L. EGGERS  
He was born in Roumania and received his architectural education at the College of Architecture, Cornell University and at the School of Architecture and Allied Arts, New York University. His office training was with William Lescaze, Shreve, Lamb and Harmon and Gropius and Breuer. Geller has been in practice since 1946, entering then into a partnership with George Nemeny which continued through 1950. Abraham W. Geller has offices in New York City. He has been a visiting design critic at the Schools of Architecture at Pratt Institute, North Carolina State College, Columbia University and Cornell University and is presently a visiting lecturer at Yale University. Principal completed buildings in which Geller has had sole or major responsibility include the Queens Boulevard Medical Center and the Upper Queens Medical Center in Queens, New York; the Burroughs Office Building in Lexington, Mass.; Residence Pavilion, Henry Ittleson Center for Child Research, Riverdale, New York; and Cinema I and II in Manhattan. He has been a consulting architect for a number of projects and, more recently, in association with Gruzen and Partners on the YM-YWHA of Essex County in West Orange, New Jersey.

Native of Rochester, New York. Educated in private schools there before receiving his A. B. Cum Laude from Williams College and B. Arch. from Columbia. As a partner of 17 years in the long established firm of Northrup, Kaelber and Kopf of Rochester, he has contributed notably to his community and profession. He was a member of the Board and President of the Landmark Society of Western New York and is on the Third Ward Architectural Review Board of the City of Rochester. Mr. Kaelber has served on the Board of Directors and as Treasurer and Secretary for the Central New York Chapter, AIA and Board member and President of the Rochester Chapter. He is presently on the American Arbitration Association Board and Chairman of the Architect Review Board for the Town of Brighton, a Rochester suburb. He was recipient of the 1968 Lillian Fairchild Award for the Strasenburgh Planetarium. This award is given annually to the Rochester area resident who has produced during the year the "most meritorious and praiseworthy creation of art, poetry or literature of the imagination." Other projects include a Space Science Center at the University of Rochester, Memorial Art Gallery, American Red Cross Chapter Building, the Valley Manor Apartments and a Rehabilitation Center for the Rochester State Hospital.
Born Clay Center, Nebraska, and was graduated from the University of Nebraska with an A.B. in Architecture in 1941. Employed as a draftsman with Davis & Wilson, Architects, Lincoln, during his college years and as Staff Architect with the FHA, Omaha, he served with the U. S. Army Artillery and Corps of Engineers 1942-46. Following active military duty, he joined Sargent-Webster-Crenshaw & Folley, Architects, Engineers, & Planners. He is Registered to practice architecture in New York, Pennsylvania, Vermont, Connecticut, New Hampshire, and Maine and holds an NCARB Certificate. He became a Partner in 1956. Mr. Rippeteau is a Past President of the NYSSAA/AIA. He is presently the Regional Director for the New York Region, American Institute of Architect, elected in 1971 for a three year term. He is a member of the National Government Affairs Committee of the A.I.A., the Board of Trustees of the American Institute of Architects Foundation, and a member of the Building Research Institute. He is serving on the GSA Region II Architectural Review Board 1972-73. He is a Past President of the Greater Watertown Chamber of Commerce, a Director of the Empire State Chamber of Commerce and Chairman of their Education Committee, a Charter Member of the New York State Association of Industrial Development Agencies, A Director of the National Bank of Northern New York.


1972 FELLOWS - NEW YORK REGION - AIA
At the time the shop drawing practice paper was prepared by the N. Y. Chapter A.I.A. Office Practice Committee about ten years ago, they had agreed that shop drawing checking was a costly procedure and a 'necessary evil'. As chairman I had suggested that while shop drawings may have been essential in the days when design drawings were limited to profiles and outlines, they no longer were essential in today's practice of completely detailed drawings and comprehensive specifications. Provided — of course — that the architect or engineer had sufficient confidence that if his construction documents were followed they would produce his intended results.

A "giant step" in this direction entitled "A Proposal to Amend the A.I.A. General Conditions Regarding Shop Drawings" was published in the Empire State Architect Jan./Feb. 1964. (See Appendix D) Contractors were quick to respond with an article entitled "A General Contractor Looks at Shop Drawings" by H. T. Noyes, Chief Engineer for the Turner Construction Co. published in a subsequent issue of the Empire State Architect (See Appendix E).

The idea seemed to be another impossible dream. In any event nothing happened; shop drawing practices continued as usual, and the associated checking and procedural problems remained. Thus, except for modifications incorporated to reflect references to current editions of A.I.A. Documents, and the inclusion of pertinent comment from earlier studies on the same subject (see appendices) the following edited version of the N. Y. Chapter's shop drawing study of 1959 should be as useful and valid today as it was then.

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3. Purpose of shop drawings
4. Necessity of shop drawings
5. Value of shop drawings
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7. Contractor's obligations
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10. Fabrication on "approved as noted"
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A: Shop Drawing Stamps
B: Shop Drawing Record Form
C: Transparency Shop Drawing Method
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E: Contractors' Response — see "Intro" Text
F: Excerpts from Recommendation of Building Industry Practices Committee of the N. Y. Bldg. Congress April 1966
G: Excerpts from "Legal Responsibilities" by J. R. Clark published by A.I.A. 1961
P. 13, Article G.
H: Excerpts and references to Shop Drawing Guidelines published by A.I.A. June 1969.
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APPENDIX C

Transparency Shop Drawing Method

SUGGESTED SPECIFICATION FOR USE IN CONNECTION WITH TRANSPARENCY METHOD OF SUBMITTING SHOP DRAWINGS—It is suggested that General Conditions provisions relating to shop drawings be amended to cover the following points when the transparency method of submission is required:

"Submit (state quantity) copies of standard manufactured items, in the form of manufacturer's catalog sheets, showing illustrated cuts of the item to be furnished, scaled details, sizes, dimensions, performance characteristics, capacities, wiring diagrams and controls and all other pertinent information. One copy of approved and/or disapproved submissions will be returned to the contractor.

"For all other shop drawings, submit one (1) reproducible transparency of each drawing until final approval is obtained. Each drawing shall have a clear space of approximately 4 inches by 20 inches (either on the original tracing or as an additional border on the right hand of the transparency print) for stamps—date received; approved; approved as noted; disapproved; revise and resubmit, etc. In the case of shop drawings for reinforcing steel, structural framing plans and details of structural members, in addition to the transparency print, a blueprint or black and white print of each transparency shall also be submitted.

"The approval of shop drawings by the architect will be general. It shall not relieve contractor of responsibility for accuracy of such shop drawings, nor for proper fitting, construction of work, furnishing of materials or work required by contract and not indicated on shop drawings. Shop drawing approval shall not be construed as approving departures from contract requirements.

"After completion of checking, the architect will obtain prints of the transparency for his record and will return the transparency to the contractor.

"Transparencies returned revise and resubmit or disapproved, the original drawing shall be corrected, a new transparency reproduction made and resubmitted until final approval is obtained.

"Transparencies returned approved and/or approved as noted, the contractor shall obtain and provide such number of prints of the transparency as determined by the general contractor for field distribution, and one print for the architect's record."

An alternative clause covering cost of prints involved follows:

"All shop drawings for all trades and contracts shall be submitted for approval on transparencies; one transparency is required for each submission, until final approval is given. Each submission shall also contain a black and white print of the submitted transparency. The architects will annotate and correct the transparencies, and stamp them with indication of their action as appropriate. The architect will make two (2) prints of initial and subsequent submissions and five (5) prints of the final approved submission for distribution. All printing will be performed by the architect's regular printing concern at established rates. The contractor will be billed for these printing and mailing costs by the printer. These costs shall be included in the contract lump sum price for this building. The printing concern shall be considered as a subcontractor of each contractor for purposes of guaranteeing payment under the Payment Bond."

APPENDIX D

A Proposal to Amend A.I.A. General Conditions
Re: Shop Drawings

By Samuel M. Kurtz, FAIA

1. An increase in the efficiency of the administration of construction might be accomplished by the reduction of the volume of shop drawings submitted to Architects and Engineers for checking. The premise for this is that much of that nature that is submitted today is no longer necessary or essential as far as detailed checking and back checking by the Architect or Engineer is concerned.

2. Following is a proposed revision to the A.I.A. GENERAL CONDITIONS — which would hopefully have the effect of virtually eliminating the great volume of shop drawing submissions. It would also serve to relieve the Architect Engineer of professional jeopardy beyond that initially established by his design documents.

Shop Drawings

3. It is understood that contractor under these general conditions has undertaken the obligation to provide, furnish and install in place ready for use all items indicated on the drawings and described by the Specifications to meet the design details and criteria established by these documents; and to provide these items in the correct quantity for the proper place and at the proper time.

4. Contractor shall prepare shop and fabrication drawings, setting diagrams, schedules, and so forth as may be necessary and required for fabrication, manufacture and installation of items required for the performance of the contract. He shall submit copies of such drawings in the manner herein described for review by the Architect when required by the Specifications for any particular trade.

5. The Architect shall review such shop drawings as are required to be submitted for general conformance with the intent of the design drawings. The Architect and Contractor will agree on a limited period of time for review of these drawings, which if not Rejected by the Architect within the limit of that period shall be considered as Acceptable Without Comment.

6. The Architect shall not be responsible by his review for accuracy of dimensions, quantities, conflicts and clearances; or by his Acceptance Without Comment presumed to have guaranteed proper function or performance of anything indicated on such drawings, or acceptance of work contrary to or in conflict with contract document requirements.

7. Any such drawings found to be in nonconformance with contract requirements will be Rejected by the Architect, and shall be corrected to conform to contract requirements in the manner indicated by the Architect; and shall be resubmitted for Architects further review until Acceptance Without Comment is possible.

8. Contractor may, in lieu of submission of catalog cuts of standard manufactured items, submit a written declaration that it is his intention to provide such items, exactly as required and as made by the specified manufacturer of the articles.
A General Contractor Looks At Shop Drawings

By H. T. NOYES, Chief Engineer — Turner Construction Co., New York, N.Y.

It is clear that architectural firms are anxious to cut the cost of shop drawings. This is prudent and good business if it does not go too far. The men who are actually checking shop drawings in these offices generally like their use as it gives them a last look at the work just before it is fabricated. This is indicated by the great number of design changes which are first shown when the shop drawings are returned. It is what has come to be called "design by shop drawing."

A review of "A proposal...regarding Shop Drawings" published in the Empire State Architect—January-February, 1964—brings out the following comments:

Par. No. 1—"Efficiency"
Naturally, a reduction in the number of shop drawings would reduce the time and costs to the Architects, Engineers, General Contractor and Subcontractors. Provided it does not result in disputes regarding details when installed. Under such circumstances it could increase the cost of the work.

Par. No. 2—"General Conditions"
No definite or firm limitation of shop drawings should be specified. Specifications should state that shop drawings must be held to a practicable minimum as agreed to by the A/E, G.C. and Sub prior to submission.

Par. No. 3—"Contractors Obligations"
I believe that the requirements of this paragraph would result in more costly buildings as the contractors would feel limited in utilizing their experience and making full use of their normal shop practices.

Par. No. 4—"Submission as required by Specifications"
This would require the subs to submit drawings only when required by the Specifications. I believe that the contractors should feel free to submit shop drawings whenever they may feel that there is a question about a detail, that there might be a dispute about the details shown on the contract drawings, or whenever they feel that the details may be improved.

Par. No. 5—"Acceptance"
Acceptance by non-return of a shop drawing within a fixed time period is a dangerous practice. A drawing might go astray in transmission or be mislaid in the A/E's office, and thus the contractor would assume it was accepted when actually it had not been reviewed. Experience indicates that drawings do become lost or mislaid. I believe that contractors are entitled to the return with notations as to approval of any drawing which they deem to be important enough to submit.

Par. No. 6—"Architects Responsibilities"
An A/E practically never takes responsibility for dimensions, quantities, etc., indicated on shop drawings. He may be responsible for conflicts if he has not left sufficient space for all the necessary trades. Proper function or performance is the contractor's responsibility except in a few instances such as those in which the detail on the contract drawings would not be workable, and therefore a change is necessary. This happens. Subcontractors' drawings are important to the G. C. as they permit him to check to see that the sub has not slipped in a note putting off on someone else, or otherwise rejecting, an item of work which is his by contract. This frequently happens, and often requires an interpretation by the Architect.

Par. No. 7—"Rejection by Architect"
This paragraph would not permit "Approved As Noted" returns of shop drawings, which frequently allow fabrication to proceed at an earlier date prior to the clean clearance of a shop drawing. This is a very important objection to the method of "Acceptance Without Comment."

Par. No. 8—"Catalog Cuts"
Generally this paragraph is satisfactory; however, there could be problems. Often, manufacturers change items slightly and cuts submitted at the time of actual purchase may not be the same as those which the A/E had in mind when specifying. This has happened, and there must be safeguards against it.

GENERAL COMMENTS

It must be remembered that Architects and Engineers consult with one or more subcontractors or material or equipment suppliers before preparing contract drawings, and these drawings generally represent the A/E's acceptance of these suggestions. They do not necessarily represent the best thinking of the trade, but represent one man's or one company's ideas. At the same time competition is desired in order to give the Owner a satisfactory job up to the standards set by the specifications, but at the most economical price. Under such circumstances, shop drawings are a "must" so that the subs may indicate what they feel is the best detail in the light of their experiences and shop practices. In order that the contractor may be assured that the work will be acceptable when installed, the contractors are entitled to a review of the drawings by the A/E prior to manufacture. A severe reduction in the acceptance of shop drawings by the A/E would doubtlessly result in the subs using what is shown on the contract drawings even though it might be a doubtful detail. This would reduce competition and result in more expensive buildings.

Without doubt, the number of shop drawings should be approached in a reasonable way—many
should be omitted. I list below some comments on some of the trades:

1. Structural Steel
Erection drawings must be made as they show the piece marks and are, therefore, the key to all other details. Frequently these drawings are developments of a transparency made from the A/E's drawings. All items added by the contractor should be done in such a way that it is apparent to everyone that they are the sub's additions. This eliminates much checking by the A/E.

Job Standards—The sub should prepare job standards showing details of typical connections, reinforcement of typical holes and similar items which are standard throughout the job. These must be approved.

Piece Details—if the erection drawings are made so as to indicate the type of connection at the ends of members and the location of holes for pipes, ducts, etc., and special cuts, then there is no need for submitting piece details on many of the typical members. The submitted details should then cover only those members requiring special connections, cuts, etc., which affect design, and members required to support other trades such as window walls, stone, masonry, etc. These must be approved.

2. Reinforcing Steel
Contract drawings usually are insufficient to assure accuracy in detailing and placing of rebars. Approval of these lists is essential to clear the numerous necessary interpretations by the detailers.

3. Wall Details
   a. Metal Walls—Methods and details of metal walls vary from sub to sub more than in any other trade. Each plant has methods and details which they feel to be best. On the other hand, most Architects consult one sub prior to the preparation of contract drawings and with some modification use that sub's suggestions on their details. Other subs may have just as good or even better ideas which might result in a cheaper wall. Thus it is to the benefit of the job and the Owner to allow the sub reasonable freedom in preparing and detailing, and approvals should reflect this freedom. However, the Architect must determine that the standards of the job are maintained. The G.C. also has important responsibilities with respect to these changes as he must coordinate the various trades involved in the wall.
   b. Glazing—All glass and glazing subs should be required to submit a single drawing showing just how they intend to glaze the job, and indicating the trade name or number of each component of the glazing. This is most important as it will save numerous arguments throughout the job, and afterward. The Architect should definitely approve this drawing.
   c. Stone Details—Each stone shop has different cuts, anchors and means of lifting. Details are necessary and it is equally important that the A/E and G.C. review and approve it. Frequently the contract drawings do not show the jointing of panels in interior stone work, therefore, details must be approved.

4. Hollow Metal Works
Doors, bucks, elevator fronts, air conditioning enclosures, etc.—these details must be approved for shape and anchorage. Door Schedules should be prepared by the Architect as it is the only way in which the Architect can definitely indicate his desires. Often the Architect refuses to prepare schedules, and either the G.C. or the sub must do so for proper coordination. It is essential, however, that the schedule and details be approved by the Architect as our experience indicated that the Architect frequently changes his mind with respect to hands and types of doors, uses of grilles, louvers, etc.

5. Finish Wood Items
Contract drawings seldom show the layout of panels and cabinet work in sufficient detail to permit the sub to proceed with assurance. It is essential that these be approved.

6. Miscellaneous Iron, Steel Stairs, etc.
Details on the contract drawings usually are incomplete or indefinite. Shop drawings are necessary to clarify the desires of the Architect.

7. Ceilings
Acoustic ceilings vary somewhat from manufacturer to manufacturer. Typical details must be approved and special layouts made covering locations not included in the Architect's drawings.

8. Mechanical and Electrical Trades
Mechanical Engineers usually demand cuts, performance data, etc., on equipment. Approval should be given. Layout drawings must be made for each piping and duct trade. These must be coordinated and usually problems develop which must be settled or approved by the A/E. Approval is necessary.

9. Other Trades
The above are only a general idea of the problem on certain trades. Other trades have equally important problems, all needing A/E decisions and approvals. Shop drawings present the best and easiest way for the A/E to clear these questions.

The only ways in which I can see that shop drawings may be appreciably reduced are:

1. For the Architect to make more complete drawings; and
2. For the subcontractors to follow the drawings exactly.

To me, neither of the above are practical as it would limit competition and possibly not result in as good buildings as are now being erected.
The New York Building Congress recommends that:

Since shop drawings are a confirmation of the intent of the contract drawings, they are not to be used as a means of changing the contract by any party. Should a departure from the contract documents be required, a clearly defined statement with reasons for any change should be submitted by the subcontractor to the general contractor, after which the established procedure for modifying the contract may be initiated.

In the preparation of contract drawings and specifications, the architect-engineer should include in the specifications a list of shop drawings, installation drawings, manufacturers data, and samples which he wishes submitted for approval.

The following procedure for preparing, forwarding, checking and return of all shop drawings:

The subcontractor should:
1. Obtain necessary data from available plans and determine dimensions and conditions in the field, particularly with reference to coordination with other trades.
2. Prepare shop drawings which are required for work under his contract, and procure from his suppliers all other shop drawings necessary.
3. Submit to the general contractor transparencies of the shop drawings, all required data, and the necessary number of cuts or samples.
4. "Ring up" corrections made on all re-submissions for approval, so as to be readily seen, and that this symbol be used to identify the source of the correction or information that has been added.
5. Proceed with the work on receipt of the returned shop drawings if marked "Approved as noted".

The general contractor should:
1. Review and be responsible to the architect-engineer for information shown on subcontractors' shop and installation drawings and manufacturers' data, and also for conformity to contract documents.
2. "Ring up" corrections made on all submissions for approval, so as to be readily seen, and that this symbol be used to indicate the source of the correction or information added.
3. Clearly designate which trade is to perform the work when the use of "Work by others", or similar phrases are indicated on the drawings before submission to architect.
4. Stamp submissions "Recommended for approval", date and forward to architect.

The architect-engineer should:
1. Check the shop drawings for conformity to contract documents and approve, approve as noted, or disapprove, as expeditiously as possible in accordance with sequence list submitted by the general contractor.
2. Not require resubmission of drawings that have been stamped "Approved as noted". Drawings so stamped should be an authorization to proceed with the work in accordance with the indicated corrections.
3. "Ring up" corrections made on all submissions, so as to be readily seen, and identify who made the correction by using the following symbols:
   - for Architect
   - for Electrical Engineer
   - for Heating, Ventilating & Air Conditioning Engineer
   - for Plumbing and Sprinkling Engineer
   - for Structural Engineer

The following procedure is recommended for expediting shop drawings:

The general contractor should direct a shop drawing status letter to the responsible person in charge in the architect's office each week, containing:

- A list of all shop drawings which have been sent to but not returned by the architect, giving name of submitting contractor, drawing number, title and date of submission.
- An indication of the desired priority of the return. (Since all drawings are supposed to be returned in a reasonable length of time it is desirable that priority not be used except in an emergency.)

The status letter should be prepared and sent at a given time each week, preferably Friday afternoon, to enable the architect to receive the letter on Monday morning. This procedure should be maintained throughout the active shop drawing period of construction.

The architect-engineer should respond promptly upon receipt of the general contractor's shop drawing status letter, listing the drawings referred to therein in the following categories:

- Drawings that were returned prior to receipt of letter giving date of return.
- Drawings that have not been received by the architect.
- Drawings currently in the architect's office, indicating the date of anticipated return recognizing the contractor's request for priority treatment.
- Drawings, if any, in the architect's possession, but erroneously omitted in the contractor's letter.

Since the success of this system depends upon the rapidity of the response, the architect's report should go forward by return mail.
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ANNUAL CONVENTION AND CONFERENCE
THE CITY CHALLENGE
OCTOBER 19 – 22, 1972 – THE FLAGSHIP HOTEL, ROCHESTER, NEW YORK
Excerpts from "Legal Responsibilities"

Excerpts from Legal Responsibilities in the Practice of Architecture and Engineering.

By John R. Clark, published by the A.I.A. in 1961

Approval of Shop Drawings and Schedules

Some of the standard documents have provided that the shop drawings are to be approved by the Architect-Engineer to "insure compliance with the Drawings and Specifications" (CEC Document No. OEl, 1960 edition) while others state that the shop drawings are to be approved "for compliance with design" (AIA No. B-131, NSPE No. 2) or for compliance with "design and architectural effect" (AIA No. A-201 General Conditions) or just generally "checking" (ASME Standard Architect-Engineer Agreement, May 3, 1955 edition). Clearly then, there has been no uniformity of approach as to what approval of a shop drawing should indicate to the Owner and to the Contractor and the extent to which the Owner and the Contractor are justified in relying upon such approval. Equally disturbing to the Subcommittee was the revelation in its discussions that professional practices differ even more widely than the language of the standard documents.

The Subcommittee concluded that the Owner was justified in expecting the Architect-Engineer to approve the shop drawings not only for conformance with the design concept of the Project but also for compliance with the information he has given in the Drawings and Specifications. On the other hand, approval should not extend to information given in the shop drawings which is not related to the design concept or functional result. Frequently, shop drawings include data relative only to the fabrication process or construction techniques in the field and such information is not called for in the Contract Documents. Such data relates to matters outside the scope of the Architect-Engineer's duties and responsibilities and his shop drawing stamp should not be worded so as to include approval of such additional data. New language in the revised form of agreements follows the discussion above and is incorporated in the following form of shop drawing stamp recommended by the Subcommittee:

"APPROVED [ ]
APPROVED AS CORRECTED [ ]
REVISE AND RESUBMIT [ ]
NOT APPROVED [ ]

Checking is only for conformance with the design concept of the Project and compliance with the information given in the Contract Documents. Contractor is responsible for dimensions to be confirmed and correlated at the job site; for information that pertains solely to the fabrication processes or to techniques of construction; and for coordination of the work of all trades.

Date .............. By SMITH AND JONES

It is suggested that in every Project the Architect-Engineer should write the Contractor, each Subcontractor and each supplier of equipment, with a copy to the Owner, explaining the procedure to be followed in approval of shop drawings and pointing out the extent and limitations of the Architect-Engineer's responsibility in this respect. Where an Architect and an Engineer are associated on a Project, the procedure should be modified to reflect the extent upon which the Prime Professional may rely upon his Professional Associate's shop drawing approval and the extent to which the Professional Associate is responsible for the Prime Professional's approval.

To repeat ALERTS suggested by the Subcommittee:
1. The procedure for reviewing shop drawings should be reviewed with the Owner, the Contractor, the subcontractors and equipment suppliers.
2. The shop drawing stamp should not indicate general approval—only approval to the extent provided in and as required by the Contract Documents.
3. Where an Architect and an Engineer are associated on a Project, they should agree on shop drawing procedures and stamps.
4. The Contract Documents should require that the General Contractor approve all shop drawings in writing or by stamp and that he forward them to the Architect-Engineer only when and if they meet his approval.

Reprints of
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by Samuel M. Kurtz, FAIA
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Shop Drawing Guidelines

Published By The A.I.A. June 1969

Contract Documents
Schedule of Submissions
Channel of Submission
Approval by the General Contractor
Cooperation
Architect-Engineer’s Review

This statement has been prepared by The American Institute of Architects, the Associated General Contractors of America, the Consulting Engineers Council of the U.S., the National Society of Professional Engineers, the Air Force Civil Engineering Directorate, Army Corps of Engineers, and the Naval Facilities Engineering Command. It is recommended as a general policy on handling shop drawings for construction projects of the military services.

1. Contract Documents: The basic prerequisite for complete and accurate shop drawings is original contract documents prepared according to the highest standards of architectural and engineering practice. Specifications should spell out which items require shop drawings. The contract documents should delineate special equipment that will pass finished openings and fit in spaces provided. Any substitute items submitted for approval must also be within the dimensions stipulated.

2. Schedule of Submissions: Specific target dates should be scheduled by the general contractor for the submission and return of shop drawings used in the project construction. These dates should be coordinated with the project construction schedule as approved by the contracting officer. If a network analysis system is used, shop drawing submissions should be included as activities of the network. The shop drawing schedule should be divided into construction categories. Unless items are otherwise particularly listed, it will be understood that all shop drawings for inter-related items will be submitted at approximately the same time. A progressing item, such as reinforcing steel, may be listed separately in stages of submission. The shop drawing schedule should be approved by the contracting officer on the basis of recommendations of the architect-engineer.

3. Channel of Submission: Shop drawings should be processed from subcontractors through the general contractor. No shop drawings should be submitted to the architect-engineer by a subcontractor or material supplier except that, in special circumstances, concurrent submission may be made when authorized by letter from the general contractor to the architect-engineer. Adequate time should be allowed in the shop drawing submission schedule for transmittal time and, where justified, special handling procedures should be used.

4. Approval by the General Contractor: The general contractor should make every effort to provide shop drawings for construction and equipment conforming to the contract documents. The general contractor should check shop drawings submitted by subcontractors and material suppliers in order to determine their completeness and accuracy for construction purposes, prior to submission of such drawings to the architect-engineer. Where changes from the contract documents are proposed, the general contractor should indicate the difference in his submittal. The general contractor’s check should also determine whether or not the equipment will be compatible with his sequence of operation, or the owner’s if specified. If the equipment is not compatible with the intended or specified sequence, he shall notify the architect-engineer.

5. Cooperation: Periodic job conferences are necessary for proper execution of the project. Shop drawing submissions and approval should be reviewed at each job conference. Job conferences should be held when scheduled by the military service and should be attended by representatives of the contracting officer, the architect-engineer, and the general contractor. Principal subcontractors should be invited to attend when needed.

6. Architect-Engineer’s Review: The architect-engineer should review shop drawing submissions within two weeks of the period established in the shop drawing schedule. Shop drawings should be reviewed by competent people thoroughly acquainted with the contract documents but only to determine whether they are in conformance with the design concept of the project. The architect-engineer should include all comments or corrections desired on the first transmittal. Thus, when drawings which need corrections are resubmitted, the architect-engineer will be able to confine his attention to those items commented on in the previous submission. Shop drawings, which are grossly incomplete or indicate no attempt at conformance with the contract documents, shall not be submitted to the architect-engineer for review. When shop drawings are rejected, the architect-engineer shall indicate the reasons for such action. When shop drawings are late in being submitted to the architect-engineer (i.e., not meeting the target dates mentioned in paragraph 2 above), it shall be the responsibility of the architect-engineer to inform the contracting officer, with a copy to the contractor, of such tardiness and its possible effect on the progress of the work.
How Hope's Serves the Creative Architect

This three-section building for Standard Oil Company (Indiana) typifies the large scale, highly specialized project on which Hope's reputation for quality custom work has been built. Wigton-Abbott Corporation, designers and constructors, specified installation of more than 180 monumental size steel custom windows by Hope's. Constructed of 12-gauge pressed steel members, the fixed windows are 30 to 35 feet high and over five feet wide. The installation provides an intriguing example of pressed metal's broad adaptability; steel was chosen for its strength, durability, rigidity, and economy. Note that the detail of the horizontal mullion is designed to accommodate two different thicknesses of glass in the same member, while keeping the outside glass surfaces in the same plane. The attractive appearance is enhanced by finishing frames, beads and panels each in a different color, with Hope's unusually durable Ultra-Coat finish. The installation typifies the individual choices available to the architect using Hope's pressed steel subframes. They are custom made to suit the requirements of each installation, offering the designer broad versatility. Frames can be designed to accommodate: ventilated or fixed windows, panels, doors, grilles, louvers and all types of glass. Ask Hope's engineers to work with you on your forthcoming construction plans. Your creative ideas provide a challenge they welcome. Hope's Windows, Jamestown, New York 14701.

WIGTON-ABBOTT CORPORATION DESIGNERS and CONSTRUCTORS PLAINFIELD, NEW JERSEY
RAGNAR BENSON GENERAL CONTRACTOR PHOTO BY HEDRICH-BLESSING

HOPE'S WINDOWS
DIVISION OF ROBIN HOPE'S INDUSTRIES, INC.
EMPIRE STATE ARCHITECT 1972 DIRECTORY

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Ginsberg, M. B. 273 Columbus Av., Tuckahoe, NY 10707 240
Ginsbern, F. M. 205 E. 42 St., New York, NY 10017 237
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Girardi, M. J. 97 Pepperidge Circle, Fairfield, CT 06430 221
Gionta, R. L. 35 Market St., Poughkeepsie, NY 12601 237
Girvin, A. C. 34-20 79 St., Apt. 1D, Jackson Heights, NY 11372
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Ginghini, R. L. 24 Firebush Rd., Levittown, PA 19056 291
Ginsberg, S. E. 1200 Warburton Av., Yonkers, NY 10707 237
Glantz, M. 181 Riverhead Rd., Nutley, NJ 07110 237
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Glashow, L. P. 372 Central Park W., New York, NY 10025 237
Glasgow, P. M. 800 Wayne St., Muncie, IN 47301
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Varacchi, J. A. 25-19 77 St., Jackson Heights, NY 11372
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Weiner, M. 201-40 Epsom Course, Hollywood, NY 11427
Wright, T. 1467 E. 64 St., Brooklyn, NY 11234
Wynkoop, R. 343 E. 30 St., New York, NY 10016
Yuppa, V. 1502 E. 48 St., Brooklyn, NY 11234
Zaso, A. 95 Salem Rd., Valley Stream, NY
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☐ Fellow
A Seminar Report

New Approaches and Methods to Improve and Control Quality, Cost and Delivery-Time of State Facilities In Relation To Professional Services and Compensation

Conducted by the New York State Council on Architecture in conjunction with the Architecture—Construction Information Committee Subcommittee on Payments to Architects and Engineers.

A Seminar Report By

Donald J. Stephens, AIA
Chairman, NYSAA/AIA Committee on Services, Compensation and Contracts

INTRODUCTION:

The NYSAA Committee responsible for the subject areas of services, compensation and contracts approached the New York State Council on Architecture early in 1970 for assistance in obtaining timely payments to architects from agencies responsible for the planning and construction programs of New York State. The matter was placed before the Architecture—Construction Information Committee of New York State (ACIC), sponsored by the Council, and this led in turn to an ACIC Subcommittee on Payments to Architects, chaired by Frank Matzke, FAIA, Deputy General Manager of the State University Construction Fund.

The subject was soon broadened to all aspects of compensation for design professionals, particularly relating to the newer design/construct procedures. A series of meetings over a period of a year and a half culminated in a seminar on 8 March 1972 sponsored by the Council on Architecture and involving both the design professionals and representatives of a wide range of State agencies, divisions, departments and bureaus.

The following article documents both the seminar and the conclusions the ACIC Subcommittee reached in its meetings with the design professionals. The NYSAA Committee was represented by Don Stephens, Carl Petrilli and Sol Baum. The NYS Consulting Engineers Council was represented by George Frost, P.E., of Glens Falls. All tentative conclusions reached by these representatives with the ACIC Subcommittee members, who represented the major State agencies administering large planning and construction programs, were reviewed in detail by the membership of the NYSAA Committee on Services, Compensation and Contracts.

Members taking an active part in the review were Joe Fuller, Bill Halsey, Bill Heidtmann, Ed Kuntz, Bob McCoy, Ralph Parks, George Schofield, Dan Klinger, Milt Milstein, Fred Webster and Charlie Whitney. In addition, the tentative conclusions were distributed to all NYSAA Chapters for review by appropriate committees and responses were received for almost all component organizations. The great majority of responses approved the conclusions. Mr. Frost was responsible for review by the CEC membership and replies from all chapters in the State were presented and reviewed by the NYSAA Committee.

The need for cost basis compensation, and decisions by our State agency clients to implement the method, are not contingent on the opinions of the design professionals as to the acceptability of that method. The need grows out of changing processes of decision making, design and delivery of building projects. We have been fortunate to have had the opportunity to help shape the specifics of the method and to provide guidelines for establishment of equitable provisions for the compensation of design professionals.

A seminar focusing on the changes in methods to improve the quality, cost and delivery time of public facilities related to professional services and compensation was sponsored by the NYS Council on Architecture on 8 March 1972 at the NYS Police Academy Auditorium in Albany.

The Seminar topic was initiated by the Council’s Subcommittee on Compensation to Architects and Engineers and the NYSAA/AIA Committee on Services, Compensation and Contracts. These Committees have been working jointly on new methods of compensation, based on the changes in professional services caused by new design and construction techniques.

(continued)
SEMINAR REPORT – continued

George A. Dudley, Chairman of the New York State Council on Architecture and President of the Environmental Facilities Corporation, made the introductory remarks and outlined the responsibilities of the New York State Council on Architecture. He pointed out that the Council on Architecture's Enabling Legislation directed that equitable compensation for the professional services rendered by architects/engineers and other design professionals employed in the design, planning and construction of public facilities be established.

Mr. Frank J. Matzke, FAIA, Deputy General Manager of the State University Construction Fund and Chairman of the Subcommittee on Compensation to Architects and Engineers, outlined the changes taking place in the design and construction process with the advent of systems building, industrialized construction techniques, fast track scheduling and construction management. He pointed out that in the past the building process was uniform and fees to the design professionals were adjusted to relate to the complexity and size of the project facility. With the changes and variations now affecting the process; compensation paid to architects/engineers must allow for, or adjust to, the changes in the process as well as the complexity of the project.

Roger Hallenbeck, Director of Research and Development for the State University Construction Fund, made a presentation of the new facilities delivery framework prepared for the Fund by the Buffalo Organization for Technical and Social Innovation and by the School of Architecture at Massachusetts Institute of Technology. The facilities delivery framework is a new process for relating client requirements to the methods and products available for the construction of facilities in a realistic and rational way.

Edward Groder, Chief Architect for the Office of Technology of the Urban Development Corporation, spoke on innovative technological building systems being employed in the construction of facilities by UDC.

A presentation on the methods and procedures for constructing the Health and Mental Hygiene Facilities Improvement Corporation is utilizing in the design and construction of hospital facilities was given by Frank Eliseo, Director of Development. Mr. Eliseo outlined how significant savings in time are being made by overlapping the design and construction processes, but also indicated that professionals need advanced management techniques to successfully complete projects in today's altered market.

Douglas Hasbrouck, Engineering Management Specialist for the New York State Dormitory Authority, made a presentation indicating the relationship of the cost of design services to construction and maintenance costs of public facilities. He indicated the extra time spent in the programming and design phases of projects was economical in terms of time spent in the programming and design phases of projects was economical in terms of time due to the ultimate reduction of over-all maintenance and operating costs. Mr. Hasbrouck also related his successful experiences in the development of professional contracts utilizing a cost plus fixed fee approach to compensation while he was serving with the New York State Department of Transportation. He also discussed the responsibility of individuals in State positions, many of whom fail to comprehend the ultimate limits of their responsibilities and thus serve the public poorly. Part of the responsibilities of public officials is to challenge the bureaucracy in order to accomplish improvements through change so better solutions to problems may be adopted.

Charles B. Thomsen, President of CRS/CM, a construction management affiliate of the architectural firm, Caudill Rowlett & Scott, Incorporated, outlined the new responsibilities and capabilities of the design professions by focusing attention on new ways to control and manage the design and construction process with resultant savings in time and money to the Owner.

Donald J. Stephens, Architect and Chairman of the New York State Association of Architects’ Committee on Services, Compensation and Contracts, outlined a new approach for the compensation of design professionals by utilizing a newly developed work sheet to determine the scope and number of hours required by design professionals to satisfy the design and construction needs and aspirations of the public client. Compensation for the architects and engineers would be on the basis of time actually spent developing designs and managing the process, plus actual costs incurred in the form of overhead and project related expenses, plus a fixed fee for the defined scope of services. This method of compensation on the basis of cost plus a fixed fee is the result of considerable work by the NYS Council on Architecture Subcommittee, the NYSAA/AIA Committee and Consulting Engineers Council. Details are outlined below which summarize the consensus of agreement between the members of both committees.

Following the presentations, a panel discussion was conducted by John P. Jansson, Executive Director of the Council on Architecture, and Seminar Chairman. Speakers, representatives of Audit and Control and the Division of the Budget discussed questions related to new compensation methods presented to them from the audience. In his closing remarks to the attendees, John Jansson said:

"In summary, it seems to be the consensus of opinion that the Seminar/Workshop has brought about a better understanding of the changes that have occurred in the design, planning and construction process over the last decade. This understanding will serve as a basis for consideration and eventual adoption by all State agencies involved in the design, planning and construction process of new ways and means for determining the scope of professional services. In turn, compensation for the services for design professionals involved in the design, planning and construction of State facilities will be defined, resolved and worked into recommended compensation schedules in accord with today's market conditions. We are planning that, following this seminar, a series of meetings will be held with the representatives of the State agencies, including representatives of the Department of Audit and Control and the Division of the Budget, refining the basis on which architects and engineers may be compensated on future projects."

Following is the text of the document issued by the New York State Council on Architecture to attendees at the seminar:

1. The current and projected rate of construction cost escalation, the high cost of borrowing money, and the
continued urgent need for new facilities of high quality suggest new approaches to the design/construction process. These new approaches vary from agency to agency in New York State and substantially change the scope of professional services required to effect the timely design and construction of public facilities.

The traditional percentage of construction cost method of payment for the services of design professionals no longer relates to the varying scope of professional services required by the State agencies responsible for the major planning, design and construction programs of New York State. It does not adequately provide the flexibility needed to realize significant potential economies in today’s construction market nor does it adequately provide incentive for cost savings in the design process. Further, the percentage method of compensation offers little incentive to the design professionals’ clients to participate efficiently and effectively in the decision making, design and delivery process. Potential savings in time and costs may be unrealized or the design professionals may be required to invest appreciable unanticipated additional design time without additional compensation. More seriously, resulting delays in the progress of the project can have serious cost repercussions in today’s construction market. This is not to say the traditional percentage of construction method will not continue to be used in many instances, depending on size, type and timing of projects, but under conditions prevailing in the construction market and the need for better cost control of projects, new approaches seem imperative.

2. A more adequate, more professional and more equitable method of compensation under these conditions would appear to be payment on the basis of the cost of the time of personnel devoted to the project plus direct and indirect expenses plus a reasonable profit for the design professionals. Several methods of arriving at the specific compensation under this procedure may be used to fit specific conditions. In general, State fiscal agencies such as the Division of the Budget and the Department of Audit and Control have not traditionally opposed flexible arrangements for services of design professionals and there is adequate precedent for provision of services on a cost basis. Their concerns have related more to assuring that payments are limited to the services agreed upon. Adequate measures in terms of outline schedules of services to be performed, upset amounts and fixed fees related to specified services, can be used to establish design budgets and to provide incentive for efficient and effective efforts by both design professionals and client representatives.

The cost basis method of compensation appears to offer the following advantages as compared with the percentage method:

a. It provides an equitable basis for compensation that is more responsive to the particular needs of the client. Action decisions as to scope, method and timing in the design/construct process can be made at any stage of the process. Flexibility is provided to carry out several phases of the process concurrently.

b. The complexity of the design/construct process, as well as the complexity of the project, can be accommodated on a basis equitable to all parties.

(continued)
c.) Under this method timely and responsible decision making, resulting in efficiencies, economies and time savings, will lower the costs of professional services.

3. Agreements and procedures in connection with work on a cost basis should recognize the following:
   a.) Past experience with record keeping by design professionals providing services on a cost basis have often been poor and, prior to award of a contract or start of work by design professionals, the client should be satisfied the record keeping procedures of both the prime design professional and his major consultants are adequate.
   b.) On cost basis work the client requires assurance he will be paying design professionals only the normal and usual wage rates for the design professionals' employees and therefore has the right to require evidence of current and previous employee wage rates prior to award of a contract. If the client does not find the design professionals' current wage rates acceptable he has the right not to award a contract.
   c.) The rates of pay for the time of principals and key personnel of the design professionals' firms may be subject to negotiation, since there is a wide range of current practices for charging the time of principals on projects. There should be a clear understanding of conditions under which principal's time for both the office of the prime design professional and his major consultants will be charged to the project and what the rates will be.

Charging for technical task work, such as typing and reproducing reports, specifications, etc., by normally non-technical employees such as secretarial, clerical and office management personnel, should also be clarified since today's sophisticated time accounting systems provide for such refinements and the client should agree to such procedures prior to award of a contract to design professionals.

All time devoted to advancing a project by all staff members of the design professionals' firms, including principals, should be considered as billable time if the time accounting system of the design professionals can properly document such time.

d.) Agreements with design professionals should recognize inflation and constant escalation of costs and should provide a method for accommodating salary increases, staff promotions and overhead increases, but must do this without encouraging such increases and contributing to a never ending spiral of cost inflation without control.

e.) Upset amounts for cost basis billing, based on a defined scope of work and related to a lump sum fee, should be established whenever feasible.

A relatively detailed schedule of services to be performed, with budgeted hours and dollars, appears essential to establishing an upset for a cost basis method of compensation to design professionals. It can serve as a basis for amendment to the agreement if the scope of services changes.
f.) Whenever a scope of work can be defined, cost basis accounting should not include the design professionals' fee in any multiplier applied to direct personnel expenses. The fee may be a percentage of the estimated total cost of services (direct personnel costs plus indirect costs plus reimbursables) but should be established as a lump sum related to the established scope of the work, plus a reasonable contingency, in order to provide an incentive for effective and efficient efforts by the design professionals.

g.) Payment and auditing procedures for services provided on a cost basis are simplified when lump sum hourly or per diem rates can be established and approved prior to initiation of the work of the design professionals.

- This procedure generally works best when categories for staff members are established with a single rate for each category.

- rates should be established on the basis of the projected project time schedule.

- provision should be made in the agreement to reflect changes in costs and wages if the project time schedule is extended, but such changes should not contribute to the spiral of cost inflation without control.

h.) If agreements are based on direct wage rates plus a percentage markup for indirect expenses (overhead) of the design professionals' office, this percentage is best established prior to start of work. It might seem more equitable to establish it as an expected overhead rate at the start of the project with an adjustment up or down at completion of the project, based on an audit by the client to determine actual overhead, but this requires not only extensive auditing capability by the client but also time consuming involvement by the design professionals which probably would not be warranted by the difference between estimated and actual overhead.

In determining the overhead factor recognition should be given to investments in technological equipment that reduce billable personnel time.

i.) Reimbursable expenses are probably best handled by establishment of an agreement, as simplified as possible, to avoid auditing time by the client and justification time by design professionals.

- lump sum, fixed cost per function (e.g. trip to job site) or a fixed percentage are methods which appear possible, to avoid auditing time by the client and establishment of an agreement, as simplified as possible, to avoid auditing time by the client and division of responsibility subject to approval by the client prior to award of a contract to the design professionals.

j.) When services are provided on a cost basis by design professionals consultants' billings should be treated as reimbursable costs with the fee for the design professionals established as a percentage of his office costs plus reimbursables, which would include his consultants' billings. Reimbursement for administration and coordination of the consultants' services would be provided through the normal time and overhead billings of the prime design professional.

k.) Billings and payments should be on a monthly basis and payments should bear interest at the legal rate commencing sixty days after the date of billing.

l.) All payments to consultants should be made through the prime design professional rather than directly to consultants.

m.) When construction management services are required they should be carried out by a firm with the expertise required. Ideally, this should be the responsibility of the prime design professional with the type of arrangement, personnel and division of responsibility subject to approval by the client prior to award of a contract to the design professionals.

n.) When design professionals are responsible for construction management their added liabilities in connection with the construction process should be recognized and accommodated by an increase in fee.

o.) The multiplier to be used on wages of full time project representatives will probably vary by function, responsibilities and procedures, and might well be negotiated between the client and design professionals in individual cases where cost accounting procedures of the design professionals permit such differentiation. Where bookkeeping procedures do not provide for such differentiation on over-all overhead multiplier applied equally to all personnel of the design professionals whose time is billable would appear to be the better method.
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1971 EDUCATION LAW

As a public service to the profession, EMPIRE STATE ARCHITECT is hereby reprinting the 1971 Education Law governing the practice of Architecture. Included are Article 130 — General Provisions and Article 147 — Architecture. Those Chapter Amendments which apply to the above and are part of the Chapter 994 have been incorporated in this text.

LAWS OF NEW YORK.—By Authority

CHAPTER 987

AN ACT to amend the education law and the civil practice law and rules, in relation to the regulation and practice of certain professions; to continue the dental society of the state of New York and the podiatry society of the state of New York and repealing sections one hundred twelve, two hundred eleven, and title eight of the education law.

Became a law July 2, 1971, with the approval of the Governor. Passed by a majority vote, three-fifths being present.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Sections one hundred twelve, two hundred eleven and title eight of the education law are hereby repealed.

§ 2. Such law is hereby amended by adding thereto a new title, to be title eight, to read as follows:

TITLE VIII
THE PROFESSIONS

ARTICLE 130. General provisions.
ARTICLE 131. Medicine.
ARTICLE 131-A. Physical therapy.
ARTICLE 132. Chiropractic.
ARTICLE 133. Dentistry and dental hygiene.
ARTICLE 135. Veterinary medicine.
ARTICLE 137. Pharmacy.
ARTICLE 139. Nursing.
ARTICLE 141. Podiatry.
ARTICLE 143. Optometry.
ARTICLE 144. Ophthalmic dispensing.
ARTICLE 145. Engineering and land surveying.
ARTICLE 147. Architecture.
ARTICLE 148. Landscape architecture.
ARTICLE 149. Public accountancy.
ARTICLE 151. Shorthand reporting.
ARTICLE 153. Psychology.
ARTICLE 154. Social work.
ARTICLE 155. Massage.

Subarticle 1. Introductory summary.
§ 6500. Introduction. This title provides for the regulation of the admission to and the practice of certain professions. This first article applies to all the professions included in this title. Each of the remaining articles applies to a particular profession.

§ 6501. Admission to a profession (licensing). Admission to practice of a profession in this state is accomplished by a license being issued to a qualified applicant by the education department. To qualify for a license an applicant shall meet the requirements prescribed in the article for the particular profession.

§ 6502. Duration and registration of a license. 1. A license shall be valid during the life of the holder unless revoked, annulled or suspended by the board of regents. A licensee must register biennially with the department to practice in this state.

Subarticle 2. State management.
Section 6506. Supervision by the board of regents.
6507. Administration by the education department.
6508. Assistance by state boards for the professions.

Subarticle 3. Professional misconduct.
Section 6509. Definitions of professional misconduct.
6510. Proceedings in cases of professional misconduct.
6511. Penalties for professional misconduct.

Subarticle 4. Unauthorized acts.
Section 6512. Unauthorized practice a crime.
6513. Unauthorized use of a professional title a crime.
6514. Criminal proceedings.
6515. Restraint of unlawful acts.
pay an additional fee for late filing of two dollars for each month that registration has been delayed while such licensee continued to practice his profession.

4. Any licensee who is not engaging in the practice of his profession in this state and does not desire to register shall so advise the department. Such licensee may subsequently register and resume practice without paying an additional fee for failure to register at the beginning of the registration period.

5. Any licensee, authorized to practice under this title, undertaking practice for the first time or resuming practice after a lapse of registration, may commence practice upon mailing to the department a proper application and fee provided, however, that such practice without actual possession of the registration may continue for not more than ninety days.

6. Licensees shall notify the department of any change of name or mailing address within sixty days of such change.

§ 6503. Practice of a profession. Admission to the practice of a profession (1) entitles the licensee to practice the profession as defined in the article for the particular profession, (2) entitles the individual licensee to use the professional title as provided in the article for the particular profession, and (3) subjects the licensee to the procedures and penalties for professional misconduct as prescribed in this article (sections sixty-five hundred nine, sixty-five hundred ten, and sixty-five hundred eleven).

§ 6504. Regulation of the professions. Admission to the practice of the professions (licensing) and regulation of such practice shall be supervised by the board of regents (section sixty-five hundred six) and administered by the education department (section sixty-five hundred seven), assisted by a state board for each profession (section sixty-five hundred eight).

§ 6505. Construction. No definition of the practice of a profession shall be construed to restrain or restrict the performance of similar acts authorized in the definition of other professions.

Subarticle 2. State management

§ 6506. Supervision by the board of regents. The board of regents shall supervise the admission to and the practice of the professions. In supervising, the board of regents may:

(1) Promulgate rules;
(2) Establish by rule, high school, preprofessional, professional and other educational qualifications required for licensing in the professions regulated by this title;
(3) Charter schools offering educational programs for the professions regulated by this title, and no such school shall operate in this state without such a charter, except Columbia University and any school chartered by special act of the legislature prior to the effective date of this act;
(4) Appoint such committees as it deems necessary and compensate members of such committees who are not members of the board of regents or the department up to one hundred dollars per day for each day devoted to committee functions, together with their necessary expenses;
(5) Waive education, experience and examination requirements for a professional license prescribed in the article relating to the profession, provided the board of regents shall be satisfied that the requirements of such article have been substantially met;
(6) Indorse a license issued by a licensing board of another state or country upon the applicant fulfilling the following requirements:
(a) Application: file an application with the department;
(b) Education: meet educational requirements in accordance with the commissioner’s regulations;
(c) Experience: have experience satisfactory to the board and in accordance with the commissioner’s regulations;
(d) Examination: pass an examination satisfactory to the board and in accordance with the commissioner’s regulations;
(e) Age: be at least twenty-one years of age;
(f) Citizenship: be a United States citizen, or file a declaration of intention to become a citizen, unless such requirement is waived, in accordance with the commissioner’s regulations;
(g) Character: be of good moral character as determined by the department; and
(h) Fees: pay a fee to the department for indorsement of forty dollars.
(7) Direct the department to remedy any error, omission, delay or other circumstance in the issuance or registration of a license;
(8) Designate a professional conduct officer on recommendation of the commissioner in connection with professional misconduct proceedings and criminal matters, such officer to be empowered to issue subpoenas and administer oaths in connection with such proceedings;
(9) Establish by rule, standards of conduct with respect to advertising, fee splitting, practicing under a name other than that of the individual licensee (when not specifically authorized), proper use of academic or professional degrees or titles tending to imply professional status, and such other ethical practices as such board shall deem necessary; and
(10) Delegate to department officers the disposition of any licensing matters pursuant to rules.

§ 6507. Administration by the education department. 1. The commissioner and the department shall administer the admission to and the practice of the professions.

2. In administering, the commissioner may:
(a) Promulgate regulations;
(b) Conduct investigations;
(c) Issue subpoenas;
(d) Grant immunity from prosecution in accordance with section six hundred nineteen c of the code of criminal procedure to anyone subpoenaed in any investigation or hearing conducted pursuant to this title; and
(e) Excuse, for cause acceptable to the commissioner, the failure to register biennially. Such excuse shall validate and authorize such practitioner’s right to practice pending registration.

3. The department assisted by the board for each profession, shall:
(a) Establish standards for preprofessional and professional education, experience and licensing examinations as required to implement the article for each profession;
(b) Review qualifications in connection with licensing requirements; and
(c) Provide for licensing examinations and reexaminations.

4. The department shall:
(a) Register or approve educational programs designed for the purpose of providing professional preparation which meet standards established by the department;
(b) Issue licenses, registrations, and limited permits to qualified applicants;
(c) (i) Issue a certificate of authority to a qualified professional service corporation being organized under section fifteen hundred three of the business corporation law on payment of a fee of twenty-five dollars, (ii) file a certified copy of each certificate of incorporation and amendment thereto within thirty days after the filing of such certificate or amendment on payment of a fee of ten dollars, (iii) file the annual statement required by section fifteen hundred fourteen of the business corporation law on payment of a fee of ten dollars;
(d) Revoke limited permits on the recommendation of the committee on professional conduct for the profession concerned; and
(e) Maintain public records of licenses issued and retain in its files identifying data concerning each person to whom a license has been issued; and
(f) Collect the fees prescribed by this title or otherwise provided by law.

5. The commissioner and the department shall perform any other functions necessary to implement this title.

§ 6508. Assistance by state boards for the professions. 1. A board for each profession shall be appointed by the board of regents on the recommendation of the commissioner for the purpose of assisting the board of regents and the department on matters of professional licensing, practice, and conduct. The composition of each board shall be as prescribed in the article relating to each profession. Within each board a committee on licensing and one or more committees on professional conduct may be appointed by the board chairman.

(continued)
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2. Each board, or its committee on licensing, shall select or prepare examinations, may conduct oral and practical examinations and reexaminations, shall fix passing grades, and assist the department in other licensing matters as prescribed by the board of regents.

3. Each board, or its committee or committees on professional conduct, shall conduct disciplinary proceedings as prescribed in this article and shall assist in other professional conduct matters as prescribed by the board of regents.

4. Members of each board shall be appointed by the board of regents for five-year terms except that the terms of those first appointed shall be arranged so that as nearly as possible an equal number shall terminate annually. A vacancy occurring during a term shall be filled by an appointment by the board of regents for the unexpired term. Each state professional association or society may nominate one or more candidates for each appointment to be made to the board for its profession, but the board of regents shall not be required to appoint candidates so nominated.

5. Each member of a board shall receive a certificate of appointment, shall before beginning his term of office file a constitutional oath of office with the secretary of state, shall receive up to one hundred dollars as prescribed by the board of regents for each day devoted to board work, and shall be reimbursed for his necessary expenses. No member shall serve beyond the age of seventy. Any member may be removed from a board by the board of regents for misconduct, incapacity or neglect of duty.

6. Each board shall select from its members a chairman and vice-chairman annually, shall meet upon call of the chairman or the department, and may adopt bylaws consistent with this title and approved by the board of regents. A quorum for the transaction of business by the board shall be a majority of members but not less than five members.

7. An executive secretary to each board shall be appointed by the board of regents on recommendations of the commissioner. Such executive secretary shall not be a member of the board, shall hold office at the pleasure of, and shall have the powers, duties and annual salary prescribed by the board of regents.

Subarticle 3. Professional misconduct.

§ 6509 Definitions of professional misconduct. Each of the following is professional misconduct, and an licensee found guilty of such misconduct under the procedures prescribed in this article shall be subject to the penalties prescribed in article eighty-five hundred ten shall be subject to the penalties prescribed in section sixty-five hundred eleven:

1. Obtaining the license fraudulently,

2. Practicing the profession fraudulently, beyond its authorized scope, with gross incompetence, or with gross negligence,

3. Practicing the profession while the ability to practice is impaired by alcohol, drugs, physical disability, or mental disability,

4. Being habitually drunk or being or having been addicted to, dependent on, or a habitual user of narcotics, barbiturates, amphetamines, hallucinogens, or other drugs having similar effects,

5. Being convicted of committing an act constituting a crime under;

(a) New York State law or,

(b) Federal law or,

(c) The law of a foreign country or territorial or national origin

6. Refusing to provide professional service to a person because of such person's race, creed, color, or national origin,

7. Permitting, aiding or abetting an unlicensed person to perform activities requiring a license,

8. Practicing the profession while the license is suspended, or, after the license has been suspended, failing to register or notify the department of any change of name or mailing address, or, a professional service corporation is guilty of failing to comply with sections fifteen hundred thirty and fifteen hundred fourteen of the business corporation law,

9. Committing unprofessional conduct, as defined by the board of regents in its rules or by the commissioner in regulations approved by the board of regents.

§ 6510. Proceedings in cases of professional misconduct. In cases of professional misconduct the proceedings shall consist of (1) prehearing procedures by the education department, (2) hearing procedures by the committee on professional conduct for the particular profession, (3) decision procedures by the board of regents, and (4) review procedures by the appellate division of the third judicial department, as follows:

1. Prehearing procedures.

a. Complaint. A complaint of an licensee's professional misconduct may be made by any person to the education department.

b. Investigation. The department shall investigate each complaint and if the department and the committee on professional conduct for the particular profession decide that a hearing is warranted, the department shall request the attorney general to prepare the charges.

c. Charges. Upon such request the attorney general shall prepare the charges if he decides that a hearing is warranted. The charges shall state the alleged professional misconduct and shall state concisely the material facts but not the evidence by which the charges are to be proved.

d. Notice of hearing. The department shall set the time and place of the hearing and shall prepare the notice of hearing. The notice of hearing shall state (1) the time and place of the hearing, (2) that the licensee may file a written answer to the charges prior to the hearing, (3) that the licensee shall appear personally at the hearing and may be represented by counsel, (4) that the licensee shall have the right to produce witnesses and evidence in his behalf, to cross-examine witnesses and examine evidence produced against him, and to have subpoenas issued in his behalf to require the production of witnesses and evidence in manner and form as prescribed by the civil practice law and rules, (5) that a stenographic record of the hearing will be made, and (6) such other information as may be considered appropriate by the department.

e. Service of charges and of notice of hearing. A copy of the charges and the notice of hearing shall be served on the licensee personally by the department at least fifteen days before the hearing. If personal service cannot be made after due diligence and such fact is certified under oath, a copy of the charges and the notice of hearing shall be served by registered mail to the licensee's last known address by the department at least twenty days before the hearing.

2. Hearing procedures.

a. Hearing panel. The hearing shall be conducted by a panel of five or more members of the committee on professional conduct for the particular profession. The panel shall be appointed by the committee chairman who shall designate the panel chairman.

b. Conduct of hearing. The evidence in support of the charges shall be presented by the attorney general or his designee. The licensee shall have the rights required to be stated in the notice of hearing (subparagraph d of subdivision one of this section). The panel shall not be bound by the rules of evidence, but its determination of guilt shall be based on substantial legal evidence.

c. Results of hearing. As a result of the hearing the panel (1) shall make findings of fact, (2) shall make a determination of guilt or not guilty on each charge, and (3) in the event of a determination of guilty, shall make a recommendation of the penalty to be imposed. For the panel to make a determination of guilt, a minimum of four-fifths of the panel must vote for such a determination.

d. Disposition of results. The panel shall transmit to the board of regents the transcript of the hearing and the results of the hearing and shall transmit to the licensee the results of the hearing unless the board shall have established a bylaw providing for a review of the record of findings and determination of the panel by the committee on professional misconduct. If such review is required, the committee shall review the record and transcript of the hearing and make a finding and recommendation by a four-fifths vote. The transcript and results of the hearing and the findings and recommendation of the committee shall then be transmitted to the board of regents. The licensee shall be advised of the results.

(continued)
3. Regents decision procedures.
   a. Regents review committee. The transcript and results of the hearing and the recommendation, if any, of the committee shall be reviewed at a meeting by a committee appointed by the board of regents. The committee shall consist of three members, at least one of whom shall be a regent.
   b. Review committee meeting. The review shall be based on the transcript, results of the hearing and the recommendation, if any, of the committee, but the licensee may appear at the meeting, and the review committee may require him to appear. The licensee may be represented by counsel. The review committee shall notify the licensee at least seven days before the meeting (1) of the time and place of the meeting, (2) of his right to appear, (3) of his right to be represented by counsel, (4) whether or not he is required to appear, and (5) of such other information that may be considered appropriate. After the meeting the committee shall transmit a written report of its review to the board of regents.
   c. Regents decision and order. The board of regents shall consider the transcript results of the hearing and the recommendation, if any, of the committee and the report of its review committee, (2) shall decide whether the licensee is guilty or not guilty on each charge, (3) shall decide what penalties, if any, to impose as prescribed in section sixty-five hundred eleven of this article, and (4) shall issue an order to carry out its decisions. Such decisions shall require the affirmative vote of a majority of the members of the board. If the board disagrees with the hearing panel's determination of not guilty, it shall remand the matter to the panel for a new hearing after which the panel's determination of not guilty shall be final.

4. Court review procedures. The decisions of the board of regents may be reviewed pursuant to the proceedings under article seventy-eight of the civil practice law and rules. Such proceedings shall be returnable before the appellate division of the third judicial department, and such decisions shall not be stayed or enjoined except upon application to such appellate division after notice to the attorney general.

§ 6511. Penalties for professional misconduct. The penalties which may be imposed by the board of regents on a present or former licensee found guilty of professional misconduct under the definitions and proceedings prescribed in sections sixty-five hundred eleven of this article are: (1) censure and reprimand, (2) suspension of license, (3) revocation of license, (4) annulment of license or registration, and (5) limitation on registration or issuance of any further license. The board of regents may stay such penalties and place the licensee on probation and may restore a license which has been revoked.

Subarticle 4. Unauthorized acts.

§ 6512. Unauthorized practice a crime. Anyone not authorized to practice under this title who practices or offers to practice or holds himself out as being able to practice in any profession in which a license is a prerequisite to the practice of the acts, or who fraudulently sells, files, furnishes, obtains, or who attempts fraudulently to sell, file, furnish or obtain any diploma, license, record or permit purporting to authorize the practice of a profession, or who fraudulently sells, files, furnishes, obtains, or who attempts fraudulently to sell, file, furnish or obtain any diploma, license, record or permit purporting to authorize the practice of a profession, shall be guilty of a class A misdemeanor.

§ 6513. Unauthorized use of a professional title a crime. Anyone not authorized to use a professional title regulated by this title, and who uses such professional title, shall be guilty of a class A misdemeanor.

§ 6514. Criminal proceedings. 1. All alleged violations of sections sixty-five hundred twelve or sixty-five hundred thirteen of this article shall be reported to the department which shall cause an investigation to be instituted. If the investigation substantiates that violations exist, such violations shall be reported to the attorney general with a request for prosecution.

2. The attorney general shall prosecute such alleged offenses in the name of the state, provided, however, that a district attorney may prosecute such offenses where it is incidental to a criminal prosecution instituted by him under other statutes.

3. All criminal courts having jurisdiction over misdemeanors are hereby empowered to hear, try and determine alleged violations under this title, which constitute misdemeanors, without indictment and to impose appropriate punishment of fines or imprisonments or both. It shall be necessary to prove in any prosecution under this title only a single prohibited act or a single holding out without proving a general course of conduct.

4. A proceeding before a committee on professional conduct shall not be deemed to be a criminal proceeding within the meaning of this section.

§ 6515. Restraining of unlawful acts. Where a violation of this title is alleged to have occurred, the attorney general may apply to the supreme court within the judicial district in which such violation is alleged to have occurred for an order enjoining or restraining commission or continuance of the unlawful acts complained of. The court shall have jurisdiction of the proceedings and shall have power to grant such temporary relief or restraining order as it deems just and proper. In any such proceeding it shall be unnecessary to allege or prove that an adequate remedy at law does not exist or that irreparable damage would result if such order were not granted. The remedy provided in this section shall be in addition to any other remedy provided by law or to the proceedings commenced against a licensee under this title.

ARTICLE 147
ARCHITECTURE

Section 7300. Introduction.

7301. Definition of practice of architecture.

7302. Practice of architecture and use of title "architect".

7303. State board for architecture.

7304. Requirements for a professional license.

7305. Limited permits.

7306. Exempt persons.

7307. Special provisions.

7300. Introduction. This article applies to the profession of architecture. The general provisions for all professions contained in article one hundred thirty of this title apply to this article.

7301. Definition of practice of architecture. The practice of the profession of architecture is defined as rendering or offering to render services in connection with the design and construction of structures which have as their principal purpose human habitation or use, and the utilization of space within and surrounding such structures, including planning, providing preliminary studies, designs, drawings and specifications, construction management and administration of construction contracts safeguarding life, health and property. The term "structures" is intended to include all its components.

7302. Practice of architecture and use of title "architecture". Only a person licensed or otherwise authorized to practice under this article shall practice architecture or use the title "architect".

7303. State board for architecture. A state board for architecture shall be appointed by the board of regents on recommendation of the commissioner for the purpose of assisting the board of regents and the department on matters of professional licensing and professional conduct in accordance with section sixty-five hundred eight of this title. The board shall be composed of not less than seven architects licensed in this state. An executive secretary to the board shall be appointed by the board of regents on recommendation of the commissioner and shall be an architect licensed in this state.

7304. Requirements for a professional license. 1. To qualify for a license as an architect, an applicant shall fulfill the following requirements:

   (1) Application: file an application with the department;
   (2) Education: have received an education, including a bachelor's or higher degree in architecture, in accordance with the commissioner's regulations;
   (3) Experience: have experience satisfactory to the board in appropriate architectural work and of sufficient amount so that the combined college study and experience total eight years;
   (4) Examination: pass an examination satisfactory to the board and in accordance with the commissioner's regulations;
   (5) Age: be at least twenty-one years of age;
   (6) Citizenship: meet no requirement as to United States citizenship;
   (7) Character: be of good moral character as determined by the department; and
§ 7305. Limited permits. 1. On recommendation of the board, the department may issue a limited permit to practice architecture to an architect not a resident of this state and having no established business in this state who is legally qualified to practice as such in his own country or state and who submits evidence satisfactory to the board of established and recognized professional standing in his own country or state and who submits satisfactory certifications as to character and qualifications. Such limited permit shall entitle the holder to practice architecture in this state but only in connection with the specific project for which it is granted.

2. Fees. The fee for each limited permit shall be forty dollars.

§ 7306. Exempt persons. 1. This article shall not be construed to affect or prevent:

a. The preparation of details and shop drawings by persons, other than architects, for use in connection with the execution of their work;
b. Employees of those lawfully practicing as architects under the provisions of this article from acting under the instruction, control or supervision of their employers;
c. Builders, or superintendents employed by such builders, from supervising the construction or structural alteration of buildings or structures;
d. A holder of a valid certificate of the national council of architectural registration boards, not licensed in this state, from coming into the state for interview, but not to perform any architectural services or enter into any contract until such time as he is licensed as an architect in this state.

e. The practice of engineering or land surveying by an engineer or land surveyor licensed in this state, or the practice of landscape architecture by a landscape architect licensed in this state, provided that no such engineer, land surveyor or landscape architect shall use the designation "architect," "architectural" or "architecture" unless licensed as an architect in this state.
f. Employment of any person as a junior or assistant architect by the City of New York in a position the title of which is approved and in use as of July first, nineteen hundred seventy-one, provided such person acts under the general direction of a licensed architect.

§ 7307. Special provisions. 1. Every architect shall have a seal, approved by the board, which shall contain the name of the architect and either the words "Registered Architect" and such other words or figures as the board may deem necessary. All working drawings and specifications, prepared by such architect or by a full-time or part-time subordinate employed under his supervision, shall be stamped with such seal and shall also be signed on the original with the personal signature of such architect when filed with public officials. Except for plans and specifications excluded from the provisions of this article by section seventy-three of this article, no official of this state, or of any city, town or village therein, charged with the enforcement of laws, ordinances or regulations relating to the construction or alteration of buildings or structures, shall accept or approve any plans or specifications that are not stamped:

a. With the seal of an architect or professional engineer registered in this state and bearing the authorized facsimile of the signature of such architect or professional engineer;
b. With the official seal and authorized facsimile of the signature of an architect or professional engineer not a resident of this state and having no established business in this state, but who is legally qualified to practice as such in his own state or country, provided that such person holds a limited permit issued by the department, and provided further that the plans or specifications are accompanied by and have attached thereto written authorization issued by the department for the specific project.

2. Engineers, land surveyors, architects and landscape architects may join in the formation of a joint enterprise, or a partnership or a professional service corporation or may form any desired combination of such professions and may use in the name of such corporation the title of any of the professions which will be practiced. After the name of each member his profession shall be indicated.

3. A firm name may be continued by employees having at least fifteen years of continuous service of the retired members and legal representatives of deceased members or such combination of professions and may use in the name of such corporation the title of any of the professions which will be practiced. After the name of each member his profession shall be indicated.

4. It shall be lawful for a corporation organized and existing under the laws of the state of New York, and which on or before the twelfth day of April nineteen hundred twenty-nine and continuously thereafter was lawfully practicing in New York state to continue such practice, provided that the chief executive officer of such corporation in the state of New York shall be an architect licensed under this article, and provided further that the construction of buildings and structures shall be under the personal supervision of such architect and that drawings, plans and specifications shall be prepared under the personal direction and supervision of such architect and that the stamp of his official seal, and the drawings or specifications shall also be signed on the original, with the personal signature of such architect. No such corporation shall be permitted to change its name and continue to practice architecture, except upon the written approval of the department.

5. This article shall not only apply to: 1. Farm buildings, including barns, sheds, poultry houses and other buildings used directly and solely for agricultural purposes; nor to residence buildings of gross area of fifteen hundred square feet or less, not including garages, carports, porches, cellars, or uninhabitable basements or attics; or

2. Alterations costing ten thousand dollars or less, to any building or structure which do not involve changes affecting the structural safety or public safety thereof.

Any corporation organized on February twenty-fifth, nineteen hundred twenty-nine under the laws of the state of New York whose charter provides for the practice of architecture and which has as its chief executive officer an architect registered and licensed in this state and changed its corporate name which was approved by the department of education on March twelfth, nineteen hundred sixty-two and has paid all corporate taxes required by law, shall be deemed to be in full compliance with all of the provisions of subdivision four of section seventy-three hundred seven of the education law and shall be permitted to continue to practice architecture pursuant to such section.

§ 37. This act shall take effect on September first next succeeding the date on which it shall have become a law.

STATE OF NEW YORK
Department of State

I have compared the preceding with the original law on file in this office, and do hereby certify that the same is a correct transcript thereof and of the whole of said original law.

JOHN P. LOMENZO
Secretary of State

* So in original. [Word misspelled.]

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1972 NYSAA/AIA AWARD
FOR COMMUNITY DESIGN

NOTICE TO ALL COMPONENTS –

This Award is initiated in 1972 to focus attention on examples of excellence in community design which warrant State level recognition by the Architectural profession. The establishment of this Award evolves partly as it becomes apparent that several New York State communities have demonstrated excellence in city and regional planning and partly from the limitation imposed by the national AIA policy to make only one award a year per region in this category.

This new Award, in the form of a citation, will be made to a New York State community or governmental agency which has completed, at least one year earlier, (1970), a project of distinction which has architects as principal designers or members of the design team. The NYSAA/AIA Committee on Honors & Awards urges that nominations be submitted by a Chapter as a result of its interest in the local community and as a result of its own deliberations.

The nominations can be informal, but should be precise and sufficiently informative to give the Committee a good basis for judgment. Single building projects are not eligible for consideration. Nominations should be submitted in 9-1/2" x 11" acetate-paged, spiral bound notebooks containing descriptions, plans, photographs and at least four (4) color slides (preferably which may be retained for a circulating slide show). The community, the client and/or government agency and the members of the design team should be identified. Anonymity is almost impossible to achieve in an award of this nature since most of the projects will be known to the jurors. The jury will include recognized professionals with experience in this field.

The Award will be presented at the 1972 Annual Convention at The Flagship Hotel, Rochester, the first such meeting in an urban setting since 1958.

Submissions must be sent:

NYSAA/AIA Headquarters
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