

AIA Ohio

ArchiTypes
2018 Spring



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Participation on the AIA Ohio Board provides a unique opportunity to connect with architects in leadership positions across the country. Most recently, the AIA Grassroots event in San Diego provided such a platform to listen to, and share ideas with, architects who are making a difference in their cities by helping to guide social, environmental, and economic policy. A clear theme was the need for architects to “find a seat at the local table” as a way of exerting influence. As design thinkers, we are well equipped to help solve these types of complex civic problems; we just need to make it happen. In Ohio, we should all think about how we might personally join these conversations, or how we might better encourage our staffs to do so. In the words of Grassroots speaker and former California mayor Liz Gibbons, AIA, “if you aren’t at the table, you’re on the table.”

In Ohio, we’re taking our Board meetings on the road this year. In March, we met at Bowling Green’s new facility for the Department of Architecture & Environmental Design. AIAS Presidents from Ohio’s five Schools of Architecture joined the meeting and discussed what’s happening at their respective school, how millennial architects see their futures, and the role AIA Ohio might play to better connect with this group. A priority for our future architects—something I hear over and over and that was the topic of an Emerging Professionals event in Cincinnati just recently—is the desire to make a difference in the world, to practice an architecture that is relevant. All of which bodes well for our professional future. Following the meeting, the Board spoke with BGSU Architecture students on these same topics – offering a lively and hopefully valuable session. A big thanks to BGSU for hosting, and to the AIAS student leaders from around the state for taking the time to join us.

In May, NBBJ hosted our Board meeting in Columbus. By moving our meetings out into the architectural community, this should not only provide an opportunity to learn more about our Ohio firms but also make the activities of our Board more visible. A focus for our May meeting was how we promote architects and architecture to our membership but also to the public. Newly retained consultant MJ2 Marketing attended and engaged the Board in discussions about how we might improve our PR/marketing efforts, and how we might better align these efforts at local, state, and national levels. Stay tuned!



Government Affairs Report



David Field, CAE, Hon. AIA
Executive Vice President

Certified Interior Design Bill (HB504)

Despite six weeks of one-on-one meetings between AIA representatives and members of the Ohio House Economic Development, Commerce and Labor Committee; several volleys of architect-to-Representative e-mails; and a legislative committee hearing during which four (4) AIA members conveyed AIA concerns with [HB 504](#), on May 22 the Committee approved the bill and sent it to the House floor. In order for the bill to become law, however, it still must pass the full House as well as the Senate before the end of the year... not an easy task considering the summer legislative recess as well as the legislative breaks around the November election, Thanksgiving and the December holidays.

AIA thanks AIA Ohio Treasurer, Karen Planet, AIA, Dayton, AIA Ohio Valley Region Strategic Council Representative Tim Hawk, FAIA, Columbus, Bob Loversidge, FAIA, Columbus and Laurie Gunzelman, AIA, Columbus for the excellent testimony they presented during the May 22 Committee hearing!

Members who want to be kept up to date on future activity with regard to HB 504 can do so simply by texting “AIAOH” to 40649 to be notified when their help is needed. They’ll be able to tweet, call, and email their legislators right from their smartphones within seconds. Spread the word and remind your colleagues to sign up.

Participating members will be the first to know about breaking news and developments as we continue to monitor HB 504.

AIA Ohio Endorsed Design Contract Indemnity Bill [HB554](#)

AIA Ohio has endorsed HB554 which would *regulate the use of indemnity provisions in professional design contracts* related to public improvements. Proponent testimony was taken May 15 by the Ohio House of Representatives Civil Justice Committee and a May 23 hearing drew no opponents.

The bill’s sponsor, Rep. Bill Seitz says, “The fundamental purpose of HB554 is fairness. Right now, design professionals are being asked to defend public entities against third party claims before there is a determination that the design professional has committed error. The costs of such defense can be staggering and are beyond the control of the design professional. Just like the presumption of innocence, a design professional should not be presumed responsible for a cost without a determination of wrong-doing.”

“Moreover, this bill is entirely necessary in order to prevent the use of overbroad indemnity clauses to end-run our hard-won tort reform statutes that created a statute of repose,” he continued. “Under today’s law, an architect or engineer is not liable in tort for negligence for more than 10 years after completion of the public improvement. We made this decision -- and it has been upheld by the Ohio Supreme Court -- to make clear that injuries occurring later than that are due to defective maintenance, not defective design. However, when local governments use overbroad indemnity clauses, they resurrect the architect-engineer’s liability beyond the 10-year statute of repose as a matter of contract law, thus frustrating the public policy of our state.”



AIA Ohio to File Amicus Brief Re: Local Employment Quotas

AIA Ohio will file an amicus brief with the Ohio Supreme Court asking the court to overturn an Appeals Court ruling that the City of Cleveland could implement local employment requirements contrary to Ohio statute. During the last General Assembly AIA Ohio supported the passage of HB 108 which prohibited such requirements.

In 2003, the City of Cleveland passed an ordinance requiring that a minimum of 20% of total construction work hours be performed by Cleveland city residents. This limitation in particular impacts design professionals and construction contractors not based in the City, preventing the companies from participating in City construction projects.

In 2016, the General Assembly passed Revised Code 9.75, which invalidates any such local hiring preference. “No public authority shall require a contractor, as part of a prequalification process or for the construction of a specific public improvement or the provision of professional design services for that public improvement, to employ

as laborers a certain number or percentage of individuals who reside within the defined geographic area or service area of the public authority.”

The Cuyahoga County Court of Appeals held that the statute violated local Constitutional Home Rule authority, on the basis that Constitutional Home Rule empowered the City ordinance to take precedence over the state statute, as a matter of local governance. “It is readily apparent that R.C. 9.75 is no more than an attempt to preempt powers of local self-government and to restrict the contract terms between public authorities and contractors who choose to bid on local public improvement contracts”, stated the Court.

The State of Ohio appealed to the Ohio Supreme Court in a discretionary appeal. The Ohio Contractors Association (highway construction) filed an amicus curiae brief in support of reversal.

Proposals Would Codify Review of State Boards and Commissions: SB255 & HB 289

On February 13 Senator Rob McColley introduced [SB 255](#) which would establish a statewide policy on occupational regulation (HB289 is a companion bill in the House). SB255 would require standing committees of the General Assembly to periodically review occupational licensing boards and require the Legislative Service Commission (LSC) to perform assessments of occupational licensing legislation as well as state regulation of occupations. SB255 is the result of the legislature’s dissatisfaction with the process it used last year when it conducted a full-scale review of all Boards and Commissions following which it abandoned some and consolidated others. In sponsor testimony delivered March 7 to the Senate State Government Oversight and Reform Committee, McColley said his intent is to foster job creation by eliminating licenses which are unnecessary.

AIA Ohio is working with interested parties and Sen. McColley on an amendment to the bill that would remove possible adverse effects upon architect licenses. The amendment has been shared with the Ohio Architect’s Board and NCARB.

Payment Assurance Task Force

AIA Ohio’s Payment Assurance Task Force has been working with lawyer Luther Liggett to draft a legislative proposal that would provide architects with a legal process to help assure payment for commercial design work. Once agreed to, the proposal will be circulated to potentially interested parties for comment.

Restrictions upon Local Government Licensing [HB583](#)

AIA Ohio is monitoring HB 583 which was introduced April 5 and referred to the House Economic Development, Commerce and Labor Committee April 10. During a sponsor’s hearing May 22, Rep. Michael Henne said his bill would limit the occupational license and registration requirements and fees that a political subdivision may impose on state-regulated occupations, establish a waiver exempting certain persons from paying occupational license or registration fees, and revise the licensing restrictions applicable to individuals convicted of criminal offenses.



Tax Expenditure Review Committee Commences Hearings

The Tax Expenditure Review Committee that eventually will concern itself with Ohio's **Historic Preservation Tax Credit** has held several meetings and taken testimony on a variety of Ohio tax credits including the *sales and use tax exemption on tangible personal property, sales to churches and certain other nonprofit organizations and county and transit authority losses*. It now is summarizing its findings in a report due in July. The Historic Preservation tax credit has yet to be aired though it may be considered during the next Ohio General Assembly which will begin next January.

A 2020 Tax Policy Study Commission report said Ohio currently loses \$7 billion in revenue annually through the more than 120 specific exemptions currently in the Ohio Revised Code.

Part of the 2020 Tax Policy Study Commission included hearings which led to a final report summarizing recommendations regarding the state's *Historic Preservation Tax Credit*.

Rep. Gonzales' DAS Proposal Could Jeopardize QBS (HB471)

Rep Anne Gonzales (R-Columbus) has introduced HB471 which is similar to the proposal that was added to last year's state budget bill and later removed after AIA Ohio and others opposed it. It appears to give the Department of Administrative Services (DAS) authority over some public improvements moving them out of Chapter 153 of the Ohio Revised Code—*Qualification Based Selection of Architects* (QBS—and into Chapter 123, which would trigger public procurement laws under Chapter 125 (*goods and services/maintenance*). In response, AIA Ohio has asked Rep. Gonzales to amend HB471 to make clear that nothing in it shall change or remove the language relating to the selection of professional design services and we signed onto an industry letter opposing the bill in its entirety. Rep. Gonzales was very receptive to our opposition making it doubtful this bill will move forward this Session.

Capital Budget Bill Completed (HB 529)

The Ohio General Assembly has passed, and the Governor has signed a \$2.6 Billion Ohio's Capital Construction bill (HB529). Higher education institutions received \$400 million in the capital budget, with \$300 million for four-year institutions and \$100 million for community colleges which is about 10 percent less than what schools had in the last Capital Bill.



OHPTC Project: Andrew Jackson House (Akron, Ohio) | Dimit Architects

Images: [Ohio Redevelopment Projects on Flickr](#)



Appeals Court Upholds AIA Ohio Position on Statute of Repose

In a landmark decision, the Fifth District Court of Appeals (Tuscarawas County) has issued its opinion that Ohio's Architect's Statute of Repose *ends all rights to sue architects after ten years from the date of substantial completion*.

The Court held that this law bars actions both in tort (personal injury) and in contract, a significant distinction.

AIA Ohio filed an amicus curiae brief in support of this successful result. The Court's finding will serve as statewide precedent as the Ohio Supreme Court may consider the same issue in separate litigation.

The victory in the Fifth District Court of Appeals was preceded by an adverse ruling against AIA Ohio's position in a separate Statute of Repose case when the Third District Court of Appeals court denied a motion for reconsideration of a lower court ruling that the 10-year Architects Statute of Repose *doesn't apply to public authorities*.

AIA Ohio filed a successful amicus brief petitioning the Ohio Supreme Court to reverse the lower court ruling and will file a second amicus brief arguing the merits of that case.

Senate Committee Recommends Township Code Bill [SB 43](#)

Last June the Senate Local Government, Public Safety & Veterans Affairs Committee recommended for passage SB43 which would *enable limited home rule townships to adopt building codes regardless of any similar codes adopted by the county in which the township resides*. During hearings on the bill proponents included the Ohio Township Association (OTA), the Coalition of Large Ohio Urban Townships (CLOUT) and the Ohio Home Builders Association (OHBA). Opponents included the County Commissioners Association of Ohio (CCAO).

Private Building Inspection: [HB 128](#)

A bill that would permit a general contractor or owner of specified buildings to enter into a contract with a third-party private inspector or a certified building department for building inspection was introduced March 14 as HB 128 by Rep. Kristina Daley Roegner. The bill has undergone three hearings by the House Economic Development, Commerce and Labor Committee. The legislation is opposed by the Ohio Municipal League as well as most Ohio building officials as interfering with the authority of local building departments. No hearings have been held since last May.

Local Gov. Infrastructure Bond Bank [HB54](#)

The Ohio Senate is considering legislation to amend the Ohio Constitution, permitting local governments to borrow from a "Bond Bank" for infrastructure construction projects.

House Bill 54, which passed the House (93-1), is sponsored by Representative Bill Blessing (R, Cincinnati) and Representative Theresa Gavarone (R, Bowling Green). If signed into law, the bill would create the State Bond Bank to issue tax-exempt bonds, to be re-paid by local government borrowers. The localities would "pool" their needs rather than enter into smaller, uneconomical debt, creating economies of scale. The Ohio Treasurer would administer the funds. The Ohio Senate Finance Committee has held four hearings on the bill.

OFCC Advisory Meeting

The latest meeting between Ohio Facilities Construction Commission (OFCC) officials and the AIA Ohio/ACEC Ohio OFCC Advisory Committee took place March 21 during which RFQ's, Indemnification and insurance limits were discussed. The next meeting will take place June 27.



Kobe Announces June 30 Retirement

Amy Kobe, Hon. AIA

It seems like just a short time ago that I began my tenure as Executive Director of the Ohio Architects Board. In reality, it's been fourteen years since I left the position of Executive Director of AIA Columbus for the Board...

Looking back on my twenty plus years of service to the profession, some of the significant accomplishments during my tenure with the state of Ohio are:

- Creation of the fee reimbursement program for the Architectural Experience Program (AXP, formerly IDP). The state reimburses students for the \$100 NCARB AXP enrollment fee as they begin the path to licensure.
- Allowing the use of the titles, "Intern Architect" and "Architectural Intern".
- Creation of the Emeritus Architect category.
- Implementation of the mandatory Continuing Education requirement.
- Changing the name of the Board to Ohio Architects Board from the Ohio Board Examiners of Architects.
- Helping to conceive the pilot program for the Integrated Path to Architectural Licensing (IPAL), allowing students enrolled in participating accredited degree programs the opportunity to take the ARE before graduation, thus shortening the path to licensure without diminishing the rigor of the licensing process. In Ohio, the University of Cincinnati is participating in the IPAL pilot program.
- Creation of rules allowing for the use of electronic seals and signatures.

Despite these accomplishments, it is the people I will miss the most: the wonderful members and staff of the Ohio Architects Board, AIA Ohio and its components, NCARB, and all of the licensees and candidates! I have made many enduring friendships these past 21 years.

My last day with the Board is June 30; a successor has not been announced. Thank you for the honor of serving the profession!



Representative Tim Schaffer (R-77) congratulated Amy Kobe, Hon. AIA, on her retirement. Rep. Schaffer delivered a commendation from the Ohio House of Representatives recognizing Kobe for her work.

With Amy Kobe's pending retirement, the Ohio Architects Board and the Ohio Landscape Architects Board are underway with a search to replace her. While the position has been announced, the job has not officially posted yet. However, interested parties can send their resumes for consideration.

Resumes can be sent to:

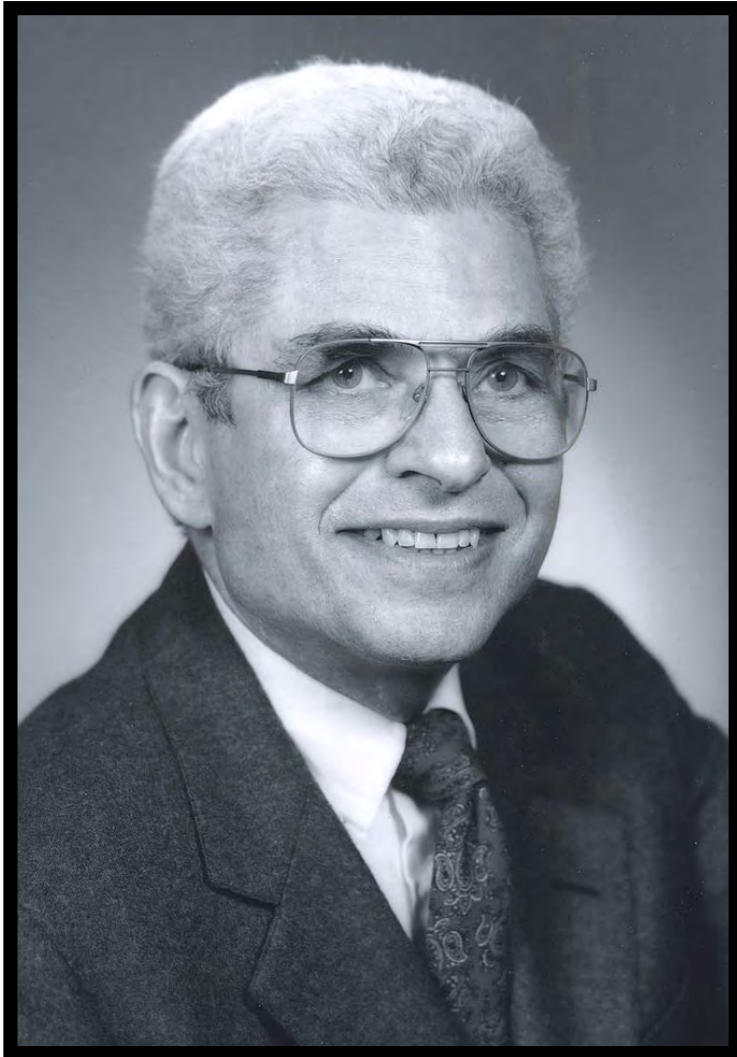
Central Service Agency Human Resources
Gina Scheiderer, *Human Resource Manager, Central Service Agency*
77 S. High St., 16th Floor
614-728-8233
Regina.Scheiderer@das.ohio.gov

Position Description



James D. Gibans, FAIA

(1930-2018)



The HD+S family mourns the passing of our former partner and predecessor firm principal James D. Gibans, FAIA. Our deepest condolences to his beloved wife Nina, children and grandchildren, along with his many friends and colleagues.

Jim was associated with the firm since 1976, became a Principal of Herman Gibans Fodor, Inc. - Architects in 1981 and retired in 2007. He was responsible for the design and construction of numerous institutional, healthcare, senior living, multi-family housing and historic preservation projects including the Comprehensive Modernization of Outhwaite Homes, Rehabilitation of Lakeview Terrace Estates, University MedNet Clinics, Bruening Health Center at Judson Park and Ruffing Montessori School.

Throughout his career, Jim played an active leadership role in AIA Cleveland, a Chapter of the American Institute of Architects, where he served as Secretary, Treasurer and President, and was a Trustee of AIA Ohio. In these roles, he worked with community development, educational and cultural organizations in collaborative design charrettes, public forums, architectural exhibitions and in taking public positions on important urban planning and design issues. In recognition of his significant contribution to the architecture profession and community, he was elevated to the College of Fellows of the AIA in 2002.

In addition to his professional career, Jim dedicated himself to his community through creative leadership and public service. He provided guidance and direction to numerous non-profit cultural, civic and good government organizations that have successfully contributed to the quality of life in greater Cleveland. These include leadership roles with the Cleveland Landmarks Commission, Northeast Ohio Jazz Society, Shaker Square Area Development Corporation and ArtNeo along with many others. With his wife Nina, Jim curated the award-winning exhibit and co-authored the book *Cleveland Goes Modern: Design for the Home, 1930-1970*.



AIA Ohio 2018 Awards Program

Submit

Deadlines are approaching for the 2018 AIA Ohio Awards!

There are four AIA Ohio Honor Awards which recognize Ohio's best and brightest architects and firms. Nominations can come from individuals or from local components.

*Image: Delaware County Public Library, MKC Architecture
2017 AIA Ohio Design Award Submission*



The deadline to submit is **June 1...**

...so there's still time to put together a nomination packet. Consider an Ohio architect that you know – and plan to nominate them for an AIA Ohio Honor Award!

Click Here

Submissions can be made online:
www.aiaohio.org/honor-awards

Gold Medal Award

The highest honor that AIA Ohio can bestow on an individual. It is conferred by the AIA Ohio Board of Directors in recognition of exemplary efforts and significant accomplishments.

Gold Medal Firm Award

The highest honor that AIA Ohio can bestow on an architectural firm.

Mentor Award

The AIA Ohio Mentor Award will be given to an individual who has demonstrated the ability to assist and mentor in their community.

Public Service Award

The AIA Ohio Public Service Award will be granted to an individual who has made a significant impact in their community through public service.



AIA Ohio Design Awards

Deadline: July 6

Additionally, the AIA Ohio Design awards portal is open for submissions. The AIA Ohio Design Awards Program promotes those projects that have distinguished themselves, through attention to high quality design, performance, and commitment to AIA's 10 principles of livable communities. These awards recognize some of the best of Ohio Architecture. Projects must be submitted by July 6 to be eligible.

Submit



*Image: Edgewater Beach House, Bialosky Cleveland
2017 AIA Ohio Design Award Submission*



The American Institute of Architects Elevates Ohio Architects to the College of Fellows

AIA Fellowship Recognizes Significant Contributions to the Profession of Architecture and Society

The 2018 Jury of Fellows of the American Institute of Architects elevated five AIA Ohio members to its prestigious College of Fellows, an honor awarded to members who have made significant contributions to the profession. This year 152 AIA members were elevated and will be honored at an investiture ceremony at the AIA Conference on Architecture in New York City. The Fellowship program was developed to elevate those architects who have made a significant contribution to architecture and society and who have achieved a standard of excellence in the profession. Out of a total AIA membership of over 91,000, less than 4 percent are distinguished with this honor. Election to fellowship not only recognizes the achievements of architects as individuals, but also their significant contribution to architecture and society on a national level.



*Jonathan Barnes, FAIA
AIA Columbus*



*Bernard Costantino, FAIA
AIA Columbus*



*Charles Schreckenberger
AIA Akron*



*Stephen Sharp, FAIA
AIA Dayton*



*Troy Sherrard, FAIA
AIA Columbus*



Let's Talk:

Harassment and Abuse in the Profession

Bruce Sekanick, FAIA

It's hard to believe that in today's world, where little is hidden, that there is anyone who doesn't know and understand the concerns of sexual harassment. However recent allegations suggest that this issue might not be as mainstream as we would expect in both society and the profession. In a recent "Where We Stand" article, the AIA crafted a message that spoke not only to the concerns of sexual harassment, but also, what we need to do as a profession, as firms and as a collection of individuals.

Because like so many other things, actions do speak louder than words.

In the released statement on sexual harassment in the profession, the AIA is clear. There is no place in the profession for this behavior. More importantly however, the statement addresses not just what we believe, but also what we need to do to meet the expectation of our members and society. We simply must do what we say.

This includes:

- Confronting those who, through harassment and abuse, make the workplace intolerable
- Providing a voice for those who may not be able to speak for fear of retaliation
- Resolving the inequities that prevent access of many to our profession, and
- Committing ourselves to break down barriers of every type to allow the profession to reflect the gender, racial, ethnic and cultural community that we serve



With a focus on these actions, the AIA will not only address the issues of harassment, but also help to expand the profession in a meaningful way. Central to the way we address these concerns, the “Where We Stand” statement also defines seven (7) actions that we as an organization commit ourselves to achieving. They are simple, common sense actions that will make a difference. From policies that focus on those individuals or firms receiving design awards, to harassment training for AIA leaders, the efforts planned will allow all members to help the AIA attain the culture necessary to meet and exceed that which is expected of us. Even as this article is being written, programs to provide training for members are being evaluated to help us meet some of the goals we have so clearly defined.

The full “where we stand” statement on sexual harassment

Read Statement

www.aia.org/pages/185386-where-we-stand-sexual-harassment

While the AIA has chosen to act in a number of different ways, it is also important to address why we are not responding in other ways. As we all know, it is often so easy for us, and others, to assign blame or jump to conclusions. Our national and component bylaws are all structured to make change slow, and sometimes difficult, so that the decisions we make are carefully considered and not just reactionary. Without purposeful consideration, good intentions often create bad policy. Recently, a New York component chose to rescind design awards given to those accused of harassment. As long as the component’s governing documents give the component the authority to take such action, they are well within their rights. In many cases however, taking such action is not as easily done. Some have questioned why accused members can’t have their membership suspended until the accusations made are resolved. The answer is simply, our rules and bylaws do not permit that. These rules of course can be changed, but that happens only through discussion, consideration and member input. The same applies to Fellowship. A member’s elevation to the College of Fellows is defined by the AIA

Bylaws and Rules of the Board. Once elevated, a member’s participation is guided by the Bylaws of the College which, if changed, are approved by both the College of Fellows and the AIA Board of Directors. While sometimes overly restrictive, the process is intentional. The actions we take have far reaching effects on members and non-members alike, and it is our responsibility to ensure that our policies are fair to all.

The response to the position statement has to date been positive, reinforced in a letter forwarded to the Board from the National Associates Committee (NAC). We of course hope this opinion is shared by others, as the statement included the input from a widely diverse group from national staff, CACE and the members of the AIA Board of Directors. We have promoted the organization as “One AIA”, with our sights set on making the organization one that provides the same services and the same opportunities to all. While we try to be an organization that serves everyone equally, we need to understand that is possible only if we continuously re-examine our actions and the goals that drive them.



KZF Promotes New Education Studio Leader

April 10, 2018

KZF Design today announced **Stephen Gastright, AIA, PMP, LEED AP**, has been named Director of Education Studio.



About KZF Design

Founded in 1956, KZF Design is a multidisciplinary firm dedicated to helping clients design better futures. KZF Design's professional team of architects, engineers, interior designers and urban planners have built a reputation for thoughtful, award-winning designs and unparalleled technical proficiency in both the public and private sectors, with specific expertise in commercial, workplace, education, community infrastructure, industrial, government and justice projects. One of the Midwest's premier design firms, KZF Design's staff of 65 is based in LEED® Gold and ENERGY STAR® certified offices and studios in downtown Cincinnati. For more information or to view a portfolio of recent projects, visit www.kzf.com.

Stephen has been working within KZF's Education Studio for the past year as Project Manager. He is a Registered Architect in five states with 19 years of experience. Steve joined KZF Design after spending several years as an architect at firms in Texas and Philadelphia, where he led project teams and designed K-12 and higher education facilities across the U.S. and internationally.

Stephen's entire career has been dedicated to education architecture and planning – most recently focusing on design and implementation of Department of Defense Education Activities (DoDEA) for military K-12 facilities based on 21st Century Learning design standards. In addition to his education experience, he has designed medical, housing, and athletics facilities.

He is currently managing projects at Northern Kentucky University and Ohio University and has lent his design expertise to projects at the University of Cincinnati. Steve holds a Bachelor of Architecture degree from the University of Virginia and a Master of Architecture degree from the University of Pennsylvania.

Steve is certified by the Project Management Institute as a Project Management Professional (PMP), an internationally recognized professional designation which attests to their high level of skill and experience leading and directing project teams and staff.

In this new role, Steve will lead KZF's Education market within the firm, helping Universities and K-12 institutions create places that enrich and connect today's students while anticipating the needs of tomorrow's learners – helping clients make the right design choices to elevate their academic programs, amplify their unique identity and attract the best and brightest to their organization.

Stephen's promotion to Director of Education Studio is an important part in the firm's multiyear leadership and shareholder transition strategy, focusing on the next generation of designers and leaders that will keep the firm's ownership in Cincinnati and in the control of those who manage the company.

KZF Design focuses on five market segments, three being public (education, government and community infrastructure) and two being private (commercial/industrial and workplace design). Each market offers experts in your field – professionals you can relate to, who speak your language and who understand your business. Our Market Leaders are responsible for all aspects of their business unit, including manpower, project/staff oversight, performance and quality control.

