A PUBLICATION OF THE ASSOCIATION OF SOIL AND FOUNDATION ENGINEERS

ASFE NEWS LOG

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MEETING MATERIALS SENT

By now all member firm offices should have received a package of materials relative to the forthcoming ASFE Loss Prevention Seminar and Annual Meeting. Please complete these materials and get them back to us. NOTE that the deadline for receipt of materials is Friday, March 7, 1980.

If you have misplaced your reservation forms, please contact the office. More will be sent.

NEW CASE HISTORIES

Two new ASFE case histories are enclosed with this issue of NEWSLOG, to members only. If you would like additional copies of the case histories, merely write or call the office and tell us how many you want. Like other ASFE publications, they are available without charge.

450 MORE READERS THIS ISSUE

This issue of ASFE's NEWSLOG is being sent to approximately 450 firms which have been identified as being primarily or substantially involved in consulting geotechnical engineering, but which are not now members of ASFE. We look forward to welcoming many of these firms into our ranks. The more member firms for ASFE, the greater its ability to pursue those concerns which are near and dear to the hearts of one and all. ASFE has made tremendous progress without them. Contemplating the progress we can make with them is mind-boggling.

It should be noted that ASFE is not like other national organizations, such as ACEC or ASCE, in that the vast majority of the work performed by ASFE does not automatically accrue to the benefit of the entire profession. For example, when ACEC scores a major legislative victory, all consulting engineering firms benefit, whether or not they are members. When ASFE publishes a new document or prepares a new program, participants and beneficiaries are almost ASFE members exclusively. Although most of the publications are available to nonmembers, the prices are such that it generally is less expensive to be a member to obtain the materials free of charge, given that dues were used to help develop them to begin with.

If you, dear reader, happen to be a prospective member firm and have misplaced materials sent to you earlier, please contact the ASFE office for another package. We'll be happy to provide you with what you need.

HELP!!!!

Your editor recognizes that you all are being surveyed to death. Please realize that your responses to opinion-type surveys are most valued and, generally speaking, are used directly to shape ASFE programs, the NEWSLOG included. There have been grumblings from a few members that NEWSLOG is too long; that we should cut back somewhere. The philosophy of the length has been that it helps assure provision of a variety of different topics so that almost all members find at least something of value.

But we need to know what to cut (if anything), or feasibly what to do more of. For this reason we attach a questionnaire to this issue and beg for your completion and return. It shouldn't take more than a minute or so. If you happen to see your favorite column or type of item disappear and did not participate in the survey, you have no one to blame but yourself.

Please let us know your preferences.

JOINT COMMITTEE

In the last issue of NEWSLOG we reported on progress being made with the National Guard Bureau relative to its certification documents. ASFE developed alternative wording (available on request to the ASFE office) but noted that more work was needed. It has now been recommended to the chief of the National Guard Bureau's Army Installations Division, by the chief of Engineering and Facilities, that the National Guard Bureau establish a committee to work with ASFE for a complete review of the situation in terms of what types of documentation are really needed and how they should be worded. This could result in a substantial breakthrough. We will report on progress.

NASA ASKS FOR BIDS

The ASFE office is pursuing the National Aeronautics and Space Administration with regard to a recent projects in which it solicited competitive bids for geotechnical engineering services. We will report progress as soon as we have some. To date we have run into a stonewall in orbit.

PEER REVIEW COMING OF AGE

The ASFE Council of Fellows met recently to discuss the Peer Review program. Reportedly it has put the finishing touches on the program in preparation for it to be given over to separate committee. It is recognized that a program such as

this is never really finished. Continued experience will undoutedly result in continued refinements. Nonetheless, much has been learned from experience to date. Two publications are expected to result.

The entire subject will be reviewed at the forthcoming Loss Prevention Seminar, AM Session, in Denver.

The Council of Fellows merits substantial thanks for an absolutely exceptional performance. Peer Review is an extremely important and beneficial program. It has been developed with exceptional care and in an extraordinarily short period of time. And now that it appears ready to be weaned from the Council, the Council is once again busy looking to nurture other offspring.

MEDIATION/ARBITRATION MOVING ALONG

The Mediation/Arbitration concept is developing well. The Conflict Resolution Committee, chaired by Gery Anderson (Geomechanics, Inc.) has been authorized by the Board to begin development of three separate publications. One is being prepared for ASFE member firms, providing information on the concept and how to obtain its acceptance. The second will be aimed at owners, telling them about the concept and why and how to apply it. And the third is being prepared for contractors to the project, as something owners would provide to them, possibly along with other contract documents and bid materials.

Comprehensive annotated outlines have been prepared for all three documents and they are at this time being reviewed by the Committee.

One of the concepts discussed at the recent Board meeting was conduct of a Loss Prevention Seminar centered substantially around the concept. Various items of concern still remain unresolved at this time. As examples, about how much will Med/Arb cost? how will the expense be shared? what qualifications should a Med/Arbiter have? etc. One approach to dealing with these issues is use of the seminar format to set up round tables for discussions of each issue, with a "table captain" reporting his table's comments to all attendees. From this would come consensuses and positive direction.

It is believed that the documents now under development will serve as an excellent stepping stone either toward ASFE development of the concept or for gaining additional adherents for developing the concept together with other groups who have a vested interest in the speedy and effective resolution of conflicts which arise during the construction process. In this latter regard, we call your attention to an article which appeared in the 3 January 1980 issue of Engineering News-Record. It was a guest editorial-type piece written by Sidney Brill, founder of Sarcon Construction Corporation, Queens, N.Y., titled "No One Wins by Litigating Claims." Part of his advice on how to avoid litigation? "...(The) process of mediation/arbitration should be introduced at any stage of construction..."

NEW PROGRAM TO DEBUT IN APRIL

The ASFE Annual Meeting in April will feature the unveiling of a new slide presentation which is being prepared for us by RAR (Risk Analysis & Research Corporation), paid for in part by a grant from Terra Insurance, Ltd.

According to John Hribar (GAI Consultants, Inc.), ASFE President-elect and the Board member assigned to work with RAR on the project, the slide program will have several uses: as a permanent element of the ASFE Monday "Introduction to ASFE and Professional Liability Loss Prevention" orientation seminar; as the main element of regional loss prevention seminars slated for introduction next year, and as a tool for use in development of in-house loss prevention programs.

The slide show as now constituted is expected to comprise some 500 slides, a cued tape cassette narration track, and a script for live reading. The program is broken into three elements. The first provides a history of ASFE. The second identifies some of the steps a firm can take to reduce its exposure to professional liability, and the third discusses some of the steps which a firm can take to reduce its liability exposure by participating in programs developed by ASFE.

It should be an exciting premiere.

RISK

According to ASFE Executive Director and sometimes consultant John P. Bachner, one of the biggest risks one faces in the geotechnical arena is developing a brochure on risk for soil and foundation engineers. He reports that copy for the brochure is now in its fifth draft. He said: "Clearly, it will be impossible to please everyone with this document. Those reviewing it have expressed a variety of opinions. Some really like what we have now. Others think it misses the mark by a long shot. Something is needed, however, and it appears that it will be impossible to develop one piece which everyone likes." The Board has instructed that the copy now be sent back to the Publications Committee for finalization. The publishing date is still sometime in the future. Publication prior to the Annual Meeting is unlikely.

NEW LIMITATION CONCEPT

At its recent meeting the Board discussed a new concept in limitation of liability which relates to specifying in the contract what will be provided and specifically what will not be provided. This would serve as a communications tool of sorts, to help assure that the client is fully aware of what the services entail. All too often a specific named service will be assumed to include something which it does not.

The concept's originator is ASFE Past President John P. Gnaedinger (Soil Testing Services, Inc.) who is known for development of new ideas that

work. ASFE President R. Wayne Weinfurther (Soil Testing Services, Inc.) indicated that he is inclined to developing a task committee to take this concept into development.

ISSMFE ON THE AGENDA

It's possible that one of the agenda items for discussion at the forthcoming Annual Meeting will be funding for the 1985 Conference of the International Society of Soil Mechanics and Foundation Engineering. In many other nations this Conference -- held every four years -- is funded in large measure by the government. In the U. S. it is privately funded. ASFE several years ago pledged to provide $180,000 in principal, plus interest. ASFE members have been meeting this pledge through payment of a 25% dues surcharge. Several have been providing donations over and above that amount.

Given ASFE's current rate of growth, it appears that the $180,000 pledge may be exceeded. Do we want to continue to provide financial support beyond the $180,000? The subject will be broached, most likely, by Immediate Past President and ISSMFE Conference Fund Committee Chairman Gardner M. Reynolds (Dames & Moore). One of the concerns will be ASFE's position in the Conference. The original intent was for ASFE to provide funding to help assure that its influence is felt in selection of discussion items. There have been rumblings that past Conferences have centered too much on the theoretical and not enough on the practical. In addition, the impact of inflation must be considered. Reportedly the Tokyo Conference held a few years ago cost about as much as the U. S. Conference was projected to cost four years from now.

NEWS OF MEMBER FIRMS

Tuscaloosa Testing Laboratory, Inc. has relocated to 3516 Greensboro Road, P.O. Box 1094, Tuscaloosa, Alabama 35403; 205/345-0816.

Earth Consultants, Inc. has relocated to 1805 136th Place, N.E., Suite 101, Bellevue, Washington 98005; 206/643-3780.

Converse Ward Davis Dixon announced the appointment of Dr. R. Brian Elwood as vice president. Dr. Elwood will be responsible for geological and groundwater-related studies performed by the firm's Caldwell, N.J., office.

Woodward-Clyde Consultants announced its intention to obtain majority ownership of Frederiksen, Kamine & Associates, a consulting firm based in Sacramento, California.

W. A. Wahler & Associates has been purchased by its senior management and technical staff and has changed its name to Wahler Associates. The new principals are: Brig. Gen. (Ret.) George B. Fink, president and chairman of the board; Jack G. Wulff, senior vice president; Charles W.

Perry, vice president; John L. Lasky, vice president; Joseph L. Marzak, vice president, and Forrest W. Gifford, John J. Heneghan, Kenneth V. Rodda, Richard H. Lubina, Ernest T. Solomon and Antonio S. Buangan. J. J. Kulikowski is vice president of the firm's Newport Beach, California office.

Shannon & Wilson, Inc. announced that it is expanding its consulting services to include environmental engineering sciences. The new division will be directed by Donald J. McQueen and the services will include planning, investigation, licensing and management.

Walter H. Flood & Company, Inc. announced that it will move its Michigan office to a new building and laboratory located at 7310 Garden Lane, Portage, Michigan 49081; 616/327-7095.

TWO FIRMS JOIN ASFE

ASFE extends a hearty "Welcome aboard" to two new member firms. They are:

Shive-Hattery & Associates, Highway 1 and I-80, P.O. Box 1050, Iowa City, Iowa 52240; 319/354-3040. The firm's services include environmental, transportation and geotechnical engineering and surveying and planning. The principals are James L. Shive, Donald P. Hattery, James Hawks and Larry K. Davidson. The firm has five affiliate offices located throughout central and eastern Iowa.

Esmer & Associates, Inc., P.O. Box 397, Boomer, West Virginia 25031; 304/779-9679. The firm specializes in geotechnical, environmental and materials engineering. The firm also provides services as drilling contractors. The principal is Dr. Erkan Esmer.

OSHA SHORING TRENCHING

We have reported earlier that OSHA (Occupational Safety and Health Administration) was in the process of developing standards relative to shoring and sloping of trenches and excavations. OSHA subcontracted the work to the Center for Building Technology, National Engineering Laboratory, National Bureau of Standards, U. S. Department of Commerce, under the direction of Felix Y. Yokel.

ASFE became involved through establishment of an OSHA Shoring/Trenching Committee, under the direction of James Kleinfelder (J. H. Kleinfelder and Associates). When Jim was elected to the ASFE Board last year, the Committee's reins were placed into the able hands of Bill Zoino (Goldberg, Zoino, Dunnicliff & Associates, Inc.). Now Bill reports that a draft final report titled "Recommended Technical Provisions for Construction Practice in Shoring and Sloping of Trenches and Excavations" has been published. According to Bill, the draft contains about 99% of ASFE's recommendations.

TASK COMMITTEE ON SEISMIC STANDARDS

ASFE has established a new task committee to maintain involvement in the issue of seismic regulations for new buildings. The Applied Technology Council of the Structural Engineers Association of California in 1978 published Tentative Provisions for the Development of Seismic Regulations for Buildings. Subsequently the National Institute of Building Sciences worked to develop an independent organization called the Building Seismic Safety Council under the direction of William Moore (Dames & Moore).

It is the Council's purpose to review and refine the tentative provisions of the documents in trial designs to assess the impact which the provisions will have on the building industry. ASFE's new Task Committee on Seismic Standards is under the active direction of Richard M. Simon (Goldberg, Zoino, Dunnicliff & Associates, Inc.). ASFE's input relates particularly to review of foundations and soil-structure interaction portions of the provisions.

According to Rick Simon: "The review is an open effort and any member of the public is invited to present their comments and recommendations for modification to the tentative provisions. As the ASFE representative, I wanted to advise at least some portion of the membership of this effort and provide them the opportunity to present their input. These provisions, when and if adopted, will provide the seismic design criteria for federal buildings and may also provide the technical basis of the seismic design codes adopted by the many building code commissions throughout the U. S. Therefore, I believe it is in your interest to take the opportunity to comment on these provisions prior to their final adoption."

To obtain a copy of the referenced document, request it by title and stock number (003-003-01939-9) from the Superintendent of Documents, U. S. Government Printing Office, Washington, D.C. 20402. The cost is $6.75 per copy. Make your check payable to the Superintendent of Documents.

CLAIMS MADE PROVISION DECLARED LEGAL

A Colorado appellate court has ruled that a claims made provision in a professional liability insurance policy is legal.

In March 1973, an engineering firm obtained a professional liability insurance policy which applied only to occurrences taking place during the period of coverage, and claims related to those occurrences filed during the period of coverage. The engineer let the policy lapse in March 1974. One year later the firm was sued for an occurrence which took place during the period of previous coverage. The insurance company denied any obligation and the engineering firm sued. It lost a trial court decision. On appeal, the engineer pointed out that the firm could not control when a claim would be filed. As such, the firm argued, the claims made provision in the policy denied freedom of contract because the engineer was left with no choice but to continue to carry the insurance policy. The court found no merit in the argument because the firm did not attempt to seek alternative coverage which would apply to any previous projects.

ENGINEER AWARDED MECHANICS' LIEN

A Texas appellate court has ruled that a consulting engineer can apply a mechanics' lien to obtain payment for a feasibility study.

The engineering firm performed the study on a tract of land before the client purchased the property. The land was purchased and subsequently sold. The engineering firm attempted to impose a lien on the property to obtain compensation for its services. A trial court denied the request because the engineer did not construct any improvements on the land and because the firm did not have a contract with the new owners, which would be subject to a lien.

The appellate court ruled that a constitutional lien could not be applied because it relates solely to buildings and articles fabricated or repaired. Nor were there grounds for an equitable lien, the court said, because there was nothing in writing to indicate that the firm intended to file a lien against the land. However, the court ruled that a mechanics' lien could be imposed because it applied to labor furnished for the construction or repair of any improvement whatever.

CONTRACTOR SUES IRAN FOR $168 MILLION

A California contractor is suing the Iranian government and other Iranian interests for $168 million. It is the largest lawsuit filed against Iran to date. In addition to seeking actual damages for providing services and equipment the firm had to leave in the country, the case also asks for $93 million in punitive damages. The outcome of the case is expected to have a significant impact on all U. S. firms with an Iranian account receivable.

SUIT FILED AGAINST CORPS

The state of Illinois is suing the Corps of Engineers for failure to oversee a Kankakee River project. The suit was filed by Illinois Attorney General William J. Scott who claims that completion of proposed work by the Kankakee River Basin Commission in Indiana will increase sedimentation and flooding in Illinois. The Corps claims it is not responsible to supervise construction.

ARCHITECTS RELIEVED OF LIABILITY

The Wisconsin Supreme Court affirmed a lower court decision and found that two architects cannot be held liable for injuries to workers on construction sites under the state's "safe place" statutes.

Two architects were retained to design an addition to a hospital. During construction, a piece of lumber fell and injured one of the contractor's employees. The worker brought suit against the contractor, the architects and several of the subcontractors alleging a breach of the state's "safe place" statute which requires employers to ensure that construction sites

are safe for workers and visitors. In upholding the lower court decision, the state's Supreme Court indicated the architects are considered employers under the terms of the law, because they had two employees on the site. However, the Court said, the architects could not be held liable because they were not granted supervisory and control powers on the project.

In a similar case reported in the December 15, 1979 issue of NEWSLOG, a supervising architect was held liable for injuries suffered by one of the contractor's employees. In that case, however, the contract, by reference, required the architect to assure that OSHA safety regulations were complied with.

FRIVOLOUS SUITS

The new organization Lawyers Protecting People from Malicious and Unjustified Lawsuits, Inc., has issued a news update about suits being filed against those who file frivolous suits. The reports are not heartening. In a Kansas case, it was held that the state's law prohibited a physician from filing suit against former patients who filed an allegedly groundless claim under any of these theories: failure to investigate a suit reasonably, abuse of process, negligent or intentional filing or a meritless suit, invasion of privacy, or intentional infliction of emotional distress.

In a N. Y. case it was ruled that, in the absence of interference with his person or property, a physician could not sue a former patient despite the fact that her prior medical malpractice suit had been dismissed with prejudice.

In a case we followed assiduously a few years ago -- that of Berlin vs. Nathan -- Dr. Berlin lost on appeal of the defendants; the Illinois Supreme Court refused to hear an appeal, and the U. S. Supreme Court did likewise.

For more information on this organization, get in touch with it at 134 North LaSalle Street, Suite 1100, Chicago, Illinois 60601

CONFERENCE CREATED

A National Conference of Lawyers and Environmental Design Professionals has been created to increase cooperation between engineers, architects, planners and attorneys. The Conference will serve as a clearing house for discussion of information, ideas, problems, and issues which affect the professions involved.

UNION LABOR MORE PRODUCTIVE

A study performed by Dr. Steven Allen, an assistant professor of economics at North Carolina State University, claims that union construction workers are one-third more productive than nonunion workers. Dr. Allen based his findings on data collected by the national governmert measuring output, employment, capital services and other related information. The 25-page study was released by the Center to Protect Workers' Rights, a D.C. organization not listed in the D. C. phone book. Hmmm.

YOU'VE JUST GO TO BE KIDDING DEPT.

This month it's short and sweet, folks, as we travel to the Big Apple, NY, NY. According to the Associated Press, the city's Health Department recently released data for 1977 which indicated that the rat problems in the city may be coming under control. Only 229 cases of people being bitten by wild rats were recorded. However, the Health Department reported, there were 892 incidents of people bitten by other people. A helluva town!

PLAYING OUR SONG

The January 31, 1980 issue of Engineering News-Record carried an editorial on failures and how to prevent them. It noted that the late Jacob "Jake" Feld claimed the major reasons for malfunctions of structures are: "limited supply of technical personnel, low standards of shop and field inspection, use of new materials and new combinations of materials without enough knowledge of how they perform, and low standards of test lab work because of price competition." His partner Dov Kaminetzky, has summarized these as "ignorance, carelessness, negligence and greed."

ENR suggests that one way in which a nonprofessional can guard against the possibility of a malfunction is to "choose a pro as carefully as he or she would a spouse and then to face up to the necessity of paying for competent support -- inspection, for example. The right pro will, of course, pick suppliers and services just as carefully."

MANAGEMENT TEST

Roger Fritz, author of What Managers Need to Know, included a test in an article appearing in the "Journal of Applied Management." Each question should be answered on a scale of 1 to 10. The grading scale is as follows: 9 to 10, definite strength; 7 to 8, moderately effective; 5-6, average; 3 to 4 rarely effective; 1-2, definate weakness. Combined scores of less than 60 reveal that additional management training is needed. The test is as follows:

Am I aware of the effect my actions have on subordinates? _____

Do I understand their reactions to my supervision? _____

Do I balance encouragement and criticism? _____

Are subordinates allowed to freely express their opinions? _____

Do I plan and strive to motivate my employees consistently? _____

Am I able to resolve conflicts in a constructive way? _____

Have I developed teamwork in my department or company? _____

Do I have a clear understanding of my role in the company? _____

Am I tactful when disciplining a subordinate? _____

Do I have a plan for personal improvement? _____

NOONERS

Shannon & Wilson conducts lunch-time seminars for its employees on a variety of issues relative to the firm's practice. These seminars not only provide useful information to individuals to help them do their work better and understand where their tasks fit into the "big picture," but -- we suppose -- they also elevate the concept of team and so generate an effective sense of cooperation. It's a good practice to emulate. Incidently, if you attended and recall, Bob Meyer reported to us at the last Loss Prevention Seminar that his firm's in-house seminars are extraordinarily effective. He has each project manager put on one seminar, to discuss what they do best and why. The seminars always play to a full house and have been so effective that his staff members talk about them all the time. The talk and praise which they exude has resulted in low turnover and inquiries from numerous people who want to work for Bob's firm. Nuff said?

IPP NEWS

More than 40 persons attended the January 6-8, 1980 Institute of Professional Practices Seminar. The attendees were asked to complete an evaluation of the seminar and most found it to be very instructive. For more information about IPP, contact Florence E. Whitmire, Risk Analysis & Research Corporation, Union Bank Building, 50 California Street, San Francisco, California 94111; 415/433-1676.

COURSES AND SEMINARS

For more information on any of the following courses and seminars, contact the ASFE office. Please refer to the correct number.

CS2-80-A: Tunnel Instrumentation, March 24-25, 1980, sponsored by the Federal Highway Administration, in San Francisco, California.

CS2-80-B: An International Symposium on Landslides, April 7-11, 1980, New Dehli, India.

CS2-80-C: National Toxic Substance Control Training Course, April 14-18, 1980 and June 16-20, 1980, presented by the Center for Environmental Quality Management, Vanderbilt University, Nashville, Tennessee.

CS2-80-D: Underground Space Conference and Exposition, June 9-12, 1980, sponsored by the American Underground Space Association, at the Kansas City Convention Center, Kansas City, Missouri.

CS2-80-E: Four courses in Stormwater Management: Stormwater Detention, February 26-27, 1980, Stormwater Design, February 28-29, 1980; Stormwater Program Management, March 3-4, 1980, and Reliability in Urban Runoff Control Planning and Management in the 1980s, March 5, 1980, presented by Water Management Science, Inc., in Washington, D.C.

FTC CHALLENGED

In December 1978 the Federal Trade Commission issued a 600-page proposed rule which would have put the federal government in the business of telling voluntary standard-setting groups how to set standards. ANSI and more than 15 other organizations brought suit against the FTC to prohibit its proposed action. The organizations recently received aid from the Senate Commerce Committee which voted unanimously to bar the FTC from implementing its proposed guidelines. The action will not stop the lawsuit, but it now appears that it will be superfluous if the full Senate accepts the Committee decision.

In a related move, reported by the Wall Street Journal, the Office of Management and Budget (OMB) informed government agencies to follow industry guidelines instead of their own specifications. The OMB believes that this will save millions of dollars because many products now have to be specially made in order to meet government specifications.

The OMB will also offer grants to private standard-setting groups whose guidelines meet certain fairness criteria. The grants will come as a result of government agencies working with the private groups in setting standards. The Journal indicated that the guidelines could upset the private groups because they may be required to change the way they operate if they are to receive largess from Uncle.

QUOTA DEBATE ON GAS PIPELINE

The U. S. Department of Interior is attempting to develop guidelines to apply to minority hiring on the U. S. portion of the trans-Canada gas pipeline. The Interior Department is considering two alternatives and appears to favor a long-range affirmative action program. AGC (Associated General Contractors) believes that a program of this type is impractical for the construction industry. It favors using regional and statistical area surveys to determine the number of women and minorities to be hired for each craft.

Meanwhile on another front, the ruling may be for naught. Engineering News-Record (December 20, 1979 issue) reports that the Canadian National Energy Board has reduced the amount of Alberta natural gas that is permitted to be exported to the U.S. ENR says that the "ruling may place the entire $15-billion project in jeapordy."

AEA SEEKS PROTECTION

The American Engineering Association (AEA) -- a newly-formed group headquartered in California -- has filed an injunction in U. S. District Court to prevent what it considers continuing abuses in certification of foreign engineers. (The labor certifications are required for foreign professionals who want to work in the U. S.).

The organization claims that several large engineering firms and personnel agencies circumvent immigration laws by filing false certification applications. Foreign engineers are usually willing to work for lower pay than their American counterparts.

AEA appears to be alone on this issue. A spokesman for ASCE stated that the Labor Department strictly enforces the rules governing foreign engineers. An ACEC spokesman agreed and added that it is very difficult to obtain visas for foreign engineers.

WHOPPER AT BUREC

In case you had not heard, BuRec (Bureau of Reclamation) has officially changed its acronym to WPRS (pronounced whoppers?) which stands for the Water and Power Resources Service.

AT GSA...

According to Legal Briefs for Architects, Engineers and Contractors, the General Services Administrative (GSA) will discontinue its construction management program and will rely more on general contractors. It is reported that Public Building Commissioner Mike Marschall wants to rely on resident engineers as GSA representatives in dealing with contractors. Marschall indicated that A-Es will be given more important project data than before.

A BATTLE BREWING

Senator D. Patrick Moynihan (D-N.Y.) plans to rewrite the charter of GSA's Public Building Service. Moynihan reports that the charter will discuss means to obtain A-E services for public building projects. Moynihan's effort may serve to sidetrack Senator Bob Stafford's (R-Vt.) attempt to introduce competitive bidding for A-E service for projects in excess of $25 million.

DAM GUIDELINES DISCUSSED

Subsequent to the 1976 Teton Dam failure, President Carter called for a review of dam safety strategies, emergency plans, etc. New federal guidelines were issued in June 1979. A major area of concern is emergency procedures in the event of a dam failure. The new guidelines require extensive documentation of dam design and construction. In addition, the guidelines call for closer interaction between designers and engineers due to unanticipated problems which may arise during construction. For more information on the guidelines contact, the Federal Coordinating Council for Science, Engineering and Technology, Washington, D.C. 20500.

MAEVIS ARTICLE

In the last issue of NEWSLOG we reported that the Postal Service confirmed its policy of not soliciting bids from geotechnical consultants, and that Assistant Postmaster General for Real Estate and Buildings, Al Maevis, was prepared to take action; that he had recently published an article on the subject of geotechnical engineering. The article involved appeared in the September-October issue of AE Concepts in Wood Design, called "Unknown in the Underground." Here follows an excerpt from the piece:

> Geotechnical investigations
> What does an owner look for in a new facility? Today's neo-classic answer is: a project under budget, completed on schedule, and of proper quality to meet his needs. To this I will add a fourth: no surprises. Unexpected ground water, a layer of peat below spread footings, pockets of permafrost within the building area, an excess of boulders in a pile foundation job, all will delay completion under budget, tie up organizations for endless hours, or require a claims consultant to prepare a defense or an equitable settlement of the claim.
>
> Spend early
> What should an owner do? Spend money early in the job Retain the best geotechnical engineer available. Accept his advice. Don't cut corners in an attempt to save money. The odds are against you.
>
> When a geotechnical engineer recommends soils borings, permeability tests, special rock tests, test piles, load bearing tests, listen to him. Make him explain why these things are necessary and what the potential benefits are because it's your money and you have a responsibility to spend it wisely. But if there is any one place on a project to be generous with money, it is in the foundation investigation.

If you would like a copy of the full article, contact the ASFE office.

FINANCIAL TIP OF THE ISSUE

(Editor's Note: The following items is reprinted by permission from EXCHANGE, monthly newsletter of the Consulting Engineers Council of Metropolitan Washington. You are advised that this article is provided for informational purposes only and may or may not be factually correct. Do not implement any of the suggestions made until you first obtain an opinion from a qualified expert.)

One of the most viable tax-saving options available to those with children is the custodian account. It allows you to transfer sizable portions of your earnings to your children, to be held in trust until they reach legal adulthood.

The chief attraction of custodian accounts is that they enable you to "squirrel away" a healthy percentage of your annual income while minimizing or entirely avoiding income and gift taxes during your lifetime, and estate taxes upon your death. Up to $3,000 per parent per annum may be contributed to each child's custodian account, gift tax-free. Additionally, you derive benefits from the fact that few minors start off with any taxable income. Since every citizen, adult or child, is allowed the first $850 of annual income tax-free (the first $750 of income + the first $100 of earned dividends = $850), custodian account earnings will be untaxed until after the first $850 is deposited each year, and thereafter will be taxed at the low rate of 14 percent. That, compared with taxes on assets' earnings in your own name, perhaps as high as 70 percent, can mean substantial savings.

Once assets are placed in custodian accounts, they belong to the person for whom the account has been established. Custodian account funds may not be used for the "everyday" expenses of child raising, such as feeding or clothing. However, the money may be used for "extraordinary" expenses, such as special dancing or art lessons or a college education; things which a parent ordinarily is not expected to provide.

There also are some disadvantages to custodian accounts. When the child reaches legal adulthood (18 years of age in many states), the account's assets are under his or her complete control. In addition, if you name yourself "custodian" of the account, and die while maintaining the assets in the child's name, all of the funds in the account will revert to your estate and will be subject to estate taxes, defeating the entire point of the account's existence. Therefore, it may be wise to name someone else, an outsider, as custodian. Then all contributions could be made in your name to escape estate taxes.

NEW PIPELINE

The Natural Gas Pipeline Company of Amerca (based in Chicago) and other groups plan to build an 800-mile natural gas pipeline. The system will originate in Western Wyoming, at the source of the natural gas, and will connect with an existing system at Beatrice, Nebraska.

CONTINUING ED FOR P.E.'S

Iowa is the only state in the country to require continuing education of P.E.'s in order for them to have their licenses renewed. A recert ASCE survey reveals that approximately 60% of the P.E.'s registered in the state believe that the requirements are necessary to maintain professional competence, and 70% of state-registered engineers residing in noncontiguous states agreed.

Many of those surveyed believed that the education requirements are reasonable. Approximately 50% indicated that their employers should help bear some of the expense of the requirements. (The law requires the engineers to pay for their courses.) The survey also indicated that 93% of the Iowa residents and 52% of the nonresidents plan to renew

their licenses. From an occupational viewpoint, the engineers most likely to seek renewal are those in private practice with 81% planning to renew. Only 63% of the engineers employed by industry said they would renew.

WORD POWER

This issue's column focuses on a few commonly misspelled and mispronounced words.

One word commonly misspelled is consensus. Many people assume it to be census (as in taking a census) with a con slapped on the front to derive concensus. Nope. It's consensus, with an "s", not a "c".

Another word which is frequently brutalized is liaison. Many people tend to leave out the second "i", to make liason. Wrong. The second "i" goes in after the "a" to result in liaison.

And how about possess? How often does this poor word wind up as posess or posses? Goodness knows. But the correct spelling is with double double esses. As in possess. As in assess.

In the same category as possess is parallel. Not parralell, paralell, parrallell, etc. Parallel is also a verb, and here's where the poor spellers among us luck out a bit. Paralleled, parallelled, paralleling and parallelling all are correct spellings.

One should also recognize that we double up on committees, that is, two each of the "m", "t", and "e". (It reminds one of a word designed by a committee!) However, when it comes to making a commitment...

Likewise, we proceed with double "e" but not in a procedure.

(If you like double letters a lot, chances are your subbookkeeper can help.)

In terms of mispronunciations (note that that's not mispronounciations), a word which frequently is butchered by the tongue is "etc.". Many people pronounce it as "ecsetra." Wrong. "Ettsetra" is correct.

Umbrella sometimes comes out as UMbrella, with emphasis on the first syllable. It goes on the second syllable: umBRELla. Likewise, it's inSURance and not INsurance.

And now for the biggie! The one word which your editor hears mispronounced more frequently than any other. Affluent. Many people pronounce this as aFLOOent. This is WRONG, WRONG, WRONG. The correct pronunciation is afLOOent. The second syllable is LOO and not FLOO.

Happy communicating!

CALL FOR VOLUNTEERS

The Nuclear Regulatory Commission's Atomic Safety and Licensing Board Panel is seeking qualified applicants to serve as part-time technical members. One of the areas in which the NRC is looking for volunteers is the field of geology/seismology. For more information, contact the Chairman, Atomic Safety and Licensing Board Panel, Nuclear Regulatory Commission, Washington, D.C. 20555.

CALLS FOR PAPERS

A call for papers has been initiated for several conferences. Contact the ASFE office for more information.

Tenth International Conference of Soil Mechanics and Foundation Engineering, Stockholm, Sweden, July 1981.

ASCE Convention Presentation on Improvement and Placement of Soils, ASCE New York City Convention, April 1981.

One-Day Symposium on Acoustic Emissions in Geotechnical Engineering Practices, June 1981.

Reliability of Earth Slopes Presentation, ASCE National Convention, New York City, May 11-15, 1981.

FROM THE BOOKSHELF

For more information on any of the following publications and how to obtain them, contact the ASFE office. It is a great help to the staff if requests are made by the reference number and title.

2-80-A: Bridge and Pier Protective Systems and Devices
2-80-B: Civil Engineering in the Oceans IV
2-80-C: Computers in Litigation Support
2-80-D: Construction Inspection -- A Field Guide to Practice
2-80-E: Design of Land Treatment Systems for Industrial Wastes -- Theory and Practice
2-80-F: Directory of Engineering Societies
2-80-G: Engineering Software
2-80-H: Environmental Impact Analysis Handbook
2-80-I: The Ground Water Newsletter
2-80-J: Guidelines for Field Representatives for Geotechnical Engineering Services
2-80-K: Legal and Administrative Obstacles to Extracting Other Minerals from Oil Shale
2-80-L: The Library of Congress' New Madison Building: Reasons for, and Effects of, Delays and Escalating Costs
2-80-M: Properties, Evaluation and Control of Engineering Materials
2-80-N: Recreational Planning and Development
2-80-O: Site Characterization and Exploration

2-80-P: Soil Freezing and Highway Construction
2-80-Q: Solid Waste -- Research and Development Needs for Emerging Coal Technologies
2-80-R: Proceedings from the Third Engineering Mechanics Division Specialty Conference
2-80-S: Transportation Construction in Japan

BETTER SAMPLES, CHEAPER COST

The December 1979 issue of Civil Engineering reports that Dr. Mehemet T. Tumay, a Louisiana State University CE professor, plans to test a new method to obtain soil samples. Dr. Tumay claims that attaching an electrical penetrometer to the tip of a rod and pushing it into the ground at a thrust of close to 20 tons and sometimes to depths of 200 feet will produce better soil samples at cheaper costs. Dr. Tumay reports that this method will cost approximately $4 per foot as opposed to the current rate of $20 to $40 dollars per foot. In addition, it will reveal more information on soil properties and will provide a more accurate evaluation of water pressure in the soil.

Dr. Tumay will perform approximately 150 "soundings" throughout Louisiana over the next two years. He said that the Dutch have been using the technique for more than 20 years.

POSSIBLE RAILWAY IMPROVEMENTS

ACEC reports that the Federal Railroad Administration is conducting an investigation which may lead to the improvement of the following routes: Los Angeles to Las Vegas; Seattle to Portland; New York to Buffalo; Chicago to Detroit, Cleveland, Cincinnati, St. Louis and Minneapolis-St. Paul; San Francisco to Sacramento, and the Houston to Dallas to San Antonio line. New Northeast Corridor-type projects may result.

CHANGING DIRECTIONS

According to a spokesman at the Department of Transportation, highway engineers can expect less work in the 1980's. The Department intends to concentrate on improving existing highways and roads; to cut back on new construction.

INFLATION FORECAST: STORMY WEATHER

According to U. S. News's Economic Unit, we can expect the 1980 rate of inflation to compare with the 1979 increase of 12-13 percent. The prediction is based on the assumption that oil prices will increase in 1980 by as much as they did in 1979. If oil prices remain stable, prices may go up by "only" 8.6%. OPEC appears to hold the key.

INFLATION EFFECTS

According to U. S. News Washington Business Report, this is what happens to the purchasing power of $1,000 per annum at different rates of inflation based on the consumer price index:

Jan. 1	9% rate	11% rate	13% rate	14% rate
1981	917	901	885	877
1982	842	812	783	769
1983	772	731	693	675
1984	708	659	613	592
1985	650	593	543	519
1990	422	352	295	270

TAX BREAK?

The Internal Revenue Service has developed new regulations for construction workers in the Middle East. The regulations attempt to grant workers located on substandard or remote construction sites a $20,000 exclusion to their taxable income.

RULES ARE RULES?

Your company has certain personnel rules and regulations which, if violated, create grounds for dismissal. However, employees faced with dismissal may take legal action, claiming that they were unaware of company policy. Their defense: they were unaware that they signed for the rule book on the day they were hired because they had to sign so many other documents on that day. A way to possibly avoid a problem is to distribute the rules on the first day of work and have the employees sign for them three days later. The signature should indicate that the employee has read and understands company policy.

BODY LANGUAGE

According to Personnel Journal, body movements, tone of voice, posture and facial expressions are all part of our communications techniques. When interviewing clients or employees, crossing your legs and arms and leaning back in your chair may give the impression of indifference. Alternatively, leaning forward and sitting next to the person reflects interest. Voice inflection and eye contact work in much the same manner. Looking around the room and speaking in a monotone without changing the pitch or volume of your voice may give the impression that you are bored. Close eye contact suggests interest and that a response should be forthcoming.

Your attitude may also be revealed by your gestures. A simple nod of the head indicates approval whereas a grimmace may be interpreted as confusion or dislike. An occasional gesture with your hand creates the impression that you are interested.

You also communicate by the amount of time you keep a person waiting: long waits make it appear that you do not value someone's time or service.

ASFE

ASSOCIATION OF SOIL AND FOUNDATION ENGINEERS

ASFE NEWSLOG QUESTIONNAIRE

Name of Respondent: _____

Firm: _____

Firm Address: _____

_____ ZIP _____

Please respond to the following questions by circling the appropriate response.

1. Do you look at every issue of NEWSLOG? Yes No

2. What percent of the articles do you read? 100% 75% 50% 25% 10%

3. What is your overall opinion of the publication? Excellent Good Fair Poor

4. In terms of length of the newsletter... OK as is Too long

5. Indicate your reaction to the types of articles and columns covered:

Financial tips	Excellent	Good	Fair	Poor	Not Needed
Word Power	Excellent	Good	Fair	Poor	Not Needed
You've Just Got To Be Kidding	Excellent	Good	Fair	Poor	Not Needed
Marketing	Excellent	Good	Fair	Poor	Not Needed
From the Bookshelf	Excellent	Good	Fair	Poor	Not Needed
Upcoming Seminars	Excellent	Good	Fair	Poor	Not Needed
Court cases	Excellent	Good	Fair	Poor	Not Needed
ASFE developments	Excellent	Good	Fair	Poor	Not Needed
Industry developments	Excellent	Good	Fair	Poor	Not Needed
General business developments	Excellent	Good	Fair	Poor	Not Needed
Other	Excellent	Good	Fair	Poor	Not Needed

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6. Are there subjects we do not cover that we should? If so, please explain: _____

_____

_____

7. Any other comments? _____

_____

_____

_____

RETURN BY MARCH 7 TO:

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