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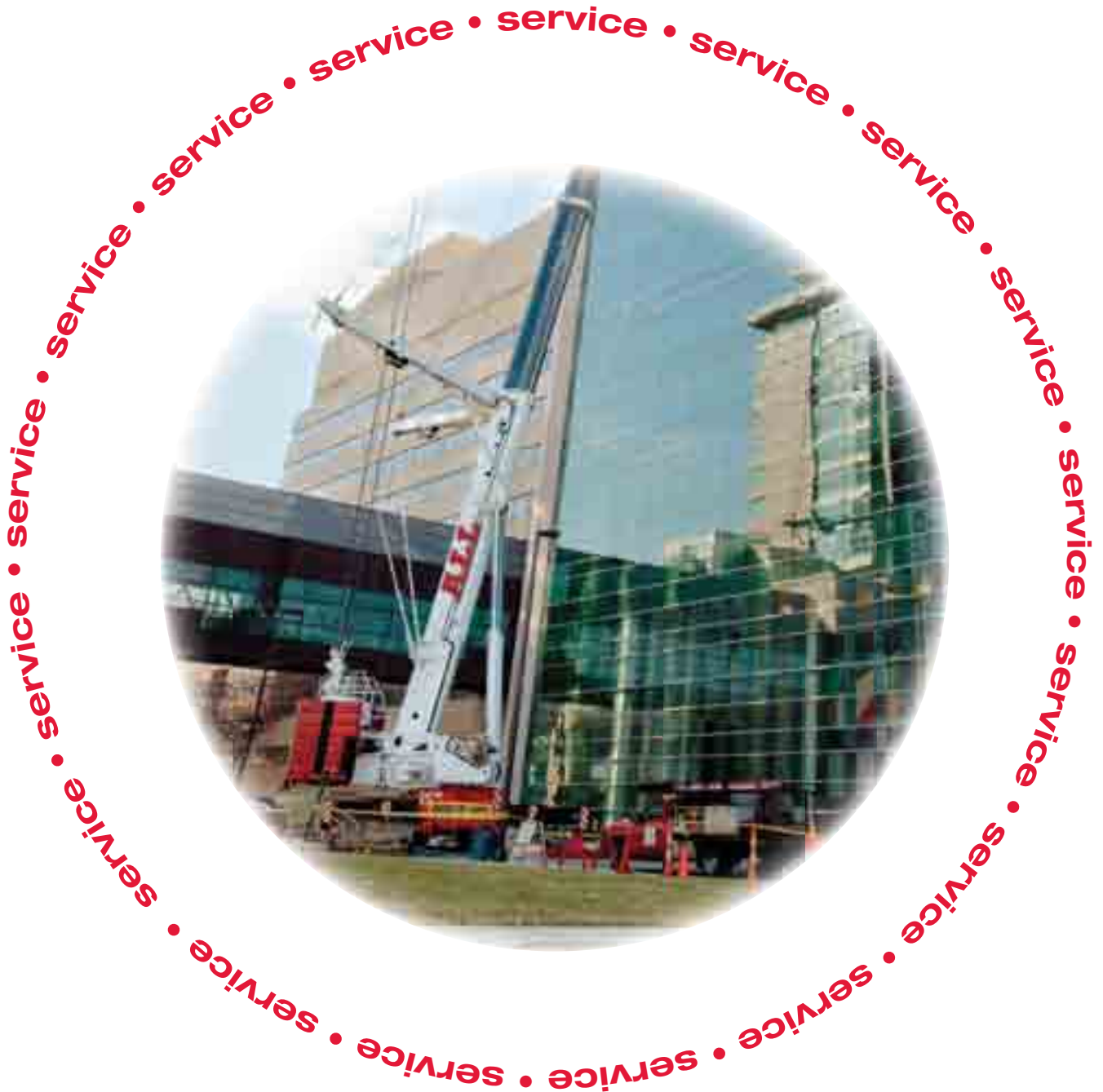
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January 2010

Coming Full Circle



KEN KRYCH

Happy 2010! I hope it is off to a great start for you. As we do each year in our January issue, this month we focus on financial matters with our annual "Look Back, Look Forward" special section, in which we take status of the region's building and real estate market, compiling the latest figures locally, regionally and nationally to view how 2009 went and estimate where 2010 should lead us.

I want to especially thank the experts and top firms who again supplied us with this vital information such as CB Richard Ellis and Dave Browning's team, Trista McClelland and Atwell Hicks for their residential information on home building, Zinner Company for its financial information on federal assistance and distressed properties, McGraw-Hill Inc. for its Construction Outlook 2010,

Bill Gagliano and Ulmer Berne LLP on property tax changes.

Triumph for Soldiers' and Sailors' Monument

Our cover story this month details the remarkable restoration of the Soldiers' and Sailors' Monument. We appreciate all the help and cooperation from Berj Shakarian, county architect, EnviroCom, the construction manager,

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and Westlake Reed Leskosky for their invaluable input in delivering the story behind this impressive five-year effort.

Two more University Circle gems

We start the year off with two more great projects recently completed in University Circle. First, there's WXZ Development's unique and environmentally friendly Circle 118 condominium townhomes, designed by RDL Architects. Then, just a few blocks down Euclid Avenue, there is the new Cleveland Hearing & Speech Center, built by The Albert M. Higley Co. with Bostwick Design serving as architect. The new headquarters is designed to help the organization assist a great number of individuals in the community with state of the art equipment, laboratories and classrooms. Featuring design elements simulating a sound spectrogram, the building is especially striking in the evening as it is dramatically lit from the inside out. University Circle just keeps getting better and better.

A new home for Safeguard

Our thanks as well to the hard working staff of Safeguard Properties. we are happy to highlight its new headquarters, a project completed by Neshkin Construction. Safeguard is one of the fastest growing firms in the region and offers its services to banks, savings and loans, and mortgage companies nationwide. We look forward to their continued growth.

Looking ahead to next month, we are looking at a multitude of different types of projects including Wyse Advertising's new headquarters, Time Warner's new call center and the renovation of the Cleveland Airport Marriott Hotel, along with our annual Landscaping special section.

Again, contact us with any information/news regarding your firm, profiles, projects and professionals.

Happy New Year to all!

Positively,



Kenneth C. Krych
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Gena Koehler (SE Blueprint), **Peggy Vura** (Midwest Equipment) and National President-elect **Debbie Gregoire** (Brewer-Garrett)

Annual Joint Association Holiday Social

Celebrating for the sixth year in a row, Cleveland Chapter #156 National Association of Women in Construction (NAWIC) recently welcomed 15 construction associations and their members for the Annual Joint Association Holiday Social, held at the Embassy Suites Hotel – Rockside. The associations included Associated General Contractors of America (AGC of Ohio), American Institute of Architects (AIA), American Institute of Constructors (AIC), American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE), American Society of Professional Estimators (ASPE), Builders Exchange, Inc. (BX), Construction Employers Association (CEA), Construction Financial Management Association (CFMA), Construction Management Association of America (CMAA), Construction Specifications Institute (CSI), Hard Hatted Women (HHW), Mechanical and Plumbing Industry Council (MAPIC), Ohio Contractors Association (OCA), Society for Marketing Professional Services (SMPS), and Union Construction Industry Partnership (UCIP). The event included dinner and a performance by The Singing Angels, as well as a 50/50 raffle with half of the proceeds to be donated to NAWIC's Education Foundation. **P**



- 1 **Mellanie Stefan** (Crosscountry Mortgage Corporation), **Khash Saghafi** (Crosscountry Mortgage Corporation), **Christina Kapusi** (Precision Appraisal Services) and **Chad Kusner** (Credit Repair Resources)
- 2 **Carla Roehl** (CABOR), **Mike Fanous** (RE/MAX Trinity), **Carol Woodard** (RE/MAX Crossroads Properties), **Tom Rankin** (Crossroads Financial) and **Val Tocci** (Guardian Title)
- 3 **Mike Fanous** (RE/MAX Trinity) and **George Pofok** (CRESCO)
- 4 **Larry Frawley** (RE/MAX Crossroads Properties), **Alice Frawley** and **Laurie Meister** (Howard Hanna)
- 5 **Therese Covell** and **Jane Shubert** (CABOR)

CABOR 2009 Holiday Party

The Cleveland Area Board of Realtors (CABOR) recently held it's annual end-of-the-year holiday party at LaCentre in Westlake. The organization provided a fun evening for attendees with plenty of food and cocktails, piano music and entertainment by talented CABOR members, while numerous decorated Christmas trees and a blazing fireplace provided a cozy atmosphere. The party was sponsored by Crosscountry Mortgage. **P**



- 1 **Barry Webber**, **Meghan Webber**, **Kestutis Barkauskas**, **Analia Nanni Dimit** (Dimit Architects), **Scott Dimit** (Dimit Architects) and **Jason Holtzman**
- 2 **Anke Schreiber** (The Chesler Group), **Ziona Austrian** (Levin College of Urban Affairs – Cleveland State University), **Duane Van Dyke** (Van Dyke Architects) and **Dan Austrian** (Austrian & Associates Engineers)

Dimit Architects 2009 Holiday Party

Scott and Analia Nanni Dimit (Dimit Architects) held a special holiday party recently at their offices in Lakewood for a group of friends and colleagues to celebrate the season. The event featured a superb Latin band and many special dishes from Argentina where Analia is from. Many of Dimit's projects have graced the pages of *Properties* including recently the Andrew Jackson House (November 2009) and 27 Coltman (December 2009). **P**



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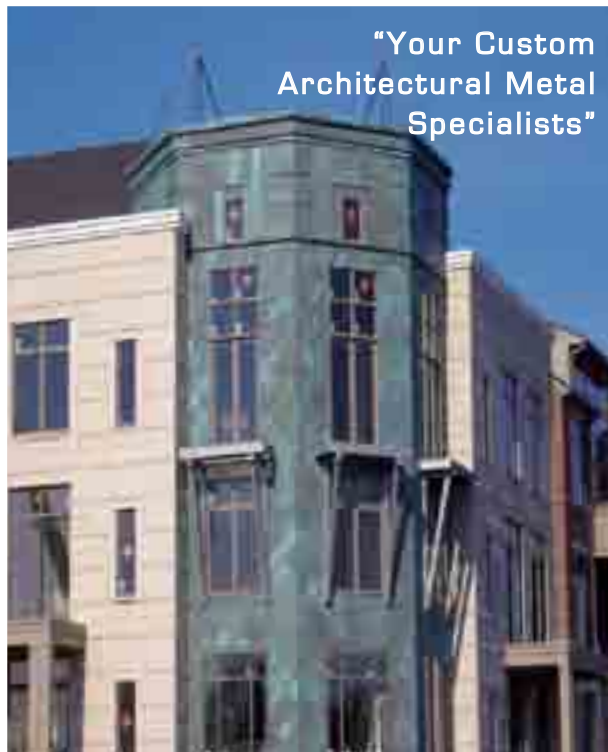
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Think of it this way: If there were three ice cream shops in your town a year ago, there is a good chance that, today, there are only two or maybe even just one left. The same holds true for law firms, accounting firms, insurance companies and other office-building tenants who might be downsizing or going out of business. Although we cannot prevent tenants and clients from slipping into the red, we can position our buildings to be the most desirable, efficient and well-managed properties in the market. With vacancy rates topping 20% in some cities, tenants now have a broader spectrum of office space to choose from. Promoting your property's assets will help you retain your tenant base and entice prospective tenants who have the luxury of seeking out the best. To that end, BOMA International launched the BOMA 360 Performance Program in 2009 to recognize outstanding achievements and provide a tool that can be used to market buildings as meeting and exceeding best practices.

"It is hard to recall a time when the role of the property manager was more critical than it is today. Surviving this market is about exceptional asset management. Period."

Dallas-based Stream Realty Partners' program allows the organization to showcase and distinguish its managed properties across every major aspect of building operations and management. It's this holistic approach that makes BOMA 360 unique. Other rating programs only focus on a specific area of operation, such as sustainability. The BOMA 360 Performance Program takes a 360-degree evaluation of all major areas of a property's operations and management practices.

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For information on how to submit your building throughout 2010 to be a BOMA 360 building, visit www.boma.org/getinvolved/boma360. Applications may be submitted at any time during the year, with designations awarded and announced quarterly. The program is open to both BOMA members and non-members.

Melissa Johns
Communications Manager
BOMA Greater Cleveland

For more info on this article or BOMA Greater Cleveland, contact Melissa Johns at 216.575.0305 or mjohns@bomacleveland.org



2009

FINANCIAL REVIEW & FORECAST

2010

Crunching the numbers on Northeast Ohio's
real estate & construction markets

Look Back, Look Forward

An overview of Greater Cleveland commercial real estate 2009/2010

Story & photos provided by CB Richard Ellis, Inc.

This past year has been marked by a severe global recession, credit market disruptions, numerous financial failures and unemployment rates above 10%. Transaction volumes are at a low level, especially sale transactions given the gap in buyer and seller expectations and the difficult financing environment. As 2010 unfolds, we are looking for the seeds of a market turnaround. There appears to be some increased activity in the office leasing market followed by industrial. The retail market will take the longest to recover and reverse the negative occupancy trend. Across all property types, expect to see the wave of commercial real estate foreclosures to increase. This activity will stress the market, but present incredible opportunities for buyers as the year unfolds.

This overview analyzes market activity over the past year and the major trends we expect to see during 2010. The overview is based on CB Richard Ellis' proprietary research and is compiled by dedicated company information specialists following consistent methodology, while closely monitoring market conditions. The information is then reviewed and verified by highly experienced local professionals.

Please read on to see how CB Richard Ellis professionals view the outlook for 2010. We are looking ahead positively. Although issues remain, we see the seeds of a market recovery.

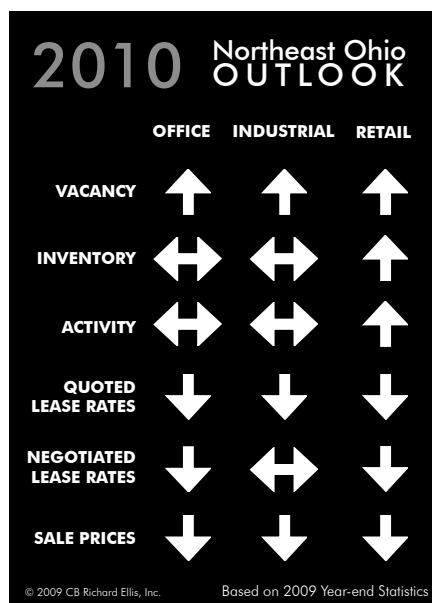
Northeast Ohio Equity Outlook

Written by Vicki Maeder, CCIM
Vice President, Capital Markets



2009 has been an interesting year as we learned to adapt to a level of investment business that is probably at the lowest level that we have seen in decades. It was difficult to be optimistic when the year began, that there would be any business to be done in 2009; it appeared that the sky was falling.

Investors were paralyzed as they tried to sort out how the markets were shifting. Values appeared to be dropping, but how far was down? Would financ-



ing be available? Did it make sense to invest more equity and personal guaranties to obtain a loan? By waiting, would they lose out on transactions or see a rise in interest rates? When does normal come back and how does one recognize normal?

Changes began to surface as the year unfolded. Investors began to get their arms around the market and started pursuing properties but on a smaller scale. The majority of the transactions in 2009 were smaller sized assets where investors paid cash or found lenders willing to lend smaller amounts of capital. Financing for larger deals over \$10 million was and is still very difficult to find. Nationally, foreign investors, pri-

marily from Germany, China and Israel, started returning and very selectively acquiring assets.

What other changes occurred in 2009 that may help us in 2010 and beyond? Federal agencies stepped in and revamped or changed the guidelines for banks as to how they treat loans that are currently on the books with property values less than the loan balance. Rules were changed which have allowed for loan modifications or extensions. Being able to rework or even discuss reworking loans were previously not options. Both moves were designed to help correct the commercial markets.

What else can we expect going forward into 2010? There is a feeling of cautious optimism and hope that we have hit the bottom and are starting to recover. Signs of a slight recovery or a "thaw" are starting to surface. Activity has picked up over a year ago, but the big dilemma that is of major concern is the high number of maturing loans in the next two years. It is causing tremendous heartburn and widespread speculation about how this looming problem should be addressed and the effect it will have on our industry over the next several years.

So while we appear to be moving in the right direction, we do not expect to see 2010 as a banner year for the economy and the commercial real estate market. It, at best, will be a slow year, but with signs of life, and an

improvement over the stagnant mind-set of early 2009.

Northeast Ohio Office Market Outlook

Written by Brian Hurtuk
First Vice President, Office Properties



The office market faced many challenges during 2009 and will continue to do so in 2010 as fallout from the recession and capital market issues continue to affect the commercial real estate market. With short-term forecasts calling for negative growth in office workers into 2010, overall vacancy rates are expected to increase to 22% by mid-year. Also contributing to the increase in vacancy will be the willingness of landlords to reduce the size of existing tenants' premises in exchange for extended lease terms, a technique known as "blend & extend." Rental rates



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will incur additional downward pressure as sublease opportunities become more prevalent. Landlords will focus on occupancy with less emphasis on maintaining rental rates, thereby providing tenants with even greater leverage in the marketplace.

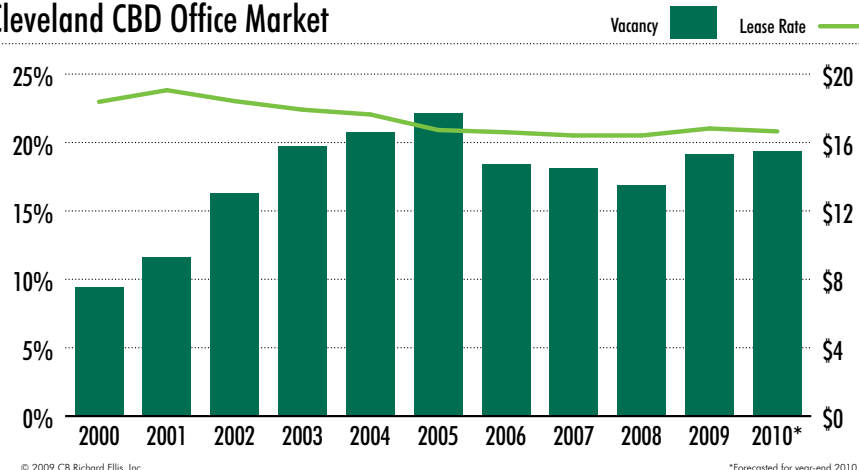
Minimal office construction will occur except for potential developments in the education and health care industries, which will post the best performance over the next two years.

CBD office market

Cleveland's CBD office market comprises approximately 16 million rentable square feet (RSF) of space, of which nine million RSF is Class A (14.5% vacant) and seven million is Class B space (25.2% vacant) with an overall vacancy rate of 19.1% at the end of the fourth quarter of 2009. A trend to watch in the coming year will be tenants transitioning from Class C space to Class B space as landlords are looking to fill spaces and rental rates become more affordable for these users.

In a typical year within Cleveland's CBD, approximately 10% of all leases

Cleveland CBD Office Market



will expire with a projected 700,000 RSF of total space scheduled to turn in 2010 in Class A buildings alone. Historical data has shown that on average at least 30% of these tenants will quickly renew their leases in their existing buildings while the remaining 70% of these tenants will actively tour the market to see what the other competitive buildings have to offer. Ultimately, we have found that a tenant's life cycle in a building averages from seven to ten years before they relocate to a different building.

Currently, deals are being driven by sales and professional service organizations, in particular law firms who continue to lease a high concentration of Class A space throughout the CBD. It is estimated that Class A vacancy could be less than 10% by the end of 2010.

In regards to new construction, which has been stalled due to the inability of developers to obtain satisfactory financing, the Flats East Bank Project appears to be back on track. Developed



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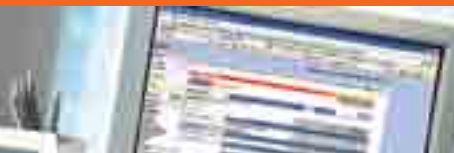


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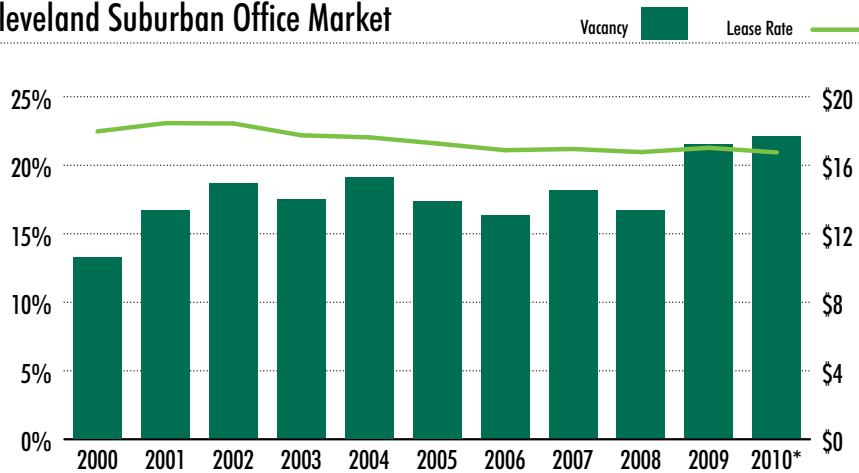
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Cleveland Suburban Office Market



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*Forecasted for year-end 2010

by The Wolstein Group and Fairmount Properties, this 24-acre development will include a 450,000 RSF, 18-story, Class A office building connected to a hotel. Ernst & Young, who will have naming rights, will occupy the top six floors of the building while Tucker Ellis & West will occupy four floors in this building with a planned occupancy date in the spring of 2012.

Suburban office market

The suburban office market continues to be impacted by the adverse market conditions, experiencing increasing vacancy, more sublease space, negative net absorption and decreasing asking rental rates. The suburban market comprises over 18.3 million (RSF) of space with a vacancy rate of 21.4% and overall asking lease rate of \$17.02 at the end of 2009.

Total net absorption for the suburban market was 650,000 SF, which was the most dramatic reversal of the decade.

The major submarkets, each with their own personality, performed as expected in 2009. The east submarket remains the healthiest of markets, with a relatively low vacancy of 18.6%. The Developers Diversified Realty headquarters expansion came on line in the fourth quarter and impacted vacancy minimally. It was the only building delivered in the entire market and has really set the new standard for office building construction, being one of the most state-of-the-art buildings in Northern Ohio.

The south submarket, which is mainly comprised of the Rockside Corridor, really took a hit during 2009, after experiencing improving market conditions. This area is one of the softer markets in Northeast Ohio, with

a vacancy rate of 22.8%. Excess inventory issues will continue to hamper recovery in this market, and it may take up to three years to reach vacancy levels seen pre-recession.

The west submarket continues to see pockets of high vacancy, making this area the most vulnerable, given the economic market conditions. A prolonged market recovery can be expected, with a year-end vacancy rate of 24.8%. The Center Ridge Corridor continues to see tenants moving to newer Class A space in areas like Crocker Park with better access to highway infrastructure and amenities.

In summary, as economic conditions strengthen, the office markets in Northeast Ohio will regain momentum, only at a slow pace. Recovery in employment will be one of the most important factors aiding in the recovery of the office market.

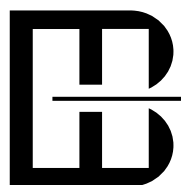
Northeast Ohio Industrial Market Outlook

Written by David Ford, CCIM
Senior Associate, Industrial Properties



Retrospectively, 2009 proved to be a challenging year for all participants in the regional industrial real estate market. Given the current economic environment, the

Northeast Ohio industrial market has fared moderately well given the adverse

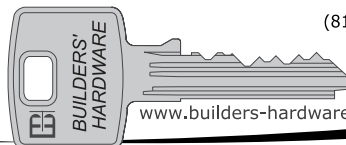


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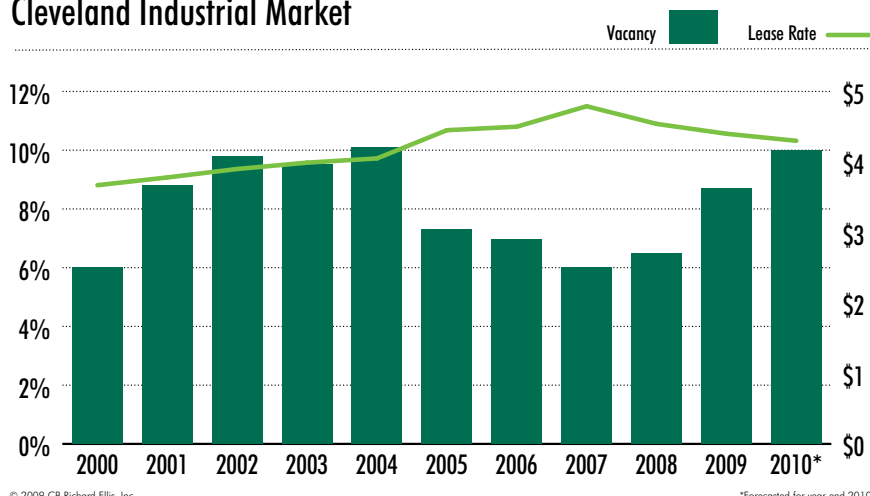
SPECIALTIES

economic conditions. The continuing global credit crisis affected asset valuations creating uncertainty for owners, lenders, appraisers, occupiers and brokers alike. Despite the bleak market conditions, opportunities in leasing and lease renegotiation, including “blend and extend” strategies, provided optimism to property owners with extended lease terms and tenants reduced their effective rent.

Availability rates in the fourth quarter of 8.7% remained below the national market average of nearly 13%. Our region will be slow to react to improving economic conditions due to our reliance on manufacturing and the auto industries. Regional auto production will not return to historic levels, impacting employment and the supplier base, resulting in overcapacity. We expect continued softness in the market, with availability rates quite possibly reaching double digits in the first half of 2010 coupled with continued negative absorption.

Industrial sales activity will decline until the regional manufacturing economy improves. Sale activity depends on the quality of a building and pricing; good buildings priced right are moving, whereas obsolete buildings, over-priced, will sit for extended periods of time. This trend will continue

Cleveland Industrial Market



for at least another one to one and a half years.

Speculative development is still greatly impacted by the adverse market conditions, and will not pick up until there is absorption in the market. Compared to 18 months ago when construction costs were extremely high, costs will remain much lower as contractors compete for fewer projects. Likewise, land prices will continue to trend lower.

The spread from face-rates to deal-rates is increasing as owners are more aggressive to secure the few credit-tenant deals in the market. Incentives

such as tenant improvement allowances, combined with free rent, are the tools to secure continued occupancy for owners and lower effective rent for occupiers.

The uncertainty seen last year has dwindled as we enter 2010. Expect to see growth from green energy initiatives, medical industries, advanced manufacturing systems and the experience of the regional work force to provide necessary infrastructure improvements will help the recovery. As the economy recovers, employment growth will gradually improve and with good fortune the worst of the credit crisis will be behind

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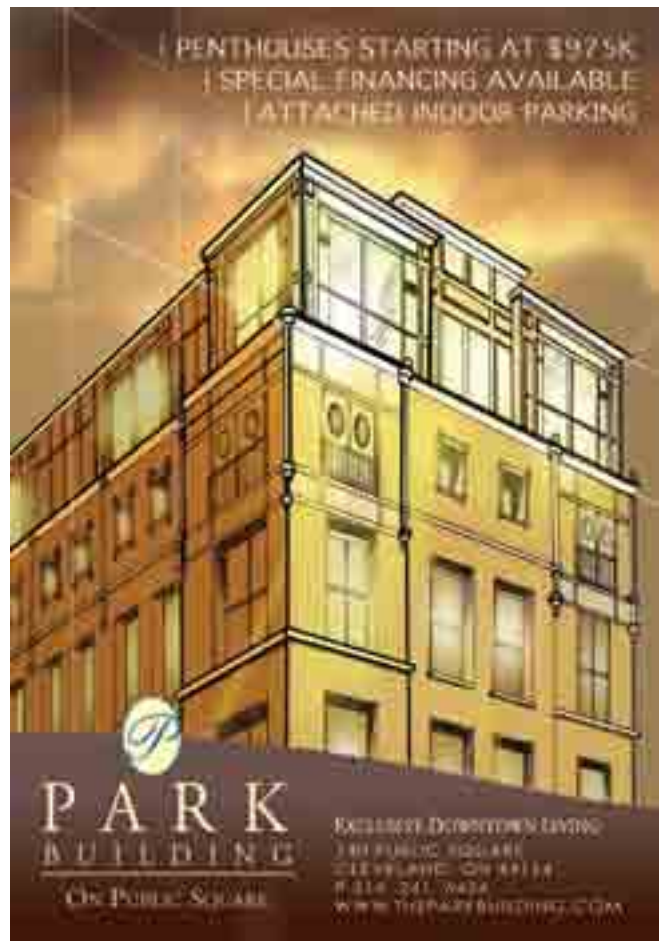
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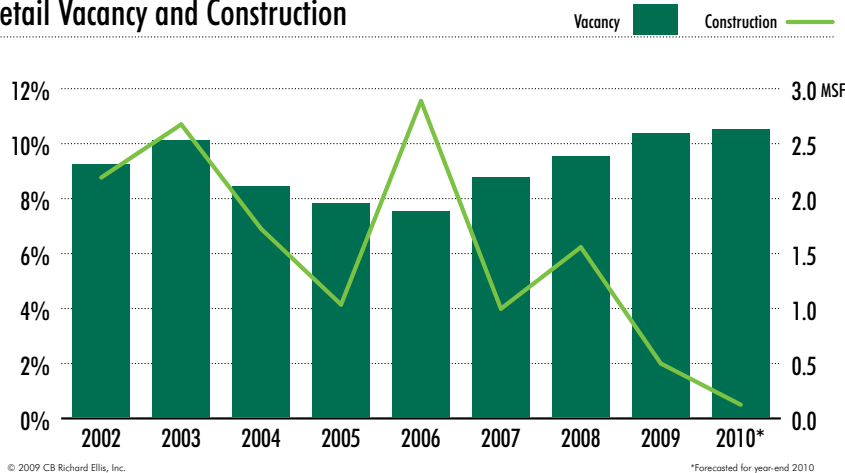
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Retail Vacancy and Construction



us in 2010 and a more positive report for all aspects of the industrial real estate market at this time next year.

Northeast Ohio Retail Market Outlook

*Written by Keith Hamulak
Senior Associate, Retail Services*



At this time last year our research suggested we were sitting on the bottom – rock bottom. Happier days lay ahead as Northeast Ohio's retail market has stabilized enough that transaction activity is once again determinable. Today's retail transactions require more patience, increased attention to detail, and creativity. Current market participants are establishing new precedents for rent, land prices and capitalization rates. Our research indicates a decrease in average market rent, a larger decrease in land prices, and a significant increase in capitalization rates for income producing properties.

Experts anticipate that it will take several years for the local retail market to correct. Why so long? First, certain trade areas are oversaturated with retail product that will likely take 24 months or more to absorb. Second, the majority of lenders are

not interested in increasing their pool of retail loans especially when existing loans are being scrutinized by regulators. Finally, consumer spending has decreased, unemployment is still more than 10%, and the housing crisis has not been mitigated.

Retail vacancy rates are expected to increase in 2010. Retailers closed additional stores in 2009 with few new store openings. The largest contributor of vacant space to the local market this year was Value City Department Stores. Additionally we anticipate that retail management will focus on operations and will look to eliminate poor performing stores. Stores in declining trade areas that have been out-positioned within the last ten years are the most vulnerable. Retail construction is estimated at 500,000 square feet with the largest addition to occur in Strongsville at the Plaza at SouthPark (312,000 SF).

In closing, the retail environment in 2010 will continue to be challenged. New construction and store growth is not anticipated to rebound until 2012. Investors with cash can expect much better returns than the previous five years. Seller financing will be common and proper due diligence periods will return to normal. Real estate companies positioned as receivers and managers will be the beneficiaries of this cycle. **P**

Top Cities

County	City	Units
Lorain	North Ridgeville	180
Lorain	Avon City	86
Cuyahoga	Berea	67
Summit	Copley Township	61
Lorain	Avon Lake	55
Medina	Brunswick Hills	54
Summit	Green	52

Top Home Builders

Builder	Units
Ryan Homes	602
Oster Homes	115
Pulte Homes	112
Drees Homes	76
Unmistakably Premier Homes	60
Moreland Homes	34
Wayne Homes	33

Top Subdivisions

Subdivision	City	Units
Sandstone Ridge	Berea	212
Meadow Lakes	North Ridgeville	114
Pioneer Ridge	North Ridgeville	78
Montrose Park	Copley Township	69
Autumnwood	Brunswick Hills	68
Lake Erie Shores	Painesville Township	65
Cobblestone Park	Montville Township	64

Leaders in Residential Building 2009

Provided by Trista McClelland

and development consulting firm Atwell, LLC is proud to provide a summary of its 2009 3rd Quarter Residential Market Report. The full report is compiled using data obtained from the individual building departments in the eight counties which comprise the Cleveland Metropolitan Statistical Areas, plus Stark County. The report covers all housing starts (except apartments) from Jan. 1 through Sept. 30, 2009. Cities, Builders, and Subdivisions are ranked strictly in terms of the number of new homes started and built. This numerical ranking should not be misconstrued as Atwell-Hicks' endorsement of any one particular Builder, Subdivision, or City over another. **P**

Trista McClelland is a research specialist with Atwell-Hicks Development Consultants. She can be reached at 30575 Bainbridge Rd. Suite 180, Solon, Ohio 44139 or by calling 216.570.9195.

Construction Outlook 2010

McGraw-Hill Construction sees 10% climb in construction starts, yet weak level of activity overall

The construction industry has gone through a particularly tough year in 2009. The value of new construction starts is estimated at \$419 billion, a 25% decline that follows shortfalls of 13% in 2008 and 7% in 2007. Whereas the earlier retrenchment was led by single-family housing, in 2009 substantial weakness was reported for multifamily housing and commercial buildings. Even the typically more resilient structure types – educational buildings and healthcare facilities – have lost considerable momentum this year. The diminished activity is taking place, of course, amidst the longest and steepest recession since the Great Depression.

The current year does contain a few bright spots. In February, the \$787 billion federal stimulus act was passed, and it's estimated that the stimulus provides about \$130 billion for construction. While criticism has been directed at the pace at which funds are being disbursed, there's already been a pickup this year for highway and bridge construction. Signs that the stimulus is providing a lift to other project

types began to emerge during the third quarter of 2009, with more expected by year's end and into 2010.

Another plus is the stabilization of the financial sector, after its near collapse last fall. Given the very aggressive actions taken by the U.S. Treasury and the Federal Reserve, the sense of crisis has eased considerably. The markets for municipal bonds and commercial paper are functioning once again, although

banks remain extremely cautious in terms of issuing loans. And, the recession has probably reached its end, as suggested by a variety of indicators and underlined by Federal Reserve Chairman Ben Bernanke's statement in September that the recession is "very likely over." The consensus view is that real GDP turned positive in the third quarter of 2009, rising about 3%, due to improved consumer spending. However, given the



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very weak first quarter, it's estimated that real GDP for full year 2009 will be down 2.6%.

There are also several major limitations going forward. The recession may be near its end, but employment will stay weak well into 2010, as firms remain slow to hire. This has important implications for the commercial building sector, as it relates to such market fundamentals as occupancies and rents. Bank lending standards will stay tight, impeding development, and rising defaults on commercial real estate mortgages make the situation even more tenuous. The weak employment picture also means that state and local finances won't be turning around soon, given diminished tax receipts. The steps taken to balance budgets often mean the deferral of programs, frequently involving construction. With this mix of factors, the early stages of expansion for the U.S. economy will be reminiscent of the "jobless recoveries" of the past. For 2010, the U.S. economy is expected to expand just 1.8%.

Against this backdrop, it's forecast that the overall level of construction starts in 2010 will climb 11% to \$466.2 billion, helped by improvement for housing from extremely low levels and a more sustained boost to public works coming from the stimulus funding.

The following are the main points for next year's construction market:

- Single-family housing in 2010 will advance 32% in dollars, corresponding to a 30% increase in units to 560,000 (McGraw-Hill Construction basis). While the percentage gains are impressive, the level of activity remains weak – about the same as 2008, and more than 65% below the peak activity at mid-decade. The increase expected for 2010 assumes that mortgage rates stay low, that the first-time homebuyer tax credit gets extended, and that programs designed to ease the foreclosure crisis begin to have a positive impact.
- Multifamily housing will improve 16% in dollars and 14% in units after the steep reductions in

	2004	2005	2006	2007	2008	2009	2010
Total Construction	593.2	670.2	689.6	640.9	554.9	418.9	466.2
	+12%	+13%	+3%	-7%	-13%	-25%	+11%
Single-Family Housing	282.7	315.5	272.4	201.2	122.4	95.3	126.6
	+17%	+12%	-14%	-26%	-39%	-22%	+32%
Multifamily Housing	50.4	68.5	69.8	61.4	39.7	18.2	21.1
	+23%	+36%	+2%	-12%	-35%	-54%	+16%
Commercial Buildings	67.2	72.2	93.0	100.8	84.5	48.2	46.1
	+14%	+7%	+29%	+8%	-16%	-43%	-4%
Institutional Buildings	89.1	100.1	110.7	117.6	129.3	110.2	111.1
	-1%	+12%	+11%	+6%	+10%	-15%	+1%
Manufacturing Buildings	8.0	10.1	13.5	20.4	28.9	10.9	9.4
	+17%	+26%	+33%	+51%	+41%	-62%	-14%
Public Works	88.2	96	112.4	121.7	120.0	119.7	136.5
	+6%	+9%	+17%	+8%	-1%	0%	+14%
Electric Utilities	7.4	7.9	17.7	17.8	30.2	16.5	16.0
	-17%	+6%	+125%	+1%	+70%	-45%	-3%

Source: McGraw-Hill Construction

2008 and 2009. The 14% gain to 160,000 units still leaves activity about even with the bottom of the early 1990s recession. Project financing will stay tight, but to a lesser degree than what's expected for commercial building. Stimulus funding will offer support via various U.S. Housing and Urban Development programs.

- Commercial buildings will retreat an additional 4% in dollars, after the steep 43% drop in 2009. In similar fashion, square footage will slide 7% after this year's 54% plunge. The persistently weak employment picture will further depress occupancies, making it even more difficult to justify new construction.
- The institutional building market in 2010 will edge up 1% in dollar terms, helped by a growing amount of energy-efficiency upgrades to federal buildings, as well as continued strength for military buildings. Square footage will slip another 2% after falling 23% in 2009. The educational building category will see further declines, but healthcare facilities should stabilize after this year's sharp correction.

- Manufacturing buildings will drop 14% in dollars and 3% in square feet, hampered by the substantial amount of slack manufacturing capacity. Some cushioning may come from production facilities related to alternative energy.
- Public works construction should rise 14%, given more wide-ranging strength across the various project types. Highways and bridges will maintain their upward track, to be joined more fully in 2010 by sewers and water supply projects, as well as mass transit work.
- Electric utilities will slip 3%, continuing to settle back after the record high for construction starts achieved in 2008. Alternative power projects, such as wind and solar, are assuming a greater share of the electric utility total, and these projects tend to be smaller in scope than the massive gas-fired plants of recent years. Transmission line work should stay strong, given the emphasis provided by the stimulus act to such projects. **P**

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A Whole Lot of Nothing Going On



ALEC J. PACELLA

As we raised our glasses and the clock struck midnight on New Year's Eve, there was a collective and cohesive thought amongst almost everyone I know – good riddance to 2009. This was particularly true for my friends in the real estate community, as 2009 was a very forgettable year. Sure, there were some successes but to say that the bad outweighed the good would be a dramatic understatement.

Illustrating just how tough of a year it was, one has to look no further than one of my favorite barometers, the overall investment sales volume for the Cleveland market. For much of the decade, this volume regularly exceeded \$1 billion and peaked in 2007, with a volume of \$1.7 billion. In 2008, the volume dropped to \$550 million. As we headed into 2009, I boldly predicted in these very pages that the volume would recover to around \$600 million for the year.

I reasoned that the worst had to be behind us and, after a slow start, activity would accelerate over the second part of 2009. Boy, was I wrong. Ladies and gentlemen, the total sales volume for 2009 was \$126 million. Rather than point out what happened, it is easier to point out what did not happen – lenders didn't lend, buyers didn't buy and sellers didn't sell.

Although this sounds simplistic, let's take a minute to discuss each:

Lenders

Despite numerous programs put in place to spur the flow of capital, the lending market remained largely inactive during 2009. Real estate continued to be a dirty word and the general feeling among lenders was that less debt exposure and more cash on hand was a good way to keep the regulators at arms length. The conduit market, one of the primary sources of debt during the boom years, continued to be shut down. And the few lenders that were active would only consider the strongest deals while applying conservative terms and conditions.

Buyers

Buyers were largely split into two camps. The first had little interest in purchasing, as they understood the difficulties associated with the debt markets and/or were more concerned about keeping their existing properties afloat and preserving capital. The second had

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a greater interest in purchasing, understanding they would need substantial equity, but only would consider properties at attractive pricing levels – if it wasn't a “great deal,” they weren't buying. But few great deals actually materialized, resulting in most buyers sitting on the sidelines for a second consecutive year.

Sellers

Sellers were largely split into three camps. The first were sellers looking for a market price, the second were sellers that had motivations other than price (such as estate planning or portfolio liquidation) and the third were sellers of distressed assets. During the boom years, almost everyone was a seller, as prices continued to climb and sellers were able to capitalize on a frenzied atmosphere. But now that the pendulum has swung and sellers realized that the pricing levels from the past were but a distant memory, the prevailing attitude was to hold in anticipation of the market coming back. And although the number of distressed sellers did increase, it was not nearly enough to offset the exit of market-price sellers.

When we put all these groups into a bottle, shake it up and pour it out, the result was a year that was very forgettable. So where do we go from here? Despite my less-than-perfect prognostication last year, I'm willing to step back in the box and take some hacks. Below are some themes that I think will emerge during 2010.

Slip, sliding away

For the last couple years, many have believed that commercial and industrial real estate was teetering, ready to crash similar to the residential market of 2007. Although it has been resilient, some cracks began to appear as 2009 wore on. I don't think that the bottom will fall out of this segment but I do anticipate a marked increase in distressed properties during 2010. If the property and borrower are solid, most lenders will try to “kick the can

down the street” for loans maturing this year, extending the balloon dates out for a short time. But some properties are just too far underwater into receivership and/or foreclosure. Although this may be welcome news to all of the value buyers waiting in the wings, I have one piece of advice. Bring lots of cash, not only for the initial purchase but also to fund the inevitable re-positioning and re-leasing efforts that will follow.

The refrain – slip, sliding away

Property owners and lenders struggling with distressed properties won't be the only ones facing a difficult 2010. There are a whole host of sub-segments in the real estate industry that have been hurt by the downturn. These include title companies, brokerage companies, architects, the building trades, law firms and accounting firms, among others. While most have been able to weather the storm thus far, a prolonged downturn could dramatically impact the landscape, particularly if there is no marked improvement this year.

Second verse, same as the first

I know that not many of you want to hear this (heck, I don't want to hear it either) but I think that 2010 is going to strongly resemble 2009. Lending will remain tight, the pricing gap between buyers and sellers will remain large, the amount of distressed properties will increase and the overall feeling of uncertainty will continue to drape the market. But I also think that 2010 is going to be a year of great transition as well as mark the beginning of a significant transfer of wealth. For those able to manage a stable position, the upcoming opportunities should be significant. At least, that's what I kept telling myself as I polished off that bottle of champagne. Cheers, my fellow readers, as we will see how 2010 unfolds. **P**

Alec Pacella, CCIM, senior vice president at NAI Daus, can be reached by phone at 216.831.3310, ext. 125 or by email at apacella@naidaus.com.

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Facing a Changing Landscape



DIANNA HOSTA-STICKNEY

Looking back at 2009, most measures of economic activity moved in upward trends. Gross domestic product turned positive; industrial production gained; and stock market indices have been surging. Yet, commercial real estate did not find a foothold. Demand for commercial properties continued on a downward path, adding pressure on prices and rents. Credit conditions continued to tighten as banks moved to strengthen their balance sheets. As a result, vacancy rates have been increasing and the volume of distressed properties has grown.

Following four consecutive negative quarters, gross domestic product (GDP) rose 2.9% in the third quarter of 2009. The increase was prompted by improvements in all GDP components. Consumer spending went up 2.9% driven by activity in durable goods consumption, where motor vehicles and parts spending jumped 43.4% during the quarter as a result of the “cash for clunkers” program.

Investments posted an 8.4% gain, primarily due to contributions from equipment and software (up 2.3%) and transportation and related equipment purchases (up 26.5%). More pertinent to commercial real estate, nonresidential investment was down 4.1%, with investment in commercial structures down 15.2%. Government spending gave the GDP a 3.1% boost. While

export and import activity was up for the quarter, net exports made a negative GDP contribution.

Several factors contributed to the positive changes. Industrial production was up 5.6% during the third quarter. Manufacturing activity posted a 7.5% gain while mining rose 4.0%. Raw material production was also up, with coal production up 17.4% and primary energy materials up 1.4%. Retail sales increased 7.1% overall.

While the economy is slowly coming back, issues such as unemployment remain ever present. According to George Ratiu, National Association of Realtors (NAR) research economist, the next quarters will be a difficult progression towards stabilization. While office properties struggle with high vacancies,



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declines in rents for industrial space are expected to grow. And while demand for apartments is projected to rise in 2010, challenges continue to mount for hotel and retail properties.

In an encouraging sign for commercial real estate, the commercial mortgage backed securities (CMBS) market regained a pulse around midyear, triggered in part by the government's TALF program, with more than \$1.2 billion issued during the third quarter. The Federal Reserve also extended funding for the TALF program into 2010 for both new and legacy CMBS issues. In addition, the Fed also issued a policy statement in support of commercial real estate loan modifications, given declines in cash flow, asset prices and low transaction volume.

Additionally, Ratui reports that recoveries in global economies and rising international cash reserves are prompting investors to start looking for deals. Transaction activity during the third quarter of 2009 rose 27.4%, with 677 major properties exchanging hands for a total of \$13.1 billion. The advance in commercial property sales was driven by an 85% jump in office sales. The volume of retail and hotel property sales increased by 46% and 40%, respectively. Apartment transactions were up 12%, while industrial sales declined 32%.

Deriving from these factors, commercial real estate is facing a changing landscape where maturing debt, loan modifications, lower prices and private investment vie for footing. A positive shift in employment and financing activity are both needed to place commercial real estate on solid ground. **P**

Dianna Hosta-Stickney is the 2009 Chairwoman of the Board for Cleveland Area Board of Realtors (CABOR). CABOR is the voice of real estate in Northeast Ohio, serving the community, real estate professionals who sell real property, and businesses that work in or with the real estate industry. CABOR provides a variety of services to its professional members including education, insurance, affinity programs and legislative representation, as well as membership in the Ohio Association of Realtors (OAR) and the National Association of Realtors (NAR). For more information, visit www.CABOR.com.

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Much more than a smartly rhyming catch-phrase for a recent phenomenon in commercial real estate, “pretend and extend” is helping to provide the industry with some operational clarity and, subsequently, fiscal relief during these uncertain economic times. Indeed, the policy can prove helpful to both financial institutions, in complying with federal regulations, and to the economy and borrowers, in providing additional time for current financial conditions to improve.

In a policy statement issued by the Federal Deposit Insurance Corporation (FDIC) and other federal regulators on October 30 of last year, “pretend and extend” established “safe harbor” guidelines to financial institutions for supporting prudent commercial real estate loan workouts to “credit worthy borrowers who have the willingness and capacity to repay their debts.”

Simply put, the policy is exactly what its name implies: banks extending the terms of loans to later dates. In expanded terms by many in the financial-services business, it is an accepted alternative for banks to deal with problem commercial real estate assets.

And let's face it: This is a prudent and (just as importantly) crucial strategy – in the sense that something needed to be done in the commercial properties sector. Real estate markets continued to flounder during 2009 and may not bottom out until sometime this year, and we have seen nearly unprecedented drops in property values and foreclo-

sures, increased vacancies and reduced rental rates.

These factors have resulted in reduced cash flows and difficulty in obtaining financing for real estate investments. Property value reductions of 15 to 20 percent are typical of current devaluations and we have had some properties drop in value by as much as 30% to 40%.

Several factors need to improve before we see an end to the devaluation of property and improvement in cash flow. Two of these factors are an improvement in the economy and the hand-in-hand willingness and ability of lenders to accept the risk of today's real estate credit market.

This is where “pretend and extend” comes in, grounded on a similar trend with another catchy idiom floating through the industry: “A rolling loan gathers no loss.”

Remembering that “cash is king,” an astute real-estate investor with the cold, hard, green stuff has an opportunity to acquire real estate and generate tremendous fortune-generating opportunities.

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Meanwhile, distressed sellers and financial institutions needing cash or looking to clean out their portfolios will need to dispose of good quality properties.

Those investors who are daring and selective could acquire premium and high-quality properties at bargain prices. When the economy turns around, they will be in position to benefit from their wise decisions.

The fruit in this commercial real-estate orchard is now ripe, as the new "pretend and extend" guidelines are targeted primarily at the hundreds of billions of dollars worth of loans that are coming due and can't be refinanced, largely because the value of the properties have fallen below the loan amount. In many of these situations, the properties are still generating enough cash flow to pay debt service.

A sign of the times

Banks have generally been keeping a lid on commercial real-estate losses by doing some "extending and pretending" themselves by stretching distressed mortgages upon maturity. That practice was being criticized by some analysts and investors as promising to put off current pains into the future, many even dubbing it "delay and pray."

But now that federal regulators have essentially sanctioned the practice – as long as banks restructure loans prudently – the policy is now for some financial institutions to make new loans on commercial real estate exceeding the value of the collateral.

It is none too surprising that the "extend and pretend" concept has taken hold; late last year, the Federal Deposit Insurance Corporation reported that loan balances at commercial banks and savings institutions it insures fell in the third quarter at the fastest clip in at least 25 years.

Another recent survey, conducted by Foresight Analytics, found that 53% of commercial real-estate mortgages due by 2014 are held by borrowers who owe more than the value of the property. And according to the Mortgage Bankers Association, loans for commercial and multi-family property activity

fell 54% in the third quarter of 2009 from the same quarter a year ago while loan originations were down 12% from the second quarter.

Given these and other factors, lenders are willing to play a waiting game. As we all know, foreclosing on a property would mean the bank would have to manage it itself in these perilous economic times and the prospect of selling it in the currently discouraging investment-sales climate is not enticing, either.

Instead, lenders seem to be going more with their instincts these days and granting extensions or other modifications to borrowers. In this system, lenders are hoping that if they can stall foreclosure for a year or two, they will be able to recover more of their investment than they would if they sold the property now.

Borrowers are not being viewed equally by lenders, however. Operators with a history of success and owning property that generates positive cash flow have a better opportunity to have

their loans reworked. Those operators with little equity in the property and negative cash flows will have a poorer chance of reworking their loans.

As lenders rework loans, they are not only extending the terms, but restructuring them by changing covenants and payment terms.

Despite the current challenges in today's markets, there are opportunities for the savvy real estate entrepreneur – opportunities to acquire quality property at discounted prices as well as opportunities to restructure loans and improve cash flow. These opportunities are not for the weak of heart. However, if you are optimistic and opportunistic, the future can be a bright place for you. **P**

Gabe Adler, CPA, is a partner with Zimmer & Co. LLP financial-services firm in Cleveland, specializing in real estate taxation and consulting. Gabe can be reached by phone at (216) 831-0733 or by e-mail at gadler@zimmerco.com.



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It's Property Tax Time Again



BILL J. GAGLIANO

The holidays are over and that means it's time for the next season of the year: property tax season. As you read this issue of *Properties*, you have no doubt received your first half 2009 tax bill – and perhaps even paid it.

As a commercial or industrial property owner in one of many Northeast Ohio counties, you likely received with that bill your first indication of the county's new assessed value for your property. Homeowners would have learned in an earlier separate mailing of the new assessed value of their residence.

Cuyahoga, Lake, Lorain, Stark and Portage Counties are among the 19 of Ohio's 88 counties whose auditor performed a property value "update" in 2009. A small number of other counties did full reappraisals of property values in 2009. Values are subject to a full revaluation every six years (the "sexennial reappraisal") with a valuation update (the "triennial update") being performed at the mid-point of the six-year period. The 19 counties that performed an update in 2009 would have performed their last full reappraisal in 2006.

In an "update" year like 2009, the county auditor analyzes sales and other data for each community and makes generalized changes to the values of real property assuming no major improvements, sales or other particular changes to a property. In a sexennial reappraisal, the county auditor's office makes individualized decisions with respect to each parcel of property in the county.

In Cuyahoga County's update for 2009 the county auditor reduced the value of most residential properties but at different rates depending upon the municipality. For example, home values were reduced by 10% in University Heights while only by 5% in Westlake. These decreases in home values contrast dramatically with values established in Cuyahoga County's previous update year, 2003, when across the board increases such as that of 9% in Westlake were instituted for residential properties.

On the commercial front, property values generally were left flat in Cuyahoga County with no or very little change in value for 2009.

When values of commercial properties stay flat and residential valuations decrease, you might expect that your first half 2009 tax bill should be no higher than it was for the last half of 2008. However, that is not necessarily true.

Property taxes are computed based on the product of two factors – valuation and effective tax rates. Even if values decline, taxes could still increase if a new levy (known as part of the "voted millage") is passed to support the local school district, city, library system or county agencies.

Tax rates as a percentage of market value vary widely by community. In





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Cuyahoga County, real estate taxes as a percentage of a commercial property's market value currently range from a low of 1.76% in Cuyahoga Heights and Brooklyn Heights to a high of 4.62% in Shaker Heights and 4.71% in that portion of Cleveland which is situated in the Shaker Heights School District.

Real estate taxes can also increase despite no new tax levies and in the face of declining valuations due to the impact of House Bill 920. HB 920 was passed in 1976 to blunt the tax impact of rising valuations such as those resulting from a triennial update or sexennial reappraisal. As a result of HB 920, the effective tax rate in a taxing district from its voted millage is reduced to compensate for the average increase in property valuations in that community. This reduction in rate is computed so that when multiplied by the increase in value the same tax revenues are generated in the taxing district.

However, HB 920 works both ways. When values decline in an update or reappraisal year, HB 920 operates to guarantee the taxing district the same revenues by increasing the effective tax rate. Thus, property owners in a declining value year may see no or proportionately little reduction in their actual tax bill.

The start of the new year brings with it the greatest opportunity to control or reduce the amount of real estate taxes you pay. By filing a complaint with the county board of revision, you can challenge the valuation of your property and, with it, actually reduce the amount of property taxes due for the 2009 tax year notwithstanding HB 920.

In those counties where 2009 was an update year, a board of revision challenge presents the biggest opportunity for tax savings because, barring a sale, casualty or other material change to the property, the revised value will remain in effect until the 2012 reappraisal.

Board of revision complaints must be filed by March 31, 2010, but expect a lot of company if you choose to file. For tax year 2008, the last year of the prior triennium, a record 17,000+ complaints were filed in 2009 by Cuyahoga County taxpayers. More are expected to be filed

in 2010 because of the updated values and the impact of the economy. School districts will also be filing complaints to protect their tax base particularly where properties sold in 2009 at a price higher than their assessed value.

While some complaints can be filed directly by the taxpayer, commercial property board of revision proceedings

should be handled by an experienced property tax attorney. Now is the time to take a close look at the value of your property and consider whether filing a complaint makes sense. **P**

Bill Gagliano is chair of the Real Estate Practice at Ulmer & Berne LLP. For more information, visit Ulmer & Berne online at www.ulmer.com.



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**WE ARE PROUD TO HAVE BEEN THE GENERAL CONTRACTOR FOR THE RENOVATION OF THE
HISTORIC SOLDIERS' & SAILORS' MONUMENT IN CLEVELAND'S PUBLIC SQUARE.**



Photo by Ken Kych

Monumental Makeover

Local experts restore historic Public Square memorial honoring Civil War soldiers

By Lou Kren | Photos by Herbert Ascherman, Jr.

The 125-foot column rising on the southeast quadrant of Public Square reflects the efforts of Greater Clevelanders to honor the sacrifices of Cuyahoga County Civil War soldiers and forever remember their contributions to the Union cause. Topping the column, with sword thrust skyward, the Goddess of Freedom reminds us that national freedom and liberty demand eternal vigilance. That was precisely the message that Levi T. Scofield sought to convey when designing the Cuyahoga County Soldiers' and Sailors' Monument. From the date of its dedication, July 4, 1894, the column and its square Memorial Room base have carried that message to the public, and the monument has become one of the most recognized Cleveland landmarks.

Just as Scofield reminded Americans of their responsibilities, the Cuyahoga County Soldiers' and Sailors' Monument Commission understood its responsibilities and, along with Cuyahoga County architect Berj A. Shakarian, has guided a \$2 million restoration of the monument. August 2006 marked the official start of this restoration when Cuyahoga County Commissioners chose Westlake Reed Leskosky, with Peter van Dijk, to provide architectural, engineering and historic-preservation services for the monument, originally constructed for \$280,000. EnviroCom Construction Inc., Beachwood, was selected as

general contractor and by the fall of 2008 crews were at work. The project's goal: restore interior paint, bronzes and stained glass; repair and recolor marble nameplates; install new electrical, HVAC and security systems; control moisture penetration; perform structural repairs; provide interior and exterior museum-quality lighting; and add ADA-compliant access. After piecemeal maintenance and repair projects over the life of the monument, the time had come for an extensive renovation.

"This represents one of the most serious restorations of a monument of its significance," says Paul Westlake Jr.,

managing principal of Westlake Reed Leskosky. "This project involved an incredible amount of research and detail, all needed to solve its unique problems."

Addresses structural issues

Major work it was. Early on, crews found corroded structural steel due to a leaking sandstone roof as well as leaking downspouts.

"The first part of the work involved major restoration of the steel and the installation of new steel above the ceiling so that the monument could be stabilized for generations to come," says EnviroCom President Tom O'Donnell.



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With appreciation to Neil K. Evans, President of the Soldiers' & Sailors' Monument Commission; Benj. A. Shakerian, AIA, Cuyahoga County Architect; and the Cuyahoga County Commissioners, Westlake Reed Leskosky along with their consultants and Peter van Dijk are honored to have been the Architects and Engineers for the Restoration of the Soldiers' & Sailors' Monument.

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To access and replace the structural steel beams in the corners, crews had to raise marble ceiling panels – each seven-foot-square panel measuring 4.5 inches and weighing 1,600 pounds. The panels were jacked up and rolled over the center ceiling sections, which had to be supported to handle the increased weight. New steel was raised up and welded in place, an improvement over original monument construction where joists were connected via nuts and bolts, according to Terry Rogers, project superintendent for EnviroCom, who guided *Properties* on an extensive tour of the restored monument.

“The slabs of marble are irreplaceable,” says O'Donnell, detailing the work of subcontractors. “We securely moved the slabs out of the way, repaired the structural roof and repositioned these valuable marbles, all without any damage. And, while this was going on above, we were completing work on the lower level [in tunnels below the museum main floor], installing the new heating and air conditioning.”

Needed to reduce moisture

New HVAC was a major project component, intended to address moisture problems that had warped the marble wall plates containing the carved names of Civil War soldiers. Previously, steam radiators provided heat, with no real control over temperature. The monument now receives heat via a new hot-water system employing fin tubes backed by three new dehumidifiers to reduce moisture. That is critical given the monument's sandstone shell, a permeable material that lacks the ability to resist moisture. Four new air-conditioning units provide cooling.

“We have added extensive mechanical systems to control the humidity and heat,” says Lyle Satterlee, construction administrator with Westlake Reed Leskosky. “The monument was built with heavy stone foundations and using heat initially furnished by direct-current electric heaters. It has suffered from tremendous problems due to humidity, moisture and temperature changes. The replacement of steam radiators with fin-tube heaters and state-of-the-art HVAC equipment addresses these issues.”

Interestingly, new HVAC presented the opportunity to restore bronze radiator covers, originally perforated and



ILLUMINATING THE PAST To draw attention to the restored monument and its intricate details, new fluorescent and LED fixtures were installed. Four corner chandeliers simulate original lighting in the space while rack lighting draws attention to corners and specific features.

detailed with Civil War insignias. Over time, the covers had been repainted, removed and reinstalled incorrectly. The project team restored the covers to their original color and condition, and installed them in newly drilled floor holes.

Museum-quality lighting

To power the new systems, crews brought in new electric service and panels. And the monument boasts new high-efficiency lighting throughout.

“The existing lighting was garish and distracting,” van Dijk says.

Originally, interior lighting was provided by an electrolier consisting of 30 lamps – 15 illuminating the central shaft and 15 illuminating the perimeter, with four chandeliers, one in each corner. Each chandelier contained six gas lamps for uplighting and six DC lamps for downlighting. Years ago the chandeliers were removed and two-tube fluorescent lighting was added in the 1960s.

The museum now boasts new fluorescent and LED fixtures, including an electrolier of four long-winged

light racks to illuminate the ceiling and sides toward the central shaft and outer walls. Track lights illuminate corners, busts medallions and the ceiling with spotlight highlights. Four corner chandeliers simulate the originals, with rose red globes on the chandeliers evoking gas lanterns used on the original chandeliers, and amber globes evoking the original DC chandelier lighting.

“Peter van Dijk has combined fluorescent with track lighting and LED lamps to pick up accent items and monuments along the wall and uplight the ceiling,” says Shakarian, commenting on van Dijk’s lighting design. “The new chandeliers are proportional and have shades in red and yellow typical of the Victorian era, evoking the idea of candles and flames. Peter also insisted on replacing the exterior lampposts around the monument with eight taller luminaries (each with triple-headed urns in a decorative Victorian style).”

“Everything was detailed so that the lighting solution does not draw people’s attention to the lights, but rather to

the monument and its decoration,” says Curt Burday of London Road Electric, the company responsible for bringing the lighting design to life.

Marble restored to original splendor

Those who have visited the Soldiers’ and Sailors’ Monument in years past will be stunned upon their return. After exhaustive research and painstaking work, marble interior walls have been restored to their vibrant and colorful original splendor.

“One of the most distinctive aspects of the restoration is the resurrection of the art of marble decorating, a historic device largely neglected in the last century,” says Neil Evans, commission president.

Years of moisture penetration had severely bent the one-inch-thick marble name tablets, each measuring four by seven feet and weighing 350 pounds. The new HVAC would address future warping issues, and rigid mortar between the tablets was replaced with soft grout caulking to allow for future expansion of the marble without bending.



LANDMARK ACHIEVEMENT The \$2 million project included the delicate, time intensive restoration of colored marble (left), 14 stained glass windows (top right) and the finely decorated marble floor (bottom right).

Extensive research by the project team had revealed an original marble color palette that had degraded due to years of deterioration, overpolishing and the effects of dirt and moisture.

The monument's original interior coloration had come to the attention of Evans and Shakarian in the late 1970s, as inspections revealed traces of color on what had by then become plain white marble walls, and evidence that dark coloration had been used to highlight the names of Civil War veterans carved into the tablets. To further research the marble and original use of color in the monument, Evans enlisted the expertise of Dr. Joseph T. Hannibal, curator of invertebrate paleontology at the Cleveland Museum of Natural History, and David B. Saja, a geologist at the museum. Testing by the geologists had revealed that the marble was either Vermont or Carrara, Italy, and that at one time the tablets had been tinted yellow. Newspaper accounts from 1894 verified a colored monument interior and the acid-etching of names. In fact, other white marble panels had been tinted in rose, sienna and ochre. Marble coloration and etching techniques also were researched.

"We started out quite modestly, with a \$1 million project addressing the cleaning of the interior and installation of new HVAC," recalls Evans. "Then we discovered that the marbles had originally been colored. The project changed dramatically to restore the decorated marbles and palette."

The 36 marble tablets lining interior walls had originally been tinted yellow, with traceries and names acid-etched and inked in black. Two wall-mounted panels were later added on each side of the large south bronze doors – neither with yellow tinting and one without acid-etching.

"Peter van Dijk was asked to come up with a color scheme along with his architectural renderings," recounts John Beukemann, with the Collections Management Department of The Cleveland Museum of Art and a project consultant for color selection. "Taking all the available clues, he did a magnificent job of it."

Beukemann assisted in fine-tuning the colors to ensure that the scheme fit Victorian color usage of the period.

The interior palette consisted of eight distinct colors: light blue for the

ceiling, rich green applied to ceiling ribbing that holds up the marble ceiling slabs, light and medium sienna, light and medium ochre, rose and light yellow found on the tablets. Four other colors representing military branches were included on lower sections of the central shaft.

Dasher Decorative Arts Inc., with Robert Dasher in charge, oversaw restoration of the marbles.

"Marble coloration was performed centuries ago," he explains, noting that faux marble finishes can be found on Greek and Roman ruins. "We have tinted and adjusted color on marbles in the past, but to our knowledge, no one has done this on this scale."

Before the marble could be repainted, it had to be cleaned. That fell to Stuart Dean Co. Inc., of Cleveland.

Dasher described the marble-coloring process that followed.

The marbles were sealed first," he says. "Then we applied up to five coats of semi-transparent color to get the depth and richness we wanted. We then worked on the different marble detailing, veining and faux finishes."

Marble coloration was accompanied by use of a reversible coating sealant



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system to protect against the infusion of pigment into the marble. Using a reversible sealant system also allows for adjustments should further historic evidence arise.

Refurbished details

The extensive and labor-intensive marble cleaning and coloration process has essentially brought the interior to life. Adding to that was painstaking restoration of stained glass, performed by Whitney Stained Glass Studios Inc., of Cleveland. The Soldiers' and Sailors' Monument features 14 stained-glass windows, with two windows above the doors evoking sunrise and sunset, and the other 12 with military imagery. Previous repairs and age had led to off-color glass replacement, broken and missing glass, and missing leading and foil. In addition, deterioration had caused the windows to bulge.

"The lead was so thin and glass cut so well, we needed to be very precise in the restoration," recalls Whitney's Peter Billington. "The windows were double-glazed and operable for ventilation. Most of the original Florentine glass [which is a protective layer on the exterior of the windows] had been replaced over the years with a clear glass or plastic – only one piece of Florentine glass remained."

Whitney had to find new Florentine glass to fit those openings and also had



SCRATCHING THE SURFACE Geologists from the Cleveland Museum of Natural History were enlisted to research the marble and original use of color in the monument.

to fabricate half of 220 decorative glass jewels in the window panels.

Interior work also included installation of new furniture and museum-style display cases, a new computerized research station allowing visitors to look up names and their locations on the tablets, new security cameras, refurbishment of bronze busts and repair and cleaning of the marble floor. Improving access for the disabled is a new lift and ramp at the southeast entrance to the monument – previously stairways provided access from all four corners of the monument.

No doubt about it, Levi Scofield would be proud of the restoration performed on the monument he designed more than a century ago.

"Scofield's style expressed the late Victorian era, a time when materials were used flamboyantly, with color, patterning and faux finishes," Shakarian says. "It was a romantic period in America, and Scofield's idea was to make everything heroic and colorful to entice the soul. Once again, the monument is enticing with all of its different colors and textures." **P**



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Bay Mechanical Inks Project with NEORS

At its December 3 meeting, The Northeast Ohio Regional Sewer District (NEORS) Board of Trustees voted to award Bay Mechanical and Electrical Corp. a \$17,000,000 contract to replace the unit substations at the District's

Southerly Wastewater Treatment Plant (Contract SSR-1). This project is part of the district's Strategic Capital plan. Since its creation in 1972, NEORS has invested over \$2 billion in capital projects to improve water quality in Greater Cleveland. This project includes replacing existing electrical

substations and building new buildings to house new and existing substations. This project is scheduled for completion mid-2012.

Bay has successfully completed a number of major projects for NEORS in the last 10 years including the Plant Automation Project PA-3, which won

an Associated Builders and Contractors (ABC) Award of Excellence in 2007.

"We are very pleased that the Sewer District has the confidence in BMEC to award us such a complex project. We have completed a number of major projects at the district and are looking forward to serving them again," says Bay President Terry Burns. Bay Mechanical & Electrical Corporation is a full service mechanical and electrical contractor located in Lorain, Ohio since 1948.

Day Ketterer Welcomes Attorney into Membership

The regional law firm of Day Ketterer Ltd. announced the election of Jude Belden Streb to the law firm's membership effective January 1, 2010.

A skilled litigation attorney, Streb represents energy companies, manufacturers, construction firms and insurance companies in complex civil, commercial, corporate and federal litigation, as well as



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Jude Belden Streb

product liability defense cases. He is a member of the Day Ketterer's Litigation Practice Group and was named among Ohio's Super Lawyers Rising Stars for 2010. He is admitted to practice in the U.S. District Court, Northern District of Ohio and has successfully represented clients in Common Pleas and Appellate Courts throughout Ohio, as well as the Supreme Court of Ohio.

A North Canton Hoover High School graduate, Streb obtained his undergraduate degree in accounting from The University of Notre Dame and his law degree from Case Western Reserve University School of Law.

Active in the community, he serves on the Board of Directors of Catholic Charities of Stark County and is a member of the Canton Rotary, the North Canton Chamber of Commerce, the Ohio State Bar Association and the Stark County Bar Association.

IREM Honors Real Estate Manager

Christine Yagersz, CPM, received the prestigious CPM of Year award at the recent Institute of Real Estate Management annual meeting where she serves as the organization's treasurer. Yagersz works for CB Richard Ellis as a senior real estate manager. She is responsible for overseeing day-to-day operations and financial oversight of the Eaton Center property in downtown Cleveland. Each year, this award is bestowed upon one individual who exemplifies leadership within the IREM organization.

The Northern Ohio Chapter of IREM is comprised of over 150 members



Cheri Henson

from the real estate management industry. IREM's mission is to provide top-notch education and career opportunities to owners and managers in Northern Ohio and across the country.

CREW Elects Board of Officers

CREW Cleveland has elected its board of officers for 2010. The board for this year includes President Cheri Henson, Esq. (KeyBank); President-Elect Laura Hengle (Brock & Clark); Treasurer Sharon Zinser (The K&D Group); and Immediate Past President Lori Pittman, Esq. (Ulmer & Berne).

CREW Cleveland is an association for women in the commercial real estate industry. CREW Cleveland is comprised of over 140 members from all industries within the property management field.

CoreNet Global Honors Ohio/Kentucky Chapter

The Ohio/Kentucky Chapter of CoreNet Global, headquartered in Cleveland, recently received the prestigious Chapter Development Award for Small Chapters at CoreNet's Global Summit in Las Vegas.

This is one of four awards given to chapters across North America based on the size of the chapter. The award recognized the efforts made by the Chapter to improve leadership and governance, chapter management, financial management, and programs and events.

President Joe Prcela accepted the award on behalf of the chapter. **P**



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Managing Construction Claims & Disputes



ANTHONY R. VACANTI

Problems will inevitably arise during a construction project, especially in the current real estate climate. Delays, questions regarding scope of work, design changes and other variables all could play a part changing the contract between owner and contractor. When these problems arise, however, it is important not to ignore them – they will only fester.

Generally, in construction contracts, contractors are required to submit written notice of claims to the owners within a certain number of days. Failure to do so may constitute a waiver of contractors' claim rights. Therefore, it is very important owners and contractors clearly understand the contractual notice provisions; otherwise, they may waive their rights under the contract.

Notice of what must the prime contractor provide? Generally, prime contractors give notice to owners of claims. Because claims encompass almost anything the owner may later dispute, contractors should be prudent and provide notice for anything the owner may later dispute. Furthermore, in light of the recent Ohio Supreme Court decision, *Dugan & Meyers Constr. Co. v. Ohio Dep't of Admin. Servs.* (2007), 113 Ohio St. 3d 226, contractors must take more care than ever to read, understand and follow procedures stated in the contract itself. In *Dugan*, the contractor provided

insufficient evidence that they had followed explicit notice procedures laid out in the contract. In *Dugan*, the Ohio Supreme Court affirmed the decision of the Tenth District Court of Appeals and held that *Dugan* and *Meyers* was not entitled to additional compensation or mitigation of liquid damages because it failed to strictly follow the contracts notice requirements for requesting time extensions.

Claims can come in many different types and forms because most contractual provisions define them broadly. However, there are four common claims:

- additional costs
- claims for concealed or unknown conditions
- claims for additional time
- claims for injury or damage to person or property

First, contractors must advise owners of their intention to assert a claim for additional costs due to changed work. The



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notice provisions for these types of claims are generally found in sections labeled "Changes," "Differing Conditions," "Suspension of Work" or "Delay."

The second typical types of claims are for concealed or unknown conditions. This type of claim occurs when the construction site's physical condition on the surface or subsurface differ materially from the site conditions articulated in the construction contract. They also arise when the site contains "unknown physical conditions of an unusual nature that differ materially from those ordinarily found to exist and generally recognized as inherent in construction activities of the character provided for in the contract." AIA Document A201-2007, Article 3.7.4 (Concealed or Unknown Conditions).

The third typical types of claims are for additional time. As its name suggests, a contractor must give notice to the owner when it would like to increase the time to complete work under the contract. Generally, such claims should include an estimate of the cost and probable effect on the construction project's progress. And if bad weather is to blame, contractors should support their claims for additional time with supporting weather data showing the weather was abnormal, the contractor could not have reasonably anticipated such weather, and that it adversely affected the construction project.

Finally, claims for injury or damage to person or property are also typical in construction projects. If any contracting party (or employees thereof) is injured by an act or omission of the other party (or of employees of the other party), then the injured party must give notice of such claim. The injured party should set forth the nature and cause of the injury in sufficient detail to allow the other party to investigate the matter.

Considering the different types of claims that may arise during a construction project, contractors need to be vigilant in documenting such claims. And prudent contractors will supplement such claims with evidence and supporting documentation. Not only does raising and documenting claims reserve contractors' rights under the construction contract, but it also puts

contractors on better footing should a dispute escalate into litigation.

Generally, all construction contracts require notices to be in writing and should be served on the owner within the notice period identified in the contract. Failure to document a claim in writing risks waiving that right under the contract. Concerning the notice period, owners and contractors are free to bargain for any notice period they want. As with the writing requirement, failure to abide by the deadline in the contract may result in the contractor waiving its rights; therefore, contractors need to keep a close eye on when claims occur, and be diligent in submitting claims within the time period. However, most jurisdictions allow unwritten claims if the owner had actual or imputed knowledge of the change, and anticipated a claim (similar to constructive notice). The burden of proof rests with the contractor to show the owner was actually aware of the claim. Additionally, most contracts contain a notice provision whereby the notice must be provided within a certain period of time.

For example, in *Certek Inc. v. The Ohio State University*, 2007-Ohio-

2750 (Ct. of Cl. May 2, 2007), the court held that failure to follow contractual notice provisions precluded the owner from backcharging the contractor for alleged construction defects. The court determined that the University had not provided timely notice and that this denied Certek a reasonable time to cure the defect. The University could not backcharge Certek where it had not followed the notice requirement in the contract.

In sum, it is essential that all parties adhere to the contractual notice and timing provisions concerning claims; otherwise, a seemingly harmless or innocent mistake may result in the claim being waived. Consequently, contractors need to keep a close eye on when claims occur, and be diligent in submitting claims within the time period. **P**

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Image courtesy of WXZ Development, Inc.

Coming Around at Circle 118

Townhome development brings contemporary, green housing to University Circle

By Lou Kren | Photos by Scott Pease

The corner of Euclid Avenue and East 118th Street represents all that's good about Cleveland's past, the forward thinking of today's local developers and the potential of this city's future. Rising on a roughly one-acre site at this intersection is Circle 118, a townhome development from WXZ Development, Inc. of Fairview Park. The brightly colored facades essentially serve as the eastern gateway to University Circle along Euclid. And they also serve as a fresh, well-planned take on housing for Cleveland.

For years, four walls and a roof constituted a residence in this city, and buyers lined up to stake their claims. Not anymore. A difficult economy, higher expectations and concern for the environment are driving new ideas in residential investment. This is especially true for professionals who work in University Circle's arts and technology institutions. To attract these potential homebuyers, and attract financing, developers have had to think out of the box. WXZ has done exactly that. Circle 118 offers a highly innovative approach to urban living – an approach that appears to be a recipe for success.

A Euclid Avenue anchor

"When it comes to University Circle's Bring Back Euclid Avenue Campaign, Circle 118 is everything we hope for on Euclid Avenue," says Chris Ronayne,

president of University Circle Inc. (UCI), the area's development and advocacy organization. "With its pacesetter design, the project complements the emergent modern arts district at our eastern gateway. It anchors the new Euclid Corridor project as a transit-oriented residential development, and enhances our effort to become an environmentally sustainable neighborhood."

The 17 multi-level townhomes planned for Circle 118 – six are already built – boast primary-hued geometric exteriors inspired by Danish designs, robust building materials, superior craftsmanship, myriad design and material options, and green features throughout.

"We wanted a foothold," says WXZ Development President James Wymer, referring to the company's foray into residential development as well as its commitment to University Circle. With

that goal, Wymer and WXZ set out four years ago, with the help of UCI, to identify area building sites. The parcel at East 118th and Euclid, then a parking lot, would become WXZ's foothold.

Six Circle 118 townhomes – including two model homes – have been constructed in a stepped cluster along Euclid with six more undergoing construction on East 118th. Five additional townhomes are planned at the northeast corner of the property, leaving a unique interior courtyard with an engaging configuration of various concrete and permeable stone paver colors, textures and shapes complementing the architecture and materials of the buildings. Circle 118 units, available with two or three bedrooms, each feature amenities such as renewable-resource bamboo flooring on the main level, custom bamboo stair treads and slat wall

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GREEN WOOD Renewable-resource bamboo is used throughout the townhomes, from flooring to treads and slat walls.

throughout, dens, two-and-a-half baths with ceramic flooring, granite kitchen countertops, expansive kitchen islands, large-stall tile-surround showers, walk-in closets and oversized two-car garages. The townhomes also provide three levels of outdoor space: the courtyard, private roof-top terraces and exterior decks off of main-floor living areas. Staggering the homes on Euclid, as opposed to a standard row layout, allow greater privacy on terraces and decks.

Glass and green

Walls of windows describe Circle 118 townhomes, with floor-to-ceiling glazing – low-E commercial-grade glass – pro-

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DESIGN DETAILS Model townhomes demonstrate innovative design and ample creature comforts, courtesy of RDL Architects. Green products are found throughout, such as a couch with fabric made from recycled garbage bags.

viding spectacular views of University Circle and Little Italy as well as the nearby railroad tracks. A rainscreen system, with colored panels placed on channels over a waterproof membrane, brings the exterior to life, as do the projecting stairways and upper bedroom levels. "While keeping water out, the rainscreen allows the building to breathe by allowing vapor to pass out, and thus improves indoor-air quality," says Dave Swindell, president of WXZ Construction. Also bringing the exterior to life, literally, is the option for green roofing. In fact, a number of design features provide a passive approach to green building, aiding Circle 118 in meeting the ICC National Green Building Standard's Gold performance level.

"A cluster of townhomes is, by design, efficient," points out Ron Lloyd, president of RDL Architects, noting some of those passive features. "Only the end units are exposed on three sides, bringing efficiencies in the interior envelope. Also, the southwest façade has a lot of glass to bring an abundance of natural light into interiors while upper-level overhangs bring shade to the levels below.

The north façade features less glass since that has the harshest exposure."

The stairwells, glazed all the way up to bring in more light, act as thermal chimneys that allow heat to rise and cold air to fall, easing the burden on installed high-efficiency furnaces and cooling units. Aiding comfort and efficiency is the white heat-reflecting roof coating. That means less need to run the a/c, and a cooler rooftop terrace in the summer months.

Green features certainly do not end there. The attached garages include hybrid/electric-car charging stations. Energy Star-rated appliances and light fixtures are standard, as are water-conserving faucets, showers, plumbing

fixtures and distribution systems. In addition, the property will be landscaped with acclimative vegetation that requires less maintenance and water usage.

Model townhomes open

Circle 118 celebrated its grand opening in early December with an overwhelming 200 visitors touring the models the first weekend, and three sales. *Properties* toured the two model homes, one showcasing many of the available options, the other featuring the attractive included finishes. The models demonstrate innovative design and ample creature comforts, courtesy of RDL Architects. Nine-foot ceilings are standard throughout, with 2" by



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FINE FEATURES Options include hideaway kitchen appliances and natural granite countertops in kitchens (top), two- or three-bedroom configurations (middle) and bathrooms with spacious stall showers and high efficiency plumbing (bottom).



6" construction on all exterior walls. Ceilings are insulated to R-38, exterior walls insulated to R-19, and thermal barrier construction techniques combine to create a tight, energy-efficient building envelope. Interior wall and ceiling assemblies incorporate acoustical insulation and sealants, and combined with two-hour fire separation walls create a controlled acoustic environment. High-end options displayed in one model include hideaway kitchen appliances; countertops made with 100% recycled concrete and glass; large decorative stainless-steel stove hood; and a couch with fabric made from recycled garbage bags. In a nod to the superior craftsmanship employed in constructing Circle 118, walls are finished seamlessly to ceilings and floors – no need for molding.

To help bring all this to 17 units on a one-acre site, WXZ tapped M Neff Inc. to perform site utilities design and surveying.

"We established the property line and surveyed the utilities, and worked with UCI and other local entities to obtain the permits," says Matt Neff of the Maple Heights engineering firm. "It turned out to be a beautiful project."



A short trip to everywhere

WXZ touts Circle 118 as University Circle's first green residential community. Its location in the midst of the larger University Circle community provides another environmental element to the project. Within a 10-minute walk are all of the locales that make University Circle and Little Italy such gems. Circle 118's location on Euclid Avenue means direct access to the RTA Health Line and a quick trip downtown. Did we mention the proximity to the RTA rapid line? That's almost right next door. Interestingly, the nearby rail lines are of no real concern, given the attention paid to sound dampening at Circle 118. But the sights of moving trains add to the energy of the area. And for

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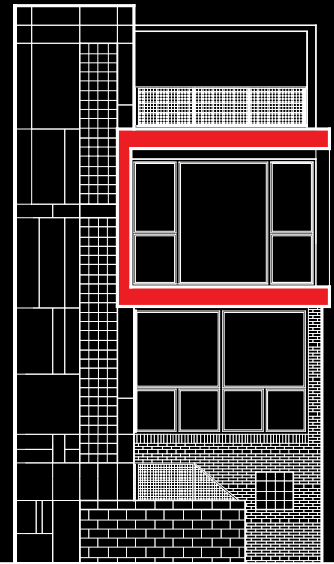
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a postcard view, homeowners at Circle 118 can just look to the northeast, where the tracks bend into wooded landscape. Or to the northwest, home of the new Case Western Reserve University football stadium. Or to the south, where Little Italy landmarks dot the hills. Or to the west, where University Circle's civic architectural treasures abound. You get the picture: Circle 118 is surrounded by postcard views.

Incentives to buy

So confident is WXZ in the quality of Circle 118 townhomes and their ability to appreciate in value, that the company is offering a price guarantee. Should a buyer need to sell a unit within the first year of purchase and not be able

"Circle 118 is everything we hope for on Euclid Avenue. With its pacesetting design, the project complements the emergent modern arts district at our eastern gateway. It anchors the new Euclid Corridor project as a transit-oriented residential development, and enhances our effort to become an environmentally sustainable neighborhood."

Chris Ronayne
University Circle Inc.

to sell for the original purchase price, WXZ will buy it back for that original price. As it is, several incentives make the townhomes surprisingly affordable. Through University Circle's Greater Circle Living Program, employees at participating institutions may be eligible for up to \$15,000 in down-payment assistance. Buyers also benefit from 15-year 100% tax abatement. Also available: an \$8,000 first-time-homebuyer tax credit or \$6,500 tax credit to buyers who have owned their current home for more than five years, and a number of WXZ grand opening incentives available for a limited time.

Buyers at Circle 118 become part of a new breed of residential housing in Cleveland, and part of a University Circle that holds on to the best of its past, reinvents itself in the present and is poised for a sky's-the-limit future. **P**

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Managing a Move

Safeguard Properties relocates to updated, expanded Valley View office building

By Diane DiPiero | Photos by Mark Most (courtesy of Most Imaging and Digital Design Video)

An exercise facility, a full-service cafeteria, even a half-basketball court outside: These are among the amenities that Safeguard Properties offers its employees at the company's new headquarters in Valley View. The facility also features a state-of-the-art technology room and a 20,000-square-foot vertical addition to accommodate future growth.

Safeguard Properties began in 1990 as a regional company with a handful of employees. Today, there are about 775 people providing all aspects of property management services – including property preservation, REO services, insurance loss inspections, title services, property inspections, valuations and hazard claims services – to customers in all 50 states, Puerto Rico and the Virgin Islands. Safeguard is currently the largest privately held field services company in the country.

Significant recent growth prompted Safeguard to consider a move from its

cramped Brooklyn Heights headquarters. “We wanted our own building, and we wanted something that would feel homey to us,” says Alan Jaffa, Safeguard's chief operating officer.

Safeguard worked with Greenberg Real Estate Advisors of Solon to find a property that met its distinct needs: parking for roughly 600 vehicles; enough interior space to accommodate a large staff, including about 400 people in the call center; and room for expansion.

Greenberg Real Estate Advisors found a 76,000-square-foot property

in Valley View with a large amount of parking and room to add more. “Soon after they found the property, we got Randy Smith [of Davison, Smith, Certo Architects] involved to make fit-out plans so we could be sure it would work for Safeguard,” explains Kerry Chelm, president of Chelm Properties, a partner in Greenberg Real Estate Advisors.

“We did a comparison of the existing building and programmed that into this building,” Smith explains.

The structure lent itself to updates. “After looking into the structure of



WELCOME ADDITION The building was updated to serve Safeguard Properties' needs, including the creation of a "formal" entry that takes advantage of natural light.

served as the architecture firm, and Neshkin handled construction.

Built in the 1960s, the building was outdated and needed a new façade. "Safeguard wanted to create a nice feeling but nothing splashy, in keeping with their culture," Smith says. "The entrances were hidden, so we created a more formal entry." The interiors had to be gutted to meet Safeguard's specific needs.

the building, we saw there was unused potential," says David Perlberg, project manager for Chelm. "Safeguard couldn't expand on the bottom because they needed the parking," Perlberg explains. It was decided, then, that a vertical addition would be the best way to give Safeguard room to grow.

The property was acquired in August of 2008, with the goal of Safeguard moving its staff in shifts starting in February of 2009. Chelm Properties provided property management services and oversaw construction management on behalf of the owner. Davison, Smith, Certo Architects

Management offices ring the perimeter of the main level. Glass walls draw in light while providing a sense of transparency. "That's our philosophy, to be open," says Jaffa, whose own office is outlined with glass so he can see the call center and employees can see him.

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SOUND DECISION In the call center at Safeguard Properties' new headquarters, a sophisticated sound-masking system self-adjusts according to the voice levels. This allows employees to have phone conversations with minimum noise distraction.

Office One Furniture and Services planned the furniture and the setup of the call center area.

"One unique feature is that the facility has a very high-tech sound-masking system that listens to the call center voice levels and self-adjusts to compensate," says Sal Parrella, president of

Office One. "This 'masks' over the call center noise and reduces cross-conversation distractions."

Having more space throughout the facility allowed Safeguard to install new

amenities, such as the cafeteria with adjacent patio. A two-story glass wall bathes the cafeteria in warmth, making it much more than your basic grab-a-snack-and-go lunchroom. AVI Foodsystems provides

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SERVING NEEDS The new cafeteria features a custom serving line, designed by Aster Industries Inc. of Akron, and incorporates colors used elsewhere in the building. A full oven and grill will be incorporated in the space in the near future.

Safeguard's IT room is equally impressive. Huge generators keep machines humming 24 hours a day. Every month, Safeguard receives 25 million photos from its thousands of contractors across the country to verify inspections and maintenance orders performed. In fact, IT capabilities are so crucial to Safeguard's operations, this room had to be functional before anything else in the new facility.

"We had it up and running within 25 days," says Terry Muth, of Neshkin Construction.

Upstairs in the vertical addition, the state-of-the-art fitness center has attracted many employees. Lockers and showers allow employees to workout

before or after work or during their lunch break. Safeguard also allocated space on the upper level for a massage therapist and possibly a hair stylist.

A wall along the hallway hides 15,000 square feet of raw space. "This is part of Safeguard's long-range plans for expansion," Smith says.

Among the challenges when building the upper-level addition was installing elevators in the building. "The substructure was really old, so we added footers," Muth explains.

The new roof holds fans to support the IT room, a heating system and new transformers.

Despite the many details that had to be implemented in this project,

Safeguard was able to move in without missing a beat.

"Every 30 days we moved in a third of the company," Muth says. "We got the cubicle area half-done before moving in some people. So people would be working on one end, and we'd be pouring concrete on the other."

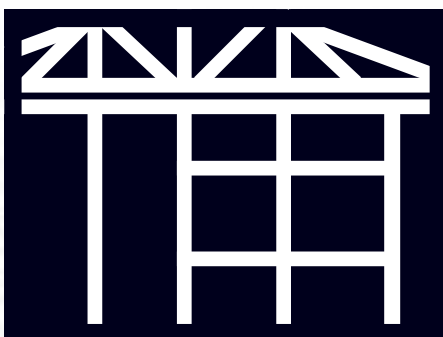
Construction and move-in were complete by April of 2009.

Teamwork on the part of all parties resulted in a job well done, according to Jaffa. "It was a very nice experience."

Safeguard's employees are enjoying the experience of working in a facility with a healthy life-work balance.

"They love it," Jaffa says. **P**

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Sensible Structure

Cleveland Hearing & Speech Center's new building enhances community outreach

By John Elliott | Photos courtesy of Cleveland Hearing & Speech Center

New development continues to make University Circle a mecca of cultural, educational and health care institutions – the most recent example being Cleveland Hearing & Speech Center (CHSC), which has moved to a more visible headquarters location at the eastern end of the circle on Euclid Avenue.

The new, 48,000-square-foot, four-story building at 11635 Euclid Ave. serves as the Eastern Gateway of University Circle, located on the west side of Euclid Avenue facing Little Italy to the east. The CHSC building stands at the corner of East 117th Street and Euclid Avenue, welcoming visitors with large exterior windows which, in keeping with CHSC's outreach mission, give the building ample transparency.

The building marks the centerpiece of CHSC's \$17 million campaign.

The center was previously located at 11206 Euclid Ave. in a building it occupied since 1945. That structure will be demolished to accommodate University Hospitals' new cancer center.

The new CHSC building will help the center fulfill its mission of doing everything it can to make Cleveland a friendlier place for individuals with communication disorders, and to help

people connect in more ways with their family, friends, co-workers, and ultimately the world.

The center's 50-person staff relocated in early October following 18 months of construction.

CHSC, the nation's oldest freestanding speech center, serves 14 counties in Northeast Ohio and sees more than 7,000 children and adults each year. It provides more than 32,000 outpatient appointments in its audiology and speech language pathology departments, and through its Community Center for the Deaf & Hard of Hearing program. CHSC also provides in-home services to 160 deaf children, birth to three years, through the Regional Infant Hearing Program.

Dr. Bernard P. Henri, the center's executive director, says CHSC put a special board together to identify a new site. CHSC wanted to remain on Euclid Avenue where it could continue to serve

the community and remain an integral part of CWRU's speech pathology and audiology programs.

The committee included past CHSC presidents and representatives of University Hospitals, CWRU and University Circle Inc. The committee met monthly beginning in spring 2006.

Following a 15-month period, the committee identified an L-shaped site made up of two parcels owned by University Circle Inc. and CWRU between East 116th and East 117th streets that wraps around and behind the Euclid Tavern on Euclid Avenue. The site was an unused parking lot that connected to a parking area for CWRU student housing.

Environmental studies found the site had once housed a gasoline station and at another time a dry cleaning establishment, but it was not contaminated.

Rich Ortmeyer, a principal in Bostwick Design Partnership and proj-

Proud to be part of the team at Cleveland Hearing & Speech Center with The Albert M. Higley Co.



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RESULTS



NATURAL SELECTION Sound-absorbing maple wood plank boards used within the new facility provide functionality, an attractive look and – since they are renewable – a green solution. The building is targeted to be the first hearing & speech center to be Silver Leadership in Energy and Environmental Design (LEED) certified.

ect manager for CHSC, was familiar with the center's needs. His firm had already done some drawings for possible modifications at the former site, which had corroding aluminum frames and poor heating and cooling.

University Circle Inc. (UCI) sold CHSC the land. "It was very important to them (CHSC) to be located on Euclid Avenue to better serve their customers," notes Debbie Berry, UCI's vice president of community development.

UCI oversaw the city's design review process at the time CHSC purchased the land. UCI then reviewed Bostwick Design Partnership's plans and made some suggestions, Berry says. UCI wel-

comed CHSC's wish to have street level access to the community.

UCI has wanted more buildings with street level access since much of the retail space in the area has given way to other uses in recent years, Berry notes.

Between the time that Bostwick Design Partnership performed its schematic design and the development design, CHSC hired Project Management Consultants (PMC) as owner's rep. PMC then took charge of the process of overseeing partnering sessions among the project's stakeholders: University Hospital, CWRU and UCI.

CHSC wanted the building to break ground in the spring. It also had a fixed

budget. "It was kind of complicated decision making process," observes Julie Criscione, a project manager at PMC.

PMC oversaw the request for proposal for a construction manager and ultimately awarded the contract to The Albert M. Higley Co., a contractor with extensive knowledge of University Circle.

The design team knew right away that the building would have to include four stories on account of the space limitations at the site.

Another challenge was that different functions had to be housed in close proximity to each other throughout the four 12,000 square-foot floors.

The first floor had to have a public greeting area that is visible from the outside and easily accessible. This was part of the center's mission to serve the hearing and speech impaired community. The first floor also had to contain hearing testing labs. The second floor houses speech-language pathology. The third floor has communication science classes for CWRU, while the fourth floor contains administrative offices and support spaces.

As if all of this weren't challenging enough, CHSC wanted something else it never had: a cohesive visual design that would communicate its purpose to



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SOUND DESIGN Inspired by the Cleveland Hearing & Speech Center's purpose, the building's exterior features vertical lines that run close together, then further apart, simulating a sound spectrogram – an image that shows how the spectral density of a signal varies with time.

the community. The design team came up with a visual design that it has been able to use throughout the new building. The design features a series of lines that run close together, then farther apart, simulating a sound spectrogram; an image that shows how the spectral density of a signal varies with time.

The spectrogram design can be found on both the building's exterior and interior. On all sides of the building, horizontal sets of windows are divided by vertical stainless steel mullions that form a pattern emulating a spectrogram. Ortmeyer says this also had a functional benefit by not requiring the dissimilar functions, floor by floor, to have matching window arrangements.

The pattern of the stairs in the east side stairwell, which is visible from outside and illuminated at night, also suggests a spectrogram.

The designers used light-colored precast concrete for the exterior to maximize visibility of the spectrogram design, Ortmeyer says. "That allowed us to get a good color rendition as well as create the plasticity we were hoping for to achieve the sound spectrogram pattern." The light color also complements the glazed and white terra cotta of a neighboring building at East 116th Street.

Many samples of concrete mixes were reviewed to achieve the desired visual effect, Ortmeyer says. Concrete masonry was used on the less visible walls, which realized some cost savings while main-

Proud to be part of the team at Cleveland Hearing & Speech Center



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taining design and color continuity. A serpentine screen wall on the roof references a sign wave while hiding rooftop mechanical equipment.

Henri is proud of the fact that the building is targeted to be the first hearing & speech center to be Silver Leadership in Energy and Environmental Design (LEED) certified.

Kevin Cicen, project manager for the Albert M. Higley Co. notes LEED elements include a light-colored, bituminous membrane roofing system with a white solar reflective coating, recycled content in new building materials, and

high efficiency mechanical and electrical systems.

Henri notes that certain materials, such as maple wood plank boards and thick felt fabrics used to absorb sound, are also renewable.

Karpinski Engineering, which designed the mechanical, electrical and technology systems, double lined the main duct risers throughout the building, notes Dominic Cacolici, who was project manager. He says the duct design, as well as the air handling design, helped control noise and minimize energy consumption. The roof-mounted

mechanical penthouse air handling unit constructed of aluminum and mounted on a concrete slab houses all of the HVAC equipment in a manner to isolate noise and any interference to the building's occupants.

Radiant heat is provided in the lobby through the floor slabs.

Computerized lighting control systems and occupancy sensors throughout the building automatically adjust lighting to conserve power.

A complete air flush of the building prior to occupancy was performed, notes Jim MacMillan, vice president, mechanical, at Karpinski Engineering.

Most walls have additional layers of attenuation strips to contain sound. Children's areas have rubberized floors.

The Euclid Avenue entrance has a curved awning bearing the institution's name in black letters mounted on a metallic band. Just above the awning, a round, three-dimensional image of the CHSC's signature round logo, which mixes blue dots and green curves to symbolize audio signals, announces the institution's presence. The two-color image is illuminated at night.

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MEETING NEEDS A 1,200-square-foot, multi-purpose conference room has wall-length storage cabinets and serving counters for meals and refreshments. An adjacent kitchen allows meetings to be catered.

Inside, the two-story atrium lobby features a lot of natural light from the windows that extend to the second floor, allowing visitors to see the front lobby from a far distance.

The lobby has a reception desk and a large waiting area. The long, curved reception desk features maple veneer. The high-traffic lobby has a terrazzo floor for long-term maintenance, one of the few areas in the building that is not carpeted or rubber.

The first floor contains the “Sound Advice” room just off the main lobby, featuring some of the most advanced audiology equipment available, Henri notes. There are two vaults for testing hearing that absorb minute vibrations. The vaults sit on large rubber membranes.

The six-ton, soundproof audiology booth came in panels that were assembled on site.

The Community Center for the Deaf & Hard of Hearing, a CHSC outreach service, is located directly off the rear entrance to the building. In addition to interpreters going out on daily assignments, a special office has been set up with desktop computers and video cameras allowing interpreters to communicate via sign language to clients offsite.

The first floor also has a 1,200-square-foot, multi-purpose conference room for clinical use, staff meetings and public functions. The room will soon have microphones built into the ceiling that will assist communication among hearing impaired staffers and board members.

The conference room has wall-length storage cabinets and serving counters for meals and refreshments. An adjacent kitchen allows meetings to be catered.

The second floor balcony overlooks the lobby. The balcony’s glass railing has pieces of glass arranged to represent the sound spectrogram on the exterior of the building.

Several rooms on the second floor have two-way mirrors so that parents, students and teachers can observe speech therapy sessions.

There are ear level cameras and microphones in some of these rooms that allow therapists to record sessions.

Different play areas and bathrooms on the second floor are designed for kids of different age groups.

There is a children’s computer lab, along with language and special development materials.

Other labs currently under development will make use advanced therapeutic equipment:

- The “articulograph” is a helmet device that covers the head and has wires that attach to parts of the face that track the movements of tongue, jaw and lips to study and model articulatory movements.
- The “nasometer” computes the “nasalance,” or nasality of speech.
- The “electroglottograph” allows for analyzing the vibratory characteristics of vocal folds.

One piece of “alternative communication” equipment reads movements from switches placed on a person’s head and eyebrows. “For a person who’s lost the ability to speak, it’s truly life saving,” Henri says.

The CWRU classrooms on the third floor have video enhanced learning capabilities for teleconferencing. There are also labs with advanced voice analysis equipment. The fourth floor, which houses the center’s administrative offices, has an open work areas for fund raising and development activities. A conference room overlooks Euclid Avenue and East 117th Street.

The building marks a new era for University Circle. “This was one of the first new buildings to be completed on this historic stretch of Euclid Avenue,” Ortmeier says. **P**

CONSTRUCTION PROGRESS REPORT

Updated info on important projects in the region

PN-U0319048

APOLLO THEATER RENOVATION

Phase II

Oberlin, OH (Lorain Co.) 19 East College Street

ESTIMATED AMOUNT: \$6,000,000

CONTRACTING METHOD: G.C. Bids

UPDATE: Owner is still seeking federal stimulus funding; project might not begin until 2010.

OWNER: Oberlin College
173 W. Lorain Street
Oberlin, OH 44074
www.oberlin.edu/
(440) 775-8121

ARCHITECT: Westlake Reed Leskosky
925 Euclid Avenue, Suite 1900
Cleveland, OH 44115
www.wrlsdesign.com
(216) 522-1350 FAX (216) 522-1357

DETAILS: Phase II renovation will include renovating the stage for live performances and adding a screening room and an educational media center on the second floor; future phases could include an updated projection space, a refinished and enlarged seating area, the installation of multimedia equipment, an area for community and academic film editing and production, a stage and multi-use theater, lighting for community performing arts, theater and other venues. In addition, a fire suppression system will be installed; existing roof purlins and sheathing will be replaced or repaired, as will the exterior windows; LEED Silver project

PN-T0214037

HIGH SCHOOL RENOVATION

Beachwood, OH (Cuyahoga Co.)

CONTRACTING METHOD: Public Bids

UPDATE: Construction Management Services have been received; award to be announced.

OWNER: Beachwood City School District
24601 Fairmount Blvd.
Beachwood, OH 44122
(216) 464-2600

ARCHITECT: Burt Hill - Cleveland
3700 Park East Drive, Suite 200
Beachwood, OH 44122
www.burthill.com
(216) 454-2150 FAX (216) 454-9995

DETAILS: Renovations will focus on improving arts and athletics facilities, as well as upgrades to classrooms, HVAC, electrical capacity, the cafeteria/kitchen area and security; an expansion of the south gym area, including a multi-purpose room and weight room has been proposed; ADA accessibility improvements.

PN-U0925056

JET EXPRESS TERMINAL

Lorain, OH (Lorain Co.)

CONTRACTING METHOD: Public Bids

UPDATE: Owner will seek Engineering Design Services RFPs shortly.

OWNER: Lorain Port Authority
611 Broadway Avenue
Lorain, OH 44052
www.lorainportauthority.com
(440) 204-2269 FAX (440) 244-1872

DETAILS: Jet Express shuttle is to get a terminal at Black River Landing to include the development of a terminal with restrooms, waiting areas, ticketing and administrative offices, lighting and security, dock improvements and parking.

PN-U0227106

DISTRICT IMPROVEMENTS

Rocky River, OH (Cuyahoga Co.)

CONTRACTING METHOD: Public Bids

UPDATE: Owner could seek a bond issue on the May 2010 ballot.

OWNER: Rocky River School District
21600 Center Ridge Rd.
Rocky River, OH 44116
www.rrcs.org
(440) 333-6000

ARCHITECT: Burt Hill - Cleveland
3700 Park East Drive, Suite 200
Beachwood, OH 44122
www.burthill.com
(216) 454-2150 FAX (216) 454-9995

C.M.: Project & Construction Services - Cleveland
1360 East Ninth Street
Suite 910
Cleveland, OH 44114
(216) 619-1700 FAX (216) 619-1770

DETAILS: Demolition, alteration, repair and/or reconstruction of the Rocky River High School, Goldwood Primary School, Kensington Intermediate School, Rocky River Middle School, Wooster School, Beach Education Center and/or the Board of Education; additional details to be determined.

PN-U0323063

MIXED-USE REDEVELOPMENT

North Campus Neighborhood

Cleveland, OH (Cuyahoga Co.)

CONTRACTING METHOD: To Be Determined

UPDATE: Developer RFPs due Monday, December 21, 2009.

OWNER: Cleveland State University, Purchasing Dept.
2258 Euclid Avenue, Room 107
Parker Hannifin Hall
Cleveland, OH 44115
www.csuohio.edu
(216) 687-3600
Edward Schmittgen, Executive Director of Capital Planning & University Architect,
(216) 687-5008, e.schmittgen@csuohio.edu

DETAILS: RFP No. LF-0903
25 acres; residential, baseball athletic fields, structured parking and retail.

PN-T1105039

NATATORIUM AND WELLNESS ADDITION

Eastern Campus

Highland Hills, OH (Cuyahoga Co.)

CONTRACTING METHOD: Public Bids

UPDATE: Project is in schematic design; bidding possible late 2010.

OWNER: Cuyahoga Community College
700 Carnegie Avenue
Cleveland, OH 44115
www.tri-c.edu
(216) 987-4781 FAX (216) 987-4758



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ARCHITECT: Moody/Nolan - Cleveland

4415 Euclid Avenue
Cleveland, OH 44103
www.moodynolan.com
(216) 432-0696 FAX (216) 432-0699

DETAILS: Project No. 20092069

New 25,000 SF addition to the existing Student Services Building at the Eastern Campus. The addition will house a Natatorium and an expanded Fitness and Wellness Center with storage, showers, locker rooms and faculty offices. The facade of the addition should include significant glazing offering views into the pool and/or fitness center. The pool area should include viewing areas and a therapy pool.

PN-U0914055

NEW LAW SCHOOL BUILDING

Akron, OH (Summit Co.)

ESTIMATED AMOUNT: \$17,925,000

CONTRACTING METHOD: Public Bids

UPDATE: Owner is in contracting phase with architect and in negotiations with C.M. for award.

OWNER: University of Akron

100 Lincoln St., Room 209
Akron, OH 44325
www.uakron.edu/bids/legalnotices.htm
(330) 972-7340 FAX (330) 972-5564
David J. Pierson, Project Manager (330)
972-6297, fax (330) 972-5838 djp4@uakron.edu

ARCHITECT: URS Companies - Cleveland

1375 Euclid Avenue, Suite 600
Cleveland, OH 44115
www.urscorp.com
(216) 622-2400 FAX (216) 622-2428

C.M. (NOT SIGNED): Ruhlin Company

6931 Ridge Road
Sharon Center, OH 44274
www.ruhlin.com
(330) 239-2800 FAX (330) 239-1828

DETAILS: Project No. UAK100008

Building will comprise approx. 99,600 SF, including administrative and faculty offices, admissions office, classrooms, external programs, legal clinic, legal information center, seminar rooms, and student areas; selected site is a sloped parcel between Wolf Ledges Parkway and the CSX railroad tracks, south of University Avenue, the Buckingham Center for Continuing Education (BCCE) currently occupies this site and will be demolished in the first phase of construction of the new Law School; the west side of the building will attach to an existing pedestrian bridge which spans the CSX tracks and Connects to the College of Business Administration, the east side of the building may extend as far as the ROW of Wolf Ledges Parkway; when

Wolf Ledges Parkway is realigned in the future, the existing street will be landscaped as a pedestrian walk; the façade will include red brick and stone masonry; glass and aluminum elements to match other University buildings; demolition and clearing; sitework; thermal and moisture protection; windows and doors; wood and plastics; metals; HVAC; electrical; mechanical; plumbing; finishes; specialties; flooring; landscaping.

PN-U1103057

BUILDING ADDITION

Cleveland, OH (Cuyahoga Co.) 10723 Magnolia Drive

CONTRACTING METHOD: To Be Announced

UPDATE: Project is in design phase; bid schedule to be announced.

OWNER: Mt. Zion Congregational Church

10723 Magnolia Drive
Cleveland, OH 44106
(216) 791-5760

ARCHITECT: Robert P. Madison International

2930 Euclid Avenue
Cleveland, OH 44115
www.rpmadison.com
(216) 861-8195 FAX (216) 621-5738

CONSULTANT: Planned Environmental Design Corporation

22550 Lake Shore Blvd.
Euclid, OH 44123



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(216) 797-1081 FAX (216) 797-1084

DETAILS: Demolition of old houses used for administration; approx. 12,000 SF addition to the existing facility; sitework; demo and clearing; concrete; metals; windows and doors; wood and plastics; electrical; mechanical; plumbing; HVAC; flooring; finishes; specialties; specific details to be announced.

PN-U1216047

THE EXCHANGE CENTER

Cleveland, OH (Cuyahoga Co.) 13407 Kinsman Road

CONTRACTING METHOD: To Be Announced

STATUS: Owner seeking approvals; project is preliminary.

OWNER: EDEN Inc.
7812 Madison Avenue
Cleveland, OH 44102
(216) 961-9690

ARCHITECT: Fogle/Stenzel Architects
2800 Euclid Avenue, Suite 600
Cleveland, OH 44115

fsarch1@aol.com

(216) 861-5151 FAX (216) 861-3337

DETAILS: New commercial building; SF to be announced; sitework; thermal and moisture protection; windows and doors; wood and plastics; finishes; specialties; foundation; concrete; metals; flooring; carpeting; HVAC; electrical; mechanical; plumbing; specific details to be announced.

PN-U1030031

BRUNSWICK TOWN CENTER

Brunswick, OH (Medina Co.)

CONTRACTING METHOD: To Be Determined

UPDATE: Developer RFQs have been rejected; owner will seek a second Developer RFQ in the future.

OWNER: City of Brunswick
4095 Center Road
Brunswick, OH 44212
www.brunswick.oh.us
(330) 225-9144 FAX (330) 273-8023
Robert A. Zienkowski, City Manager/
Safety Director

DETAILS: Development redesign, creative configurations, land uses and marketing design of remaining approx. 19 acres. The City's goal is to create an overall unique, high quality mixed-use development, with green space preservation and park development, as well as infrastructure upgrades that successfully blend with the residential aspect of this development.

PN-U0731032

WOLF LEDGES ENGINEERING BUILDING PROJECT

Akron, OH (Summit Co.) Wolf Ledges Parkway

ESTIMATED AMOUNT: \$3,212,000

CONTRACTING METHOD: Public Bids

UPDATE: Announcing Architect and C.M.

OWNER: University of Akron
100 Lincoln St., Room 209
Akron, OH 44325
www.uakron.edu/bids/legalnotices.htm
(330) 972-7340 FAX (330) 972-5564

ARCHITECT: DLZ, Inc. - Cuyahoga Falls
2162 Front St.

Cuyahoga Falls, OH 44221

www.dlz.com

(330) 923-0401 FAX (330) 928-1029

C.M.:

Ruhlin Company
6931 Ridge Road
Sharon Center, OH 44274
www.ruhlin.com
(330) 239-2800 FAX (330) 239-1828

DETAILS: Project No. UAK100002

The University of Akron has authorized the construction of a new Engineering Research Building. This building will contain 35,000 SF of research labs, faculty offices, conference rooms and other support areas. The selected consultant will verify the program of requirements. The budget is intended to maximize shell space, with a limited area of fully developed facilities. The balance of the shell space will be developed through future research grants and an area for future building expansion is part of the program. The selected site slopes from south to north, between Wolf Ledges Parkway and the CSX railroad.

Construction Progress Reports are provided to Properties by CNCNewsOnline.com. For more comprehensive and up-to-date building and bidding information, call Construction News Corporation at 800.969.4700 or visit the website at www.CNCNewsOnline.com.

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|-------------------------------------|----------------------------------|
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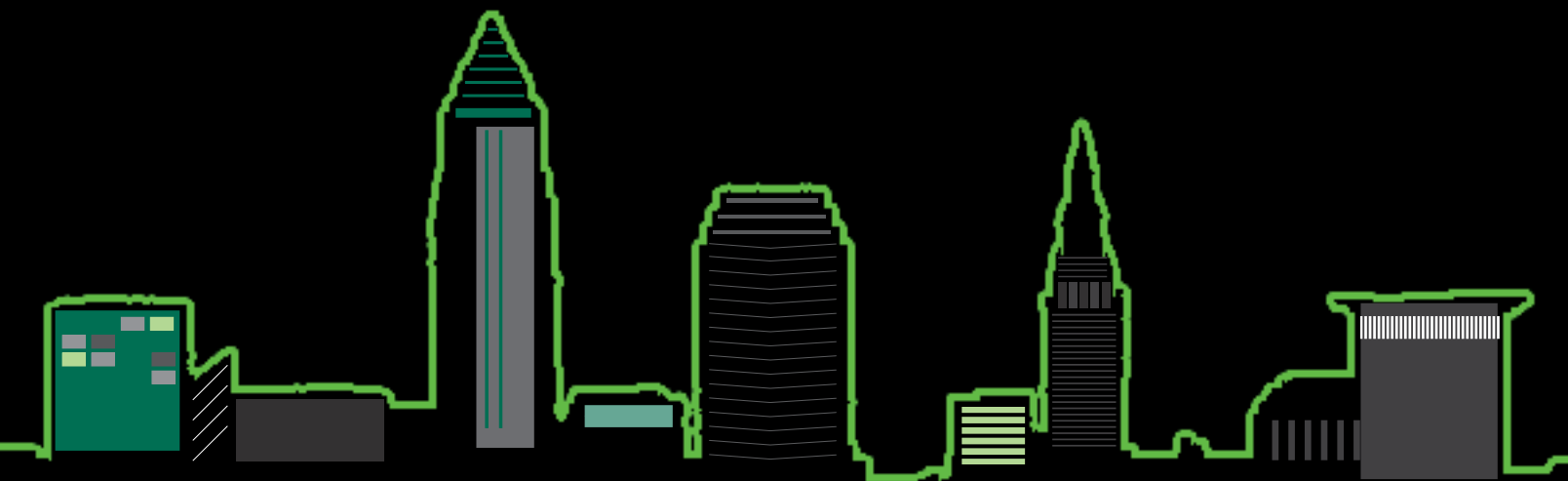


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