

CONSTRUCTION VIEWS

APRIL 2020

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Mission: The Minnesota Construction Association fosters education, recognition and networking for all industry professionals who collaborate, plan, create and sustain best construction practices.

Vision: The collaborative place for the building industry.



On January 29, 2020, the Minnesota Construction Association (MCA) honored its members for outstanding, recently completed construction projects. The awards were presented at the 25th Annual MCA Awards of Excellence Gala at the Minneapolis Marriott West.



VIEW THE 2020 AWARDS OF EXCELLENCE WINNERS ON PAGES 6-8 >













Education. Recognition. Networking.



PRESIDENT'S COLUMN

Heather Grazzini-Sims Carciofini Company

March 13th, 2020

Punxsutawney Phil accurately predicted an early spring! This was a welcoming sign after the early cold and snow in November of 2019. That weather impacted many contractors whose work depends on dry weather or moderate temperatures. The Minnesota construction market looks strong with long-term development plans in several cities!

April 6th, 2020

What a difference just three weeks can make. Fortunately, the construction industry was deemed essential as part of Governor Walz's Shelter-in-Place order but the future of projects not yet under contract is uncertain. We have posted a **COVID-19 resource page** on the MCA website to help your business navigate all the impacts of this pandemic. I wish you all health, safety, and prosperity as we work through this together as an industry and as trade partners.

We must keep moving forward

By now you should have received an email for the MCA Volunteer Campaign with a goal of building the number of volunteers on our committees. Following the campaign, the MCA will host a meet & greet on Thursday, May 7th. In addition to thanking current volunteers and those who are newly registered, this is an opportunity to meet the chairs and your committee team. Plus, busy season is coming so say goodbye to your family and meet your new work family!

Volunteering is an excellent way to get involved, meet new people and give back to the industry. The MCA Construct*ium Committee focuses on student outreach, connecting colleges and students pursuing degrees in construction with local companies, mentors, student competitions, and scholarship opportunities. We are in need of motivated members to keep this program strong.

Thanks to meticulous planning, determined leaders, and member support, the 2020 Awards Gala was a huge success. With less than ten seats left vacant, this was the closest we have come to a sold-out room! Congratulations to all the project award winners, member awards, and especially to Paul Almen of Ryan Companies who was honored as the MCA Member of the Year.

In February the Programs Committee assembled a panel of experts to educate us on the key to a successful interview, hosted by Adolfson & Peterson Construction.

The most enlightening tour of the 2020 MCA Choice Award for McGough's project, University of Minnesota Bell Museum was held on March 12th. The guides represented McGough Construction and the Univ of MN. Some highlights of the tour included learning about how the large concrete "barrel" through the center of the structure was formed and the skill it required to make it nearly perfect. Another was to hear how the dioramas were meticulously moved from the old museum to this location and the restoration of the contents that followed. Great thought went into the project design. They best utilized materials, artists, and designs that were relative to the natural history of Minnesota.

Next up for education is on May 20th: "When Tragedy Strikes." This program will include a panel of safety, legal, and communication professionals who will share the necessary measures to implement in the event of an emergency.

You're invited to **MCA's 12th Annual Scholarship Golf Tournament** on Wednesday, June 3 for networking, a complimentary Happy Hour, Awards Ceremony, and a beautiful day of golf. This is the perfect opportunity to connect with colleagues and friends in the industry while enjoying an afternoon of hitting the green!

Check out the MCA Calendar of Events website for more information on all our upcoming events!

Whether you are a young or seasoned professional, be a part of the FUTURE of the MCA. You will find it a great place to collaborate with like-minded individuals and grow your network. I look forward to seeing you all throughout the year. Please reach out to me with any questions or comments regarding the MCA at **heather.grazzini@carciofini.com** or (612) 328-4212.

I hope you take the time to (safely) enjoy life and the warm spring season outside of the office.

MCA 2020 BOARD OF DIRECTORS

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Please help MCA welcome our newest MEMBERS:

EMANUELSON-PODAS

Emanuelson-Podas is a MEP (mechanical, electrical and plumbing) engineering firm. They develop design solutions that get air, power, light and water to the places that matter. Emanuelson-Podas specializes in the design of HVAC, building automation, plumbing, lighting, power, communications, life/safety, power generation and sustainable building systems, and offers energy modeling and building commissioning services.

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Mavo Systems is a leading Environmental and Specialty Contractor operating throughout the Upper Midwest. They currently offer: Asbestos, Lead & Mold Abatement, Interior Demolition, Concrete Sawing, Mechanical Insulation, Flooring Services, HVAC Cleaning and Specialty Cleaning.

www.mavo.com

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Redpath helps clients make more informed decisions that contribute to their financial well-being by providing proactive, innovative, and value-driven CPA services. Their areas of expertise include audit and attest; personal, business, and international tax; accounting services; entity structuring; mergers and acquisitions; valuations; succession and estate planning; state/local and sales/use tax.

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CALENDAR OF EVENTS

WEDNESDAY, MAY 20

Education: When Tragedy Strikes

WEDNESDAY, JUNE 3

Scholarship Golf Tournament

TUESDAY, AUGUST 4

Saints Game Networking Event

WEDNESDAY, SEPTEMBER 16

Education: Creating a Successful Partnership - A Subcontractor's Point of View

OCTOBER

3rd Annual Sporting Clays Shoot

OCTOBER

Education: Construction Industry Forecast – The State of the Minnesota Economy

NOVEMBER

7th Annual Soirée

Find more information on MCA events at mnconstruction.org/events/ calendar-of-events/

SUBMIT YOUR COMPANY BLOGS & ARTICLES







Submit your company blogs and articles to be featured on the MCA website and social media!

One of the ways we want to keep the new MCA website fresh is to offer our members the opportunity to showcase news, relevant stories, or interesting articles on our blog page. Each month, our goal is to feature a member's special project, company, or event that they want to share on the MCA website and social media platforms. This will provide valuable exposure for your company and give you the opportunity to engage new customers.

We're excited to provide fun and interesting content for our members written by our members!



TO SUBMIT YOUR COMPANY BLOGS & ARTICLES FOR SUMMER 2020

WINTER / SPRING 2020 BLOGS -



MCA Construct*ium/Pentathlon: A Student's Experience

By Tyler Fish, Dunwoody College of Technology

I competed in the pentathlon in 2018 and 2019. Over those two years, I had the privilege of competing in Negotiation Skills, Freeform Presentation, Table Topics, and Job Interview Skills. This event was one of my favorite parts of college. I look forward to them each year... Continue Reading >>



Case Study: Low Slope Roofs Are Rotting By INSPEC, Inc.

"Low-slope Roofs are Rotting" was an article published in July 2016 in Interface journal about three buildings in a northern United States climate experiencing premature deterioration of their roofs due to moisture condensation within the roof assembly... Continue Reading >>



Build Me Up: Industry Leadership with Al Gerhardt and Russ Becker

By Kraus-Anderson

The latest Build Me Up podcast features a two-part series with Kraus-Anderson Construction Company President and COO Al Gerhardt, and APi Group Inc. President and CEO Russ Becker. The two leaders have a candid discussion about their individual approaches to innovation, leadership development, and challenges facing the industry... Continue Reading >>



Saints Game Networking Event AUGUST 4

Save the date! Join fellow MCA members on Tuesday, August 4 for networking, food & beer from the Craft beer Corner, and a Saints game! This is the perfect opportunity to connect with colleagues and friends in the industry while enjoying an afternoon of baseball. We hope to see you there!



REGISTRATION OPENING SOON!

CELEBRATING THE MCA 2020 Awards of Excellence

CONGRATULATIONS TO ALL OF THE AWARDS RECIPIENTS HONORED AT THE GALA:

NEW CONSTRUCTION TOTAL VALUE UNDER \$15,000,000 Delta Dental Bemidji Operations Center Kraus-Anderson



Delta Dental of Minnesota's new Bemidji Operations Center provides a modern, open work environment for employees. The 38,000-square-foot, one-story with mezzanine building includes office space, training rooms, and several building amenities. The design was developed through a series of collaborative planning meetings between Kraus-Anderson, ESG, and the owner.

NEW CONSTRUCTION TOTAL VALUE OVER \$15,000,000 Grand Living at Indian Creek Ryan Companies US, Inc.



Grand Living at Indian Creek is a 165-unit senior living community created to meet demands for high-quality, amenity-rich senior housing. Nestled on eight acres, the community includes an array of amenities built around an "age-in-place" operational model that allows seniors to stay in their residential unit as service needs change.

RENOVATION, EXPANSION, OR TENANT IMPROVEMENT PROJECT University of Minnesota Pioneer Hall Wells Concrete



A combination of expansion efforts and new additions, this dormitory was upgraded to meet modern building and accessibility codes. Using innovative design techniques, including 3D-printed molds, the architectural panels' finish and all accompanying 280 precast concrete components complement the existing walls of this well known, historical building.

GOVERNMENT CONSTRUCTION PROJECT St. Cloud State University Eastman Hall Renovation Terra Construction



This project involved the complete renovation of St. Cloud State University's historic Eastman Hall including a third level addition and construction of classrooms, exam rooms, labs, pharmacy & therapy rooms. As the Center for Health & Wellness Innovation, Eastman Hall offers classroom & clinical training spaces for students studying to be counselors, nurses & medical technicians.

RESEARCH, INNOVATION OR USE OF TECHNOLOGY Wire Sawing Maverick Cutting and Breaking



Maverick was invited to come up with a way to cut an 8" thick steel MRI structure up into pieces to allow for removal without creating fire or sparks as the area is surrounded by a wood structure.

SUBCONTRACTOR/SPECIALTY CONTRACTOR PROJECT Canopy Hotel Kellington Construction



Kellington performed Selective Demolition and Carpentry on the Project. This included a full gut of the existing 7 floors and basement. Along with that Kellington removed and reinstalled over 600 structural timber beams and associated decking. Carpentry work included Rough Carpentry, Finish Carpentry, Casework, Wood Trim, Doors, Hardware, and Specialties.

MCA CHOICE AWARD Bell Museum McGough Construction



The Bell is Minnesota's official natural history museum, established by the legislature in 1872. For over a century, the museum has preserved and interpreted our state's rich natural history and served learners of all ages. The Bell Museum is located on the traditional and treaty land of the Dakota people, in the area known as Mnisóta Makhóčhe (the land of Minnesota).

McGough completed a test move, roughly one year, prior to the actual deconstruction of the dioramas that were to get moved. There was close collaboration between Museum staff and the construction team while working on these dioramas. The project includes a 120-seat digital planetarium as well as permanent and temporary exhibits for the public.

The 5-acre site was built with 100 percent controlled runoff. It also follows the SB 2030 Green building codes which were used to achieve the project's green building goals.

The project was multifaceted in its funding needs for this project. The Minnesota Legislature struck an agreement where the University of Minnesota would borrow \$51.5 million for the project and the state would pay the debt service on the bonds over a span of 25 years with the remaining \$6 million coming from private contributions.

In addition to the Bell Museum & U of M representatives, McGough worked with a number of consultants and specialists, many of them local in addition to a few from different countries.

MCA THANKS OUR 2020 AWARDS OF EXCELLENCE SPONSORS:

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- KOMA
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- Ryan Companies US, Inc.

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MCA also honored outstanding companies and individuals at the Awards of Excellence Gala. These awards acknowledge the exemplary work and dedication to quality construction by our members.





SUBCONTRACTOR OF THE YEAR
Meyer Contracting



SERVICE PROVIDER OF THE YEAR
American Engineering Testing, Inc.



DESIGN PROFESSIONAL OF THE YEAR Loucks



MEMBER OF THE YEAR Paul Almen, Ryan Companies US, Inc.



Register Today for the 2020 MCA Scholarship Golf Tournament!

EVENT INFORMATION

Wednesday, June 3, 2020 | 11:00 AM - 6:00 PM

Deer Run Golf Club | 8661 Deer Run Drive, Victoria, MN 55386



Click here for additional information and to register today!

Back by popular demand - the MCA Scholarship Golf Tournament returns to Deer Run Golf Club on Wednesday, June 3, 2020.

REGISTRATION AND CANCELLATION DEADLINE IS MAY 18, 2020

Don't miss the opportunity to join fellow construction industry professionals for a great day of golf at the course that was voted "Best Public Golf Course in Minnesota" by WCCO viewers!

FEES: Cost Per Person (\$175*)

Dinner Only: \$25 | Lunch Only: \$15

*Golfer fee includes: driving range, putting green, round of golf, golf cart, box lunch, happy hour, steak dinner and awards ceremony

> SPONSORSHIP OPPORTUNITIES ARE AVAILABLE!

As a non-profit organization, we are asking for support from MCA members and local businesses to offset the costs of this tournament. We invite you to be a part of this event, which will provide you with an excellent opportunity to promote your organization's services to the construction industry in Minnesota.

- Event Sponsor (1 sold, 5 available) \$1,400
- Premium Hole Sponsor (limited number available) \$1,000
- Hole Sponsor (limited number available) \$500
- Registration Table Sponsor (only 1 available) \$500
- Dinner Sponsor (3 available) \$260
- Driving Range Sponsor (3 available) \$260
- GPS Golf Cart Sponsor \$260
- Happy Hour Sponsor (3 available) \$260
- Putting Green Sponsor (only 1 available) **SOLD OUT**
- Lunch Sponsor (2 sold, 1 available) \$155



MANY THANKS TO OUR 2020 SPONSORS FOR THEIR GENEROUS SUPPORT!

EVENT SPONSOR

Larkin Hoffman

PREMIUM HOLE SPONSORS

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- · Greiner Construction
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- Sonus Interiors
- Terra Construction
- Versacon, Inc.
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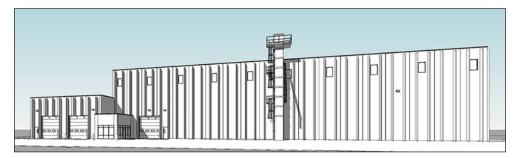
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MEMBER TO MEMBER



Kraus-Anderson has completed construction of a 14,000-squarefoot production building for microSource, the leading privatelabel manufacturer of plant nutrient products in the United States.

Designed by Mohagen Hansen Architectural Group, the new Shakopee facility is microSource's latest manufacturing building, which features a new loading bay and tank storage.

Owned by Gavilon Agriculture Holdings company, microSource, LLC (www.microsourcellc.com) is a leading wholesale manufacturer of private label nutritional starters, nitrogen stabilizers, and liquid and dry micronutrients in North America.

From its Shakopee supercenter at 7632 County Road 101, the company services domestic and international accounts of crop nutrition products by bulk rail, bulk tank truck, containers and packaged vanload quantities. Its in-house capabilities include R&D, custom manufacturing and logistic services.

Kraus-Anderson's previous work for microSource includes a 43,000-square-foot fertilizer warehouse building completed in 2016 and a 39,000-square-foot addition to a production facility completed in 2014. ◆

Kraus-Anderson Construction Company has named Tony Peleska



as vice president of Information Technology. He will oversee the construction company's IT strategic planning and

development, solution implementation and project management, and also will work closely with the entire family of Kraus-Anderson companies. He will be based in KA's Minneapolis office.

Peleska comes to KA with deep experience as a chief information officer. Most recently, he served as CIO for Minnesota Housing Finance Agency in St. Paul, where he improved and increased the effectiveness of the IT organization and aligned the agency's strategic goals with its business initiatives.

He is currently the chair of the board for the Association of Intelligent Information Management (AIIM), the community that provides education, research and best practices to help organizations find, control and optimize their data. He also serves as a board member of the University of St. Thomas Graduate School of Software Engineering; and is a member of the National Council of State Housing Agencies CIO Council and Evanta CIO Governing Body.

Peleska earned his B.A. from Saint John's University, Collegeville, Minn.,

and his Executive MBA from the University of Buffalo, New York. He is a volunteer president of Consulting for Causes; board chair of Nu-Vision Foundation; serves on the steering committee of the Minneapolis Chamber of Commerce; and is the board chair of the Karth Lake Improvement District in Arden Hills.







Kraus-Anderson (KA) has promoted Scott McLean and Tyler Kaczmarek to project managers in the company's Rochester office.

Both McLean and Kaczmarek joined KA in 2017 as assistant project managers. They have worked on several major area projects, including the construction of Education Village, a \$31.2 million expansion at Winona State University; and the 264-room luxury Hilton Hotel in downtown Rochester.

McLean received his B.S. in Civil **Engineering and Construction** Management from the University of Wisconsin - Madison and is a member of Rochester Area Chamber of Commerce. Kaczmarek earned his B.S. in Construction Management from North Dakota State University, Fargo. ♦

Firefighters for Healing (FF4H), a nonprofit dedicated to helping burn survivors, first responders and their families navigate medical, financial and emotional needs after burn trauma or injury, has announced



plans to create a 15,000-square-foot Transitional Healing Center located at Seventh Street and Fifth Avenue in downtown Minneapolis.

The new healing center will occupy part of the second floor of the 8-story, 300,000-square-foot mixed-use project developed by Sherman Associates. **Kraus-Anderson**, the construction manager for the Sherman development project, anticipates a summer 2020 groundbreaking. The Sherman project is located adjacent to the new Thrivent Headquarters, which is currently under construction.

Designed by ESG Architects, the healing center will include offices, 12 apartment units and community space providing accommodations for families of burn survivors traveling from a distance and for any first responder in Minnesota who is receiving care for any reason. The facility will also provide support for burn survivors recently discharged from the hospital who need time to adjust to their new normal level of activity.

For three years, Douglas Jandro, a vice president at Kraus-Anderson, has led a collaborative effort to bring key businesses together to create an affordable solution that can support families of those undergoing treatment at nearby Hennepin Healthcare Burn Unit, a regional center for burn treatment.

"The new center's close proximity to a top burn unit is critical for survivors and their families," said Jandro. "We are thankful to have such a compassionate team of businesses whose creative synergy made an affordable downtown option possible." KA's support since 2017 has provided three apartment units in its downtown HQ Apartments. FF4H provides these to families free of charge to stay one week or longer close to their loved ones who are in the hospital.

At FF4H's 2019 Red Tie Gala held in December, more than \$750,000 was raised toward the \$6 million cost of the new space.

Firefighters for Healing was founded in 2010 by Minneapolis firefighter Jake LaFerriere, who tragically experienced firsthand what a burn trauma patient endures. During his recovery, LaFerriere was inspired to support children as well as firefighters who are burn survivors, as their families navigate the first hours, days and months following burn trauma.

"Unfortunately, hospitals can only address medical needs and insurance companies have guidelines," said LaFerriere, who serves as FF4H executive director. "FF4H seeks to fill this gap by providing meals, transportation and accommodations, as well as toys, gift cards, camp scholarships and more."

The nonprofit also recently launched Camp RED, which provides a therapeutic camp environment in Northern Minnesota where survivors aged 6-16 years of age can gather and build confidence.

"We are so grateful for the tremendous support of Kraus-Anderson, Sherman Associates and ESG Architects and others for their leadership and stewardship in bringing this much-needed facility to life," said Chris Dunker, FF4H board chair.

For further information or to make a donation, visit www. firefightersforhealing.org. ◆



The new Falls International Airport (INL) terminal project in International Falls, Minn. has won an Engineering Excellence Award from The American Council of Engineering Companies of Minnesota (ACEC/MN). **Kraus-Anderson** was the construction manager for the new terminal, which opened in the summer of 2019.

ACEC/MN is the leading business practice and policy advocate for consulting engineering firms in Minnesota.

The project included the full replacement of the 17,894-square-foot terminal building, and provides new space for U.S. Customs processing, a National Weather Service office, TSA offices and Airport Administration.

The project replaced approximately two-thirds of the old terminal designed by architecture, planning and interiors firm Alliiance, and

features a new arrival and departure services with check-in ticketing counters and kiosks, secured gate lounge, baggage handling, passenger boarding bridge, TSA screening area, car rental services and public lobby/waiting area.

U.S. Customs provides services at INL, which is a designated international Port of Entry to the United States. Delta, operated by SkyWest Airlines, provides daily service to and from Minneapolis/St. Paul International Airport (MSP).

The airport built its first runways in 1946 and added a terminal building in 1948, paving the way for the introduction of commercial air service in 1953. A new terminal building was built in 1979, which was dedicated by Vice President Walter Mondale. Following runway extensions over the years, the airport was re-designated in 2011 as Falls International Airport. ◆

Stahl partnered with Minneapolis Public Schools – Special School District #1 on the addition and renovation of the Marcy Open School. The 44,000-square-foot facility was originally built in 1991 and serves 741 K-8 students. The \$8.5 million project included a new cafeteria and kitchen, relocation of the art and music spaces, modernizing learning environments, and enhancing security.

Marcy Open School provides a learning environment that focuses on both academic achievement and personal development. Students are encouraged to take responsibility for their learning to promote lifelong growth and goal setting. At Marcy Open School, there is an emphasis of learning through the arts by partnering with local artists and a commitment to peace education through its membership as an International Peace Site.

"I am personally passionate about public urban schools and the role



they play in strengthening our communities and providing equitable advancement opportunities for all. As a company, we have focused on supporting schools to get the most value they can from their facilities. Thus, working with Minneapolis Public Schools on the Marcy Open project was really rewarding," said Jessie Houlihan, President of Stahl. "In partnership with Wold and the District, we were able to take a twosummer project and aggressively complete the work in one season, saving them money and ensuring the students get more use out of their now expanded facility. This is the important work we want to create. I am ecstatic with the success of this endeavor."

"We are thrilled with the outcome of our addition and renovation project," said Laurie McGinley, Planning and Design Manager at Minneapolis Public Schools - Special School District #1. "The Stahl team is excellent at listening and they never had a hidden agenda. They truly wanted to work together to make this successful. Between the new spaces and the reconfiguration of existing spaces, the building now has a safe and welcoming entrance, a kitchen that will allow for fresh, onsite food preparation, a cafeteria sized to streamline lunch periods, updated art and music rooms, and updated building systems. We appreciate the

dedication and expertise from both the Stahl and Wold project teams. Not only did I enjoy this project, but I looked forward to meeting. It was refreshing."

"Wold is proud to be a part of the team that improved safety, security, and food service at Marcy Open School," said Robert Sehm, Associate at Wold Architects and Engineers.

Construction began in the spring of 2019 and was completed in November 2019, with the landscape and final exterior elements to be completed in August 2020. ◆



General contractor **Kraus-Anderson Construction** will break ground this spring on the new Sanford Bemidji Heart and Vascular Center. The new 56,000-square-foot Center is the largest addition to the hospital since 2004. Kraus-Anderson has been active on the Sanford Bemidji Campus since 1996, with recent notable projects including the loe Lueken Center and Sanford

Orthopedics Center, while continuing to provide ongoing construction management services to respond to the client's needs. •

Real estate development firm **Doran** Companies today announced it has received its official certification as a woman-owned business, approximately six months after Anne Behrendt purchased a majority share of Doran's operating companies from founder Kelly Doran and assumed the role of President and Chief Executive Officer. The entity providing the certification is the Women's Business Enterprise National Council (WBENC), the largest third-party certifier of businesses owned, controlled and operated by women in the United States.

"We are thrilled to receive this certification after a robust application and interview process," said Behrendt. "This certification is another key tool for us as we continue to grow our business. We are focused on building new partnerships with municipalities and with large-scale companies in the Twin Cities and Denver, who are committed to supporting womenowned businesses."

With offices in both Bloomington, Minnesota and Denver, Colorado, Doran has grown to more than 300 employees, bolstered by Founder and Principal Kelly Doran's significant commercial development portfolio, and high-performing architecture, construction, management and development divisions that each have significant books of third-party business.

As one of the fastest-growing real estate development firms in the Upper-Midwest and the third-largest developer in the Twin Cities, Doran has developed, designed or built dozens of luxury multi-family and mixed-use projects in Minnesota, North Dakota and Colorado. The company's current property

management portfolio includes millions of square feet of commercial space and luxury residential units in some of the most exclusive areas throughout the Midwest.

For a digital image of Anne Behrendt or to view a video about today's announcement, click <u>here</u>. ◆

When do Statutes of Repose Begin to Run on Condominium Projects?

By David D. Hammargren, Larkin Hoffman

A statute of repose defines the date by which a particular type of claim must be asserted before it becomes untimely, or "stale," and can no longer be pursued. This provides designers and builders of construction projects some security that, after a certain date, they cannot be hauled into court to answer for their alleged breaches of contract, negligence, or breaches of warranty. What if the claim involves the construction of a condominium project? Would the statute of repose be calculated based on the completion of each condominium unit, each separate building of the complex or to the entire complex? The Minnesota Supreme Court recently provided much-needed clarity regarding the application to condominiums of the statutory repose periods for breach of warranty and other claims in Village Lofts v. Housing Partners III Lofts, LLC.

Statutory Residential Warranties and the Statute of Repose

Minnesota Statutes Ch. 327A provides certain statutory warranties with respect to the construction of new homes and the renovation or remodeling of existing homes, including condominiums. Village Lofts involved the assertion by a condominium homeowners association of claims against the developer and builder for, among other things, breaching the 10-year statutory warranty against major construction defects. The project

involved the construction of two separate condominium buildings, each of which was completed and occupied on different dates.

In Minnesota, claims for breach of the statutory warranties are barred by the statute of repose if they "accrue" more than 10 years after the "warranty date." This analysis involves answering two important questions: (1) On what date does a statutory warranty claim accrue? and (2) What is the applicable "warranty date" that starts the 10-year statute of repose running?

When Does a Warranty Claim Accrue?

The Supreme Court cited a case from 2004, Vlahos v. R&I Constr. of Bloomington, in stating that a breach of warranty claim accrues "... when the homeowner discovers, or should have discovered, the builder's refusal or inability to ensure the home is free from major construction defects." In Village Lofts, the Court concluded that the claims for breach of warranty accrued in May, 2015, at the earliest, when the Association notified the developer and builder of the alleged problems and the developer and builder did nothing. Therefore, the Court reasoned, if the "warranty date" for the statutory warranty claims is prior to May, 2005, then the claims are barred by the 10-year statute of repose.

What is the Applicable Warranty Date?

Chapter 327A defines "warranty date" as "the earliest of: (a) the date of the initial vendee's first occupancy of the dwelling; or (b) the date upon which the initial vendee takes legal or equitable title in the dwelling." This definition works well with single-family homes, but it does not work well for condominiums. In Village Lofts, the Association argued (and the Court of Appeals agreed) that the warranty date is to be determined for each individual condominium unit. The developer and the builder argued that the warranty date has to be

determined for each of the separate buildings based on when the first occupant (in each respective building) occupied or took title to that unit.

The Court determined that the statute was ambiguous, which enabled it to go through a detailed exercise to interpret the Legislature's intent and allowed it to look beyond the words of the statute. The Court concluded after much discussion that "... the Legislature intended that there be a single warranty date for a condominium building rather than different warranty dates for each unit." This conclusion saves us from the absurd and impractical result of having to determine warranty dates for each individual unit and permits the calculation of the statute of repose using the first unit in a building that is occupied or to which title has transferred.

Non-Warranty Claims

The Court also considered the statute of repose for Village Loft's nonwarranty claims. Claims for defective and unsafe improvements to real property are governed by Minn. Stat. § 541.051, Subd. 1(a), which provides a statute of repose of 10 years " ... after the date of substantial completion of the construction." The issue in Village Lofts was whether the two condominium buildings, Buildings A and B, were considered one "improvement" or two. The Court concluded they were two separate improvements because, among other things, (a) each was given a separate Certificate of Occupancy on different dates, (b) each building independently meets the Court's definition of an improvement, and (c) the Legislature intended the trigger, substantial completion, to be determined when the contractor can turn the building over to the person that hired the contractor to be used for its intended purposes. Because each building was its own improvement, the Association's non-warranty claims were barred by the statute of repose.

Conclusions and Take-Aways

The "Warranty Date" for the statute of repose applicable to claims of breach of statutory warranties for condominium projects is determined on a "per building" basis, and not on a "per unit" basis. When a condominium development involves multiple buildings, each of which is deemed its own improvement, the determination of substantial completion for purposes of the application of the statute of repose for defective and unsafe improvements to real property is determined on an improvement (building) by improvement (building) basis. ◆

The Building Owners and Managers Association of Greater Minneapolis (BOMA) has honored **Kraus-Anderson's** new corporate headquarters as Outstanding Building of the Year in the 100,000-249,999 square foot category. BOMA's "Toby Award" recognizes excellence in office building management.

KA transformed its former corporate headquarters with a surface parking lot into a comprehensive, mixeduse block in East Town Minneapolis featuring hospitality, dining and housing options. Completed in the fall of 2017, the new five-story, 110,000 square foot office space consolidated three offices into one collaborative workspace. Amenities include a fitness center, cafeteria, lounge areas, heated underground parking and a Kraus-Anderson University learning space. The high-



tech environment brought together employees from around the Twin Cities.

The building earned LEED Silver certification and Excel Energy's 2018 High Performance Building Award for its sustainability and energy efficiency. The KA Headquarters is part of the legacy project of the KA Block that transformed the block in the Elliot Park neighborhood which KA has called home since the 1940s. The new headquarters is attracting new talent to the area and transforming the neighborhood into a booming destination in Minneapolis. •



Kraus-Anderson (KA) has hired Tim Kittila to serve in the new position of facilities assessment manager. Kittila will oversee

the company's growing consulting initiative, which helps building owners gather valuable insight and data on existing facilities systems and conditions.

Kittila will work with clients to deliver a detailed facility condition assessment, which identifies current building status, existing needs and gaps, such as deferred maintenance items and overall asset management. The facility condition assessment will then prioritize and budget the given recommendations and remediation needs. KA's assessments also provide valuable recommendations such as energy conservation considerations, compliance gaps and safety considerations.

"Before even the initial conceptual phase of planning begins, getting an accurate baseline of an existing facility's current status and capabilities, can provide owners with new insights and possibilities, leading to a better understanding of a building's future," said Terry Hart,

KA's vice president and director of operations. "Tim's experience and leadership will help KA continue to develop successful existing facilities strategies, providing solutions and improvements that ensures the long-term sustainability and stability of facilities."

KA provides facilities assessments in all industries, including healthcare, housing, government, commercial and education. KA assessments are a comprehensive review, which include all aspects of a working/operating facility such as substructure, envelop, interiors, MEP, building site work equipment, technology as well as other systems.

"The facilities assessment team gathers data, defines and identifies problems, develops a plan, and then, creates and presents those solutions," says Hart. "The assessments provide everything from short-term planning to a 30-year roadmap, which can eliminate capital spending and facility maintenance surprises."

The assessment team also works closely with the preconstruction and MEP/Building Science groups to develop concepts, review existing facilities and build various budgets. Bringing those teams into the process early identifies unknown project costs and associated risks, and provides optimum overall quality control and quality assurance.

Kittila brings to KA deep experience in delivering technical concepts and solutions through data-driven, financial, engineering and risk analysis. Prior to joining KA, he served as data center business unit director for Eden Prairie-based Parallel Technologies, which designs and builds infrastructure solutions that integrate technology throughout data centers and buildings. He previously was a partner and vice president of St. Paul-based Hypertect which designs and builds mechanical and electrical systems for enterprise data centers. Kittila also was the IT administrator for Chester River Hospital in Chestertown, Md.

Kittila earned his BS in Mechanical Engineering from Virginia Tech's Polytechnic Institute and State University in Blacksburg, Va.; and his MBA from University Delaware's Lerner College of Business and Economics in Newark, Del. He is a professional mechanical engineer and accredited tier designer. Kittila is a member of American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE). ◆

Kraus-Anderson has completed a \$4.5 million construction project that includes a remodel and update of the performing arts spaces and band room addition at Columbia Heights High School.

The project was part of a bond referendum to modernize

educational spaces at the high school, and to retain and expand its performing and instrumental arts programming to keep the District's "heart in the arts."

Designed by MLA Architects, the 14,200-square-foot project features the remodeling of a 5,800-square-foot auditorium with new seating, flooring, dressing rooms, and stage lighting and sound. The new construction also includes a 8,400-square-foot band room addition with a new sound control room, practice rooms, acoustic wall panels and large windows for natural light.

KA continues to lead the field of regional education construction projects and is currently ranked 8th in the nation in the construction of K-12 facilities by Building Design and Construction magazine. Over the past five years, KA has completed over \$1 billion in K-12 projects. KA's comprehensive school construction services include facility analysis and budget approaches, leading to informed and successful referendum initiatives. ◆

Kraus-Anderson Construction has completed an extensive expansion and renovation of Cuyuna Regional Medical Center (CRMC) located at 320 East Main Street in Crosby, Minn. A community-built facility, CRMC serves approximately 30,000 people in the Brainerd Lakes area.





Designed by HDR Architects, the \$17 million, 52,376-square-foot project features a new state-of-theart outpatient Orthopaedics, Spine & Interventional Pain Clinic and Rehabilitation Department.

To make room for the new clinic, underutilized areas of the Care Center were consolidated and the Cancer Care Center was relocated. A new dining room, patio and activities center were added to the Care Center and its nurses stations, resident rooms and offices were remodeled.

On the outside, the project includes two new canopies to the main entrance and to the Care Center, a new loading dock and parking lot expansion. •



Kraus-Anderson (KA) has begun an extensive renovation of Sunnyside Elementary School for the Mounds View School District. Sunnyside Elementary is located at 2070 County H in New Brighton, Minn.

Designed by Wold Architects and Engineers, the project features five new classrooms and flexible learning spaces, as well as new conference and break-out rooms. In total, KA will also be remodeling 11,500 square feet of space, which will include an updated kitchen and student cafeteria. In addition, renovations will include an increase in square footage to the band and orchestra areas, a new bus parking lot, increased storage capacity and additional lavatory facilities.

The project is expected to be completed in late fall of 2020.

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Kraus-Anderson is the construction manager of the state's first purposebuilt psychiatric residential treatment facility for children.

Cambia Hills of East Bethel will be joined by elected officials, members of the medical community and stakeholders to commemorate the completion of the state's first purpose-built psychiatric residential treatment facility for children with a ribbon-cutting ceremony and tours at 900- 189th Avenue NE, East Bethel, MN. The dedication will take place

on Wednesday, March 25th at 12 Noon with a community Open House later that day between 4:30 and 6:30 p.m. Doors open at 11 a.m. There is a growing children's mental health crisis in the United States and in Minnesota. Over 100,000 Minnesota children need treatment for serious emotional disturbances. Well over a thousand Minnesota boys and girls, ages 10 - 17, attempt suicide annually. Many children with complex mental illnesses will need weeks or months of round-the-clock care to get well, but the average stay in children's psychiatric hospitals is 7-10 days, on average. Forty-two other states offer children extended, intensive, inpatient psychiatric care.

The Minnesota State Legislature directed the Department of Human Services to address this gap in the continuum of care by issuing a request for proposals to develop 150 psychiatric residential treatment facility (PRTF) beds for children. The Hills Youth and Family Services in Duluth stepped up to build a new, state-of-the-art facility and take this opportunity to significantly advance the field of children's mental health services in Minnesota. On the strength of its proposal and its long history of successful work with children in crisis, The Hills was awarded 60 beds, to become Cambia Hills of East Bethel.

Cambia Hills of East Bethel is an innovative PRTF that is designed to serve children ages 6-17 who are experiencing complex mental illness. The project will profoundly impact mental health services for children in Minnesota by implementing a new level of care never before seen here. The goal of Cambia Hills is to integrate a safe and engaging environment with a wooded setting to create the optimal therapeutic center for healing. Construction began in January of 2019 and cost \$26 million to complete.



"On behalf of the Minnesota Society of Child and Adolescent Psychiatry, I want to express strong support for The Hills Youth and Family Services' imperative Cambia Hills of East Bethel project. Cambia Hills of East Bethel will establish a nurturing environment that serves each child individually and holistically." Joshua Stein, M.D., President of the Minnesota Society of Child and Adolescent Psychiatry

"Cambia Hills will provide muchneeded access to intensive mental health services for children with complex needs. We anticipate improved outcomes for children and families by providing quality inpatient services in a healing residential setting."

Dave Hartford, Director of Cambia Hills of East Bethel ◆

Loucks is grateful to have kicked off 2020 as the recipient of several prestigious honors from our project partners, colleagues and industry leaders.

On Friday, January, 2020 Loucks and the project team for Allianz Field received ACEC/MN's three highest awards, the Grand Award, People's Choice Award, and Grand Conceptor Award, which recognizes the project with the highest overall score. Loucks led the hydrology and civil design efforts for the stadium and surrounding site, which houses the region's largest comprehensive stormwater system.

On Wednesday, January 29, 2020 the members of Minnesota Construction Association named Loucks the Design Professional of the Year. We are honored to receive this recognition from our peers and appreciate the opportunity to serve as a premier, go-to multidisciplinary resource on projects across the Twin Cities and region. ◆





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