

MANAGING NEW MANAGERS

Dear ACEC: Our company is growing rapidly and recently has created new management positions. Some of these employees have not been in management before and would like training. Does ACEC offer training courses that would apply?



ACEC's Continuing Education programs meet the needs of design firm professionals.

Response: Training is a top business issue among design firms and is considered one of the best retention tools for your employees. It is imperative to choose courses that will allow employees to gain the skills and understanding necessary to perform their jobs and new responsibilities.

ACEC's Continuing Education programs are intended to meet the needs of various levels of design firm professionals. For example, your employees would benefit from the Business of Design Consulting seminar, the premier training program for new managers. This program provides current best practices in the changing engineering environment, including the fundamental and advanced skills needed in marketing and business development, financial management, risk management, information technology, human resources (HR), and leadership.

ACEC also provides seminars for principals and CEOs, including the Senior Executives Institute (SEI), a two-year advanced leadership development program, and a CEO Retreat that gives detailed information on top-level management topics such as financial management, information technology, and strategic planning.

Other members of the firm, such as HR directors or administrators, are better served through our seminars designed around department-specific issues.

A full list of ACEC

Continuing Education courses can be found at www.acec.org.

—**Roger Doucette**, ACEC director of educational programs, (202) 347-7474, rdoucette@acec.org.

HARD vs. SOFT CONTRACTS

Dear ACEC: I am interested in obtaining Engineers Joint Contract Documents Committee (EJCDC) contracts. In searching ACEC's Web site, I noticed these materials are available as hard copies and as electronic copies, but that the prices are different for each. What is the difference between these two formats?

Response: The hard-copy version of these documents is copyrighted and entitles the purchaser to a single use.

Downloading EJCDC contract documents entitles the purchaser to unlimited use of these materials. Existing EJCDC documents are available either in Word Perfect or Microsoft Word format. Documents that are developed in the future, as well as the short-form contract released in April, will be available only in Microsoft Word format.

In addition to the reusability of the electronic contract documents, these materials are available for immediate use, 24 hours a day, seven days a week, by downloading them from our Web site at www.acec.org/publications.

When reusing these documents, however, caution is urged when making changes to the language. Because many provisions are tied to, and

make reference to, other provisions and documents, any changes made may alter the meaning of the contract. —**Ed Bajer**, ACEC director of coalitions, (202) 347-7474, ebajer@acec.org

SEEKING BACK PAY

Dear ACEC: I would like to file a lien for back payment of fees on a construction project we provided engineering services for. What are my options?

Response: A mechanic's lien is a possible vehicle for seeking back payment of fees. To get a mechanic's lien, a claim of lien must be recorded in the office of the county recorder where the property is located. There are a number of procedural requirements that must be followed to obtain and to perfect a valid mechanic's lien, and states vary in their requirements.

In the past, mechanic's liens have generally applied to labor and materials, rather than to services provided. Courts have recently begun to recognize and uphold the use of these liens by those supplying professional services, including engineers and architects. However, not every state allows engineers to file a mechanic's lien for back payment of fees. An attorney familiar with your state's lien laws will be able to advise you on the appropriateness of this method and ensure that all of the filing requirements are met. —**Ed Bajer**, ACEC director of coalitions, (202) 347-7474, ebajer@acec.org

If you have a question
you would like answered in
Members Ask,
e-mail Ellen Mullally
at emullally@acec.org.
We look forward to
hearing from you.