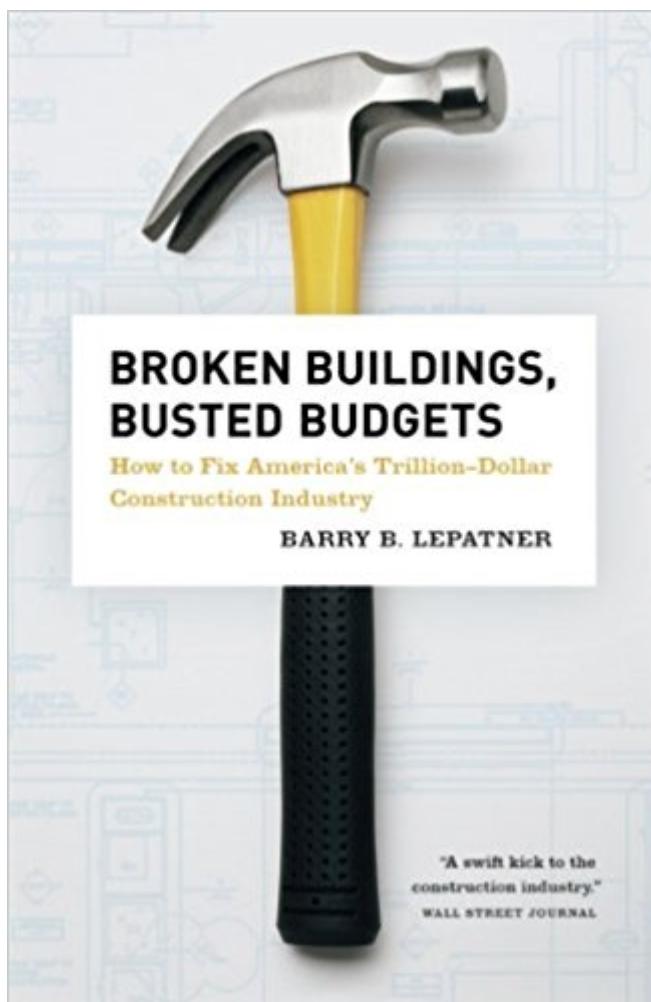


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# Broken Buildings, Busted Budgets: How To Fix America's Trillion-Dollar Construction Industry



## Synopsis

Across the nation, construction projects large and small—from hospitals to schools to simple home improvements—are spiraling out of control. Delays and cost overruns have come to seem “normal,” even as they drain our wallets and send our blood pressure skyrocketing. In *Broken Buildings, Busted Budgets*, prominent construction attorney Barry B. LePatner builds a powerful case for change in America’s sole remaining “mom and pop” industry—an industry that consumes \$1.23 trillion and wastes at least \$120 billion each year. With three decades of experience representing clients that include eminent architects and engineers, as well as corporations, institutions, and developers, LePatner has firsthand knowledge of the bad management, ineffective supervision, and insufficient investment in technology that plagues the risk-averse construction industry. In an engaging and direct style, he here pinpoints the issues that underlie the industry’s woes while providing practical tips for anyone in the business of building, including advice on the precise language owners should use during contract negotiations. Armed with *Broken Buildings, Busted Budgets*, everyone involved in the purchase or renovation of a building or any structure—from homeowners seeking to remodel to civic developers embarking on large-scale projects—has the information they need to change this antiquated industry, one project at a time. *“LePatner describes what is wrong with the current system and suggests ways that architects can help”*—by retaking their rightful place as master builders.

•Fred A. Bernstein, Architect Magazine

“Every now and then, a major construction project is completed on time and on budget. Everyone is amazed. . . . Barry LePatner thinks this exception should become the rule. . . . A swift kick to the construction industry.”

•James R. Hagerty, Wall Street Journal

## Book Information

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## Customer Reviews

"I found it definitely a worthwhile and stimulating read. A must for anyone interested in the economics of construction." -- Tyler Cowen "Marginal Revolution" (09/20/2007)"Everyone in construction, from owners to contractors, from architects to construction workers, should read this book. Those who do will surely join Mr. LePatner in his crusade to fix an industry so vitally important to the way we live."--A. Eugene Kohn, Chairman, Kohn Pedersen Fox Associates -- A. Eugene Kohn (03/01/2007)"As a leading construction industry attorney, Barry LePatner knows the industry as well as anyone--warts and all. Here he sends a strong warning to owners, agencies, and institutions charged with constructing or renovating the built environment to get their act together and radically rethink their business practices. He not only zeroes in on the industry's shortcomings but also offers up cures."--Stephen A. Kliment, FAIA -- Stephen A. Kliment (03/05/2007)"Construction, a \$1 trillion industry, is a bedrock of the mighty U.S. economy. But as Barry LePatner shows, it operates with an efficiency more characteristic of the old Soviet Union. "Broken Buildings," "Busted Budgets "proves that waste, overspending, and economic irrationality pervade the industry, burdening consumers, taxpayers, and shareholders with enormous costs. As important, it lays out a blueprint for reform."--Daniel Gross, "Moneybox" columnist for Slate.com -- Daniel Gross (02/19/2007)"Sadly, the lack of significant advances and adoption of construction technology improvements has greatly contributed to the broken building environment in which we now operate. It is imperative for architectural and engineering schools to educate their students to work collaboratively with contractors and other project stakeholders to ensure more assured budget and schedule success. Barry LePatner's insightful words are right on target."--Leonard Koven, P.E. Partner, AKF Engineers LLP -- Leonard Koven (03/26/2007)"Out-of-control construction costs have a real potential to damage the economy. They have certainly led to a disruptive relationship between design professionals who draft construction documents, the contractors who build from them and the clients who usually end up paying for the resulting cost overrun. "Broken Buildings, Busted Budgets "identifies the sources of and proposes solutions for mitigating construction cost overruns."--Ramon Gilsanz, P.E. Partner, Gilsanz, Murray, Steficek LLP -- Ramon Gilsanz (03/26/2007)"Not since "The Business Roundtable" raised the red flag over 25 years ago on the ineffective use of construction dollars and its impact on the global economy has a treatise provided

in-depth reasoning on the culprits. "Broken Buildings, Busted Budgets" provides deep insight as to why the construction industry has not corrected faults to mitigate such excessive construction cost overruns and has even begin to accept these everyday occurrences as the norm. Barry LePatner describes how the U.S. government and even our nation's most respected corporations fall prey to the inefficient practices of all parties involved in a major construction project--contractors, designers, workers, unions and suppliers. From his insights it is clear that we need to instigate a critical examination on improving this critical sector of our economy."--Mark A. Smith, Ernst & Young LLP -- Mark A. Smith (03/09/2007)"Every now and then, a major construction project is completed on time and on budget. Everyone is amazed. . . Barry LePatner thinks this exception should become the rule. . . . A swift kick to the construction industry."--James R. Hagerty, "Wall Street Journal" -- James R. Hagerty "Wall Street Journal" (12/05/2007)0;I found it definitely a worthwhile and stimulating read. A must for anyone interested in the economics of construction.1; 1;Tyler Cowen, "Marginal Revolution" -- Tyler Cowen "Marginal Revolution" (09/20/2007)0;Every now and then, a major construction project is completed on time and on budget. Everyone is amazed. . . Barry LePatner thinks this exception should become the rule. . . . A swift kick to the construction industry.1;2;James R. Hagerty, "Wall Street Journal" -- James R. Hagerty "Wall Street Journal" (12/05/2007)0;Everyone in construction, from owners to contractors, from architects to construction workers, should read this book. Those who do will surely join Mr. LePatner in his crusade to fix an industry so vitally important to the way we live.1;2;A. Eugene Kohn, Chairman, Kohn Pedersen Fox Associates -- A. Eugene Kohn (03/01/2007)0;As a leading construction industry attorney, Barry LePatner knows the industry as well as anyone2;warts and all. Here he sends a strong warning to owners, agencies, and institutions charged with constructing or renovating the built environment to get their act together and radically rethink their business practices. He not only zeroes in on the industry7;s shortcomings but also offers up cures.1;2;Stephen A. Kliment, FAIA -- Stephen A. Kliment (03/05/2007)0;Construction, a \$1 trillion industry, is a bedrock of the mighty U.S. economy. But as Barry LePatner shows, it operates with an efficiency more characteristic of the old Soviet Union. "Broken Buildings," "Busted Budgets "proves that waste, overspending, and economic irrationality pervade the industry, burdening consumers, taxpayers, and shareholders with enormous costs. As important, it lays out a blueprint for reform.1;2;Daniel Gross, 0;Moneybox1; columnist for Slate.com -- Daniel Gross (02/19/2007)0;Sadly, the lack of significant advances and adoption of construction technology improvements has greatly contributed to the broken building environment in which we now operate. It is imperative for architectural and engineering schools to educate their students to work collaboratively with contractors and other project stakeholders to ensure more assured budget

and schedule success. Barry LePatner's insightful words are right on target.1;2;Leonard Koven, P.E. Partner, AKF Engineers LLP -- Leonard Koven (03/26/2007)0;Out-of-control construction costs have a real potential to damage the economy. They have certainly led to a disruptive relationship between design professionals who draft construction documents, the contractors who build from them and the clients who usually end up paying for the resulting cost overrun. "Broken Buildings, Busted Budgets" identifies the sources of and proposes solutions for mitigating construction cost overruns.1;2;Ramon Gilsanz, P.E. Partner, Gilsanz, Murray, Steficek LLP -- Ramon Gilsanz (03/26/2007)0;Not since "The Business Roundtable" raised the red flag over 25 years ago on the ineffective use of construction dollars and its impact on the global economy has a treatise provided in-depth reasoning on the culprits. "Broken Buildings, Busted Budgets" provides deep insight as to why the construction industry has not corrected faults to mitigate such excessive construction cost overruns and has even begun to accept these everyday occurrences as the norm. Barry LePatner describes how the U.S. government and even our nation's most respected corporations fall prey to the inefficient practices of all parties involved in a major construction project2;contractors, designers, workers, unions and suppliers. From his insights it is clear that we need to instigate a critical examination on improving this critical sector of our economy.1;2;Mark A. Smith, Ernst & Young LLP -- Mark A. Smith (03/09/2007)

Barry B. LePatner is recognized as one of the nation's leading construction lawyers. He is founder of one of the first boutique law firms primarily representing corporations, institutions, and real estate developers on major construction projects and coauthor of *Structural and Foundation Failures*.

For anyone that is in the industry, nothing in the book should be a dramatic revelation. Construction is often fraught with delays, blown budgets and shoddy work, and many people in the industry accept this as standard practice, to be repeated on the next project. The author dissects the major issues facing construction, using good examples, and states his case for a more professional and disciplined approach to the building industry. Unfortunately, this book will most likely never make it into the hands of those who need it most, the smaller residential, and commercial contractors.

LePatner is a lawyer and he sees a lot of nightmare projects in his practice. Unfortunately, LePatner doesn't see the successful projects, the ones which are finished on time, on budget and the clients are happy. I'm seeing a growing division between what happens in the field and what happens in the

office. Technology has made the office more efficient and also more dependent. My fellow arm-chair managers are constantly at our desks, buried in e-mail, and married to our computers. We've invested time to learning mountains of software applications, but we've sacrificed our hands-on knowledge. The traditional career path for project managers has also changed, the old days of putting your time in the field has changed to putting your time in college, then starting to manage projects. From my personal college experience, I didn't spend much time bolting things together. We are transferring more of the coordination process from the office and moving it into the field. As things move to the field we're starting to deal with a lethal combination: rising labor costs and dropping productivity. Simply put, things are arriving in the field, but they're not ready to be installed: now every minute is burning money. LePatner offers advice, which is dead on: an owner needs a qualified person to decipher the mountains of information and technical complexities, but I think it's time for the industry to start getting back to the basics: good projects come from great builders.

This book presents many facts and figures which show the state of the construction industry as one that is extremely broken. This is reflected in our nation's structures and the lack of quality found in them. Mr. LePatner frequently uses a condescending tone when discussing the industry, which gets old after a while. Other than that the book outlines a problem that the industry must address, and presents a few solutions which could very well be just what the construction industry needs.

This book focuses more on large, commercial construction projects and the industry in general. If you are looking at a book for home construction or improvement this would not be my first choice. With that said, it offers a lot of insights in how the construction business operates, some of which is quite eye opening. The book includes good descriptions of types of construction contracts and offers sound advice on how to write a contract that benefits you as the customer.

One of the best books I have read regarding the problems in the construction industry. As an architect of over 25 years, I really learned so much about the asymmetrical information that contractors possess.

Love love love this book! Finally a book that starts with fundamentals. It was recommended to me and I have been recommending it to my coworkers.

It did open my eyes to some things that have been going not so well in the construction industry. It

was too much negative and too little hopeful ideas or progress.

Yeegads, this author thinks the construction industry should be more like the automobile industry as if somehow that would improve its performance. This premise is so misguided that it reduces the validity of the legitimate points he has to make. The fact of the matter is that the auto industry and the construction share many of the same characteristics. He comes at the subject from the point of view of someone who sues construction firms on behalf of owners all the time. It is a legitimate perspective for someone who is looking for more work, but it neglects to address the role of the owner in the flaws of the industry -- which is equally huge. If the owner suffers from imperfect information then it behooves him/her to find that information and understand the entirety of their construction needs. *Caveat emptor*. Many of his points are laudable though but in the end he misses the biggest problem that exists today within the segment of our economy that creates our built environment. That problem is the lack of leadership on the part of either the architect, the builder or the owner the result of which is that we continue to develop an incredibly inefficient infrastructure that is driving us down the road of resource depletion and environmental ruin (in a car).

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