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# Z2 ARCHITECTURE, PLLC



**Thomas A. Zimmerman, FAIA, CSI, CCS**  
Architect/Consultant

## Curriculum Vitae

Mr. Zimmerman founded Z2 Architecture PLLC, in 2008. Z2 provides expert services, project management and design firm leadership consulting.

Previously, he was the Managing Principal and Executive Vice-President of SWBR Architects & Engineers, P.C., a 75-person architecture, structural engineering, land planning and interiors firm in Rochester, NY for nearly 20 years. SWBR specializes in corporate and high technology design, educational facilities, facilities programming and space analysis, and housing.

Mr. Zimmerman's interest and experience in the forensic and physiological aspects of building construction, damage, and failure have resulted in extensive experience as an expert witness in over 75 cases involving both personal injury and property damage claims.

He is accomplished in real property evaluation and analysis. He is experienced in the financial issues affecting the business case for new buildings, renovations, or additions, as well as property evaluations for code compliance and highest and best use of existing structures and vacant property.

Mr. Zimmerman is Chairman of the Architects National Employers Trust that oversees a national insurance benefits program to architects, engineers and landscape architects. He is past national president of the Professional Services Management Association.

Mr. Zimmerman received a Bachelor of Architecture and Master of Science in Architectural Structures from Cornell University. He served with the U.S. Navy Civil Engineer Corps in Vietnam. Before joining SWBR in 1984, he was Principal of his own firm in Phoenix, Arizona. While in Arizona, he was President of the Central Arizona Chapter of the American Institute of Architects, the Arizona Society of Architects, Arizona Council of Professionals, and Recipient of the Arizona Architects Medal. He was elected to membership in the College of Fellows of the American Institute of Architects in 1983. He has served on the Board of Directors of the Rochester Chapter of the American Institute of Architects and is a Past-President of the Rochester Chapter of the Construction Specifications Institute. In addition, he has been involved with the Joint ACEC-AIA Peer Review Program since 1989.

## Professional Registrations

Architecture, NY, AZ (Ret), CA (Ret)  
NCARB Certified  
Certified Construction Specifier

## Education

Cornell University  
Master of Science in Arch. Structures, 1967  
Bachelor of Architecture, 1965

## Honors and Awards

College of Fellows of the American Institute of Architects, 1983  
Arizona Architects Medal for Distinguished Service in the Profession of Architecture, 1980

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**Professional Activities****American Institute of Architects  
AIA Rochester Foundation**

- Trustee, President 2011

**Architects National Employers Trust**

- Chairman, 1986 to Present

**Bivona Child Advocacy Center**

- Facilities Committee, 2010

**Construction Specifications Institute**

- Rochester Chapter President, 1995-97

**Professional Services Management  
Association**

- National Board, 1998 to 2007
- National President, 2003-2004
- Upstate NY President, 1997-2001

**Society for Marketing Professional Services  
YMCA of Greater Rochester**

- Facilities Committee, 1991-2002

**Speaker & Seminar Leader for Various  
Organizations including AIA, CSI, ACEC,  
Lorman, AEBL, AACE, CFMA, PSMA,  
SMPS, Build Boston****American Arbitration Association**

- Panel Member

**Arizona Society AIA Insurance Trust**

- Trustee and Chairman, 1977-84

**Arizona State University College of  
Architecture**

- Faculty Associate, 1982-83

**Arizona AIA Foundation**

- Chairman, 1978

**Arizona Society of Architects**

- President, 1975-76

**Arizona Council of Professions**

- President, 1975-76

**Central Arizona Chapter AIA,**

- President, 1974-75

**Arizona Society of Architects**

- Legislative Lobbyist, 1979-83

**Canandaigua Lake Watershed Association**

- Board of Directors, 2011

**Published in Various Professional Journals  
on a Variety of Subjects****Selected Experience****Aquinas Institute**

- Fine Arts Addition
- Aquinas Athletics Complex

**BBS Powermod**

- Victor Heights Facility

**Brighton Fire Department**

- New Fire House #1

**Christa Construction**

- New Headquarters

**Crescent Homeowners Association**

- Moisture infiltration study &  
Remediation

**East Rochester Water Treatment Plant**

- Hazardous Materials Storage Facility

**ENBI Corp.**

- Building Addition

**Fairport Central School District**

- Capital Improvement Projects

**Ferronics Inc.**

- Manufacturing & Corporate Offices

**Greece Central School District**

- Capital Improvements

**Greece Police**

- Addition and Renovation

**Howard's Express**

- Trucking Terminal & Maintenance Facility

**Industrial Management Council**

- Training Facility Renovation

**Iron City Sash & Door Co.**

- Facility Expansion

**Ontario Honda**

- Building Additions

**Parrone Engineering**

- Office Interiors Renovation
- Greater Rochester Area Transit Authority

**Pittsford Central School District**

- Capital Improvement/L-R Planning

**R. Brooks Associates**

- Master Plan & Building Additions

**Rochester City School District**

- Maintenance & Repair Projects

**Rural Opportunities, Inc.**

- Thompson Apartments

**United States Postal Service:**

- New Canandaigua Post Office
- Repair & Alteration Projects (term  
contract)
- ADA Accessibility Survey (region-  
wide)

**U.S. Veterans Administration,****Canandaigua Station**

- Renovations for Nursing Home Care  
Unit, Admissions and Emergency

**State of Arizona**

- Record Retention Center

**City of Phoenix Fire Department**

- New Central Fire Station

**Arizona House of Representatives**

- Adaptive Reuse of Library and  
Document Center

**Expert Witness**

- Various cases involving both personal  
injury and property damage situations
- Synopsis of recent cases available on  
request

**References:**

available on a strictly confidential basis

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## Z2 ARCHITECTURE, PLLC



### Expert Witness Services - Recent Cases

#### Property Damage/Professional Liability –Defense:

Plaintiff school district allegedly suffered monetary damages and construction delays due to alleged failure of design professional to respond in a timely fashion to shop drawing submittals, multiple RFI's, change order requests, unforeseen job site conditions as well as design errors and omissions which resulted in a large damages for delay claim from a prime contractor in a multiple prime, K-12 project with an owner selected and appointed project coordinator. Our analysis, on behalf of defendant, involved review and analysis of various documents related to shop drawing reviews, change orders requests and the deposition review of contractor personnel to establish the veracity of delay claims. We also analyzed construction documents for alleged errors and omissions, correspondence and minutes of project meetings to determine responsibility and culpability, if any, on the part of multiple participants to the delays and cost overruns alleged in the complaint.

#### Property Damage/Professional Liability - Defense:

Plaintiff school district allegedly suffered monetary damages and construction delays due to alleged failure of design professional to respond in a timely fashion to multiple RFI's and for delays in the work with respect to asbestos abatement which in turn delayed the work of prime contractors on a multiple prime, agency, construction management, K-12 project. Defendant Engineering-Architect firm was in turn subjected to a third party action from the electrical prime contractor for delays. Our analysis, on behalf of defendant, involved reconstruction of multiple applications for payment improperly completed by the third party claimant and used in a detailed analysis of the cost of delays by an opposing expert. We also analyzed construction documents for alleged errors and omissions, correspondence and minutes of project meetings to determine responsibility and culpability, if any, on the part of multiple participants to the delays alleged in the complaint.

#### Personal Injury – Plaintiff:

Plaintiff was injured while working on the dismantlement of a large temporary structure. Claim focused on the level of supervision and issues related to providing a safe place to work for volunteer workers engaged in the work. We developed a computer model and 3-D simulation of the accident to show the circumstances of the collapse and demonstrate the inability of co-workers to see and communicate with one another to assure a safe work environment.

#### Personal Injury - Defense:

Plaintiff injured as result of kicking on the glass panel of a locked entrance door. Glass failed and shattered causing serious injury. Door was 40 years old, complied with building code at time of installation, no intervening codes or ordinances requiring retrofit of glass. Glass met current safety glass standards when installed.

#### Property Damage/Professional Liability - Defense:

Plaintiff suffered monetary damages and construction delays due to alleged failure of design professional and asbestos abatement design consultant to properly coordinate the Asbestos Abatement Documents with the Construction Documents. Case involved design professional standard of care issues and counter claim of unjust enrichment.

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Personal Injury - Defense:

Plaintiff sought recovery for injuries sustained in fall allegedly caused by Condominium Association's failure to properly install storm water management system and maintain driveway ice free during winter in northeast. Case involved building code, residential code and property maintenance code compliance issues.

Property Damage/ Professional Liability - Defense:

Plaintiff suffered monetary damages as result of allegedly faulty plans and specifications for a large garage addition to an existing residence. Partially completed building collapsed during a winter snow storm. Case involved improper detailing and construction, occupancy of the building without a certificate of occupancy, abandonment of the project by the contractor as a result of the alleged failure to pay by the owner of the property, and improper occupancy type and design loads on the building permit application.

Personal Injury - Defense:

Potential plaintiff injured when climbing an 8 foot high chain link fence. Counsel for property owner sought professional opinion regarding building code, regulatory and industry standards compliance on the part of the designer and constructor of the improvement.

Property Damage/Professional Liability – Defense:

A Senior Housing facility suffered damage to several cottage type units when subfloor moisture penetrated the flooring system and caused hardwood floors to warp, cup and buckle. Factors included geotechnical issues, foundation drainage, construction means and methods, industry standards for the installation of hardwood floors and mold.

Property Damage/Personal Injury - Defense:

Plaintiff suffered monetary damages to vehicle and personal injuries when confused by traffic pattern and directional arrows in a strip mall parking lot, jumping two curbs upon attempting to exit the parking lot. Case involved analysis of construction documents for the parking lot including parking lot stripping and directional arrows; use of inappropriate paint on freshly placed asphalt; and improper location of directional arrows.

Personal Injury/Professional Liability - Defense:

Plaintiff was injured by snow and ice falling from the low slope roof of the pre-engineered metal building while making a predawn entrance into a new building. Plaintiff sued the Architect and General Contractor for negligence. Case was complicated by the fact that plaintiff was employed by the building owner who had taken early occupancy of the unfinished building to complete tenant improvements to the building. The Owner had instructed their employees to avoid the side entrances of the building and to use the gabled end entrances to access the building. Contractual issues related to who was in control of the construction site at the time of the accident were a factor. Failure of the contractor to repair/replace a previous failure of the unfinished building's gutter system due to snow loads and alleged improper construction procedures was also a factor. The addition of snow and ice guards to the building which would have mitigated the risk of such an accident had been delayed for a variety of reasons. Responsibility for job site safety was also a factor.

Personal Injury – Plaintiff:

Plaintiff was injured during the collapse of a second story deck during a college party at a lakefront cottage. An examination of the site, photographs, debris and the repaired/replaced deck revealed improper construction techniques and detailing which resulted in the failure of the original wooden cleats and nails used to support the structural perimeter beams at the columns supporting them. Improper nailing, improper foundations, lack of metal framing accessories, inappropriate nails for exterior use and failure to use fasteners of sufficient size and or quantity

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were all factors in the failure. Code required design live loads could not be supported by the original design and construction.

**Personal Injury/Professional Liability – Defense:**

Plaintiff was injured when snow fell from the roof of a three story building while he was shoveling snow. Our assignment was to establish whether the design team was culpable under codes, reference standards and the professional standard of care in the design of the sidewalk and snow guards attached to the metal roofing system.

**Contract Dispute/Professional Liability:**

Counsel sought assistance in determining the degree of completion of Construction Documents, including working drawings and specifications, for a multi-site K-12 Capital Improvement Project. Project value was \$20-30million and involved three separate multiple prime contracts using and Agency Construction Management delivery methodology. Dispute arose over compensation owed to the design firm for services rendered upon a termination for convenience by the client School District prior to completion of the Construction Document Phase of the work.

**Personal Injury – Plaintiff:**

Plaintiff injured when the cleats supporting treads of an exterior stair failed causing plaintiff to fall down the stair. Case involved analysis of the design and construction of the stairway and landing; building code compliance issues regarding handrails, riser and tread design, uniformity of riser heights; and failure to provide an intermediate landing in the stairway.

**Personal Injury – Plaintiff:**

Plaintiff injured when rushing into a relative's house from a rear patio at night in the dark in response to a distress call from inside. Plaintiff ran into and through a glass patio type door inside the house which had been retained as originally designed when the original patio was enclosed to provide a family room addition to the home. Case involved analysis of code issues related to the addition and whether current codes should have triggered modification to the existing door (replacement of safety glass, installation of an intermediate metal or wooden bar at mid height of the door, other visual clues as to the presence of a glass opening. Examination of photos taken at the site of the accident revealed that the door in question was back lit at the time of the accident making it virtually impossible for plaintiff to have any clear visual clue that a closed glass door was in their path.

**Contract Dispute/Professional Liability:**

Counsel sought assistance to evaluate the potential standard of care liability for an architect/third party defendant resulting from a sizeable damage for delay claim on a K-12 Capital Improvement Project. Lawsuit asserted design errors and omissions as well as negligence in reviewing shop drawings, processing change orders, responding to field conditions and coordination of the work of multiple prime contractors. Case involved owner provided project representative responsible for project management and coordination of construction activities. Action involved a \$2-3million electrical prime contract.

**Contract Dispute/Developer Liability:**

Counsel sought assistance in resolving a dispute between a residential developer and home buyer involving quality of construction issues. Project was a custom home exceeding \$1million in value and was well along in construction. There were contractual issues as well as allegations of improper and substandard construction in the work completed to date. We evaluated photographs of work in progress and made visual inspections of the work site to determine the veracity of the buyer's claims.