

CFR THE COMMERCIAL FLOORING REPORT

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FIXING A FAILED FLOORING INSTALLATION

We've talked repeatedly over the years about failed flooring installations and problems with flooring but haven't really spent much time or focus on how to fix or address a failed flooring installation. So let's take a look at it. The same guidelines apply when writing a story which is who, what, when, where and why and add to it how and then heap on what went wrong and why and who's at fault –the most important part. With that we top it off with how do we fix it.

Most often everyone has an opinion about a flooring failure or problem or a thought or some idea as to what went wrong and who is at fault. Typically the floor gets accused since it's the material physically exhibiting the problem, next would be the installer because they put the product down and they are the obvious choices. In fact it may be neither of those two but again the flooring is the first item to manifest a problem. One of the things you have to do is look "into" the flooring not at it. The flooring is what you see as the problem but the underlying issue may be and usually is deeper than what appears on the surface and it can be simple or complex.

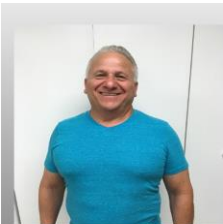
A failed flooring installation generally catches everybody off guard as no one expects there to be a problem but this isn't always the case. Often when looking at a failed flooring installation it is evident that a failure was inevitable because the product itself was incapable of performing as expected. Very often we find that the flooring contractor voiced a concern over proceeding with an installation under conditions that were contrary to industry or manufacturers guidelines. He may not have been given the time originally planned to complete the installation which is more often than not generally, the conditions for the installation were not as they should have been such as space not acclimated as it would be when occupied or maybe the windows not even in the building when he's been told to install or the installers tried to correct the problem because the material had to go in and it failed anyway. The flooring contractor may have been under duress and told to install regardless of the conditions and threatened with breach of contract if the job did not go in or told that if he didn't do the job someone else would and he'd pay the consequences. An installer with no experience may have installed the material and messed up the job. Or someone did something prior to the installation to cause the failure and that someone would never be held liable for the failure. A sales rep or manufacturer of the flooring, adhesive or some other component may have made promises their product couldn't keep and you believed them or someone did. Or the architect wrote something into the spec that was wrong and the GC may have exerted pressure to get the installation done at all costs. The causes of failures are all over the place and there's always an answer for what went wrong and why and who's at fault.



There are no two failures that are alike but there is always an answer as to the cause and how to fix or resolve it. The problem with a flooring failure that is so painful is that everything is installed on top of it and the space is populated. To fix the problem everything has to come off the floor because most often it has to be replaced. If the floor is modular - some type of hard or soft tile - the fix or replacement can be staged logistically. If the flooring is sheet goods and not in an open space this becomes a more complicated task. It's always amazing when we see a failed installation that could have been easily prevented that has escalated into a standoff that will cost a fortune to resolve. Why is it that you have time to fix the failure, not that you wanted to or expected to have it and no time to do it right in the first place? The saying "do it right the first time", seems not to be a part of the process during a project. Instead it's "damn the torpedoes, full speed ahead" which results in financial and personal pain and suffering.

The flooring never lies; it will always tell you what went wrong and why as long as you know how to interpret what its saying. The forensic investigation of a flooring problem will reveal the reason for the failure and lead you to discover how it happened, thus the what went wrong and why. Once that's determined continued fact finding will lead to who caused the problem and it may be more than one party. Sometimes the fix may be fairly easy, for example some boards or tiles may have to be replaced in a section of the floor. Sometimes nothing short of complete replacement with remediation of the substrate may be in order. In the case of a broadloom carpet installation failing in offices, once the reason is determined, the carpet could just be re-installed. This would likely involve putting a sealer on the concrete and using a premium grade adhesive to reglue the carpet. This type of correction is mostly labor and some material.

This failure was caused by the building owner's people removing old flooring and using a chemical which caused the adhesive for the new carpet installation to decompose which allowed the carpet to come off the floor creating wrinkles and buckles. The building owner was responsible for the failure but in this case the installation contractor got nipped for the repair to avoid a law suit.



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Side Match – Shade Variation

Sometime the flooring problem is cosmetic and the correction may simply be an on-site rectification to fix the visual. In this case the cause was unlevel dyeing of the carpet which would not be noticed until it was installed and each panel was put into place and glued down. The shade variation difference would be frightening to the end user but the fix – feather dyeing or color blending - is simple, easy and done often without compromising the product. This was a manufacturing related issue that the manufacturer rightfully took responsibility for correcting.



Lumps in Floor

At the other end of the spectrum when the flooring material is installed and at some point in the future odd lumps appear, the correction would be to pull up all the flooring material, address the cause of the failure, remediate the substrate and re-install new material. In this case the substrate was below grade, years old with no vapor retarder. The original flooring never exhibited a problem yet new impermeable flooring was installed only to be affected by moisture

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vapor emission that was always there. Since this condition was “sleeping” under the floor both the GC and flooring contractor participated in the correction and resolution.



Another case where the flooring failed catastrophically and the complaint was against the flooring material and the installation contractor turned out to be a maintenance issue where the new flooring, susceptible to wet mop cleaning as opposed to the old VCT flooring, was destroyed by the in house staff wet mopping the floor. In this case the flooring had to be replaced and the building owner took it on the chin as their people caused the failure. In addition the suggestion was for them to go back to the type of flooring tile they had used in the past which would withstand the type of cleaning and maintenance the crews were used to employing.

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U.S. Patent 7,231,815, 8,047,056 & 9,032,791. Additional patents pending

Who pays when a flooring installation or product fails? Despite who's found at fault the cost of correction/replacement may be spread amongst the participating parties just to resolve the issue. This happens more often than not. Even if the cause of the failure is specifically defined and who caused it determined without question, there are always extenuating circumstances that implicate other participants. So in the case mentioned above of the curling tiles shown the end user caused the problem but the manufacturer said the product would work and the installation firm installed them. No question the product has to be replaced, so the manufacturer can sell the replacement product to the end user but if they want to do business with this organization again which owns a multitude of buildings, they'll have to discount the replacement goods. The flooring contractor likewise, who does a lot of business with the end user will have to make concessions on the installation. The end user saves face and everyone has skin in the game and no animosity exists. In addition, this type of a compromised resolution with each party making concessions whether amicable or dutiful prevents legal action and a continuation of the dispute.

Fixing a failed flooring installation is always possible but it's like trying to put toothpaste back in the tube after it's been squeezed out; you don't get much back in and it's a messy undertaking and all the parties involved get dirty. If the right party, such as LGM gets involved, this can be a much less painful situation because we can tell you what went wrong and why, who's at fault and how to fix it and help negotiate the resolution – the guidance falls on us to help you fix the failure.

As we keep preaching though the best offense in these matters is a good defense which means getting the right product in the right place under the right conditions installed by a flooring contractor that knows what they're doing. And to give you a very fresh example, in the last five days traveling around the country I looked at two flooring issues that both could have been avoided had the firms retaining us to figure out what was wrong called us first - this happens all the time. Please, if you want to avoid a flooring or installation failure, contact us for help but if you have a problem and the finger pointing starts we're who you want for the answers.

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