

THE FLOW

MARCH 2018

Upcoming Events

March 15th
March General Meeting
Dave & Buster's
Anthony Crocco,
MetroStudy
6:00 pm

April 3rd
Golf Tournament
Registration on page 13
Sponsorship on page 14



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PRESIDENT'S MESSAGE

Dear Friends,

Welcome to March 2018! It's hard to believe that its already here. Thank you to all of our monthly sponsors. Without them, we would not be able to keep this great association together.

Last month, NUCA of Florida members walked the halls of the Capitol Building in Tallahassee. We had a good showing from our members here in North Florida and had a successful trip. Being able to meet our State Legislators and have a working relationship with them is a vital part of this association. If you were unable to attend the Tallahassee trip, Tony Zebouni is working on putting together an after session meet and greet with our legislators, here locally. I'll be sure to share the date with you once it is finalized. Also at the State level, the annual Andrew Scott Johnson Memorial Bass Fishing Tournament was held on February 22nd – 24th. It was a huge success! Lots of bass were caught, tons of fun was had, but most importantly a large chunk of money was raised for scholarships that are awarded to family members of people who are involved in our industry. Thanks to all of you that participated.

This next month is going to be a busy month for us here in North Florida. On March 6th-9th, National NUCA will be holding its annual convention. We have our NUCANF Board of Directors and General meeting on March 15th. Our friends from Metro Study will be coming to speak with us. They always have a ton of valuable information, and are absolutely worth coming out and listening to. On April 3rd, NUCA of North Florida will hold its annual Golf Tournament. Hurry up and get your teams and sponsorships ready to go. This event always fills up quickly!

As always, please continue to support our members and associates. If there is anything I can do to help you out, please do not hesitate to give me a call. Happy St. Patrick's Day!

Sincerely,



Mike Kivlin

2018 NUCA of North Florida

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CALENDAR OF EVENTS

March 6 to 9th

**NUCA Annual Convention
San Antonio, TX**

March 15th

**Board of Directors &
General Membership
Meeting
Dave & Buster's**

April 3rd

**Golf Tournament
St. Johns Golf & Country Club**

May 17th

**Jumbo Shrimp Night
Baseball Grounds**

May 22nd to 24th

NUCA Washington Summit

July 12 to 15th

**NUCA of Florida Conference
Ocean Reef
Key Largo, FL**

The Law and Your Business—**All Risk Insurance Coverage**

By Anthony (Tony) Zebouni

It can never be overstated that it is critical that you read and understand the coverage and exclusion language in any insurance policy you procure. It is also important to remember that the denial of coverage by an Insurer is not necessarily the final word on an otherwise legitimate claim for compensation by a damaged Insured. In a case decided in January, 2018, a homeowner's residence, covered by all risk insurance, suffered roof damage from a hail storm, and the homeowner (Insured) submitted a claim to its Insurer.

The Insurer maintained, among other defenses, that the damage was not from a hail storm but rather from wear and tear or by defective construction and design, both exclusions under the policy. The Insurer also argued that even if some of the damage occurred because of the hail storm, that the homeowner's claim was invalid because of the "anti-concurrent clause" provision in the insurance contract. An anti-concurrent cause provision is a provision in a first-party insurance policy that reads that when a covered cause and noncovered cause combine to cause a loss, all losses directly and indirectly caused by those events are excluded from coverage.

The court ruled under an all-risk insurance policy, that once the insured establishes a loss apparently within the terms of the policy, the burden shifts from the Insured and is upon the Insurer to prove that the loss arose from a cause which is excepted. Under Florida law the general notion is that an all-risk insurance policy guards against all risks **except** those explicitly excluded by the policy.

The court explained "an insured claiming under an all-risks policy has the burden of proving that the insured property suffered a loss while the policy was in effect. The burden then shifts to the insurer to prove that the cause of the loss was excluded from coverage under the policy's terms", and went on to hold that it was not Homeowners' responsibility, in the context of an all-risk insurance contract, to prove by a preponderance of the evidence that a non-excluded peril was the most substantial or responsible cause of the damage to the roof. *Richard Jones and Louise Kiernan v. Federated National Insurance Co.*

LEGISLATIVE DAYS 2018 HIGHLIGHTS

A group from our chapter attended the NUCA of Florida Legislative Days, February 5 & 6th in Tallahassee. The day started out with the NUCA of Florida Board of Directors meeting which was followed by a legislative briefing. Our key issues this year are: Workers Compensation Reform, Construction Industry Workforce Development, Statute of Repose, Linear Facilities, Impact & Permit Fees, Construction Bonds, Construction Defects and the Infrastructure funding included in the State Budget.

On Monday afternoon, we headed to the capitol to meet with legislators. At the end of the day, a reception was held.

On Tuesday, the day kicked off with a breakfast with lawmakers. Guest speakers included Senator Tom Lee, Representative Fant and Paul Waters, Deputy Secretary for Dept. of Business & Professional Regulations. After breakfast, our group headed back to the capitol to meet with some of members of the Duval delegation. We then headed back to Jacksonville.

All in All it was a very successful trip and our issues were well received by our Senators & Representatives. We were able to meet directly with many of our representative and in some cases a legislative aide. For those not available for a meeting, we left off a legislative day brochure along with our contact information.

If you have never been on a legislative trip to Tallahassee, please consider joining us next year.

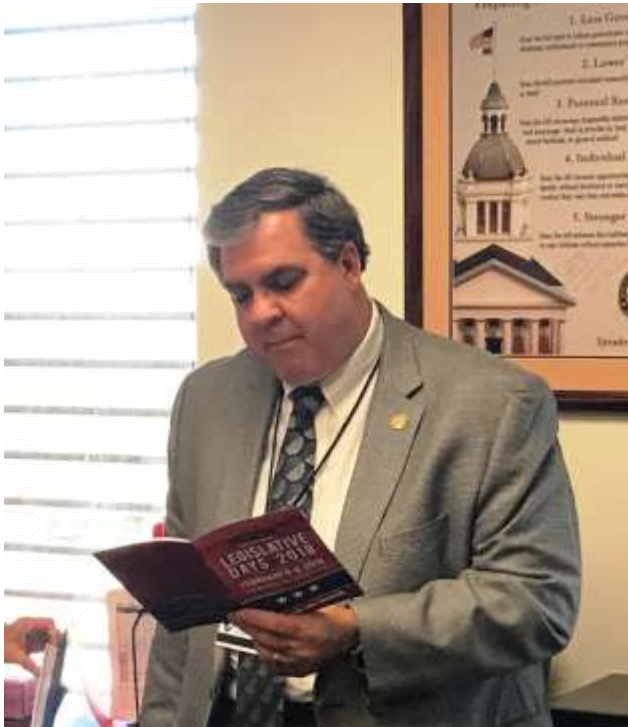


Senator Travis Hutson



Representative Tracie Davis

LEGISLATIVE DAYS PHOTOS



Steve Richardson, Legislative



Rep. Bobby Payne



Senator Bean



Rep. Fischer

NUCA Foundation Scholarship Applications Available



Do you know a high school senior whose parent or legal guardian is employed by a NUCA member company? This includes dependents of employees of NUCA members, high school student employees of NUCA members, and dependents of NUCA Chapter Executive Directors. Please visit nuca.com to complete an application.

The following Scholarships are available:

D.A. Foster Memorial Scholarship

\$8,000 award (\$2,000/year over four years)

William & Shirley Burgett Scholarship

\$2,000 one-time award

NUCA \$4,000 Scholarship

\$4,000 award (\$1,000/year over four years)

NUCA \$1,000 Scholarship

\$1,000 award (\$500/year over two years for those enrolling in two-year programs)

Submission Criteria

Submission Deadline: May 25, 2018 by midnight (EST)

Eligibility: Any high school senior whose parent or legal guardian is employed by a NUCA member company in good standing at the time of the application deadline may apply. This includes dependents of employees of NUCA members, high school student employees of NUCA members, and dependents of NUCA Chapter Executive Directors.

Required Documentation:

- – 3 Signatures: applicant, parent/guardian, and high school counselor
- – Official transcript, signed by counselor
- – SAT or ACT test score documentation, signed by counselor (not required for those entering a 2 year degree program)
- – Signed letter of recommendation from a high school faculty member

How Applications Are Judged: Selections will be based on the overall worthiness of the applicant by a panel of judges chosen from NUCA membership by the NUCA Scholarship Committee. The Committee will consider standardized test scores (SAT, ACT, etc.), community service and extra-curricular activities, career goals, work experience, essay, and other information required in the application. Applications and transcripts will not be returned, and scoring will not be divulged. Judging decisions are final. Judges will decide impartially and without respect to the identity of any applicant. Judges will award the greatest value scholarship to the highest scoring applicant and award the remainder in descending order of value and merit. Judges will also select a first and second alternate in the event that an announced winner is subsequently disqualified or declines award prior to issuance of the award checks in the late summer. Alternates will not be announced.



New Member Benefit: Flex Plan by Office Depot

Members can receive 5-15% off more than 20,000 items on Office Depot's Business Solutions Division Website, in-store discounts whenever they use the Store Purchasing Card at check out, and significant Discounts on Prints and Copies: Use your purchasing card and save 40-60% in stores or when you order online. To learn more, go [here](#) or contact [Kim](#).

Toolbox Talks: Inspect Slings for Safe Lifting

Keep your crews safe! This week's topic, Inspect Slings for Safe Lifting: [English](#) | [Spanish](#). Toolbox Talks are free to members and can be downloaded from our website.

Breakout Sessions Finalized for NUCA's 2018 Convention

View the list of breakout sessions [here](#). Convention will also offer a strong lineup of educational programming, including in-depth sessions; NUCA's 2-day Crew Leader Training (\$750 value included in registration); four exceptional keynote and plenary speakers; a sold-out exhibit hall filled with the finest vendors in our industry; and ample networking opportunities. Online discounts are still available. Download the brochure [here](#), visit the convention page [here](#), or register [here](#).





NUCA OF FLORIDA

2018 ANNUAL CONFERENCE

*Evacuate
to
Ocean Reef*

JULY 12-15, 2018

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SAFETY NEWS

By Jeff Blomgren

The Training Environment

In the past we have written about how important it is to do training for all employees. We mentioned the subjects that should be covered and those that are required to comply with federal regulations. Other subjects of general information are often not covered sufficiently for every employee are the company policies and procedures and culture or behavioral expectations. All of those things are important to the development of good employees. You can't play the game if you don't know the rules.

The second part of training is the engagement of the employees in the training. That starts from the time the employee is actually hired. If the employee sits alone for 20 minutes in front of a monitor and watches a safety video as part of his safety orientation, he or she gets a direct impression of the safety attitude of that company. Even how the room is set up makes a difference. If a company can set aside a room where training can take place effectively it's a positive step in the hiring and training process. Having the room set up with chairs that allow every employee to see, tables that are clean, training materials laid out for pickup, all are signs of a well organized training process. The instructor should be early, equipment checked out name tags for the employee available, coffee and water for employees, as much to keep them awake as anything, and an open friendly team building atmosphere. A job briefing at the beginning of the training session should outline the expectations of the company and explain the training process. Housekeeping items like breaks, lunch arrangements, length of the training and the participation of the employee should be understood. Rotating senior managers who come in and talk help relieve the monotony of sitting and it gives the managers a chance to reinforce the company's commitment to safety.

The initial experience of orientation should not be a dreaded necessity. It should be a positive learning experience and an accurate presentation of the first look at the face of your company.

NUCA of North Florida, Inc.
Cordially invites you to attend the

Annual NUCANF Spring Golf Tournament

St. Johns Golf & Country Club
205 St. Johns Golf Drive (Off 210 West)

Tuesday, April 3rd, 2018
11:30 a.m. "Shotgun" Start

\$150 Per Person includes 18 Holes of Golf, Greens Fee & Cart, Boxed Lunch, Beer and water at stops on the course, Team Handicap, Format (4-Man Captains Choice), Prize Holes and Door Prizes. Award Ceremony will be held in the Dining Room immediately following the end of play

Please fill out the entry below & mail (OR FAX) with payment to NUCANF by Friday, March 23rd.

Name	Company
Phone	Fax

Golfer: _____ Handicap: _____
Golfer: _____ Handicap: _____
Golfer: _____ Handicap: _____
Golfer: _____ Handicap: _____

Payment: _____ Check (NUCANF) _____ Bill my account _____ Charge credit card*

Visa/MC/AX: _____ Exp Date: _____ V-Code: _____

(The V-Code is the last three digits in the signature strip on the back of the credit card (Visa/Mastercard) or the digits on the front on the card for American Express.

Name on card: _____

*A 5% processing fee will be added to all credit card charges.

If there are any special billing instructions, please state: _____

Dress Code for Golf Course & Driving Range: Slacks or Bermuda shorts and collared golf shirt for men. No jeans, cutoffs, t-shirts or tennis attire.

Mail or Email this form to: NUCANF, PO Box 16810, Jax, FL 32245,
Ph: 296-1230 Email: nucanf@gmail.com

2018 NUCANF Golf Tournament Sponsorship Opportunities

For all sponsorships, your company will be acknowledged at the awards dinner the evening of the tournament and your company will be recognized in the NUCANF newsletter, The Flow, and the state association publication, The Ditchmen.

\$700 Gold Vendor Showcase

Your showcase includes Domestic beer (or several other options) at your hole, plus a 6 foot table and two chairs and a tee/green sponsorship. You will need to provide anything else that you need. Your company name will be prominently displayed on a sign at the hole. Also available are a bloody Mary Station, Jell-O-Shot Station, Cigar Station, or Hot Dog Station, or Arnold Palmer's Station. First come, first serve based on availability.

\$500 Silver Vendor Showcase

Same as Gold Vendor Showcase but no beer will be provided.

\$450 Trophy Sponsor (limit one)

Sponsorship includes signage at event.

\$450 Registration Sponsor (Limit one)

Sponsorship includes signage at event.

\$450 Longest Drive/Closest to the Pin Sponsor (limit four)

Sponsorship includes signage at the hole.

\$450 Beverage Cart Sponsor (limit two)

Sponsorship includes signage on the beverage cart.

\$450 Reception Sponsor (Limit three)

Sponsorship includes signage at event

\$450 Lunch Sponsor (Limit three)

Sponsorship includes signage at event. Your company will be acknowledged at the awards dinner that evening and your company will be recognized in the NUCANF newsletter, The Flow, and the state association publication, The Ditchmen.

\$300 Green Sponsor (unlimited)

Sponsorship includes signage on the tee or green. Your company will be acknowledged at the awards dinner that evening and your company will be recognized in the NUCANF newsletter, The Flow, and the state association publication, The Ditchmen.

Payment: ☐ Check Enclosed ☐ Please invoice me for total amount

Charge my credit card:* ☐ For total amount ☐ For monthly installments(Feb & Mar)

*(Please complete Credit Card Authorization form. A 5% processing fee will be added.)

Company Name: _____ Your Name: _____

Phone: _____ Signature: _____

Return with payment to: NUCANF, PO Box 16810, Jacksonville, FL 32245

BOARD MEMBER SPOTLIGHT



Meet Gabriel Powers, , Project Manager /Estimator for Vallencourt Construction Co. Gabriel joined the NUCA of North Florida Board of Directors in January.

Tell us about the services your company provides. Vallencourt Construction Company is a Complete Site Development Company. We perform all horizontal development and underground infrastructure. Clearing, Earth Moving, Underground Utilities, Road Grading, and Asphalt Paving are all service that Vallencourt Construction provides.

What is your business philosophy?

There are many phrases that keep me focused and motivated. From “Hard Work Pays Off”, “Do Unto Others As You Would Have Them Do Unto You”, “You Get What You Give”.

However, Galatians 6:7 sums them all up and says it best. “A man reaps what he sows”.

What are your hobbies or interests outside of work?

I enjoy boating, Gator football, golfing, beach volleyball, and spending time with family and friends.

What is your favorite travel location?

During the summer months it is anywhere within a 3 hour drive that I can take my boat. I made my first visit to Crystal Springs the end of last year and it will be a yearly trip going forward. During the winter months my travel destination is The Great Smokey Mountains, or anywhere in Tennessee.

If you didn’t have to sleep, what would you do with the extra time?

I would want to spend more time with the ones I love. In today’s time, we all try to do as much as possible at our jobs and professionally that leaves minimal time for family and friends. That is opposite of how it was done in the past. I can’t recall the last family reunion I attended or was even invited to. We need to slow this world down and live our lives to the fullest with the ones we love. We are not promised tomorrow and can’t go back to yesterday. Carpe Diem!

What are you currently reading?

A constant read, or audio book, for me is How To Win Friends and Influence People. The principles that are taught in that book have allowed me to establish new relationships and strengthen current ones. I believe anyone in a leadership or management position should listen/read this one. It is also multifaceted and can be used in your personal life.

Grill master or reservations?

Are both an option? There are times for both and each come with their own atmosphere. If I had to choose it would be grill master because you get more for less.

MARCH FEATURED SPONSOR



Specializing in crane and transportation service over the past six decades has provided Sterett with the experience to handle the most complex lifting projects. Sterett Heavy Hauling launched in 2004 as a natural extension to their Crane and Rigging business. With a focus on providing the latest technology available in the heavy lift and transportation industry and the largest fleet of mobile cranes in the Midwest, Sterett is equipped for any job at any time.

Sterett has dedicated the last 65 years to providing quality service, personnel and equipment to the Midwest Region and throughout the nation. With state-of-the-art equipment and a highly trained work force, they have created an impeccable reputation for professionalism, quality service and safety. Sterett's specialty is making the big jobs look easy.

Sterett Heavy Hauling acquired Arlington Heavy Hauling of Jacksonville, Florida in May of 2016. Sterett Heavy Hauling-South is one of the largest specialized haulers in the Southeast with expertise in the movement of large, over-sized machinery and construction equipment. In addition to their core business as a leading heavy hauler in the Southeast and Florida, Sterett Heavy Hauling offers additional services catering to customers shipping in and out of Jaxport. These services include staging and storage, as well as equipment assembly and disassembly. Sterett Heavy Hauling-South services the entire United States, with a strong emphasis on Florida, Georgia, Alabama, Tennessee, South Carolina and North Carolina.

Sterett Heavy Hauling is your source for heavy equipment moving needs. Sterett's fleet includes all types of trailers ranging from flatbed trailers and stepdeck trailers to double drop and multi-axle configurations. Sterett Heavy Hauling is equipped to meet extreme hauling needs with prime heavy machinery movers of up to 675 horsepower in three- and four-axle configurations.

Sterett's capabilities include both on- and off-road transportation, assuring the safe and efficient transport of your load with top of the line, expertly maintained equipment. With extensive experience in the operation and rental of heavy machinery movers, Sterett ensures that your hauling job is managed and executed in a professional and timely manner.

Sterett Heavy Hauling is uniquely positioned to offer the advantage of integrated services. Sterett customers benefit from a capable and qualified single source to manage every aspect of your moving project. Through strategic partnerships, Sterett offers access to a wide range of services that will make your moving job easier including:

- Planning, Permitting, Interstate Transport, Heavy Hauling, Escort
- Assembly and Disassembly of Equipment
- Truck Crane Service, Crane Planning, Crane Scheduling
- Crane Rental, Man Lift Rentals, Teleboom Rentals
- Platform Trailer Rental, Perimeter Trailer Rentals
- Rigging Rental, Stool Rentals, Crane Mat Rental, Equipment Sales
- Structural Engineering, Value Engineering, Design Build

Whether you have a simple delivery or a complex moving project, Sterett Heavy Hauling has the resources and expertise to meet your needs.

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