

THE FLOW

JULY 2019

Upcoming Events

July 11th

Scholarship Night

River City Brewing Company

6:00 pm

July 18th to 20th

NUCA of Florida Conference

Wyndham Grand

Clearwater Beach

See details on page 6

August 3rd

Fishing Tournament

Northeast Florida Marlin Assoc.

St. Augustine

Registration & sponsorship

Info on pages 11 & 12

Raffle Ticket Order Form

On page 13

INSIDE THIS EDITION

<i>President's Message</i>	2
<i>Calendar of Events</i>	3
<i>The Law & Your Business</i>	4
<i>Trench Safety Stand Down Kick-off</i>	5
<i>NUCA of Florida Conference</i>	6
<i>TSSD Stories & Photos</i>	7
<i>More TSSD</i>	8
<i>NUCA News</i>	9
<i>Safety News</i>	10
<i>Fishing Registration Form</i>	11
<i>Fishing Sponsorship Form</i>	12
<i>Fishing Raffle Form</i>	13
<i>President's Cup Golf Tournament</i>	14
<i>New Member Spotlight—Cementech</i>	15
<i>Featured Sponsor—Linder</i>	16

2019 OFFICERS & BOARD OF DIRECTORS

EXECUTIVE COMMITTEE

President

Chad Cockrell, A. J. Johns, Inc.

President-Elect

Gabriel Powers, Vallencourt Construction

Vice President I

Marty Adams, TB Landmark

Secretary/Treasurer

Rob Pinkston, Ferguson Waterworks

General Counsel

Tony Zebouni, Regan, Atwood

Past President

Mike Kivlin, John Woody, Inc.

BOARD OF DIRECTORS

Rick Erickson, Beard Equipment Company

Billy Hood, J. B. Coxwell Contracting

Drew Lane, Advanced Drainage Systems

Jason Plauche, Petticoat-Schmitt Civil Con.

Justin Scarberry, ECS Florida

Jarod Wolford, Martin Marietta Materials

Jon Woodall, John Woody, Inc.

PRESIDENT'S MESSAGE

Dear Friends,

I hope that you all are healthy and doing Well. Thank you to all our monthly sponsors, we couldn't be as successful as we are without you!

We had a decent turn out for the Stand Down Kick-off breakfast on June 13th, we appreciate all of those who attended. Please remember to fill out your forms on the NUCA website and forward any pictures to Kathy at nucanf@gmail.com. On July 11th, we will have our Board of Directors Meeting and celebrating our annual Scholarship Night. Please come out, support and congratulate the winners of the scholarships. The annual NUCA of Florida Conference is being held on July 18-20th at the Wyndham Grand in Clearwater Beach. This is a great opportunity to network with our fellow Utility Contractors from around the state. August 3rd we will have our annual Fishing Tournament, as always this is a big event and this would not be so successful without our members and our sponsor's, so get your registrations and sponsorships turned in asap. 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. I look forward to working with you all.

Sincerely,

Chad

Linda L. Daniels, CCIM
Licensed Real Estate Broker



Commercial Real Estate Solutions
of Jacksonville, Inc.

514 Chaffee Point Boulevard, Ste. 1
Jacksonville, FL 32221

Office: 904-398-5100
Cell: 904-304-7222
E-mail: ldaniels@ccim.net
www.cresjax.com

Industrial • Retail • Office • Land

2019 NUCA of North Florida

Monthly Sponsors

Diamond Sponsor

United Rentals
Trench Safety

Platinum Sponsors

Beard Equipment Company
Sterett Heavy Hauling

Silver Sponsor

Ring Power Corporation

Gold Sponsor

Standard Precast, Inc.

Bronze Sponsors

A.J. Johns, Inc.
ECS Florida, LLC
Flagler Construction
Equipment
Gate Fuel Service
John Woody, Inc.
Lippes & Bryan
Petticoat-Schmitt Civil
Contractors

CALENDAR OF EVENTS

July 11th

**Board of Director's Meeting
Scholarship Night
River City Brewing**

July 18th to 20th

**NUCA of Florida Conference
Clearwater Beach, FL**

August 3rd

**Fishing Tournament
NEFMA St. Augustine**

August 13th

Executive Committee

September 19– 20th

**NUCA of Florida
Texas Hold'em &
President's Cup Golf**

September 26th

**Board of Director's Meeting/
General Meeting**

November 6th

Sporting Clay Challenge

The Law and Your Business

The Law and Your Business – Florida Appellate Court Finds that The Ten-Year Statute of Repose Does Not Apply to Structural Engineer/Inspector of New Residence

By Rebecca Ross, Regan Atwood. P.A.

In *Manney v MBV Engineering, Inc.*, a homeowner hired a professional engineer to review the construction drawings and to inspect a house that had been recently constructed to determine if there were any structural defects prior to the homeowner purchasing the home. The engineer advised the homeowner that the structural integrity of the house was excellent and that there were no signs of structural distress. Thirteen years after purchasing the house and after consulting with another licensed structural engineer, the homeowner discovered that the house had significant latent structural defects including a design defect in the foundation. The homeowner then filed a lawsuit against the engineer for negligence.

The engineer argued that the homeowner's negligence claim was time barred because it was filed more than ten years after the statute of repose in Fla. Stat. Section 95.11(3)(c) had run. The trial court agreed and found that the work by the engineer fell within the ten-year statute of repose because the work related to the planning, design, and construction of a structure. The appellate court, however, disagreed and stated that in order for the statute of repose to apply the action must be "founded on" the design, planning, or construction of an improvement. The terms "founded on" mean based upon, arising from, growing out of, or resting upon. Further, the appellate court found that the crux of the complaint was that the engineer negligently performed an inspection of a completed structure. As a result, the engineer did not design, plan, or construct an improvement to real property. Thus, the appellate court found that the statute of repose did not apply and the homeowner was allowed to proceed with its negligence claim against the engineer for inspection work performed by the engineer over thirteen years ago.

TRENCH SAFETY STAND DOWN KICK-OFF

On Thursday, June 13th, we held our Trench Safety Stand Down (TSSD) kick-off event at A.J. Johns, Inc. in their training center. Our guest speaker was Buddy Underwood, OSHA Assistant Area Director. Valinda Krynicki and Rick Davis from United Rentals Trench Safety were on hand to discuss different materials they had available to use during your Trench Safety Stand Down. They also made appointments to go to job sites during TSSD week to conduct some toolbox talks and safety briefings.

Did your company hold a Trench Safety Stand down? If so, we want to know about it. Please forward picture to nucanf@gmail.com. If you participated, please make sure to go to nuca.com and complete the paperwork.





ANNUAL CONFERENCE

July 18-20

**Wyndham Grand
Clearwater Beach**

Join us in Clearwater Beach for our "Clearwater Revival" where industry experts gather with contractors, manufacturers and suppliers to stay abreast of industry trends and regulations, network with peers in a relaxing environment and experience a revival in energy and enthusiasm to grow their business.

**TO REGISTER, SPONSOR AND EXHIBIT, VISIT
WWW.NUCAFLORIDA.ORG.**



TRENCH SAFETY STAND DOWN PHOTOS

Petticoat-Schmitt topped off their TSSD at one of their work locations where we all shared breakfast early in the morning



AJ Johns hosted Stand Down Kick-Off with our President, John Kirkland, and all Superintendents at the kick-off to hear Bud Underwood's message about Trenching Safety and OSHA. Our Supers were responsible that their foremen had TBT's for the Stand Down week, and we also trained over 30 employees in Competent Person Trench and Shoring, and 24 Employees trained on Confined Space Competent Person with rescue. All of our training classes were done by Certified Instructors from the Northeast Florida Safety Council, at our training Center and in the field. This included Pipe Crews, foremen, and Superintendents. As well. The training was excellent, and our teams greatly benefited from these classes. Trench and Shoring classes were 4 hours, and Confined Space with Rescue was a 7 hour class. We had a very productive stand down week!



TRENCH SAFETY STAND DOWN PHOTOS

This year T B Landmark with the assistance of United Rentals conducted Trench Safety Stand Down meetings on location in Jacksonville and St. Augustine, Florida. Pipe crews from 8 job sites attended very informative meetings. Trench safety was discussed each morning on all job sites with all of TB Landmark's employees. Billy Landers, Safety Director for TB Landmark stated he was very proud of this year's participation of our employees and can not thank United Rental enough for the help we received from them!



Lance, Rick and Valinda from United Rentals Trench Safety participated in stand downs with TB Landmark, FL Roads, Jax Dirtworks, Vallencourt, John Woody, Inc. and Pipeline Contractors .



Thank you all for participating in the 2019 Trench Safety Stand Down! So far, more than 12,000 workers nationwide participated and the number keep climbing. I hope you and your crews had successful trainings. If you participated in the Trench Safety Stand Down Week, please send in your completed forms to NUCA. NUCA will send you a Certificate of Completion.



Did you know NUCA offers Crew Leader Training?

Utility and excavation projects get done most efficiently if workers are divided into crews with a common purpose. When a crew is formed to tackle a particular job, one person is appointed as the leader. This person is usually an experienced professional with demonstrated and exceptional leadership qualities. But an effective crew leader must have specific job skills to run a crew.

NUCA's Essential Skills for Crew Leaders Training is a two-day, intensive course that trains workers to be effective leaders and communicators so they can provide clear direction to your crew, and plan and schedule the crew's work to maximize safety, production, and profit. This training is made possible by the NUCA University and the NUCA Institute for Leadership Development. Go to NUCA.com for more information.

Damage Prevention & Claims Avoidance Program

The NUCA Damage Prevention and Claims Avoidance Program offers consultation on damage prevention and damage investigation free of charge to NUCA members. Further, NUCA members are provided one free hour of claims evaluation per quarter, or four hours per year. After that, members can receive the evaluation service at the discounted rate of \$75 per hour. These comprehensive services are offered at this rate to NUCA members only (the standard consulting rate is \$150 per hour).. To participate in the NUCA Damage Prevention and Claims Avoidance Program or for more information, call NUCA at (800) 662-6822.



SAVE THE DATE

NUCA CONVENTION 2020

February 27-29

Loews Ventana Canyon Resort

Tucson, AZ

SAFETY NEWS

By Jeff Blomgren
Safety Director at Petticoat-Schmitt Civil Contractors

Safety Awareness in the Home

We work very hard to educate our employees in how to perform their daily tasks safely. We provide them with personal protective equipment, the right tools, monitor the working environment for hazards and, correct unsafe behavior and conditions. The workplace can be one of the safest places for workers to be but what about when our employees leave the safety of the workplace and get in their cars or trucks to go home? What about when they get home? Do they relay that same message to the home environment and the loved ones there? Unfortunately, national statistics show that accidents are the leading cause of fatalities from the age of 1 to 45 and those fatal accidents are 32 times more likely to occur away from work. The leading cause of death in children from 1-4 is drowning and it's the sixth leading cause of all fatalities. How many of us have boats and love to be on the water with our families? We are surrounded by water. Ponds streams rivers lakes and oceans. How many of us take the time to teach water safety? If your job was to work over around or in water, I guarantee you will have had some training in water hazards.

The point is we are more likely to sustain an injury or experience a fatality off the job than on the job. The bureau of labor statistics says that 97% of all injuries and fatalities occur off the job. That's an amazing statistic. What's even more amazing is that almost all of these events are the result of people ignoring safe practices, ignorance of safe procedures or lack of training or willing or blatant violations of safe behavior. Unfortunately, many of these are learned through observations of behavior and some unsafe behavior is actually taught. Another statistic is that children learn by watching. Children can be taught safe behavior but seldom are. Swim lessons, life jackets, home chores, lawn mowing, maintenance issues, ladders, chemicals, animals and making good decisions are all learned behavior. All these things and more can be taught but seldom are. If we can get our employees to internalize the safety message we work so hard to give them, if they can relate their training to the need to create that same safe environment at home, we have succeeded and made their homes and families safer.

Safety isn't only for the jobsite. It's for our families and our homes too.



NUCA of North Florida

Annual Fishing Tournament on Saturday, August 3rd
Northeast Florida Marlin Association
3030 Harbor Drive, St. Augustine

Cast-off: 7:00 – 8:00 a.m.
Back to Dock: 3:30 p.m.
B.Y.O.B. (Bring Your Own Boat)

Cost per Angler: \$125 Includes Meal & Beverages (after Weigh-in)

Spectator Cost: \$30 Meal & Beverages Only (after Weigh-in)

*Each Angler will also receive a Commemorative T-shirt & Door Prize Entry ticket at weigh-in

Kid's 13 & under fish for free with an adult registration

~Awards for 14 Lucky Anglers~

SPONSORSHIP IS A VERY IMPORTANT PART OF THE TOURNAMENT'S SUCCESS! If you are interested in being a TOURNAMENT SPONSOR, please check off one of the levels of participation.

_____ \$125 Single Angler with Meal/Drink Complimentary T-shirts .

_____ \$ 30 Spectator with Meal and Beverages only

~TOURNAMENT SPONSOR LEVELS~

_____ \$350 TWO (2) Anglers with Meal/Drink & Company Logo on T-shirt, Complimentary T-shirts.*

_____ \$650 FOUR (4) Anglers with Meals/Drinks & Company Logo on T-Shirt, Company Sign or banner (supplied by you) and Complimentary T-shirts.*

SOLD \$1000 Sleeve Sponsor Includes everything in \$650 sponsorship plus your logo on sleeve.
(Only two spots available) *

SOLD \$1500 Exclusive Hat Sponsor Includes everything in \$650 sponsorship plus logo on the back of the hat.*

* Please email logo in .jpg format to NUCANF@gmail.com

Company Name: _____ Your Name: _____
Phone: _____ Fax: _____

Reservations for Fishing Tournament need to be made by Friday, 7/26. Fill out this entry form and fax to NUCANF.

List all those who will be fishing or attending

#1 _____

#2 _____

#3 _____

#4 _____

CAN YOU DONATE A DOOR PRIZE? _____ YES _____ NO Please contact Kathy for delivery.

Send your Entry/Payment to:

NUCANF, PO BOX 16810, JACKSONVILLE, FL 32245 or fax to (904) 296-1231 or call NUCANF at (904) 296-1230.

2019 NUCANF Fishing Tournament Sponsorship Opportunities

SOLD OUT

\$1,000 Raffle Sponsor (Limit one)

Your company name will be prominently displayed on a sign at the event; your company logo will appear on the T-shirt and you 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. A complimentary full page ad will also appear in the October or November 2018 Flow Newsletter.

SOLD OUT

\$500 Grand Prize Sponsor (limited to one spot)

Your company name will be prominently displayed on a sign at the event; your company logo will appear on the T-shirt and you 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. A complimentary 1/2 page ad will also appear in the October or November 2018 Flow Newsletter. You may also have a vendor display at the awards dinner.

\$500 Dinner Sponsor (limited to four spots)

Same benefits as grand prize sponsor.

\$500 Weigh-in Sponsor (limited to one spot)

Same benefits as door prize sponsor.

\$300 Door Prize Sponsor

Your company name will be prominently displayed on a sign at the event; your company logo will appear on the T-shirt and you 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. A complimentary ¼ page ad will also appear in the October or November 2018 Flow Newsletter.

\$300 Registration Sponsor (Limited to one spot)

Same benefits as door prize sponsor.

\$300 Trophy Sponsor (Limit one)

Same benefits as door prize sponsor

\$300 Kid's Prize Sponsor (limited to one spot)

Same benefits as door prize sponsor

Company Name: _____ Your Name: _____

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

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

Billing Zip 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.**

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

2019 FISHING RAFFLE

TICKETS: \$10 EACH OR 3/\$20

To Purchase tickets, complete bottom of this form and mail with payment to: NUCANF, PO Box 16810, Jacksonville, FL 32245. Drawing will be held on August 3RD at the Fishing Tournament. You do not need to be present to win.

Prizes:

**Pair of 10 Foot Fishing Kayak
With Paddles
Donated by Nimnicht Buick & GMC
Value: \$625**

**30" diameter custom Bobcat Fire-pit
with grill top and stoker
Donated by Bobcat of Jacksonville
Value: \$375**

**Visa Gift Card
Value: \$100**

of Tickets _____

_____	_____	_____
(Name)	(Company Name)	(Phone)

1st Choice of Prize: ☐ **Kayak** ☐ **Grill** ☐ **Gift Card**

2nd Choice of Prize: ☐ **Kayak** ☐ **Grill** ☐ **Gift Card**

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

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

Billing Zip 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: _____



September 19-20, 2019 Rosen Shingle Creek | Orlando, FL

REGISTER TODAY

Join us September 19-20, 2019 at Rosen Shingle Creek in Orlando for the NUCA of Florida Texas Hold'em and Presidents Cup Golf Tournament Events. The Texas Hold'em fee of \$100 includes a reception, poker tournament, beverages, appetizers, and a chance to win a \$500 gift card! The President's Cup Golf Tournament fee of \$150 includes the Thursday night reception, Friday breakfast, Awards Luncheon, golf fee, cart, drink tickets and cash prizes!

Participate in both events for only \$225 and support the NUCA of Florida PAC. Reserve a golf foursome for \$750 and get a Hole Sponsorship too!

NEW MEMBER SPOTLIGHT



SAVE UP TO 40% ON YOUR CONCRETE COSTS!



LINDER

CONTROL YOUR CONCRETE™

CONCRETE | FLOWABLE FILL | SPECIALTY CONCRETE

One unit gives you virtually unlimited possibilities on your job site. Cemen Tech VMMB certified volumetric mixers have been approved for city, state and municipal projects to meet or exceed DOT standards.

- Stop wasting time and money waiting for ready mix.
- Stop leaving open holes on sites only to have to come back later.
- Stop paying for concrete overages or ordering more than you need.
- Stop the short load fees.

- ✓ Utility Installations
- ✓ Water Main Replacement
- ✓ Foundation Backfill
- ✓ Flowable Fill
- ✓ Intersection Repair
- ✓ Pipeline & Distribution
- ✓ Oil & Gas
- ✓ Station & Transmission Facilities

CONCRETE ANYTIME, ANYWHERE YOU NEED IT.



VISIT LINDER.COM OR CALL 888-LINDER8 TO
LEARN MORE ABOUT OUR CONCRETE SOLUTIONS





In 1953, James Cox and Scott Linder, Sr. opened a heavy equipment dealership in Lakeland, Fla., and named it Linder Industrial Machinery Company. From that original facility, the company has grown throughout Florida and expanded into North and South Carolina. Linder operates in 18 locations, with more than 500 employees in those three states. Sixty-six years later, businesses of all sizes still look to Linder to help them successfully and efficiently deliver projects every day.

"We are a solutions-based company that works closely with our customers and the challenges they face in the field," said President and CEO John Coughlin. "It's our goal to help them perform their jobs in the most cost-efficient ways possible. We are a customer-driven solutions provider," Coughlin said.

It would be impossible for the company to have enjoyed long-term success without loyal customers, dedicated employees and a rich history. Carrying premium equipment has been part of Linder's success, paired with outstanding employees who are trained to assist customers to get the most out of their equipment. "Our employees are the reasons for our past and future success," noted Coughlin. "Their willingness to do what's right for our customers is what makes Linder the powerhouse that it is."

For Linder, measuring success often comes from customer feedback – and the proof is in the pudding. "We've worked with Linder for a number of years, and they do an excellent job," said Jack Roberts, Equipment Manager for APAC-Southeast, Inc., a South Florida paving company. "We have them 'on-call' for all of our jobs, and we may have one of their technicians on site for our highest-profile projects – just in case." Satisfied customers across all industries, who see Linder as a partner in their businesses, repeat testimonials like that time and time again.

With 66 years under its belt, Linder is devoted to providing the same industry-leading customer service on which it has built its reputation. While it will continue to serve as a solutions provider with excellent equipment and employees, Linder will also evolve to meet the needs of the market.

LINDER

Your Business Partner

**18 LOCATIONS READY
TO SERVE YOU!**

Eastern North Carolina

Aurora
919-628-2210

Greenville
252-695-6200

Raleigh
919-851-2030

Western North Carolina

Asheville
828-681-5172

Concord
980-777-8345

High Point
336-665-0110

South Carolina

Columbia
803-794-6150

Fort Mill
803-832-2103

Greer
864-877-8962

Mid-Florida

Orlando
407-849-6560

Ocala
352-629-7585

North Florida
Jacksonville
904-786-6710

Southwest Florida

Plant City
813-754-2727

Ft. Myers
239-337-1313

Southeast Florida
Pembroke Pines
954-433-2800