

THE FLOW

Upcoming Events

January 23rd

**Installation of Officers & Annual
Awards Meeting
Maggiano's
6:00pm**

February 17 & 18th

**NUCA of Florida
Legislative Days
Tallahassee**



JANUARY 2020

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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 hope that you all had a wonderful Christmas and Happy New Year. We look forward to 2020 being successful and prosperous year for all of you. On November 21st we held our we held our Annual NUCA Seamark Ranch Top Golf Benefit. We were able to raise \$10,800.00 for the Seamark Ranch and would like to thank everyone for their sponsorship and donations. We had a great turn out, I believe all who attended had a great time. Our next meeting will be the Installation of Officers on January 23rd at Maggiano's.

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
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CALENDAR OF EVENTS

HAPPY NEW YEAR!

Jan. 14th

Executive Committee
3:30 pm

Jan. 23rd

Board of Directors Meeting
4:30 pm

Jan. 23rd

Officer Installation &
Annual Meeting
Maggiano's
6:00 pm

Feb. 11th

Executive Committee
3:30 pm

Feb. 17th & 18th

NUCA of Florida
Legislative Days

Feb. 27th—29th

NUCA Convention
Tucson, AZ

The Law and Your Business

The Law and Your Business – Florida 2020 Legislative Session

By Tony Zebouni, NUCANF Legislative Chair

It's that time of year again, that is 120 representatives and 40 senators meet in in Tallahassee for a sixty-day legislative session. There will be over 1000 filed bills with, historically, less than 225 making it to the governor's desk for consideration. The Advocacy Committee has worked with Kari and Scott to oversee the legislative process and inform leadership of any bill or amendment that would adversely impact our organization or industry. Many NUCA North Florida members and their children have participated in the annual walk the halls event that will be held on February 17-18 in Tallahassee. If you have an interest in participating for either one or both days, please contact Kathy Blackman.

This year's prime legislation deals with Local Government and transparency. SB 504 would amend Ch. 255.05, F.S. and require governmental entities that seek to utilize an exemption to public bidding by self-performing work to meet certain basic reporting and accounting requirements. There are other bills that may or should be of interest to you as a contractor or citizen including a proposed Clean Waterways Act (CB/SB 712), dealing with adoption of rules relating to the underground pipes of wastewater collection systems and creating a Property Assessed Clean Energy Act (SB 824), just to name a few. To see a listing of all bills, go on-line to flsenate.gov/Session/Bill/2020.

The sale of the JEA is a topic of great interest and there is no way to accurately predict the outcome. With all local, state and federal legislation, if you have an interest or question you should contact your congressman or elected legislator or city councilperson. If you have any questions, please feel free to contact me.

SEAMARK BENEFIT HIGHLIGHTS

A fun time was had by all at our last event of the year. We had 56 people registered to golf. Attendees received two drink tickets and were treated to a buffet dinner. Thank you to everyone who came and golfed as well as our wonderful sponsors and those who couldn't come but made a donation. Members of the Executive Committee presented Fred Meiners, Executive Director of Seamark Ranch with a check for \$10,800.

Seamark Ranch's vision is to break the generational cycle of failure that affects the families they serve, and to nurture purposeful living in children who have experienced the impact of broken families. The children of Seamark Ranch will be equipped with a worldview and life skills that will enable them to productively contribute to our community. The children will be healed in heart and formed for service.

Seamark Ranch is more than a children's home, orphanage or group home. They are a team of passionate individuals dedicated to bettering the lives of less fortunate children. They offer hope and healing in an environment full of grace and unconditional love. They strive to make dreams come true for the children in our care!



NEW NUCA OF NORTH FLORIDA

Please join me in welcoming the following new members who recently joined our association.

Lindell & Farson, P.A.

12276 San Jose Blvd, Suite 126

Jacksonville, FL 32223

Phone: (904) 880-4000

Fax: (904) 880-4013

Contact: J. Michael Lindell, Esq.

Email: mlindell@lindellfarson.com

Website: lindellfarson.com

Business: Legal Services





2019 was a year of growth for the National Utility Contractors Association. While we experienced changes in some key areas, NUCA made sure your membership value was maintained and increased. We're building in 2019 to excel across 2020 and beyond.

Accomplishments 2019

New Benefit Programs. Adding to its many existing member benefit programs such as cost-effective healthcare programs and business service discounts, in 2019 NUCA added a discount for industry lodging needs with Motel 6 / Suite 6. We are also in the process of adding new member benefits in contract assistance, healthcare, safety education, and certification.

NUCA's Growing Chapter Network. Across the country NUCA's 29 state/regional Chapters continued to shine brightly and break new ground in the areas of advocacy, workforce development, and member engagement. This year two new Chapters joined the association, North Dakota and Middle Tennessee, and two new chapters are emerging in New Jersey and East Tennessee. In November, chapter staff nationwide gathered for the 2nd annual Chapter Success Conference, learning about best practices and new association management techniques.

2019 Trench Safety Stand Down (TSSD) Week.

Participation in the June 17–21, 2019 TSSD week more than doubled the previous year: 47,000 workers on more than 4,500 jobsites from 324 organizations participated. Additionally, NUCA received two Governor's Proclamations from Tennessee and Nebraska recognizing the week as Trench Safety Stand Down Week.

Safety Directors Forum. The 2019 event in Nashville (Nov. 6–7) was enthusiastically attended by the industry's safety experts, with the event even being sold out. 52 safety directors from across the country heard discussions from five experts about OSHA and industry regulatory enforcement, NUCA's help with member safety programs, gas monitors, distracted driving liabilities, and more safety topics.



NUCA Members strongly advocated for our industry's priorities to their federal lawmakers during the 2019 Washington Summit.

2019 Washington Summit. More than 100 industry members traveled to Washington for the annual industry summit on Capitol Hill. Over 75 Congressional meetings were held on May 21–23 with lawmakers and staffs, discussing industry priorities such as reauthorizing critical water infrastructure laws, Highway Trust Fund investments, and workforce development legislation.

Re-energized NUCA Governmental Affairs Program.

Long-time industry professional Eben Wyman was hired this year to build NUCA's presence and representation on Capitol Hill and in the federal regulatory agencies. Since the summer, Wyman has restarted the industry's Clean Water Council, and is already influencing infrastructure legislation moving its way through Congress.



Networking and education with nearby NUCA members easily went together in the Exhibit Hall during NUCA's 2019 Convention and Exhibits.

NUCA Staff. Three new association staff members were hired in 2019, in the areas of chief executive officer, member services, and communications. With the increasing presence of NUCA in the industry and the association's plans for growth in 2020, with these full-time staff additions the association is now in a better position to achieve our goals in key areas of growth.

Trenchless Contractors Department. In 2019, NUCA established the Trenchless Contractors Department in response to the growth of this modern utility construction in the industry. This new effort is specifically aimed at solving trenchless contractor problems and responding to their unique needs.

Trenchless Technology Displayed on National Mall. In June, NUCA's Trenchless Department was given one of 16 coveted booths on the National Mall in Washington, D.C., as part of HUD's Innovative Housing and Technology Showcase. Over the five-day event, NUCA Trenchless Committee Chairman and contractor Jeff Rumer, and member vendors Barbo, Hammerhead Trenchless, Akkerman, and Ditch Witch educated thousands of attendees about using trenchless technology for installation and rehabilitation of infrastructure. Both HUD Secretary Ben Carson and Assistant Sec. of Innovation Chris Bourne showed great interest in our technologies.

We're glad you're part of America's premier utility contractor industry association!

NUCA Convention & Exhibits. The association's premier event, the annual NUCA Convention & Exhibit, drew over 300 industry leaders and company owners to Naples, Florida on March 14-16. Its three days of events, networking, and recognition awards once again demonstrated the opportunities found in NUCA membership.

Scholarships. NUCA awarded three scholarships to students of industry members through its Foundation for Education and Research.



HUD Asst. Secretary of Innovation Christopher Bourne (l) learned a great deal about trenchless technologies and took considerable time talking to our trenchless vendors, including Barbo co-owner Tony Barbera.

For the latest NUCA information on events, benefits, breaking news, and educational opportunities, remember to visit our Website, www.nuca.com. We're also on Twitter (@NUCA_National), Facebook (NUCA1964), and LinkedIn (NUCA National).

NUCA's membership department can be reached via 703-358-9300, or by e-mail to Meredith Leutbecker, meredith@nuca.com. We want to make sure you get the most out of your NUCA national and chapter membership in 2020 and the years beyond.

SAFETY NEWS

By Jeff Blomgren
Safety Director at Petticoat-Schmitt Civil Contractors

Safety Eyewear

The most frequent PPE exceptions taken during an audit, or even daily operations, is our employees, or even supervisors, working without safety glasses. Work related eye injuries, that require medical attention, occur 2000 times PER DAY (Center for Disease Control and Prevention). About one third of these are treated in emergency rooms and more than 100 result in one or more days away from work. If we can reduce that number by reinforcing the need for our teammates to use safety glasses, why not make it happen?

Safety glasses today are a far cry from the bulky heavy safety glasses in use 25 years ago. Today we have choices of styles, color and design that fit better and are more comfortable than those antiques we used to use. All safety glasses come with an ANZI rating of Z87 or Z87+. We see all kinds of dark glasses that look good, but in checking them out, we find that those “name brand” stylish, cool, glasses are NOT safety glasses at all. Our observations should include a spot check. Anytime you see someone with a pair of safety glasses that are different from what everyone else is wearing, check it out. Nine times out of ten, they aren’t ANZI Z87 or Z87+ safety glasses and need to be replaced.

Prescription safety eyewear must also be rated the same as non-prescription safety eyewear and should be issued with removable or permanent side shields made for those prescription glasses. If the eyewear is worn as every day glasses, we have to remember that the side shields must be back in place while working. Temporary, slip on, plastic side shields are not compliant. There are safety glasses that fit over prescription eyewear and that could be a solution but many employees feel they are too bulky and awkward.

Next to a hard hat and vest, safety eyewear is one of the most noticeable PPE noncompliance issues. Ever heard of a disappearing safety violation? It exists. It’s a fact. At first glance, something registers as being “not quite right”. Safety glasses are like that. You look, take a second look, and “lo and behold” the glasses are in place and you think, “did I see that or not?”. It’s up to everyone to do what’s right. Not everyone does the right thing, and some people need to be reminded, or maybe some people need to work where they don’t need help in doing what’s right. Either way, if we want to be able to see the new year, we need to take the steps toward a clear vision in 2020.

SEAMARK RANCH BENEFIT PHOTOS





Seamark Benefit Bay Sponsors

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2019 State Legislative Accomplishments

NUCA of Florida's Legislative Team has been hard at work on your behalf this year. Below are just some of NUCA of Florida's advocacy efforts, both regulatory and legislative successes, from this past year.

- We intervened when the City of St. Petersburg wanted to pass an ordinance to mandate certified apprenticeship programs for all public works projects. By meeting with city leaders in tandem with SUCA members, we were able to change the ordinance to allow FDOT-certified on-the-job training programs in lieu of apprenticeship programs.
- When the City of Port Orange changed their RFP process to require all underground utility work to replace an aging water main be completed by a "Commercial General Contractor," we intervened and were able to get the city to reverse its position and allow licensed underground utility & excavation contractors to respond to bids and perform the work.
- In order to stop several counties and cities from mandating only General Contractors on bid projects, we met with Secretary Beshears, Dept. of Business & Professional Regulation, to create a Public Works "Hot Topic" on the department's website to inform local governments that they must follow Florida law with respect to allowing licensed contractors to perform work under their scope of practice per Florida Statutes Section 255.0992 (2) (b). *Specifically, the Public Works "Hot Topic" states in part: "local municipalities may not prohibit any contractor that is qualified, licensed, or certified as required by state law from bidding on public works projects, pursuant to section 255.0992, Florida Statutes"* You may find the "Hot Topics" website at: <http://www.myfloridalicense.com/DBPR/construction-industry/hot-topics/>
- We helped secure \$149M for water quality improvements, including \$25M for septic-to-sewer conversion.
- We passed legislation to mandate public utility storm hardening protection plans and provide for undergrounding of electric utilities. (SB 796)
- We defeated proposed legislation that would have arbitrarily increased fines for damage on underground utility lines caused by contractors and another proposal that would have given fire marshals authority to cite underground utility and excavation contractors for damage to underground utilities.
- We defeated a proposal by the Construction Industry Licensing Board to create a Specialty Boring Contractors License that would have undermined the underground utility and excavation contractor license.

- We passed legislation to prohibit local governments from rejecting aggregates that have been certified for use by the FDOT. (HB 905)
- We passed legislation prohibiting local governments from charging surcharges or similar fees not directly related to enforcing the Florida Building Code. (HB 447)
- We clarified through legislation that a notice of construction defects claim under Chapter 558, F.S., does not toll the statute of repose. (HB 447)
- We secured a \$500,000 legislative appropriation to fight unlicensed contractor activity.
- We passed legislation to require transparency in local government permit and inspection fees, how fees are utilized and mandate posting on publicly-available website.(HB 127)
- We codified case law with respect to impact fees and prohibited collection of impact fees prior to issuance of building permit through legislation. (HB 207)
- We tackled construction contracting fraud by passing legislation to reign-in "bad actors." (HB 7125)
- We supported the passage of SB 7068 to extend the SunCoast Parkway from Tampa to the Georgia border, add a new corridor from Polk County to Collier County and bring the Florida Turnpike west to the SunCoast Parkway.
- We limited inclusionary zoning, improved development order timelines and strengthened ability to utilize private providers for inspections without additional fees. (HB 7103)
- We pushed legislation (HB 167) to ensure a level playing field when local governments decide to "self-perform" public works projects. Our bill passed the full House but ultimately didn't make it through the Senate side. We have refiled the bill for 2020.

Work is well underway for 2020 advocacy efforts. If you would like to learn more, bi-weekly conference calls to discuss legislation of interest to the construction industry will begin on January 17th. Call Kari for more information.

Also, mark your calendars for NUCA of Florida's Legislative Days: February 17-18, Aloft Hotel, Tallahassee

*NUCA of Florida
215 S. Monroe St., Suite 500
Tallahassee, FL 32301
Direct: 850-425-3360*

khebrank@carltonfields.com



NUCA

TUCSON, ARIZONA

Annual Convention & Exhibit
Loews Ventana Canyon Resort
February 27–29, 2020

The Evolution of Leadership

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- ☀ Attend our dynamic educational sessions to become involved in our industry's leading topics
- ☀ Exchange new ideas for better job productivity with your industry peers
- ☀ Discover new advanced technologies and strengthen your relationships with the industry's top equipment and service vendors
- ☀ Enjoy the luxury of the Loews Ventana Canyon Resort and the NUCA Foundation golf tournament
- ☀ Have fun with industry colleagues and new friends

Register today! Early-Bird registration closes December 15, 2019.

For more information: [NUCA.COM/CONVENTION](https://www.nuca.com/convention)



OFFICER INSTALLATION & ANNUAL MEETING

Join us on Thursday, January 23rd at Maggiano's at 6:00 pm as we install our 2020 Officers & Board of Directors. We will also present our annual awards. Look for an email at the beginning of January.

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Rick Parker, Standard Precast

Justin Scarberry, ECS Florida

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SAVE THE DATE

MARCH 12-14, 2020



20TH ANNUAL ANDREW SCOTT JOHNSON MEMORIAL SCHOLARSHIP FOUNDATION BASS TOURNAMENT

TIME & LOCATION:

MARCH 12-14, 2020

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HOTEL RESERVATIONS:

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khebrank@carltonfields.com or phone 850-513-3607

or Rebecca Brown via email rbrown@carltonfields.com or phone 850-224-1585.



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1 of 2 – 2013 Volvo L120G



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1 of 2 – 2017 Caterpillar 926M

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