

# THE FLOW

## Upcoming Events

**June 14-19th**  
Trench Safety Stand Down



See info on Page 7

**July 23rd to 26th**  
NUCA of Florida  
Conference  
Ritz-Carlton, Naples



See info on Page 14

**MAY 2020**

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Licensed Real Estate Broker  
100 Center Creek Road  
Suite 102  
Saint Augustine, Florida 32084

Cell: 904-304-7222  
ldaniels@lindadaniels.com  
www.lindadaniels.com  
Fax: 888-343-8018

## 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 want to first and foremost make sure that all of you and your families are safe and still healthy, while continuing to deal with the COVID-19 pandemic. Hopefully this month things will start getting back to some normalcy as the government starts to loosen the restraints that they have put in place.

We have once again had to reschedule our annual Golf Tournament and will probably be rescheduling our May 14<sup>th</sup> Jumbo Shrimp game; we will keep all of you up to date with these events. We want to make sure that we follow all of the stipulated guidelines and that we keep everyone safe.

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*

## 2020 NUCA of North Florida

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## CALENDAR OF EVENTS

May 5th

Executive Committee  
3:30 pm

May 14th

Board of Directors  
Conference Call

June 16th

Executive Committee Meeting  
3:30 pm

July 15th

Board of Directors  
Scholarship Night  
Location TBD

July 23rd to 26th

NUCA of Florida Conference  
Naples, FL

August 29th

NUCA Fishing Tournament  
St. Augustine

November 3rd

Sporting Clay Challenge  
Jacksonville Clay Target  
Sports



# The Law and Your Business

## The Law and Your Business- Lost Rights under Claim of Lien

By Tony Zebouni, Lindell, Farson & Zebouni

I thought that you might enjoy a break from the Covid 19 pandemic and read about Florida lien law for a change. If you believe that once you've filed a correct claim of lien in Florida, that your rights are protected so long as you file a foreclosure action within one year, you may want to read on. A recent case discusses and strictly applies the language in Ch.713.21(4), F.S. that should be important to you.

M&C-Buslam was the general contractor on a project owned by Nicover, LLC. Nicover and M&C-Buslam had an agreement by which M&C-Buslam was required to indemnify Nicover for any attorneys' fees and costs incurred in litigation in connection with the subject property. M&C-Buslam hired subcontractor, Tech Electric, to perform electrical work on the project. After Tech Electric was properly terminated, it filed a lien against the project. After Tech Electric failed to take any action on the lien against Nicover's project, M&C-Buslam filed a suit, that included a summons/order to show cause under section 713.21, Florida Statutes. The summons/order to show cause was served on Tech Electric on September 10, 2019.

Once the summons/order to show cause was served on Tech Electric, it had twenty days to either file an action to foreclose the lien or show cause why the lien should not be vacated or cancelled. On September 24, 2019, it filed a "Verified Response to the Order to Show Cause." The response clearly showed the reasons why the lien was valid. The response failed, however, to state a good cause as to why the action to foreclose had not yet been filed or why it required additional time to prosecute the lien. It is undisputed that Tech Electric did not file its foreclosure suit within the twenty-day statutory period.

The statutory provisions governing mechanic's liens must be strictly complied with and construed. Section 713.21(4) provides the lienor with two options following the issuance of a summons/order to show cause. Within twenty days, the lienor must either (1) demonstrate good cause why the action has not yet been filed and the lien should not be discharged, or (2) file the foreclosure action.

Tech Electric failed to strictly comply with the requirements of section 713.21(4), as it neither filed suit nor showed good cause as to why the lien had not yet been prosecuted in the time prescribed by the statute.

# **FREE MONEY FOR COLLEGE**

**Do you have a son or daughter currently in college or ready to start college in the Fall? NUCA of North Florida, Inc. has the following scholarships available:**

**Mike Allen Scholarship** is for any high school Sr., High School graduate, Undergraduate College Student or Graduate Student who is the daughter or son of a NUCANF member company employee, and will be enrolling full or part time in an academic institution of higher education, beginning in September. The enrollment may be in any curriculum for any number of years. This may be a four-year college or a community college anywhere in the United States. The Mike Allen Scholarship is a \$1,000 one-time award. Special consideration will be given for those pursuing degrees in a construction related field. You can get an application on-line at the bottom of the page at [nucanf.com](http://nucanf.com) on the bottom of the home page, click 2020 Application for Students in Undergraduate/Graduate Programs. Call the NUCANF office at (904) 296-1230 if you have questions. **Application deadline is June 12<sup>th</sup>.**

**J. Richard Baker** is for Any high school student or high school graduate who is the daughter or son of a NUCANF member company employee, and will be enrolling full or part time in an academic institution of higher education or trade school (such as Welding, HVAC, Plumbing, Electrical, Mechanical etc.), beginning this summer or fall. The enrollment may be in any curriculum for any number of years. The J. Richard Baker Scholarship is a \$2,000 one-time award. You can get an application on-line at the bottom of the page at [nucanf.com](http://nucanf.com) on the bottom of the home page, click 2020 Application for New College Students. Call the NUCANF office at (904) 296-1230 if you have questions. **Application deadline is Friday, June 12<sup>th</sup>.**

**NUCA Scholarships** Funded by the NUCA Foundation for Education and Research, four scholarships are available ranging from \$1,000 to \$8,000. 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. Student employees, including part-time employees, are also eligible. The applicant must be graduating from high school in 2019 and enrolling full time in an accredited two-year or four-year college or university for his or her freshman year beginning in the fall of 2020. You can get an application on-line at <http://www.nuca.com/scholarships>. **Application deadline is May 1st.**

**Andrew Scott Johnson Memorial Scholarship** is also available from our state office, NUCA of Florida. Any seniors in high school or any student pursuing an undergraduate degree are eligible. Previous recipients may reapply. This scholarship is available to all NUCANF member firms. You can get an application on-line at <https://nucaflorida.org/about/asjmsf-scholarship/>. **Application deadline is May 29th.**





## ***NUCA News***

### **OSHA Issues Enforcement Guideline for Recording Cases of COVID-19 on the Jobsite**

In a memo issued April 10, OSHA stated in areas where there is ongoing community transmission of the COVID-19 virus, they will not enforce its record-keeping requirements for employers to make work-related determinations for these illnesses, except in two circumstances. NUCA and its coalition partners argued employers may have difficulty making determinations about whether employees who contracted COVID-19 did so due to exposures at work. Read more [here](#). Read CISC's March 23 letter [here](#).

### **COVID-19 Resources for NUCA Members**

With the continuing personal and economic reactions to the Coronavirus/COVID-19 pandemic emergency, NUCA is collecting as many online resources as possible to help our members at [nuca.com/panflu](https://nuca.com/panflu). A sample pandemic flu policy for companies is available, as well as other information to help your business weather this storm, including business recovery resources.

### **Business Loan Info and More on New NUCA.com/Recovery Webpage**

Through newly passed legislation, the U.S. government is now offering several types of disaster loans for large and small U.S. businesses. Businesses who have suffered significant damages, or just need to maintain cashflow or payroll over the next few months, can apply. Some loans are even forgivable. Find out more [here](#) at [nuca.com/recovery](https://nuca.com/recovery).

### **OSHA Releases Daily Tips for Social Distancing and Staying Safe**

To assist in keeping our essential workforce safe during the pandemic, OSHA has released a series of daily tips to help reinforce social distancing and other important best practices. [These tips](#) include documents and videos designed to help facilitate effective communication with your employees.

## ***NUCA Association News***

### **Are You Ready for NUCA's June 15-19, 2020 Trench Safety Stand Down?**

NUCA members and the many participating organizations made a huge difference in 2019, showing their dedication to employee safety in the trenches. Last year, 47,000 workers on more than 4,500 jobsites from 324 organizations participated in TSSD, but the industry is seeking more participation this year from all members. Head to [nuca.com/tssd](https://nuca.com/tssd) to learn more and get all the resources you need to hold your own stand down June 15-19. Read more [here](#).

### **Toolbox Talks: Protecting Employees Against the Coronavirus**

NUCA has released two public Toolbox Talks for utility construction crews to use for COVID-19 prevention on the jobsite. These are ready for your crew leaders and employees to use today. [English](#) | [Spanish](#)

### **Watch NUCA's Two COVID-19 Related Webinars Online**

Did you miss our two webinars titled, "Coronavirus: An Unforeseeable Circumstance" (March 25, 2020), presented by Shawn R. Farrell, Esq., and "Legislative Update on Covid-19 Relief Legislation" (April 1, 2020), presented by NUCA Director of Government Affairs Eben Wyman, Principal, Wyman Associates? Head over to [our webinar page](#) now to watch these important videos or to download the presentation. Our next Webinar Wednesday is scheduled for May 6 at 2:00pmET.

### **Train the Trainer Postponed Until June 22-26 in Coppell, Texas**

Due to the current standing policy of social distancing, NUCA's Train the Trainer will be postponed until June. Registrations are still being accepted. Please stay tuned for any additional information as the situation evolves. Learn more [here](#).

### **NUCA Foundation Scholarship Applications Now Open**

Any high school senior whose parent or legal guardian is employed by a NUCA member company in good standing or chapter at the time of the application deadline may apply. Learn more [here](#).

# TRENCH SAFETY STAND DOWN

## 2020 Trench Safety Stand Down

June 15-19, 2020

NUCA is extremely committed to the health and safety of our members, leadership, partners, vendors, and staff. We are closely monitoring the current situation with regards to COVID-19 and if a date change is necessary regarding the Trench Safety Stand Down that information will be communicated out as soon as possible.

### What is a Safety Stand Down?

A Safety Stand Down presents the opportunity for employers to talk directly to employees and others about safety. These Stand Downs will focus on trench & excavation hazards and reinforce the importance of using trench protective systems and protecting workers from trenching hazards.

### How to Conduct a Safety Stand Down

Companies will conduct a Trench Safety Stand Down by taking a break to have a toolbox talk or another safety activity to draw attention to the specific hazards related to working in and around trenches/excavations. We ask that companies provide feedback about their Stand Down, such as when it was held, how many workers participated, how you shared information with employees. NUCA will collect the information, publicize the overall total number of participants, and publish the names of the companies that held a Trench Safety Stand Down. You can find all the appropriate documentation in the **TSSD Forms** section.

### Stand Down Goals

The goal is to reach out to the many workers who work in and around trenches and excavations to provide them with information about current excavation requirements and safety procedures for working in trenches. By reaching as many workers as possible we can reduce the number of fatalities and serious injuries that occur each year in our industry, and make others, such as municipal and industry workers who are also exposed, aware of these serious hazards.

### Who Can Participate?

Anyone who wants to prevent trenching and excavation hazards in the workplace can participate in the Stand Down. We encourage utility construction, residential, highway construction, plumbers, military, unions, associations, educational institutes, and safety equipment manufacturers to participate. Please see the links to the materials to use during your Stand Down week.



# SAFETY NEWS

By Jeff Blomgren  
Safety Director at Petticoat-Schmitt Civil Contractors

## UNCERTAIN TIMES

We live in a different world today. We are used to change and change is constant but what we have faced today is different than a recession or downturn or regulation. This pandemic affects our entire world. You can hardly turn on or television sets without seeing a commercial that doesn't have something to do with COVID19. From a promise of more toilet paper to the food industry delivery options everything is covered. How about the constant emails from every corner offering to provide COVID 19 items you can buy or the ever changing updates from the CDC or the mayor, governor or president. It boggles the mind.

What can we do about all this? We can appreciate our employees and what we do. Our teammates only want to work. When staggering unemployment burdens the nation we can still work. We can appreciate the fact that we are essential. Every person working in this industry should be able to say with pride that, "We are essential!". We don't see the signs and banners that we see for the great job our Drs. and nurses are doing and the exposure possibilities they face as they struggle to keep up with mounting challenges in health care but think about it. Nothing works without roads, bridges, clean water, treatment plants, and the infrastructure essential to the health and welfare of this great country.

In this time of challenge it's time to reflect on what we do, how we do it and have a plan in place to keep doing what we do now and when all this is behind us. We are a huge part of what makes this a great country. **WE ARE ESSENTIAL**





**Workers' Memorial Day is April 28th.**



**#ipledgesafety**



**NUCA OF NORTH FLORIDA**



# Let's DO THIS

**NEW SUMMIT DATES!**

**NUCA's Washington Summit**  
September 21–23, 2020  
(Capitol Hill visits on September 23)

**2020 is an election year. It's time for Congress to start building again!**

Washington recognizes infrastructure is the key to jump-starting our economy. We must invest in our nation's infrastructure. Now Congress needs to hear from those whose expertise and passion make these vital projects become reality.

We need you at the 2020 NUCA Washington Summit to ensure that Congress finishes its job so we can do ours and build America back to economic prosperity. For more information about the Summit and to register today, visit [nuca.com/summit](https://nuca.com/summit).



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## **THE NUCA OF FLORIDA/ANDREW SCOTT JOHNSON MEMORIAL SCHOLARSHIPS**

The NUCA of Florida/Andrew Scott Johnson Memorial Scholarship Foundation scholarship applications are now available. There are three separate scholarship applications: one for high school seniors entering college; one for existing college students, both undergraduate and graduate school; and one for high-school seniors entering technical college or technical school. All NUCA of Florida members, their offspring and employees are eligible to apply for the scholarships. Additionally, anyone who sponsored the Andrew Scott Johnson Memorial Scholarship Bass Tournament at the Major Level (\$500) and above is eligible to apply. Scholarship awards vary in award amounts based on the quality of the application as determined by the review committee. Deadline for receipt of all applications is May 29th, 2020. Applications may be downloaded by visiting "About" tab, ASJMSF Scholarship, at [www.nucaflorida.org](http://www.nucaflorida.org) or by clicking:

**COLLEGE**

**HIGH SCHOOL**

**Tech/Vocational/  
Trade School**



## **NEW MEMBER**

Please join us in welcoming the following new member to the NUCA family.

### **USI Insurance Services**

Contact: Mike Larsen, Vice President

4600 Touchton Road B100 S275

Jacksonville, FL 32224

Phone: (352) 318-7629

Email: [mike.larsen@usi.com](mailto:mike.larsen@usi.com)

Website: [www.usi.com](http://www.usi.com)



## **NEW DATE**

**NUCANF GOLF TOURNAMENT  
SEPTEMBER 22nd  
St. Johns Golf & Country Club**



## BOARD MEMBER SPOTLIGHT



### **Rick Parker, Standard Precast**

#### ***Tell us about the services your company provides.***

Standard Precast Inc. was recently acquired by Oldcastle infrastructure in late 2019. Standard Precast has been in the precast business for over 50 years specializing in sanitary and storm water conveyance structures. The acquisition of Standard Precast has increased our capabilities by bringing multiple manufacturing plants under one umbrella to better serve the customer.

#### ***What is your business philosophy?***

My personal business philosophy is to be Honest, Fair and Dependable. I like to use creative methods and go the extra mile to find a resolution for my customer's needs. I believe that if my customer succeeds, then I succeed.

#### ***What are your hobbies or interests outside of work?***

Outside of spending time with family and friends, relaxing in the pool and attending Gator's football, I enjoy playing golf with my clients. A newly discovered passion of mine is learning to cook and plate high-end

meals. From the Beef Wellington I prepared for Christmas dinner to the pan-seared scallops and shrimp atop a bowl of herb polenta. You can always find my latest creations on my Facebook page.

#### ***What is your favorite travel location?***

As a military brat I traveled much of my life both within the United States and abroad. My favorite place of late would be a cabin I found in the north Georgia mountains in Clayton, Georgia. I married the love of my life standing on this mountain and have had numerous vacations with our children and grandchildren while taking in all the peace and tranquility this place offers.

***If you could have dinner with anyone, living or deceased, who would it be and why?*** I attribute my work ethic and who I am to my father Michael Ray Parker. He was a young, county bumpkin who enlisted in the US Navy as a 17-year-old buck private and, after 21 years of service, retired as a Lt. Commander. He had gained wisdom and knowledge and the respect of any, and all, of whom he came into contact. After he retired, he went on to attend night school and earn his AA degree. My father passed some time back and to have the opportunity for that one last conversation would be awesome.

#### ***What are you currently reading?***

Project Specifications are high on my list of things to read. In all seriousness, I find my nose in a lot of cook books.

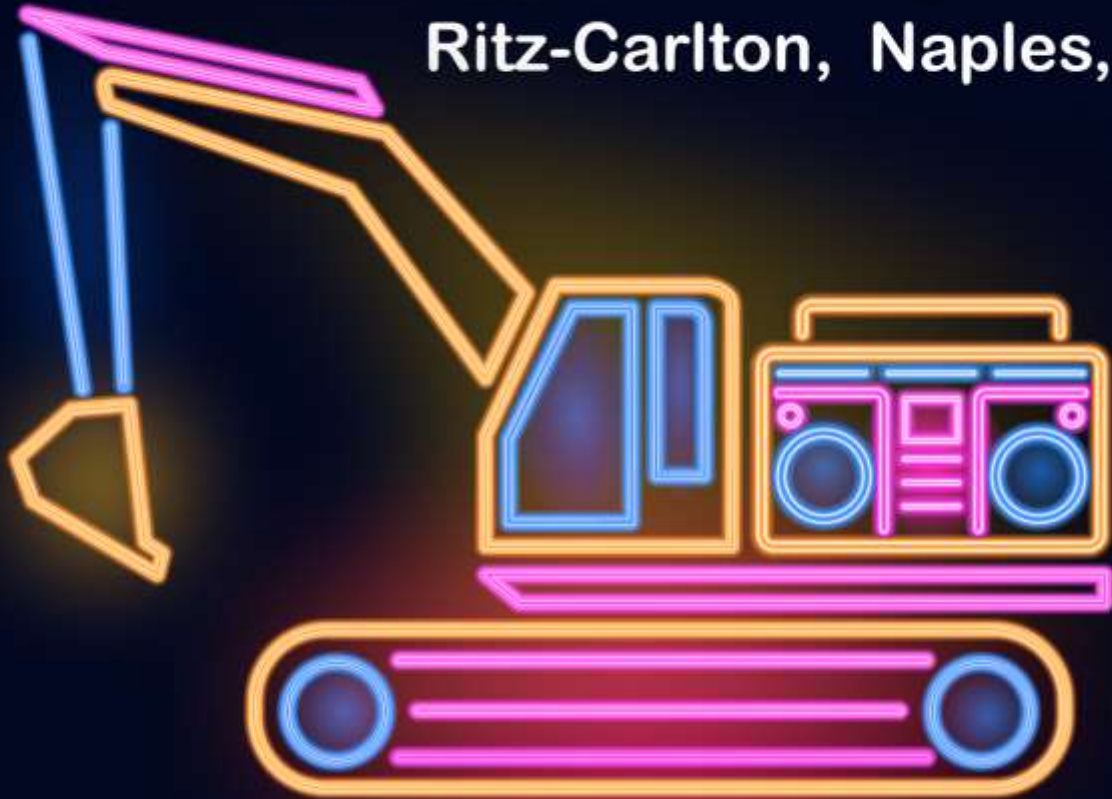
#### ***Grill master or reservations?***

I like both as I garner inspiration from many of the restaurants I have visited.

# SAVE THE DATE

## JULY 23-26, 2020

Ritz-Carlton, Naples, FL



20 NUCA OF FLORIDA  
20 ANNUAL CONFERENCE

ROCKIN' 40 YEARS!  
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NUCA  
of FLORIDA



# NEW MEMBER SPOTLIGHT



## Delivering Customized Insurance Solutions

USI Insurance Services is one of the largest insurance brokerage and consulting firms in the world, delivering property and casualty, employee benefits, personal risk, program and retirement solutions to large risk management clients, middle market companies, smaller firms and individuals. Headquartered in Valhalla, New York, USI connects together over 7,000 industry leading professionals across more than 200 offices to serve clients' local, national and international needs. USI has become a premier insurance brokerage and consulting firm by leveraging the **USI ONE Advantage®**, an interactive platform that integrates proprietary and innovative client solutions, networked local resources and expertise, and enterprise-wide collaboration to deliver customized results with positive, bottom line impact. USI attracts **best-in-class industry talent** with a long history of deep and continuing investment in our **local communities**. For more information, visit [usi.com](http://usi.com).

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- **Retirement Consulting:** including defined benefit, defined contribution, investment advisory, health and welfare administration, regulatory and compliance, employee communications and church plan solutions.
- **Affinity Programs:** providing a single source of comprehensive insurance and financial services products, member service and advocacy, persona-based strategic marketing, risk management and financial wellness tools for associations, affinity groups and select industries.

While USI is a full service brokerage operation, we have developed specialty operations within each region based upon local niche demographics.



### Mike Larsen, AAI

Risk Management Consultant  
USI Insurance Services, LLC  
4600 Touchton Road  
Building 100, Suite 275  
Jacksonville, FL 32246  
Direct: 904-450-4730  
Cell: 352-318-7629  
[mike.larsen@usi.com](mailto:mike.larsen@usi.com)



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