

THE FLOW

Upcoming Events

JUNE IS TRENCH SAFETY MONTH!

Trench Safety Stand Down Week

June 19–23, 2023

Make plans for your company to participate in the 2023 NUCA Trench Safety Stand Down (TSSD) Week. Being a part of our popular 7th annual TSSD Week will help educate your employees on trenching hazards at the jobsite.

**Join us on Tuesday, June 6th at 11:30 am
For TSSD Kick-off event**

At

**Northeast Florida Safety Council
1725 Art Museum Drive , Classroom 6**

***Our goal is to have at least one person
from each of our contractors member
firms present.***

***Lunch will be served. Please RSVP to
nucanf@gmail.com***

**June 15th
Next Man Up
Plan Reading Class
6:00 pm**

JUNE 2023

INSIDE THIS EDITION

| | |
|---|--------------|
| <i>President's Message</i> | 2 |
| <i>Calendar of Events</i> | 3 |
| <i>The Law & Your Business</i> | 4 |
| <i>Jumbo Shrimp Game Highlights</i> | 5 |
| <i>Trench Safety Stand</i> | 6 |
| <i>NUCA News</i> | 7 |
| <i>Safety News</i> | 8 |
| <i>NUCA of Florida Conference Registration</i> | 9 |
| <i>NUCA of Florida Conference Sponsorships</i> | 10-11 |
| <i>Welcome New Member - Reeves Construction Company</i> | 12 |
| <i>Jumbo Shrimp Photos</i> | 13 |
| <i>New Member Spotlight— Garrison Enterprise</i> | 14 |
| <i>Washington Summit Highlights</i> | 15 |
| <i>2023 Summit Talking Points & Photos</i> | 16 |
| <i>New Member Spotlight— HB NEXT</i> | 17 |
| <i>Featured Sponsor—Linder Industrial Machinery Company</i> | 18 |

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PRESIDENT'S MESSAGE

Hello Fellow NUCA members,

Hello again and welcome as we roll into the summer season of 2023 and the bright Florida sunshine!! The first half of this year has already started with a bang and been full of heavily attended events, it's been outstanding. Thank you to all our gracious sponsors, members and contributors that make our organization the greatest in the construction industry.

We held our annual Jumbo Shrimp event for members and their families/friends this past month, and wow what a successful turnout. It was so great to see everyone in attendance with our future generation of construction professionals and watch some baseball.

This month of June is all about Trench safety, as we kick off with an event on June 6th to get us rolling. The kick-off event will be held at the Northeast Florida Safety Council location in Jacksonville at 11:30AM. Be sure to RSVP with Kathy at nucanf@gmail.com if interested in attending. We have invited OSHA and members of JFRD Trench / Rescue squad to attend for some valuable information and life-saving tips. Our goal is to have 1 representative from each of our contractor firms in attendance. Get involved and help protect our men and women that make up our great industry.

Other events are also on the horizon for our chapter this summer. We have a Next Man Up class coming for "Blueprint-Plan Reading" on June 15th, as well as our College Scholarship Night on July 13th at the Aloft Hotel. Details have been sent out in several emails, if you have not received information or still have questions, feel free to reach out to myself or Kathy for more information.

As always, help us in growing this construction community. Get involved and make NUCA yours, as our NUCA chairman puts it, in his past newsletter. There are so many dividends that come from being involved in this local Chapter, the state affiliation and NUCA national. As with anything in life, fruit is only achieved from the labor you are willing to put in. The more our members get involved, the better our industry becomes, and your company's prosperity can be endless. The comradery with other members, networking at any of our events or just a simple phone call for advice is just a few of the countless ways you can make your membership pay you back.

Unit next month, stay safe and stay involved!

Tim Gaddis Jr.

2023 NUCA of North Florida

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Diamond Sponsor

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United Rentals
Trench Safety

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Petticoat-Schmitt Civil
Contractors
Rinker Materials

CALENDAR OF EVENTS

June 6th

Safety Director's Forum
TSSD Kick-off Event

June 15th

Next Man Up—Plan Reading
A.J. Johns
6:00 pm

June 19th –23rd

Trench Safety Stand Down

June 20th

Executive Committee Meeting

July 13th

Board of Director's Meeting
Scholarship Night
Aloft Tapestry Park

July 19th-22nd

NUCA of Florida
Conference
Ritz Carleton, Sarasota

August 19th

Annual Fishing Tournament
NEFMA
St. Augustine

The Law and Your Business

The Law and Your Business – Liability of Independent Contractors -

Tony Zebouni, Lindell, Farson & Zebouni, P.A.

Many of the agreements that you enter into provide specific language whereby either you, or your subcontractor, is an “independent contractor”. What is your potential liability if you subcontract a portion of your scope of work and a third party is injured? A recent case provides an analysis of liability and non-delegable duty involving the work of independent contractors. SCS (“contractor”) entered into a contract with Winn-Dixie Stores, Inc. to provide it with floor cleaning and janitorial services. The contractor then subcontracted the work to a third-party independent contractor. After falling in the Winn-Dixie store at which she was employed, JG filed a negligence action against the contractor, alleging in part that it breached its duty of care to warn Winn-Dixie employees and invitees of the unreasonably slippery floors that caused her injuries.

The general rule in Florida is that a party is not responsible for the negligence of its independent contractor(s), however, a party that hires an independent contractor may be liable for the contractor's negligence where a nondelegable duty is involved. Such a duty may be imposed by statute, contract, or the common law. In determining whether a duty is nondelegable, the question is whether the responsibility at issue is so important to the community that an employer should not be allowed to transfer it to a third party.

The duty of a general contractor to use due care in repairing the premises of another, insofar as it is applicable to the owner of the premises who was in contractual privity with the general contractor, is a nondelegable duty that may not be committed to an independent contractor.

The mere existence of a contract does not create vicarious liability “as to third persons for the negligent acts of the independent contractor.” Where the contracting party makes it her or his duty to perform a task, that party cannot escape liability for the damage caused to the other contracting party by the negligence of independent contractors hired to carry out the task. The court determined that the injured Winn Dixie employee could not maintain a suit against the contractor under the facts before the court.

JODI GARCIA, v. SOUTHERN CLEANING SERVICE, INC,

Jumbo Shrimp Game Highlights

We had a nice night for our Jumbo Shrimp game. We had over 300 people purchase tickets to the game including an all you can eat buffet. It was great to see many people bring their families out for the game. This is always a popular event and we actually sold out this year.

The Jumbo Shrimp lost to the Norfolk Tides by a score of 3 to 1. If you didn't have a chance to join us this year, this is usually an annual event.



TRENCH SAFETY STAND DOWN

2023 Trench Safety Stand Down June 19-23, 2023

Trench Safety Stand Down Week Goals

TSSD was first held in 2016 by NUCA, with OSHA joining as a partner a year later. The goal of the event 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 right for materials to use during your Stand Down week.

How to Conduct a Trench 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 member companies provide to NUCA 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.

Recognition of Participation

For participants in the 2023 TSSD, NUCA will provide a **Certificate of Participation** which will be e-mailed to all participating companies, and helmet stickers will be physically mailed to the address provided on the form you will complete. Please allow at least several weeks for our safety team to process your submission.

NUCA will publish the list of names of participating organizations on the NUCA website and in our printed publications after the conclusion of the event. Please feel free to send in any photos taken during your stand down to nuca@nuca.com. They may be published in our publications to encourage other companies to follow your company's lead and emphasize trench safety all year long.

Thank you for your participation and keeping your employees safe!



Workforce Development Demands Pro-Business LIBERTY Campaign

This month, NUCA joined forces with the U.S. Chamber of Commerce to promote their new LIBERTY campaign for immigration reform legislation in Congress. This pro-business movement strikes the right balance in what otherwise can be a contentious immigration reform argument that has not moved in years. Securing our borders and reforming our nation's broken immigration system are issues that everyone agrees must be addressed--and these 400 business and trade organizations agree this should be a top legislative priority. This may be a long march ahead, but every journey begins with a first step. If you want to learn more about the LIBERTY campaign, go to www.CallingForLIBERTY.org.

NUCA Supports RESTART and SPUR Permit Reform Bills – Urges Bipartisan Compromise

NUCA supports two bills introduced in the Senate that will help jump-start the action needed to pass permitting reform legislation this session. Sens. Shelly Moore Capito (R-WV) and John Barrasso (R-WY) introduced the "Revitalizing the Economy by Simplifying Timelines and Assuring Regulatory Transparency (RESTART) Act," and the "Spur Permitting of Underdeveloped Resources (SPUR) Act," respectively. Both bills reform the nation's broken permitting and environmental review processes, which are currently delaying key energy, infrastructure, and transportation projects across America.

NUCA was also pleased to see the reintroduction of Senate Energy and Natural Resources Chairman Sen. Joe Manchin's "Building American Energy Security Act" Sen. Manchin (D-WV) continues to advocate for legislation that including similar permitting reforms, and his bill is supported by the Biden White House. NUCA calls upon the Senate to work with the House and the Administration to pass a bipartisan bill that overhauls and streamlines the federal permitting process.

2023 NUCA Convention & Exhibits, October 26-28: Registration Open

2023 is the year to "Make NUCA Yours!" Pencil in on your calendar the 2023 NUCA Annual Convention & Exhibits, our very popular annual member get-together. This year, the Convention will be held October 26-28 in Naples, Florida, at the Naples Grande Beach Resort. (The hotel liked our members so much in 2021 they wanted us to come back!) Our preliminary program is available and includes our relaxed favorites and new events. Our keynote speaker, kindly sponsored by NUCA National Partner Core & Main, is the charismatic [Randy Fox](#), former NCAA official and corporate leader.

We want you to see you in sunny Florida this fall! (We also want to see you and your guest in Palm Springs, California, for the 2024 NUCA Annual Convention & Exhibits, March 20-23, 2024.) Registration for the 2023 Convention is now open at www.nuca.com/fallconvention2023.

Are You A Part Of The NUCA-STAR Company Safety Program?

Safety is the utility construction industry's first priority. It is also the top priority of NUCA. To help our members reach that goal, NUCA introduced this summer the NUCA Safety, Training, Awareness and Recognition (NUCA STAR) Program. The NUCA STAR Program was developed by the association's Safety Committee to help evaluate, update, and recognize a member company's safety program and practices. NUCA members who volunteer to participate should see lower incident rates and accidents on their jobsites and in their company facilities. There is no cost to NUCA members. More at nuca.com/nucastar.

SAFETY NEWS

By Jeff Blomgren

Safety Director at Petticoat-Schmitt Civil Contractors

LADDER INSPECTION

From 2017 to 2021 ladder related incident accounted for more than 800 deaths and 27,000 plus non-fatal injuries resulting in days away from work according to the Bureau of Labor Statistics.

We sometimes take ladders for granted. Every home has one and almost every worksite has at least one ladder but not everyone knows how to use a ladder properly or has been trained in how to use one safely. OSHA 1926.1053 Section (b)(15) states “Ladders shall be inspected by a competent person for visible defects on a periodic basis and after any occurrence that could affect their safe use.” OSHA goes on to say that workers must be trained in the safe use of ladders. Most often, that training will occur on the job and may not be adequate. Being trained to look for defects includes looking for loose steps, rungs, bolts, and warning labels that are illegible. Set up and use are included in training along with using the correct ladder for the job at hand. Reading warning labels and understanding the weight restrictions, and other necessary information is essential for safe use.

There are many resources available for educational purposes. Many ladder manufacturers produce videos that can be used for training as well as handouts that can be given out in training sessions. Simple things like using three point contact when using the ladder, picking the right height, leaving three feet at the top for clearance and making sure the ladder is positioned properly should be emphasized. Storage and transport are key items in maintaining ladders. Ladders should be placed where they can be protected and not create a hazard. When transporting ladders, they should be secured and not become a hazard to the traveling public if they should become dislodged. If we all pay attention to the proper way to use the ladder at home and on the job, we can reduce the number of injuries and fatalities that occur each year.

[illegible]

NUCA
of FLORIDA

PUTTING ON THE RITZ



2023 Annual Conference
July 20-22, 2023
Sarasota Ritz Carlton

REGISTRATION OPEN

[CLICK HERE](#)



PUTTING ON THE RITZ



2023 Annual Conference
July 20-22, 2023 | Sarasota Ritz Carlton

We are "Putting on the Ritz" this year at the Ritz-Carlton, Sarasota, July 20-22, 2023, for the NUCA of Florida Annual Conference. Sponsorship of this event offers an exceptional opportunity to network, collaborate and discuss innovative ideas within the industry. Conference attendees include key decision-makers: CEO's, General Managers, Project Managers, Supervisors, Engineers, as well as manufacturers, distributors and material suppliers involved in the underground utility and excavation contractor industry. Network in a relaxed setting in downtown Sarasota, sip cool beverages poolside, dockside or at the Ritz-Carlton Beach Club. Showcase your company and its products as a Conference Exhibitor—an easy, cost-effective way to market your products and services to industry decision-makers and increase your company's visibility.

\$7,500 - DINNER SPONSOR

- 2 conference registrations
- Exclusive Wi-fi password
- Opportunity to speak at Keynote Breakfast
- One reserved table at the Saturday night dinner
- Logo on sponsor signage throughout event
- Live company introduction at Keynote Breakfast and Saturday night dinner
- Premier Booth at Contractor's Day
- Prominent logo displayed throughout conference events/brochure
- Your firm's profile included in the conference program (*deadlines apply)
- Company logo displayed on "Sponsor Page" in the NUCA of Florida *Ditchmen*
- Sponsor ribbon added to name tag
- Company logo displayed on NUCA of Florida website as a "Platinum" Sponsor
- Company's logo on pull-up banner provided by NUCA of Florida
- Sponsor signage at conference and included in conference brochure
- One-year ad placement in *Ditchmen* magazine

\$5,000 - PLATINUM

- One reserved table at the Saturday night dinner
- One full registration at the conference
- Logo on sponsor signage throughout event
- Live company introduction at Keynote Breakfast and Saturday night dinner
- Premier Booth at Contractor's Day with one booth attendant
- Prominent logo displayed throughout conference events/brochure
- Profile of your firm included in the conference program (*deadlines apply)
- Company logo displayed on "Sponsor Page" in the NUCA of Florida *Ditchmen*
- Sponsor ribbon added to name tag
- Company logo displayed on NUCA of Florida website as a "Platinum" Sponsor
- Company's logo on pull-up banner provided by NUCA of Florida
- Sponsor signage at conference and included in conference brochure
- Ad placement in *Ditchmen* Magazine for 6 months

\$3,500 - DIAMOND

- Logo on sponsor signage throughout event
- Live company introduction at Keynote Breakfast and Saturday Dinner
- Prime Booth with one booth attendant at discounted rate of \$500 at Contractor's Day
- Prominent logo displayed throughout conference events/brochure
- Profile of your firm included in the conference program (*deadlines apply)
- Company logo displayed on "Sponsor Page" in the NUCA of Florida *Ditchmen*
- Sponsor ribbon added to name tag
- Company logo displayed on NUCA of Florida website
- Company's logo on pull-up banner provided by NUCA of Florida
- Sponsor signage at conference and included in conference brochure
- Ad placement in *Ditchmen* Magazine for 3 months

\$2,500 - GOLD

- Profile of your firm included in the conference program (*deadlines apply)
- Company logo displayed on
- "Sponsor Page" in the NUCA of Florida Ditchmen
- Sponsor ribbon added to name tag
- Company logo displayed on NUCA of Florida website
- Company's logo on pull-up banner provided by NUCA of Florida
- Sponsor signage at conference and included in conference brochure

\$1,500 - SILVER

- Company logo displayed on "Sponsors Page" in the NUCA of Florida Ditchmen
- Sponsor ribbon added to name tag
- Company logo displayed on NUCA of Florida website
- Company's logo on pull-up banner provided by NUCA of Florida
- Sponsor signage at conference events and included in conference brochure

\$1,000 - BRONZE

- Company's logo on pull-up banner provided by NUCA of Florida
- Sponsor signage at conference and included in conference brochure
- Company logo displayed on "Sponsors Page" in the NUCA of Florida Ditchmen

\$500 - COPPER

- Sponsor signage at conference and included in conference brochure
- Company logo displayed on "Sponsors Page" in the NUCA of Florida Ditchmen

\$250 - FRIEND OF NUCA

- Sponsor signage at conference and included in conference brochure
- Company name displayed on "Sponsors Page" in the NUCA of Florida Ditchmen

EXHIBITOR

\$850 – Exhibitor Booth only, includes up to two attendants;

\$250 – additional booth attendant

- One 8' Table with tablecloth, chair(s) and wastebasket
- Company name listed on the NUCA of Florida Website
- Company listing throughout conference events/brochure
- VIP Reception held in Exhibitor area
- Company name displayed on "Sponsors Page" in the NUCA of Florida Ditchmen

Name _____

Company Name: _____

Address: _____

Phone: _____ Email: _____

SPONSOR/EXHIBITOR LEVEL

☐ \$7,500 - Dinner Sponsor

☐ \$5,000 - Platinum

☐ \$3,500 - Diamond

☐ \$2,500 - Gold

☐ \$1,500 - Silver

☐ \$1,200 - President's Luncheon

☐ \$1,000 - Bronze

☐ \$500 - Copper

☐ \$250 - Friend of NUCA

☐ \$850 - Exhibitor Booth

☐ \$250 - Additional Booth Attendant

x _____ (number of attendants)

WELCOME NEW MEMBERS

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

Reeves Construction Company

Contact: Clyde Cross, Area Manager

249 Industry Place

St. Augustine, FL 32095

Phone: (904) 824-9901

Cell: (904) 859-4515

Email: ccross@reevescc.com

Website: reevescc.com



A COLAS COMPANY



JUMBO SHRIMP PHOTOS



New Location
IN SANFORD, FLORIDA

Contract Services

MUNICIPAL, INDUSTRIAL & EMERGENCY SERVICES

GARRISON CONTRACT SERVICES makes sound economic sense and should be strongly considered as an alternative to pipeline shutdowns and loss of services.

Garrison Enterprise Inc. offers line stopping, line tapping, valve insertion, and core drilling contract services for emergency and planned pipeline maintenance. For application of any size or scope, count on Garrison and their experience contract services teams of choice for over half a century.



Water & Waste Water Contract Services

Line stopping from 3/4" to 78"

Insert Valves from 4" to 24"

Wet Tapping 1/2" to 48" & Core Drilling 4" to 30"

MUNICIPALITIES: Line stopping, line tapping and insert valves routinely used in water, waste water and plant piping application along with scheduled maintenance of systems. Either course of action is far less expensive than emergency shutdown.

INDUSTRIAL APPLICATIONS: With Garrison Contract Services you can count on an efficient and timely job completion.

EMERGENCY SERVICES: Garrison has a 24/7 emergency response system, just call in and access our emergency mailbox. We can respond to your emergency immediately. Garrison stocks line stop sleeves up to 36", and Insert valves up to 24" for emergency situations.

About Us

Garrison Enterprise Inc. began operations in early 1960. With four generations and over 100 years of combined management and field experience in water, waste water and industrial applications. The logistical advantage of our four stocking locations, serving the eastern seaboard and beyond, maintaining the highest standards of service in the industry.

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Insta-Valve Plus

TEAM® Industrial Services
TEAM Industrial Services InsertValve™



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Regional Office: 7821 Courthouse Three Lane · Chesterfield, VA 23832 · (804) 676-1500

Regional Office: 102 Commerce Way · Sanford, FL 32771 · (352) 409-4742

TOLL FREE (855) 435-7434 · www.garrisonenterprise.com

WASHINGTON SUMMIT HIGHLIGHTS

We had a very busy schedule during our time in Washington DC for our Washington Summit. NUCA participated in the Celebration of Construction held on the National Mall where they had a booth for 2 days. The summit kicked off on Tuesday, May 16th with an Executive Directors Council meeting. The Government Relations committee meet for several hours discussing the key issues for discussions with our legislators. We were pleased to have a Haley Borden from House Majority Whip Tom Emmer's office as one of our guest speakers. Chairman Sam Graves (R-MO) was presented with the We Dig America award for his work on our behalf on Infrastructure issues. In the afternoon, the board meeting with regional breakout sessions were held followed by a reception with the National Partners.

Wednesday started bright and early with a breakfast legislative briefing with Zack Perconti and an EPA update with guest speaker Zack Shaffer. Members then headed to the Capitol Hill to meet with their Senators and Representatives. The Summit wrapped up with a Congressional Reception. To top off our trip, Rep. Kat Cammack gave us a fabulous evening behind the scenes tour of the capital. It was epic!

Chairman Graves receives the We Dig America Award.



Board of Directors Meeting was held on Tuesday.



Some of the Florida members in attendance at the Washington Summit.

2023 Washington Summit Talking Points & Photos

Here is what we are asking for this session:

Summary of Top NUCA Asks

- **NUCA's ASK:** Fully fund water infrastructure programs at the levels authorized in IIJA, and provide additional funding for water infrastructure and lead line replacement.
- **NUCA's ASK:** NUCA supports lifting the volume cap on Private Activity Bonds (PABs) for water/wastewater projects, under jurisdiction of House Ways and Means Committee/Senate Finance Committee. NUCA supports language previously found in H.R. 3009, 115th Congress.
 - Please co-sponsor H.R. 1407 / S. 726, the Financing Lead Out of Water Act, which expands eligible uses of tax-exempt PABs to lead line replacement projects
- **NUCA's ASK:** Seek a bipartisan compromise on essential permitting reform legislation to streamline and accelerate review timelines, using H.R. 1 and recently-introduced Senate legislation as a starting point
- **NUCA's ASK:** Seek a bipartisan compromise on immigration reform and border security, based on the LIBERTY campaign proposal, to help meet workforce needs.
- **NUCA's ASK:** Co-sponsor the Fair & Open Competition Act.

Meeting with James Thomas in Rep. Aaron Bean's Office.



Meeting with staff members in Senator Rick Scott's Office with NUCA of Florida Members



Rep. Kat Cammack came out of a committee meeting for a quick photo.



Meeting with Rep. John Rutherford.



NEW MEMBER SPOTLIGHT



Next
Generation
Safety and
Environmental
Compliance

SOFTWARE | CONSULTING | MANAGED SERVICES



**Safety
Solutions**

Our custom-tailored safety and software solutions help manage safety and compliance across your organization, reducing risk and eliminating hidden costs.



**DOT/ Fleet
Solutions**

Our expert team ensures your employees, vehicles, and equipment are safe on the road while reducing insurance and operational expenses.



**Training
Solutions**

Our industry experts train thousands per year to ensure that your workforce is safe, knowledgeable, and effective. Our instructors offer over 100 classes for construction and other industries nationwide.



**Environmental
Solutions**

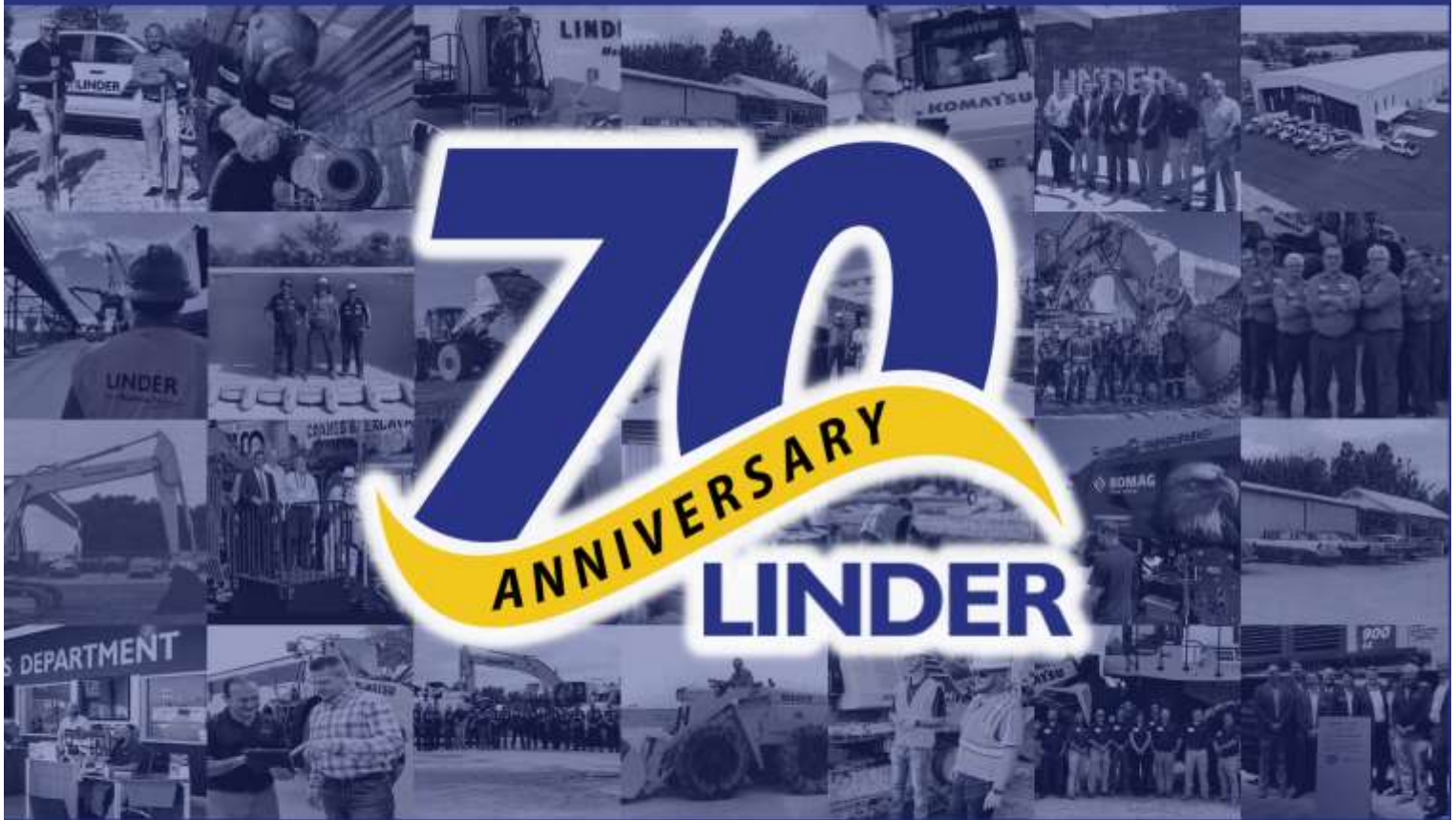
Our environmental solutions simplify compliance throughout your organization. Our software, consulting, and inspection solutions ensure visibility, reduce costs, and avoid citations.



770-619-1669
hbnext.com



JUNE FEATURED SPONSOR



2023 is a special year for Linder Industrial Machinery Company; it marks our 70th year in business.

Since our inception in 1953, we have been committed to providing the highest quality equipment and exceptional service to all our customers.

We have come a long way since our early days serving the phosphate mines in Central Florida, but our dedication to our customers remains steadfast.

Today, we have 17 branches covering Florida, North Carolina, and South Carolina.

We're proud to sell and service the best equipment in the world to the hard-working NUCA of North Florida members. Your work is changing the state, and we're here to ensure you have the tools needed to get the job done.



WWW.LINDER.COM
1-888-LINDER8

KOMATSU



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