

THE FLOW

Upcoming Events

February 9th & 10th

**NUCA of Florida
President's Cup & Cornhole
Hammock Beach**

February 24th

**Jacksonville Icemen
Ticket Information
On Page 12**

**March 16th
Guest Speaker
Rep. John Rutherford
Maggiano's
6:00 pm**

**April 18th
Annual Golf Tournament
St. Johns Golf &
Country Club
Forms on page s 10 & 11**

FEBRUARY 2023

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2023 OFFICERS & BOARD OF DIRECTORS

EXECUTIVE COMMITTEE

President

Tim Gaddis, Vallencourt Construction

President-Elect

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Vice President I

Paul Gilsdorf, Haskell

Vice President II

Alvaro Rios, T.G. Utility Company, Inc.

Secretary/Treasurer

Marty Adams, TB Landmark

General Counsel

Tony Zebouni, Lindell, Farson & Zebouni

Past President

Mike Kivlin, John Woody, Inc.

BOARD OF DIRECTORS

Kirk Blomgren, Petticoat-Schmitt Civil

Joseph Geiger, Cemex

Billy Hood, J. B. Coxwell Contracting

Tommy Hyatt III, Florida Roads Contracting

Valinda Krynicki, United Rentals

Drew Lane, Advanced Drainage Systems

Chance Leonard, ECS Florida

Rick Parker, Rinker Materials

Ryan Pugh, Ferguson Waterworks

Dean Vanzant, A. J. Johns, Inc.

Barry Watson, Fortiline Waterworks

Chris Wilson, Martin Marietta Materials

Jon Woodall, John Woody, Inc.

PRESIDENT'S MESSAGE

Hello friends and members of NUCA,

Happy February. I hope everyone's January got started off with a bang, full of motivation and purpose, and working our way through those New Year's resolutions.

As always, thank you to our sponsors, without your support this organization would not be what it is today. A big thank you to Kathy and the St Johns Golf and Country Club, as we held our annual Officers Installation event on January 19th to kick off our new year. We had a great turnout, good food and drinks, and a lot of support from current / former officers and past presidents. We were able to present Kathy a small token of our appreciation, as none of us would be able to perform or stay in line, without here constant support.

We have a few events helping us build steam going into February. The Presidents Cup is happening in a few weeks, Feb 9th/10th at the Hammock Beach Resort, Ocean Course. You couldn't ask for a better backdrop for a round of golf with friends. The Jacksonville Icemen event is also coming up toward the end the month, so be on the lookout for more details. These are both great events, so round up your friends and family and come on out.

We do have some items of discussion that were brought forward by some of our member companies, to address with a few local utility providers. We are currently in the process of setting up meetings and coordinating a round table discussion to improve the specifications for projects moving forward. More details to follow, as they become available and progress.

As always, if there is anything I can do for you or your company, please feel free to reach out to me.

Respectfully,

Tim

Tim Gaddis Jr.

2023 NUCA of North Florida

Monthly Sponsors

Diamond Sponsor

Sunbelt Rentals
Sunstate Equipment
Trench Safety

United Rentals
Trench Safety

Platinum Sponsors

Beard Equipment Company

Gold Sponsor

Alta Equipment Company
ECS Florida, LLC
Fortiline Waterworks
Linder Industrial Machinery
Nimnicht Chevrolet
Pipeline Constructors, Inc.
Ring Power Corp.
Rinker Materials

Silver Sponsor

A.J. Johns Inc.
Benchmark
Gate Fuel Service, Inc.
Lippes & Bryan
John Woody, Inc.
Petticoat-Schmitt Civil
Contractors

CALENDAR OF EVENTS

February 9th & 10th

NUCA of Florida President's
Cup & Cornhole

February 16th

Executive Committee Meeting

February 24th

Jacksonville Icemen

March 10th & 11th

ASJMSF Bass Tournament
Lake Okeechobee

March 13th

NUCA Annual Meeting
Las Vegas

March 16th

Meeting with Rep. Rutherford
Maggiano's
6:00 pm

April 18th

Golf Tournament
St. Johns Golf & Country Club

The Law and Your Business

The Law and Your Business – Property Owner Liability ***Tony Zebouni, Esq. NUCA NF General Counsel***

A recent reported case concerns a HVAC technician (“tech”), who was working on a roof in order to access the AC system when he fell through a skylight and sustained injuries that later resulted in his death. The accident occurred at a commercial warehouse in Miami and operated by a third party. The tech was an employee of an independent contractor, who was hired by the tenant leasing a unit in the warehouse.

There is a long-standing line of cases in construction law that provides the following rules regarding whether a property owner should be held liable for an independent contractor's employee's injuries:

Generally, “a property owner who employs an independent contractor to perform work on his/her property will not be held liable for injuries sustained by the employee of an independent contractor during the performance of that work. There are two exceptions to this rule. First, a property owner may be held liable for an independent contractor's employee's injuries if the owner actively participated in the work or exercised direct control over the work and failed to exercise that control with reasonable care. The second exception applies where the property owner fails to warn the contractor about concealed dangers not inherent in the work of which the owner had actual or constructive knowledge and which were unknown to the contractor or could not have been discovered through due care.

As the Owner of property, it is important to disclose any defects on the property to any contractor working on the project in order to avoid potential liability from claims by third parties. Any such disclosure should be in addition to maintaining liability insurance and requiring a contractor to obtain general liability insurance with the Owner as an additional primary insured. *Martex Corp. v. Artiles*.

2023 OFFICER INSTALLATION & ANNUAL MEETING HIGHLIGHTS

We had a record turnout for our Officer Installation and Annual Meeting on January 19th at St. Johns Golf & Country Club. Members had an opportunity to network and socialize followed by the meeting. Our new President, Tim Gaddis, installed our 2023 Executive and Board of Directors. We also recognized our 2022 monthly sponsors with certificates and a 2022 plate to add to their sponsorship plaque. Thank you to our Diamond Sponsors: Fortiline Waterworks, Sunbelt Rentals and United Rentals Trench Safety Platinum Sponsor: Beard Equipment Company, Gold Sponsors: Alta Equipment Company, Nimnicht Chevrolet and Rinker Pipe Silver Sponsors: A.J. Johns, Inc., ECS Florida, LLC, Gate Fuel Service, John Woody, Inc., Lippes & Bryan, Petticoat-Schmitt Civil Contractors and Ring Power Corp. for their support. We presented plaques to Sunbelt Rentals and Nimnicht Chevrolet who was a first time monthly sponsors in 2022. We also recognized our 2022 committee chairs, Marty Adams, Clay Shoot, Ashton Milam, Fishing, Jon Woodall, Golf, Tony Zebouni & Mike Kivlin, Legislative, Mike Gruber, Scholarship Caleb Hurlbert, Membership and Jeff Blomgren, Safety Directors. Tom Butler, Chairman Elect for NUCA National gave us an update of what is happened at NUCA national.

Outgoing President Mike Kivlin presented Outstanding Board Member award to Rick Parker for his service on the golf, fishing and clay committees and for recruiting new members. Rick has also volunteered at many of our events over the years. Mike presented Kirk Blomgren with the Outstanding Individual Contributor Award for his work on the NUCA National Board of Directors and Chairman of NUCA Safety Committee as well as his service to our chapter on our Board of Directors and Safety Director's Forum. Rob Pinkston was recognized for his years of service on our Executive Committee as Treasurer and his time on the Board of Directors. Rob has taken a new position with Ferguson Waterworks and has given up his seat on our board.

Tim presented Mike with a gavel plaque in appreciation of his service last year. Tim thanked the members for the opportunity to serve and stated that plans are already in the works to hold meetings with JEA, CCUA and other groups to work on behalf of our members.



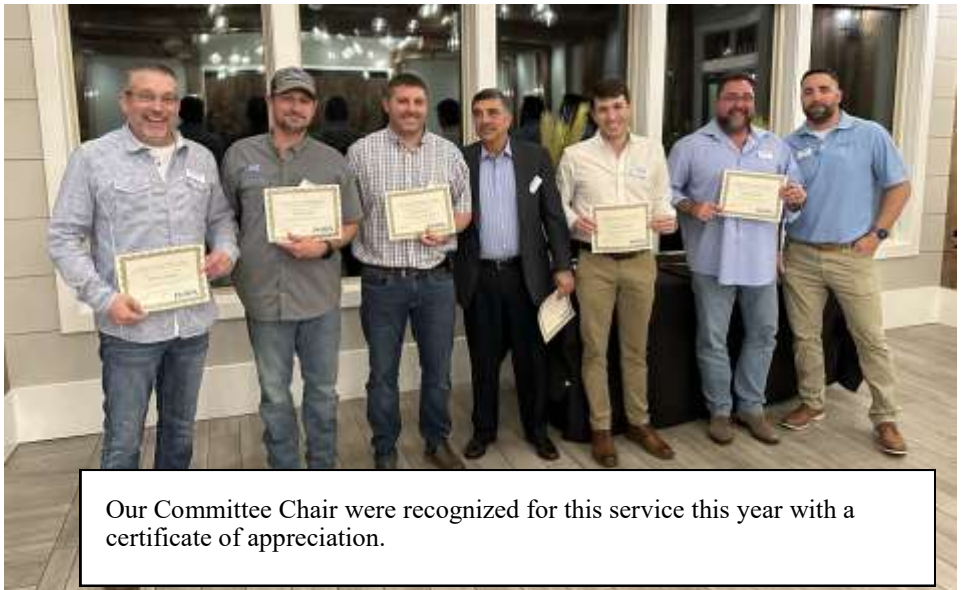
2023 Officers & Board of Directors

PHOTOS FROM OFFICER INSTALLATION & ANNUAL MEETING



Our 2022 Monthly sponsors received certificates of appreciation and 2022 plates to be added to their monthly sponsor plaques.

2022 Monthly Meeting Sponsor Plaques were delivered to Troy Askew & Mike McCullers at Nimnicht Chevrolet (Below) and to Don Adkins at Sunbelt Rentals (Below Right) who were unable to join us at the meeting. Both Nimnicht and Sunbelt Rentals were new sponsors in 2022.



Our Committee Chair were recognized for this service this year with a certificate of appreciation.





Congress Opens Its 2023-24 Session

It's a new year, and a new Congress filled with opportunities for our industry's growth. The 117th Congress closed out with the industry's Water Resources Development Act being signed into law on Dec. 23, 2022. After the holiday break, the new 118th Congress was gavelled into existence at noon, Jan. 3, as per the Constitution's 20th Amendment. NUCA's advocacy plans for the new Congress include oversight of the new infrastructure law and ensuring states are receiving their allocations on time and in the right amount. We're starting the campaign in Congress to approve private activity bonds as another resource tapped to finance public infrastructure projects. NUCA will also be joining coalitions to address workforce development issues, including expanding programs like the H-2B visa and the proposed H-2C construction visa. NUCA's advocacy efforts this year can be your ticket to get involved in politics, starting with May 15-17 with the [2023 Washington Summit](#) held once again on Capitol Hill with your Chapter. Get involved in your association's state and national advocacy programs in '23!

Biden Administration Repealing WOTUS Regulatory Changes, Slows Infrastructure Programs

Numerous industry leaders issued statements after the Biden Administration formally proposed Dec. 29 reversing the Trump Administration's changes to the "Waters of the United States" (WOTUS) rule, which will tighten the federal government's regulation of businesses, farmers, infrastructure builders, communities, and private citizens. The current Administration revives the previous regulation defining which wetlands and waterways are protected by the Clean Water Act. NUCA CEO Doug Carlson issued this statement in response: "Utility construction projects need predictability to make project deadlines and contain costs. The Biden Administration's repeal of the Trump Administration's clean-up of the WOTUS rules is going to add unnecessary confusion and delays to this industry's projects. Contractors will now be faced with more uncertainty when trying to comply with the new WOTUS rules, an outcome that will face even more confusion with a pending U.S. Supreme Court ruling on these regulations." Carlson joined new T&I Committee Chairman Sam Graves in [criticizing](#) the Administration proposal.

Get Prepared For Your Business Success At NUCA's Annual Meeting, March 13

Get up to speed for your CONEXPO-CON/AGG business meeting by first attending NUCA's one-day Annual Meeting. We're holding it a day before the start of CONEXPO to give NUCA members the chance to get up to speed on current industry news and the economic outlook from Dr. Anirban Basu. You'll also be able to participate in great networking with our National Partners and attend our committee meetings discussing the latest industry topics. NUCA members also get 20% off their CONEXPO registration when using code "PARTNER20", too! Our lively Annual Meeting promo video is out, and our Annual Meeting website (nucadigs.com) has all you need for registration, hotels, and the latest schedule. We'll see you in Vegas in March!

2023 Washington Summit: May 15-17

Make plans to come to Washington next spring for our annual fly-in and lobbying day on Capitol Hill. The 2023 Washington Summit will be headquartered at the Holiday Inn Washington Capitol - National Mall. Please pencil in on your calendar May 15-17, 2023, to travel to D.C. and attend NUCA's Washington Summit. Our Capitol Hill day will be held Wednesday, May 17. More information and registration links will be posted in February 2023 on wedigamerica.org.

Stay Ahead Of The Loop: NUCA's Project Management Course

Project managers are a vital part of any job, and superintendents and company leaders can discover new methods of management from their phased work processes. NUCA's Project Management Course is designed to give your existing leadership and employees a comprehensive introduction into project management. Attendees will understand the several phases of construction project management. Safety, interpersonal skills, construction planning, estimating and cost control, scheduling, and quality control are part of the course's topics. This four-day in-person course requires travel to Colorado. To find out more, contact NUCA's Mike Flowers at mike@nuca.com or 703-358-9300.

SAFETY NEWS

By Jeff Blomgren
Safety Director at Petticoat-Schmitt Civil Contractors

2023 Recordkeeping

Each new year we spend time reviewing the previous year to assess our progress and to plan and set goals for the new year. Along with that goal setting and planning are some things we need to take care of in our recordkeeping. There are some specific annual OSHA guidelines for that recordkeeping.

For any company with 10 or more employees the OSHA 300A Form should be posted in a conspicuous place at each jobsite from February 1 to April 30. In addition, **the OSHA 300A Form must be electronically submitted to OSHA by March 2.** Access to these forms is available through the OSHA website. It's a good idea to have someone on staff attend an OSHA Reporting class to learn the process and procedures involved in reporting and maintaining accurate data.

Along with the annual requirements for OSHA should be the review of handbooks and materials pertinent to safety and operating procedures of the company. OSHA requires an annual update of the safety manuals, and this also requires the input of hourly employees affected by the rules and regulations contained in the manuals.

An active and effective safety committee can be a valuable tool in the company safety program. The new year also provides an opportunity to rotate membership in the safety committee. Rotating membership annually provides for the input of more of the employee base and fresh insight into the safety process. Representatives should come from various areas of the operations because each operation has its own unique safety issues. Problem solving, setting policy, developing programs and safety implementation are the main functions of the safety committee as well as the communication and dissemination of materials and information to the company. Senior leadership participation is a must if the credibility of the safety program is to be a priority.

Getting a good start each new year is a fresh opportunity to review what worked and what didn't. It's a chance to fix what can be fixed and to improve on the culture of safety. If the safety program is working effectively, goals can, and will be, reached. Have a great 2023. Make it a great year.

LEGISLATIVE DAYS



Support our Advocacy efforts
by sponsoring NUCA of
Florida 2023 Legislative Days.

Platinum	\$2500
Gold	\$1500
Silver.....	\$1000
Bronze.....	\$500
Copper.....	\$250
Advocacy Champion	\$150

The 2023 legislative Session kicks off on March 7th. NUCA of Florida will be hosting their Legislative Days on April 3-5, 2023, at Hotel Duval. On April 4, following the Executive Committee and Board of Directors Meeting, NUCA of Florida government affairs team will provide a Legislative Briefing. Members will then be able to meet one-on-one with their state representatives and senators at the Capitol. In the evening, the group will gather with lawmakers for a cocktail reception. On April 5, a breakfast with key leadership and agency heads will be followed by "walking the halls" of the state Capitol. With all 160 legislative seats up for grabs, there will be plenty of new faces gracing the Capital City! Meet with key lawmakers in the House and Senate and hear from top agency officials. Industry- specific bills covering the lien law, construction practices, "Buy American," licensure, notice of commencement, and public works bid systems are all on the table.

**TO REGISTER & SPONSOR
CLICK HERE**

**TO BOOK YOUR HOTEL STAY
CLICK HERE**

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

Annual NUCANF Spring Golf Tournament

St. Johns Golf & Country Club
205 St. Johns Golf Drive (Off 210 West)
Tuesday, April 18th, 2023
12:30 p.m. "Shotgun" Start

\$800 Per Team (4) includes 18 Holes of Golf, Greens Fee & Cart, Boxed Lunch, Beer and water at stops on the course, Format (4-Man Captains Choice), Prize Holes and Door Prizes. Award Ceremony will be held in the Dining Room immediately following the end of play. **Price after March 10th, \$900 per team.**

Please fill out the entry below & mail (OR FAX) with payment to NUCANF by Friday, March 19th.

Name	Company
Phone	Fax

Golfer: _____
Golfer: _____
Golfer: _____
Golfer: _____

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

Visa/MC/AX: _____ Exp Date: _____

V-Code: _____ Zip Code for Credit Card billing address: _____

(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.

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

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

2023 NUCANF Golf Tournament Sponsorship Opportunities

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

_____ **\$800 Gold Vendor Showcase (limited 18)**

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

_____ **\$500 Silver Vendor Showcase**

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

_____ **\$450 Trophy Sponsor (limit one)**

Sponsorship includes signage at event.

_____ **\$450 Registration Sponsor (Limit one)**

Sponsorship includes signage at event.

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

Sponsorship includes signage at the hole.

_____ **\$450 Beverage Cart Sponsor (Limit two)**

Sponsorship includes signage at event

_____ **\$450 Dinner Sponsor (limit five)**

Sponsorship includes signage at event

_____ **\$450 Lunch Sponsor (limit five)**

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

_____ **\$300 Green Sponsor (unlimited)**

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

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

Charge my credit card:* _____ For total amount

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

Company Name: _____ Your Name: _____

Phone: _____ Signature: _____

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



COMMUNITY
FIRST
Credit Union
just be yourself

NUCA
REPRESENTING UTILITY & EXCAVATION CONTRACTORS
NORTH FLORIDA

NUCA Friends & Family Night Out!

When: Friday February 24th, 7:00PM

**Where: Vystar Veterans Memorial
Arena**

**Details: Tickets are \$20 in our upgraded
club section; guests do have the option
of purchasing a \$20 food/beverage
voucher as well! Scan the QR code!**



TO PURCHASE TICKETS, PLEASE VISIT:

Scan the QR code!

FOR QUESTIONS PLEASE CONTACT:

**Trent Blair
(904) 891-3073 Call/Text**

CONGRATULATIONS TO OUR AWARD WINNERS



Rick Parker, Rinker Materials was named 2022 Board Member of the Year.

Kirk Blomgren, Petticoat-Schmitt Civil Contractors was named 2022 Individual Contributor of the Year.



MORE OFFICER INSTALLATION PHOTOS



Rob Pinkston was recognized
For his years of service on
the Executive Committee &
Board.



Mike Kivlin received a gavel
Plaque from Tim Gaddis in
Appreciate for his year as
President.



We were pleased to have
Jon Frits and the guys
from Sunstate Equipment
Trench Safety, a new
Diamond monthly
sponsor, join us at our
meeting.



Tom Butler, NUCA Chairman
Elect provided members with a
NUCA update.



Tim Gaddis is installed as 2023 President.

FEBRUARY FEATURED SPONSOR



TRENCH SAFETY

A Division of Sunstate Equipment



ELEVATED SERVICE

NO MATTER HOW DEEP YOU GO



Getting the job done right is job number one for you and Sunstate. That's why we stand behind every single piece of equipment we rent, and have since 1977. When we put your service first, you're able to focus more on the job at hand and less about the equipment you're renting. Experience a better way to rent trench equipment.

- Live, Local Emergency Service Available 24/7
- Crane Truck Delivery and Pickup with On-Time Scheduling
- Preassembled or Assembled Onsite for Ready-to-Use Convenience
- OSHA-Compliant Competent Person & Confined Space Awareness Training

Rental *People* Equipment you can depend on.

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