THEFLOW

Upcoming Events

JUNE IS TRENCH SAFETY MONTH

2024 TRENCH SAFETY STAND DOWN JUNE 17-23, 2024

Additional Info on page 9

July 11th to 13th

NUCA of Florida Conference Hyatt Regency Coconut Point Bonita Springs Hotel & Registration on page 13

August 24th

Fishing Tournament
Registration Form
Page 12
Sponsorship Form will be
Available on June 17th

JUNE 2024

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PRESIDENT'S MESSAGE

Dear Friends and NUCA members,

It is June, we are halfway through the year and have had great support and attendance at all the events this year. Thank you for your support and let's continue through the rest of the year.

Our annual Jumbo Shrimp game was last month and NUCA of North Florida was abundant with attendance. It was great to see everyone and their families. The shrimp games are always one of my favorites as we get to casually blend family and work colleagues for the evening. In June, we have our trench safety stand down week June 17-21, please remember to hydrate as the summer months will continue to heat up. In July, we will have our scholarship night, awarding select candidates with support in their pursuit of education. Also, we will hold our second Young Professional event on July 31st at Strings Sports Brewery, sponsored by Advanced Drainage Solution (ADS).

Thank you again for your support through this year if you have any concerns or need assistance please reach out to Kathy or me and we will be there to help.

Best regards,

Caleb

Caleb Hurlbert
Project Manager
A.J. Johns, Inc.
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2024 NUCA of North Florida

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CALENDAR OF EVENTS

Upcoming Events

June 17th to 21st
Trench Safety Stand
Down Week

June 18th
Executive Committee
Meeting

June 19th Fishing Committee Meeting

July 11th to 13th
NUCA of Florida Conference
Hyatt Regency Coconut Point
Bonita Springs

July 18th
Board of Directors
&
Scholarship Night
St. Johns Golf &
Country Club
St. Augustine

August 24th Fishing Tournament

The Law and Your Business

The Law and Your Business – Notice of Contest by Surety on Transfer Bond Tony Zebouni, Lindell, Farson & Zebouni, P.A.

The parties entered into a contract to provide construction and other services at Canoe Creek's property. A dispute arose. On April 14, 2022, Hall recorded a timely claim of lien on Canoe Creek's property in the amount of \$825,639.46 (the Original Claim of Lien). The following month, on May 17, 2022, Canoe Creek transferred the Original Claim of Lien to a lien transfer bond pursuant to section 713.24(1)(b). Three days later, on May 20, 2022, Canoe Creek recorded a notice of contest of Hall's lien. In late May 2022, Hall recorded an amended claim of lien on Canoe Creek's property in the new amount of \$1,837,516.76. On June 14, 2022, Hall filed a five-count complaint against Canoe Creek. Hall's complaint did not name the bond surety as a defendant.

About two weeks later, on July 1, 2022, Canoe Creek transferred the Amended Claim of Lien to a lien transfer bond pursuant to section 713.24(1)(b). The surety was the same as for the Original Claim of Lien. On the same day that Canoe Creek transferred Hall's Amended Claim of Lien to bond, Canoe Creek also recorded a notice of contest of Hall's Amended Claim of Lien pursuant to section 713.22(2).

Upon the recording of the notice of contest of the transferred Amended Claim of Lien, section 713.22(2) operated to shorten the time for Hall to bring a claim against the bond to sixty days. Hall did not respond for nearly 4 months.

If a proceeding to enforce a lien is commenced in a court of competent jurisdiction within the time specified in s. 713.22 and, during such proceeding, the lien is transferred pursuant to this section . . . an action commenced within 1 year after the transfer, **unless otherwise shortened by operation of law**, in the same county or circuit court to recover against the security shall be deemed to have been brought as of the date of filing the action to enforce the lien, and the court shall have jurisdiction over the action.

In addition to the foregoing language of sections 713.22 and 713.24, section 713.08(4)(b) states that claims of lien may be amended at any time during the period allowed for recording such claim of lien, provided that such amendment shall not cause any person to suffer any detriment by having acted in good faith in reliance upon such claim of lien as originally recorded.

Further, even though Hall had already "commenced" this action against Canoe Creek, that does not mean it was also "commenced" as to the nonparty surety.

Because the Surety was not named in the original pleading and Hall did not name the Surety and bring suit against the Surety in a timely manner, Hall lost its rights against the transfer bond under Florida law.

JON M. HALL COMPANY, LLC v. CANOE CREEK INVESTMENTS, LLC,

JUMBO SHRIMP GAME HIGHLIGHTS

We had record breaking ticket sales for our event this year with close to 400 tickets sold. This is a popular event among members and their families. It's so great to people bring out their kids and grandkids! The weather was warm but not humid as the Jumbo Shrimp took on the Nashville Sounds. The final score was 7 to 3 for a win for the Jumbo Shrimp!

Thank you to everyone for coming out for the game!







WELCOME NEW MEMBERS

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

Matco Industries

Contact: Ron Pafford, VP Sales

1263 Hammondville Road

Pompano Beach, FL 33069

Phone: 954-946-5567

Cell: 352-436-7820

Email: rpafford@matco-industries.com

Website: www.matco-industries.com

Additional Contacts:

Matt Furber - President

Phone: 954-946-5567

Email: matt@matco-industries.com

James Dasovich - Director of Aggregates

Phone: 813-352-2124

Email: jdasovich@matco-industries.com





EPA Releases \$9 Billion For Lead Pipe Replacement

The EPA announced on May 2 that the agency will distribute \$3 billion annually over the next three years to replace an estimated 1.7 million lead service lines in the United States. The resources were authorized by the 2021 Bipartisan Infrastructure Law and will be distributed via the EPA's Drinking Water SRF. The Biden Administration said in its announcement that this will build upon their "Lead and Pipe Action Plan", which will send 50% of this funding to disadvantaged communities. There are more than 9 million lead service lines in the U.S. that will need to be replaced at an estimated cost of \$50 billion.

New Overtime Changes In Effect Beginning July 1

The U.S. Dept. of Labor issued April 23 its final rule altering FLSA overtime regulations. The minimum salary threshold will be increased to \$43,888 per year on July 1, 2024, and then to \$58,656 on January 1, 2025. This represents over a 60% increase over the current threshold of \$35,568. The final rule also implements automatic updates to the minimum salary threshold and the "highly compensation individual" threshold, both of which now will be increased every three years. Employer organizations are considering litigation challenging the rule, as was done in 2016 when a similar threshold level was proposed by the Obama Administration. In the meantime, employers can determine which of their positions would be affected by the updated threshold, and whether to convert affected employees to hourly nonexempt status and pay overtime, or raise pay to put the employee over the threshold.

Teal Construction Awarded NUCA STAR Platinum Level

NUCA is proud to announce that Teal Construction Inc. completed the NUCA STAR safety program. The company is headquartered in Dover, Delaware, and achieved the STAR Program's top Platinum Level status. NUCA STAR (Safety, Training, Awareness and Recognition) Program provides a no-cost venue for every company in the utility construction industry to measure the effectiveness of their safety programs and recognize how these important company programs can be improved. Find out more about NUCA STAR at www.nuca.com/nucastar.

2024: NUCA's 60th Anniversary!

NUCA turns 60 years old in 2024, and we'll be celebrating throughout the year this important association milestone. Since the beginning in April 1964, our association has been instrumental in promoting the interests of the underground utility and excavation contracting industry before legislators and regulators, and has worked tirelessly to secure more funding for America's aging underground infrastructure. Over the past 60 years NUCA has been the strongest force in improving safety and business conditions throughout the \$152 billion American utility construction industry. Join us throughout this year in celebrating this shared achievement!

Trench Safety Stand Down Week: June 17-21, 2024

This June 17-21 is the eighth annual Trench Safety Stand Down (TSSD) and is generously sponsored this year by NUCA National Partners National Trench Safety, Sunstate Equipment/Trench Safety Rentals, and United Rentals. This is your company's opportunity to talk directly to your employees and others about excavation safety. Companies can conduct a stand-down by taking a break to conduct a toolbox talk or other safety activity to draw attention to the specific hazards related to working in and around trenches/excavations. TSSD is strongly supported by OSHA and the Trenching & Excavation Safety Taskforce (TEST). We hope each NUCA member will participate in our TSSD program and promote June's "Trench Safety Month!". More details can be found at nuca.com/tssd.

SAFETY NEWS

By Jeff Blomgren Safety Director at Petticoat-Schmitt Civil Contractors

NUCA Trench Safety Stand Down June 17-21, 2024

For the past 8 years NUCA has championed the Trench Safety Stand Down program where we have the opportunity to focus specifically on training and education on trench related safety. As utility construction companies we are aware of the necessity of safety related to what we do. We inspect, audit, train, educate and invest in the processes of prevention all year long. How is Trench Safety Stand Down different? In 2023 more than 25,000 employees and 455 companies participated in the week long Trench Safety Stand Down and related activities. NUCA recognized those participants and companies in various ways, including news articles and certificates of appreciation, that served to reinforced the efforts made to make the event successful.

Trench Safety Stand Down provides a number of opportunities for involvement. NUCA partners with United Rentals, Sunstate and National Trench Safety, among many other local and national providers to take advantage of events such as, safety stand downs, site specific safety focus gatherings, celebrations and learning opportunities that make the event fun and successful. Some suggestions are; start with a kickoff event that may include a facetime with field operations and senior leadership, followed by daily trench related safety topics and ending with a specific field location or locations. Those locations could be recognized for their participation and compliance, by perhaps providing a celebratory lunch, or other activity that could give the company a chance to say thank you to all those who make working safely a priority.

Your local Safety Director's Forum and NUCANF contacts are supporting this event. Make your participation a priority and we can have another successful Trench Safety Stand Down in 2024.

More details and materials are available at: nuca.com/tssd

JUNE IS TRENCH SAFETY MONTH!

Safety Training and Protective Systems Save Lives







Trench Safety Stand Down Week | June 17-21, 2024

Make plans for your company to participate in the 2024 NUCA Trench Safety Stand Down (TSSD) Week. Being a part of our popular 8th annual TSSD Week will help educate your employees on trenching hazards at the jobsite.

OSHA's National Emphasis Program on Trenching and Excavation is a high agency priority. Sponsored this year by NUCA National Partners United Rentals and Sunstate Equipment Co., NUCA and OSHA have teamed up for our annual trench safety program. More than 25,800 employees on 2,487 jobsites from 455 companies participated in the 2023 TSSD.

Every company or organization that holds a TSSD will receive a certificate of participation, as well as hard-hat stickers for every employee who participated. Recognition will also be given in NUCA publications. Please plan for your company to be a part of this vital industry safety event this year. 2024 TSSD Sponsored By















Alex E. Paris Contracting Barber Utilities Caterpillar, Inc. Cemen Tech, Inc. Core & Main Greg Strudwick & Associates HRP Construction John Deere
Johnson Bros.
L.G. Roloff Construction
National Trench Safety
Petticoat-Schmitt Civil Contractors
Team Fishel

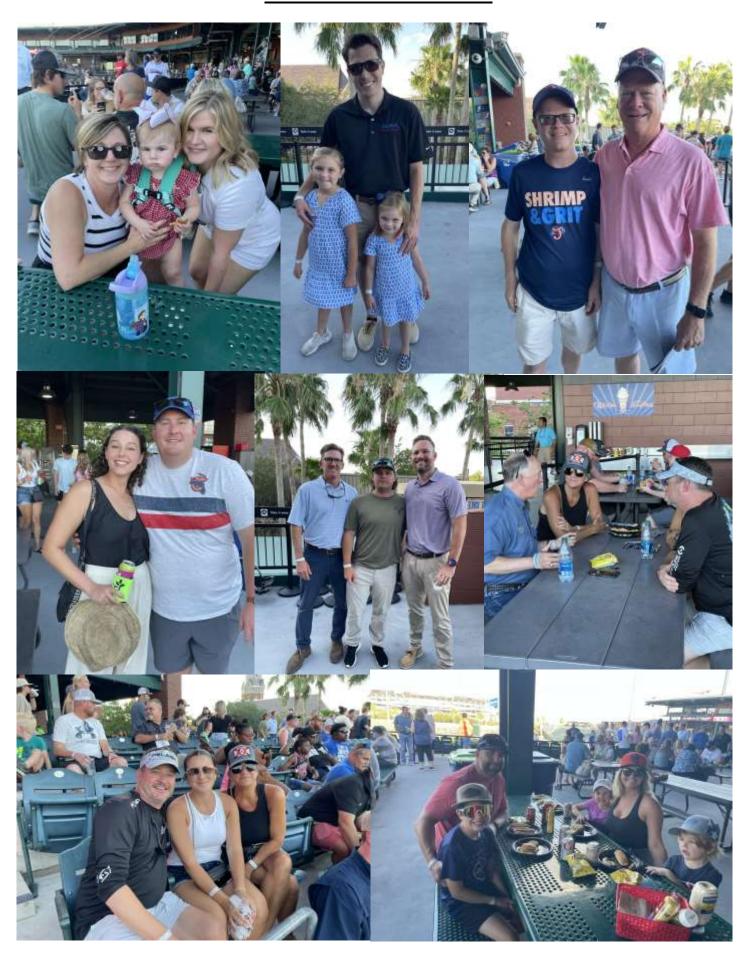
Also Sponsored by NUCA's Safety Ambassadors Club

For more details and TSSD materials: nuca.com/tssd

#TSSD24

#TrenchSafetyMonth

JUMBO SHRIMP PHOTOS



JUNE FEATURED SPONSOR



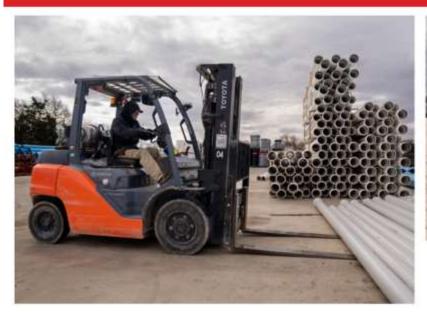
We've got your back at every angle

At Fortiline, our valued customers include small municipalities to large, multi-state corporations and everything in between.

Fortiline Waterworks is a leading supplier of underground water, sewer and storm utility products in the United States. Founded in 1997, Fortiline distributes thousands of SKUs to a diverse base of contractors, developers and municipal customers through our branch network across the U.S.

Our diverse team has industry and product experience and knowledge to help you get the job done on time, every time. Dedicated staff provides unparalleled support to provide solutions from start to finish on every project.

From estimating and bid support before the project begins, to expert procurement of the right products, to project management and on-time delivery — we are with you every step of the way.







2023 NUCANF Fishing Tournament Northeast Florida Marlin Association 3030 Harbor Drive, St. Augustine August 24, 2024 No Inflation, Same price as last year!

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

Cost per Angler: \$125 Includes Meal & Beverages (after Weigh-in)
*Each Angler will also receive a Commemorative T-shirt & Door Prize Entry ticket at weigh-in

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

PRIZE STRUCTURE: First, Second and third place prizes will be awarded for the heaviest legal fish in each of the following categories: Kingfish, spotted sea trout, redfish, flounder and all other species. There will also be a prize for the redfish with the most spots on one side, a prize for the woman weighing in the heaviest legal fish and a kid's prize (13 & under) for the heaviest legal fish.

Send your Entry/Payment to:

NUCANF, PO BOX 16810, JACKSONVILLE, FL 32245 or email to nucanf@gmail.com



JUNE FEATURED SPONSOR



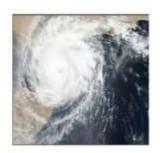
Florida Roads is committed to delivering quality site development by contracting responsively and reliably. We ensure developers that their project will be completed on time, the right way, and within budget.

Save the date!
2024 Clay Shoot
November 5th
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Local: The Jacksonville office of Engineering Consulting Services (ECS) is a premier provider of geotechnical engineering, construction materials testing, environmental consulting and facilities engineering services. Our laboratory is AASHTO Accredited and CCRL Certified to provide testing of soil, concrete, aggregate, hot mix asphalt, bituminous materials, and sprayed fire-resistive materials. We have one of the largest fleets of drill rigs in the southeast that are certified and proficient at drilling projects both on land and over water, including a GeoProbe® with direct push capabilities.

Florida: ECS Florida, LLC is one of the operating entities of the ECS Group of Companies with office locations in Jacksonville, Orlando, Tampa, Groveland, Sarasota, West Palm Beach, Ft. Myers, Daytona, Gainesville and Tallahassee. ECS Florida, LLC has more than 225 employees and over 35 years of experience. ECS is equipped to help projects from conception through completion for both the private and public sectors.

Company: Engineering Consulting Services (ECS) is one of the largest and most rapidly growing engineering and consulting companies in the US. Founded in 1988, ECS is a leader in geotechnical, environmental, construction materials and facilities engineering. We are currently ranked 61 in Engineering News-Record's Top 500 Design Firms (April 2023) and 2 in Zweig Group's 2023 Hot Firms (June 2023).

OUR VALUE

ECS embodies its philosophy of "Helping you build while helping you save" by using technology and experience to assist clients in the development of cost-effective and practical solutions. For over three decades, our value engineering consulting has resulted in our clients saving millions of dollars on projects.

CONTACT US

We have been a proud member of NUCA since 1990. For more information about ECS' services or to discuss your next project, please contact:

ECS Florida, LLC 11554 Davis Creek Court Jacksonville, FL 32256 904.880.0960 Mike Gruber Director of Business Development mgruber@ecslimited.com 904.219.7577 Joey Broussard, PE Regional Manager jbroussard@ecslimited.com 904.886.5129

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