

THE FLOW

**April 2026
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EDITION**

NUCA OF NORTH FLORIDA, INC.



Upcoming Events

April 9th - Next Man Up Training

April 14th - Annual Golf Tournament

April 25th - The Catty Shack Ranch

May 19th-20th - Washington DC Summit

May 27th - Young Professional Networking Event

June 15-19 - Trench Safety Stand Down

July 9th - Scholarship Night

July 16th-18th - NUCA Florida Conference

August 22 - Fishing Tournament

Oct 21 - Young Professional Networking Event

Nov 3 - Clay Shoot

Nov 19 - Top Golf Event

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NUCA
REPRESENTING UTILITY & EXCAVATION CONTRACTORS
NORTH FLORIDA

Presidents Message

April Flow Presidents Letter

Dear NUCA Members and Friends,

Ah, Spring Time, don't let the late sunrises fool you. Getting a great start to your day is important.

Speaking of head starts, I'm proud to share that at our last board meeting, we approved an increase in scholarship value and introduced the Michael Woodall Scholarship. His dedication to our Chapter through the challenging times is a testament to the hardworking spirit we all want to see come back to our industry.

Please reach out to Jennifer via email for information on how to apply. We're hoping to receive a record number of applications this year, and for many years to come.

April will be our busiest month of the year, with Next Man Up training on Thursday the 9th, our sold-out Golf Tournament on Tuesday the 14th, and wrapping up with a family event at Catty Shack on Saturday the 25th. If you'd like to get involved in any upcoming events, please reach out to Jennifer or me; we're happy to help in any way.

Don't carry the burden on your own. We all need support at times. Reach out, share, and lean on one another. Loyalty and strength will follow.

As always, please know that if there is anything NUCA of North Florida can do to support you or your company, don't hesitate to reach out.

Best Wishes



Alvaro A Rios

Vice President

T.G. Utility Company, Inc.

nucanf@gmail.com

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CALENDAR OF EVENTS

Upcoming Events

April 9th
Next Man Up Training

April 14th
Annual Golf Tournament

April 25th
**The Catty Shack Ranch Wildlife
Sanctuary**

May 19th-20th
Washington DC Summit

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Young Professional Networking

June 15-19
Trench Safety Stand Down

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November 3
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November 19
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The Law and Your Business

The Law and Your Business- Improper Filing Claim of Lien Tony Zebouni, Lindell & Zebouni, P.A.

The property owners originally hired a contractor for a project, and that contractor hired FDTC. The original contractor ceased work on the property, leading the owners to hire JMP as their new contractor. Those parties entered into a contract where FDTC was to design, manufacture, and deliver trusses to JMP. Pursuant to the contract, JMP was to pay fifty percent of the contract price upon completion of the shop drawings. The shop drawings had been prepared but no payment was made.

When payment was not made, FDTC filed a construction lien against the property owner for fifty percent of the contract price plus sales tax, as well as a two-count complaint for breach of contract and foreclosure of the construction lien. FDTC never worked on the construction site. FDTC claimed it was a materialman not a contractor.

Section 713.01(20), Florida Statutes (2022), defines a “materialman” as: “Any person who furnishes materials under contract to the owner, contractor, subcontractor, or sub-subcontractor on the site of the improvement or for direct delivery to the site of the improvement or, for specially fabricated materials, off the site of the improvement for the particular improvement, and who performs no labor in the installation thereof”.

Here, the contract between the parties requires FDTC to manufacture and deliver the trusses to the job site. The Court held that FDTC was a materialman not a contractor.

The Court held that the construction lien was improper because no evidence of any permanent benefit to the property was presented.

Section 713.01(15), Florida Statutes defines “improvement” as “any building, structure, construction, demolition, excavation, solid-waste removal, landscaping, or any part thereof existing, built, erected, placed, made, or done on land or other real property for its permanent benefit.”

While FDTC could not bring an action against the owner’s property, it could bring an action for breach of contract against JMP.

JM PROPERTIES OF W. PALM BEACH, INC., v. FORT DALLAS TRUSS COMPANY, LLC,



Industry News and Advocacy

David Howell Elected NUCA Chairman of the Board

NUCA's Board of Directors formally inducted David Howell as our new Chairman on February 13 at their Annual Meeting held in Tucson, Arizona during the 2026 National Convention. "This coming year we will continue the efforts that the last few Chairmen have been leading and that is the advancement and modernization of our organization," said Howell in his acceptance speech. "The one thing we cannot do is to ever rest on our laurels...We will continue to work together on funding, regulation, damage prevention, safety, and workforce development. My goal is that as part of our efforts we also work to find ways to provide for the future generations with the same opportunities I was able to take advantage of that NUCA has offered."

Howell currently serves as NUCA's Vice-Chairman. He has also represented multiple NUCA Chapters on the association's executive committee, including the chapters in Ohio, Indiana, Kentucky, Tennessee, and Virginia. Howell is the Vice President of Business Development for Midwest Mole.

Also elected to the leadership team at the 2026 NUCA Annual Meeting was Jason Clark as Vice-Chair, Kirk Blomgren as Treasurer, and Victor Serrambana as Secretary. Kevin Cripps, the former NUCA chairman, now becomes Immediate Past Chairman.

House Hearing on Drinking Water SRFs

Over the last month, Congress has slowly begun its work on its 2026 water infrastructure agenda. On Feb. 24, the House Energy & Commerce Committee held a subcommittee hearing, "From Source to Tap: A Hearing to Examine Challenges and Opportunities for Safe, Reliable, and Affordable Drinking Water."

Lawmakers examined the use of \$50 billion in Infrastructure Investment and Jobs Act (IIJA) funds allocated to the EPA for water infrastructure via the State Revolving Fund (SRF) programs. Both Democrat and GOP lawmakers stressed aging infrastructure, a projected \$625 billion need over 20 years for maintenance and upgrades, and emerging threats like PFAS contamination, lead pipes, cybersecurity risks, and workforce challenges. NUCA calls for continued strong federal support and stable funding for the SRFs to address modern challenges, while noting federal aid alone cannot solve the problem.

US Customs Agency Not Ready To Reimburse Tariff Costs

U.S. Customs and Border Protection (CBP) announced on March 6 that it needs an extra 45 days to establish an automated system for processing refunds on Trump-era tariffs recently invalidated by the Supreme Court. The agency is working to disburse approximately \$166 billion in collected duties to over 330,000 eligible importers. In a court filing, CBP's Brandon Lord explained that the volume of refunds is unprecedented, requiring reprogramming of the agency's entry tracking system. The Supreme Court ruling called for automatic refunds with interest, but CBP cannot comply immediately. Around 2,000 lawsuits have already been filed by importers seeking refunds.

USDOL Proposes New Independent Contractor Rule, Repealing Biden-Era Regulations

The U.S. Department of Labor (DOL) announced on February 26 a proposed rule to clarify worker classification under the Fair Labor Standards Act (FLSA). The proposal would rescind the 2024 Biden-era final rule—which used a six-factor "totality of the circumstances" test often seen as favoring employee status—and replace it with a streamlined "economic reality" test similar to the 2021 Trump-era rule.

The DOL aims to provide greater clarity and predictability for workers and employers. NUCA has applauded the DOL for revising the regulations to better clarify independent contractor standards.



Association News

Your NUCA membership delivers business benefits that will help your bottom line. Are you or your employees taking advantage of them?

NUCA Assurance: Get more control over your business insurance program

Join like-minded NUCA contractors who have taken control of their claims, managed their risk, and secured better, more focused insurance services for their businesses. NUCA Assurance is a construction-focused group captive owned by NUCA members and designed by insurance experts to deliver the claims control and risk-management support smart construction business owners need. This cost-effective association benefit helps your company purchase workers' compensation, general liability, and auto liability insurance. Find out how to get more control over your utility construction company's insurance needs by starting at NUCAAssurance.com.

NUCA Benefits: The expanded NUCA Advantage member benefits program

Your NUCA membership investment can deliver benefits far in excess of its cost -- but only if you ask your human resources office to explore what it offers. Start by forwarding this document to them and ask them to check out *NUCA Advantage*. *Our online portal leads to expanded health care benefits options for your company, as well as payroll, wellness, compliance, benefits administration, 401K programs, online training, OSHA logs and a wealth of free HR benefits available only to NUCA members. Find our expanded NUCA Advantage benefits program at www.NUCAAdvantage.com.*

NUCA Benefits: Why NUCA Members Should Rethink Their 401(k) Strategy

Managing a 401(k) plan often creates more work than it should especially for NUCA members already stretched thin. That's why NUCA has now partnered with Voya, AMP Administrator, and Greenline Wealth Management to create the Voyager 401(k) Pooled Employer Plan (PEP), built specifically for utility contractors and their employees.

Voyager simplifies plan administration by pooling multiple NUCA companies into a single structure unlocking access to economies of scale and service. Greenline also conducts a no-cost benchmarking review for NUCA members to identify savings and help reduce fiduciary liability through full outsourcing. Whether you're offering a plan today or considering one for the first time, Voyager offers a compliant, cost-effective solution designed around your construction business. Schedule your free plan review today by calling 561-405-6609 (option 7), or email info@greenlinewm.com.

NUCA Benefits: NUCA-WINS--Now Featuring AI-Powered Report Generation

We're excited to announce a major new feature in NUCA-WINS -- AI-Powered Report Generation! With this new tool, you can now generate detailed reports instantly using natural language. NUCA-WINS new AI report generator understands your request in plain English and produces accurate, ready-to-share results in seconds -- no need for filters, formulas or complex queries. Each report may be immediately exported to your choice of a PDF, CSV or Excel file. This means you can now get insights faster, save hours on manual report prep and share data-driven updates instantly with your team.

It's live now! Just log in to your NUCA-WINS account and look for the "AI Reports" button in your "Outputs" section. Go to www.nucawins.com to start today.

SAFETY NEWS



By Khalifa Barr, Chair, NUCA Safety Directors Forum.

April Safety Article: Emphasizing Heavy Equipment and Trench Safety

As April ushers in a surge of activity on job sites, it becomes crucial to prioritize safety measures surrounding heavy equipment and trench operations. The use of heavy machinery can pose significant risks, but adhering to established safety precautions can mitigate them. Operators must undergo thorough training and conduct daily equipment inspections to ensure all machinery is in safe working order. Moreover, operators should always maintain a heightened awareness of their surroundings. Ground workers also have a vital role to play; they need to stay clear of the machines' blind spots and establish consistent communication with operators since assuming visibility can lead to serious accidents.

Equally important is the safety of trench work, which carries its own set of hazards, particularly the risk of cave-ins that can lead to injury or even fatalities. Any trench deeper than 5 feet must be properly equipped with protective measures such as sloping the sides, installing shoring, or utilizing shielding techniques. A qualified, competent individual should perform daily inspections of these trenches to ensure their integrity. Additionally, providing safe access, such as ladders, is non-negotiable to help workers enter and exit safely. It's advisable to keep spoil piles—a term for the soil removed during excavation—at least 2 feet away from the trench edge to prevent any collapsing. Moreover, any water accumulation should be addressed promptly to eliminate further hazards.

This April, let's all commit to a culture of safety by remembering that there are no shortcuts to our well-being on the job. Safety should always take precedence—every task, every time.





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Commercial Insurance Insights

Tanner Brewer, Commercial Insurance Advisor

Gallagher

(904) 881-9317

Pollution Liability

Contractors face significant pollution exposures that are often not covered under standard general liability policies. Even small incidents can lead to costly claims, environmental cleanup, and project delays.

Why It Matters

- Fuel or hydraulic fluid spills from equipment
- Striking existing lines causing contamination
- Disturbing contaminated soil during excavation
- Runoff impacting nearby properties or waterways

Coverage Gaps to Know

Most General Liability policies include a pollution exclusion. This means many environmental claims may be denied, leaving contractors responsible for cleanup, third-party damage, and legal costs.

When to Consider Pollution Coverage

- Work involving excavation or trenching
- Projects near water, fuel lines, or industrial sites
- Hauling or disposing of soil
- Contracts requiring pollution liability insurance

Best Practices to Reduce Risk

- Train crews on spill prevention and response
- Maintain equipment to prevent leaks
- Use proper containment and storage methods
- Document site conditions before starting work

Strong risk management combined with the right pollution liability coverage helps protect your business from unexpected environmental claims and keeps projects moving forward.

Welcome New Member

ISELEY| FUGITT
1400 Prudential Drive, Ste 3
Jacksonville, FL 32207
Website: www.iseleyfugitt.com

MEMBER SPOTLIGHT

Since **1941**, Nimnicht Fleet and Commercial has served as a cornerstone of the Jacksonville business community, offering the **largest fleet inventory in North Florida**. As a family-owned operation with over 80 years of experience, they specialize exclusively in Chevrolet work trucks and vans tailored to the rigorous demands of modern industry. Their **dedicated fleet specialists** provide personalized consultations, ensuring every client finds the right vehicle and benefits from flexible **business financing and leasing options** designed to preserve capital and maximize tax advantages.

To deliver truly job-ready solutions, Nimnicht collaborates with **local body upfitters** to customize their extensive stock with high-quality specialized bodies. Their inventory features industry-leading manufacturers, including **Reading, Knapheide, Supreme, CM, Cadet, Premier, Forest River, Morgan, and Monroe**. From rugged landscape and service bodies to specialized cargo solutions, their team manages the entire upfitting process to ensure your fleet is ready for work the moment it hits the road.

NIMNIGHT

CHEVROLET



CHEVROLET

BUSINESS
ELITE

NUCA NORTH
FLORIDA

NEXT MAN UP TRAINING SURVEY CLASS

THURSDAY, APRIL 9TH

We are hosting a learning session focused on the basic fundamentals of reading civil construction plans. This class will cover key topics such as understanding drawing indexes, identifying existing versus proposed grades, interpreting drawing scales and stationing, reviewing detail sheets, and calculating slopes for sewer and storm installations.

After the classroom portion of the session, we will move outside for a hands-on exercise where participants will set up and break down a level, take grade shots, and calculate elevations. This practical portion is designed to help reinforce the concepts covered during the class.

RSVP TO
**NUCANF@GMAIL.
COM**

Class size is limited. Reserve your spot!

At 6:00pM – 8:00 PM

AJ Johns Training Room
3225 Anniston Road
Jacksonville, FL 32246

904-296-1230

nucanf@gmail.com

NUCA OF NORTH FLORIDA

GOLF

TOURNAMENT

2026



Eagle Landing Golf Club
3989 Eagle Landing Parkway,
Orange Park FL 32065

TUESDAY APRIL 14th

11AM SHOTGUN START





NUCA of North Florida is Proud to Host A

Fun Filled Family Event

Saturday, April 25th

5:30PM - 7:30PM

Catty Shack Wildlife Sanctuary

1860 Starratt Rd, Jacksonville, FL 32226

*There is No Cost for Members or Immediate Family

Witness a Night Time Feeding

6:00PM - 7:30PM

Face Painting

Pizza & Water/Soda Provided

Come Join Us For A Fun Filled Evening and Witness These
Beautiful Endangered Animals in a Safe Environment

NUCA of NF Is Proud To Support This

Worthwhile Cause

RSVP to NUCANF@GMAIL.COM or 904-296-1230 No Later Than April 17th

Indicate How Many In Your Party



**Join Us for a Fun Night of Jacksonville
Jumbo Shrimp Baseball!**

Game Date: Thursday, May 7th

Where: VyStar Ball Park, 301 A. Phillip Randolph Blvd

Picnic Area Access: 6PM

Food Service: 6-7:30pm

Game Start: 7:05pm

PRICING

Tickets Only (non picnic): \$17.50

Tickets & Picnic Area: \$38.00 Includes all you can eat hot dogs, hamburgers, cookies, soda & water

Tickets Only # _____

Tickets & Picnic # _____

Name: _____

Email: _____

Check _____

Credit Card _____

Return to NUCANF@gmail.com

904-296-1230



2026 NUCA NORTH FLORIDA SCHOLARSHIPS

Now Open!

NUCA NF is now accepting
applications for our
2026 Scholarships

Three \$5000 Scholarships!!!!

Who Is Eligible?

- High School Seniors
- College & Trade School Students
- Sons/Daughters of NUCA NF Members



**\$5000 New This Year - The Michael Woodall
Scholarship**



\$5000 J. Richard Baker Scholarship



\$5000 Mike Allen Scholarship

APPLY NOW!

For Eligibility Requirements & Application go to www.nucanf.com

“Scholarship Application”. Questions? Contact *Jen*:

nucanf@gmail.com. Application Deadline is June 4th, 2026.



NUCA OF FLORIDA CHRISTMAS IN JULY CONFERENCE



JULY 16TH - 18TH, 2026

HYATT REGENCY CLEARWATER BEACH

Event Overview

Celebrate Christmas in July at beautiful Clearwater Beach with the perfect blend of industry connection and beachside fun. Festivities begin Thursday with Committee and Board meetings followed by an evening Welcome Reception, and conclude Saturday night with a festive “Holiday” themed dinner, scholarship awards, and dancing with a DJ.

Construction Industry

Forum – Friday

Friday’s Construction Industry Forum delivers timely insight with presentations on OSHA, AI in construction, and legislative updates, plus an engaging industry panel discussion and an inspiring keynote leadership speaker—designed to inform, engage, and energize industry professionals.

BOOK YOUR ROOM

REGISTER & SPONSOR

ICEMEN

MILITARY APPRECIATION



Young Professionals Strings at the Beach sponsored by Horizon Pipe





26TH ANNUAL ANDREW SCOTT JOHNSON MEMORIAL SCHOLARSHIP FOUNDATION BASS TOURNAMENT

SAVE THE DATE



HEADWATERS LAKE

16955 Fellsmere Grade Rd.,
Fellsmere, FL 32948



NOVEMBER 12 - 14, 2026



HOTEL RESERVATIONS

Captain Hiram's Resort
Call 772-388-8588 to make
reservation with group code
ASJMST



CONTACT US



727-600-7158



theresa@nucaflorida.org