

THE FLOW

March 2026
INSIDE THIS
EDITION

NUCA OF NORTH FLORIDA, INC.



Safe digging
begins here.

Upcoming Events

March 5th - Sunshine 811 Meeting,
Aloft

March 11th - Young Professional
Networking, Strings at the Beach

April 9th - Next Man Training

April 14th - Annual Golf Tournament

April 25th - The Catty Shack Ranch,

May 19th-20th - Washington DC
Summit

May 27th - Young Professional
Networking

June 15-19 - Trench Safety Stand Down

July 9th - Scholarship Night

July 16th-18th - NUCA Florida
Conference

August 22 - Fishing Tournament

Presidents Message
Pg 2

Calendar of Events
Pg 4

The Law and Your
Business
Pg 5

NUCA News
Pg 6 -7

Safety News
Pg 8

Commercial Insurance
Insights
Pg 9

New Member Spotlight
Pg 10

Member Spotlight
Pg 11

Sunshine 811 Flyer
Pg 12

Young Professional Event
Flyer
Pg 13

Golf Tournament
Sponsorship
Pg 14

NUCA National Photos
Pg 15



Presidents Message

March Flow Presidents Letter

Dear Friends and NUCA Members,

From Parkas to Tank Tops, March is shaping up to be an active and exciting month for NUCA as we continue strengthening safety, education, and collaboration across our industry. With construction activity increasing throughout Northeast Florida, this is the perfect time to recommit to damage prevention best practices and proactive communication in the field. We're looking forward to our upcoming Sunshine 811 event on March 5. Safety starts long before excavation begins, and these conversations help keep crews protected.

We're also excited to connect with the next generation of industry leaders at our Young Professional Networking event on March 11. Building strong professional relationships is just as important as building strong infrastructure. Looking ahead, mark your calendars for Next Man Up Training on April 9th, a leadership focused session designed to prepare individuals to step up with confidence, accountability, and purpose when their teams need them most.

And of course, we're teeing up one of our favorite annual traditions, the NUCA Golf Tournament at Eagle Landing on April 14th. This event is always a great day of fellowship, networking, and friendly competition. Thank you for your continued commitment, and let's make this spring productive, connected, and above all, safe.

Be the Change you want to see in your Company. A simple conversation can lead to something big!

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.

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CALENDAR OF EVENTS

Upcoming Events

March 5th
Sunshine 811 Meeting

March 11th
Young Professionals Networking
Event

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

May 27th
Young Professional Networking

June 15-19
Trench Safety Stand Down

July 9th
Scholarship Night

July 16th-18th
NUCA FL Conference

August 22
Fishing Tournament

The Law and Your Business

The Law and Your Business- Escrow Agents
Tony Zebouni, Lindell & Zebouni, P.A.

Many of you are familiar with Escrow Agreements. How the agreement works and who pays for any expenses related to payments under the escrow agreement was litigated in a recent case.

This case involved a failed residential real estate transaction, the Escrow Agent sought recovery of its attorney fees from the escrow deposit.

The standard purchase and sale contract between Buyers and Seller provided that the contract was contingent upon Buyers obtaining financing within thirty days of the agreement's effective date. The contract further required Escrow Agent to refund the escrow deposit to Buyers if, prior to the expiration of this thirty-day period, (1) Buyers were unable to obtain financing after the exercise of diligent effort, and (2) Buyers timely provided written notice to Seller of their inability to obtain financing and their election to terminate the contract. The Buyers were unable to obtain financing within the thirty-day period and that Buyers timely provided the required written notice to Seller. Buyers, therefore, were entitled to the return of their \$15,000 escrow deposit. The Escrow Agent claimed that it was still entitled to be paid its attorney's fees from the escrow deposit.

The contract authorized Escrow Agent to interplead funds and have its attorney's fees paid from the escrow deposit, but only if there were competing demands for the deposit or Escrow Agent had a "good faith doubt" as to entitlement to the deposit. Escrow Agent submitted no affidavits from Seller or the real estate agents involved in the transactions, no copies of any communications evidencing competing demands, and no other evidence that supported Escrow Agent's alleged "good faith" in not honoring the contract's plain and unambiguous provisions governing return of the escrow deposit.

The escrow agent or his/her attorney did not have evidence to overcome the language in the agreement stating that all proceeds would be paid to the Buyer. It is important to read the terms and conditions of any agreement you sign to determine what fees can be paid from the deposit. If you don't like the terms of an agreement, don't be afraid to negotiate better terms



Industry News and Advocacy

Fiscal Year 2026 Angst Concludes With Final Deal

As Congress finally wraps up its Fiscal Year (FY) 2026 spending actions, NUCA's work over the past several months to preserve federal funding for industry projects paid off. The Interior and Environment Appropriations bill, signed into law in late January, maintains funding for the industry's two EPA water infrastructure programs at prior-year levels. The Clean Water State Revolving Fund (SRF) received a final appropriation of \$1.638 billion, unchanged from FY2025. Similarly, the Drinking Water SRF was allocated \$1.126 billion, reflecting no increase or decrease compared to the previous fiscal year.

These funds support critical loans and grants for wastewater treatment, stormwater management, and safe drinking water projects nationwide, though significant portions—\$892.7 million Clean Water SRF and \$715.3 million for Drinking Water SRF—were directed toward Congressional earmarks, reducing available revolving capital for the funds. NUCA has consistently argued that the earmark process, while delivering short-term benefits to the industry, deliver long-term headaches for SRF sustainability.

NUCA will be advocating for an increase in FY2027 funding to reflect the demand for resources to build and repair this critical national infrastructure.

NUCA Winter Fly-In: A Direct Connection Into D.C.

The 2026 NUCA Winter Fly-In, held January 13-14 in Washington, D.C., marked a strong launch for NUCA's 2026 advocacy efforts. Hosted at the Royal Sonesta Capitol Hill, the event brought together 18 NUCA members and national staff for targeted meetings on Capitol Hill. Priorities discussed include reauthorizing and boosting funding for the two industry EPA State Revolving Funds and advancing highway and water infrastructure legislation. This opening event by NUCA's Government Affairs Working Group set a proactive direction for our industry policy goals in the months ahead. Make sure your own voice is heard during the upcoming May 19-20, 2026, Washington Summit.

EPA Climate Change Decision Recission

On Feb. 12, President Trump announced that the EPA would be rescinding the landmark legal determination that concluded that global warming caused by greenhouse gasses endanger the health and welfare of current and future generations. The White House and the EPA have described their decision to repeal the finding as "the largest deregulatory action in American history." This finding, commonly referred to as the endangerment finding and originally issued in 2009, is the foundation of the agency's work on climate change. The repeal will have far reaching effects, particularly in the electric power industry, but the extent of its impacts are not yet fully understood. The White House and the EPA have described their decision to repeal the finding as "the largest deregulatory action in American history."



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: 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.

Safety encompasses more than just a set of established rules; it represents a continuous process of awareness, communication, and informed decision-making. When operations run smoothly, teams are well-informed about their tasks, potential hazards are recognized, and expectations are clearly communicated. This continuous flow of information helps prevent shortcuts, reduces confusion, and minimizes hasty actions, which often result in incidents or close calls.

Effective safety leadership is crucial for fostering this flow. Leaders play a key role in setting the tone by thoroughly planning work, modeling safe behaviors, and emphasizing that safety is a non-negotiable priority. An effective safety leader actively listens to their team, encourages questions, and reinforces the importance of addressing safety concerns—highlighting that halting work for safety reasons is a sign of strength, not weakness.

To enhance safety leadership, it is important to prioritize clear communication, maintain consistent follow-through, and hold everyone accountable. Regular job briefings should be conducted; hazards should be addressed prior to commencing work, and employees who make safe choices should be recognized. When leaders remain engaged and proactive, safety becomes an integral part of every task, fostering a work environment where productivity and safety coexist and ensuring that everyone returns home safely.

As a guiding principle, consider this quote of the month: The best leaders don't just talk about safety; they live it. What you walk past is what you accept.





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Why Falling Workers' Compensation Rates Are Making It Harder to Maintain a Sub1.0 Experience Mod

For years, Florida employers have benefited from steady declines in workers' compensation insurance rates. At first glance, this sounds like good news having lower premiums, lower costs, and a strong insurance market. But there's an unexpected side effect: as workers compensation rates fall, expected losses also drop, which means it becomes far more difficult for employers to maintain or achieve a sub1.0 Experience Modification Factor (Experience Mod).

How Falling Rates Affect Expected Losses and the Experience Mod

The Experience Mod compares an employer's Actual Losses to Expected Losses. Expected Losses are directly tied to state-approved workers compensation rates.

- **When rates decrease, Expected Losses decrease.**
(This is because Expected Loss Rates (ELRs) are built from the same actuarial inputs that determine class code rates.)
- **When Expected Losses go down, even small claims can push Actual Losses above expectations.**
This causes the Experience Mod to rise, even without a significant change in real-world safety performance.
- **Lower rates → lower Expected Losses → harder to keep the Mod below 1.0.**

Why Maintaining a Sub1.0 Mod Is Now More Challenging

With Expected Losses at their lowest levels in decades:

- Even one claim can cause the Mod to spike.
- Claims that were previously absorbed within Expected Losses now hit harder.
- Employers in high-risk industries face even more volatility because their ELRs have also dropped.

Conclusion

Florida's workers' compensation market is undeniably healthy. Falling rates reflect fewer claims, safer workplaces, and strong system performance. But for employers who rely on a sub1.0 Experience Mod to remain competitive, recruit talent, or qualify for contracts, the math has changed.

Lower rates mean lower Expected Losses, and lower Expected Losses mean higher Mods—unless employers enhance safety, claims management, and return-to-work strategies.

If you'd like help analyzing your Mod, estimating how rate changes affect your Expected Losses, or developing strategies to protect your Mod going forward, I'd be happy to assist.

NEW MEMBER SPOTLIGHT



AMERICAN
FLOW CONTROL

American Flow Control® (AFC) is the valve and hydrant division of American Cast Iron Pipe Company and a leading manufacturer of waterworks products for water and wastewater systems. Serving municipal and industrial markets, AFC is known for its commitment to innovation, quality, and efficiency, offering solutions that range from small-diameter valves to large-scale applications. The AMERICAN Flow Control product portfolio includes the iconic American-Darling® and Waterous® brands of fire hydrants for reliable municipal and industrial fire protection, along with resilient wedge gate valves from 2” to 66” in diameter, check valves, indicator posts, tapping sleeves, hydrant security products, and advanced remote pressure monitoring technology. Together, these products support safe, efficient, and forward-looking water management systems.

MEMBER SPOTLIGHT



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COMPANYWRENCH.COM

Join NUCA of North
Florida
Sunshine 811/Damage
Prevention General
Meeting



**Safe digging
begins here.**

When: Thursday, March 5th

Time: 6:00-8:00pm

Where: Aloft

Tapestry Park

4812 W Deer Lake Dr,

Jacksonville, FL 32246

✕ NUCA OF NORTH FLORIDA ○
● YOUNG PROFESSIONAL NETWORKING ●
EVENT ●

STRINGS

✕ Sports ✕
Brewery ●

March 11th 5:30 - 7:30 PM	1618 PENMAN ROAD JACKSONVILLE BEACH
	RSVP to NUCANF@gmail.com by <u>March 4th</u>



Come Join Us!



2026 NUCANF Golf Tournament Sponsorship Opportunities

Eagle Landing Club

Tuesday, April 14th, 2026, 11:00 a.m. "Shotgun" Start

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. There will also be signs at the event.

Name: _____

Company: _____

Phone: _____

SOLD \$1,500 Golf Cart Sponsor (limit 1)

Your company logo will be displayed on the cart signs and you will have the opportunity to place logo merchandise in the golf carts prior to play.

SOLD \$1,250 Vendor Showcase – alcohol (limit 10)

Your showcase includes alcohol. Your company name will be prominently displayed on a sign at the hole. You will need to provide a table, chairs and anything else that you need.

_____ **\$1,000 Vendor Showcase – no alcohol (limit 10)**

Your company name will be prominently displayed on a sign at the hole. You will need to provide a table, chairs and anything else that you need.

SOLD \$1,000 Raffle Sponsor (limit 1)

Sponsorship includes signage at event.

_____ **\$750 Welcome Drink Sponsor (Limit 1)**

Choice of Bloody Mary, Mimosas, Screwdrivers. Indicate your choice by circling.

_____ **\$600 Beverage Cart Sponsor (Limit 2) 1 Remaining**

Sponsorship includes signage at event on beverage cart.

_____ **\$500 Registration Sponsor (Limit 1)**

Sponsorship includes signage at event.

SOLD \$500 Trophy Sponsor (limit 1)

Sponsorship includes signage at event.

_____ **\$500 Dinner Sponsor (limit 6)**

Sponsorship includes signage at event

_____ **\$500 Lunch Sponsor (limit 6)**

Sponsorship includes signage at event.

_____ **\$500 Longest Drive/Closest to the Pin Sponsor (limit 2)**

Sponsorship includes signage at the hole.

_____ **\$350 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: Bill my account (Check NUCA NF) _____ Charge credit card* _____

*A 5% processing fee will be added to all credit card charges.

Email to nucanf@gmail.com to reserve your spot.

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

2026 NUCA National Convention Tucson Arizona

