



Ditchmen

Online

Underground Utility Contractors of Florida, Inc.

JULY 2012

Sunshine State One Call of Florida, Inc. Changes Name to Sunshine 811



(See page 4 for details)



“Government” Scams – Be Aware

Every year, consumers lose billions of dollars to scammers claiming to be officials from government agencies and legitimate businesses. Recently, the Florida Department of Agriculture and Consumer Services has noticed an increase in complaints regarding consumers who have been contacted by individuals falsely claiming to be from government agencies. These scammers attempt to get money or personal information for purposes of identity theft. Although elderly consumers tend to be disproportionately targeted, anyone can be a victim.

Variations of the scam that have been reported include:

- A representative claiming to be from the local electric company knocks on your door and informs you that the government has a special program to assist you in paying your utility bill. You'll then be pressured into disclosing your Social Security number to apply for the program. In return, you'll receive a bogus routing and account number to provide to the utility company as payment.
- Your phone rings and a person claiming to represent Medicare informs you that they are issuing a new national Medicare card to all beneficiaries. The caller asks for the number on your current Medicare card and your mailing address for “verification purposes.” They may also ask for bank information, claiming that they can provide a new Medicare card, but for a fee.
- A person claiming to be from the State Attorney's office calls to inform you that they have received restitution on

your behalf. The caller requests that you send money, by wire transfer or another untraceable method, to cover the “filing fees.”

- You receive an e-mail from someone claiming to represent the United States Department of State. The e-mail will inform you of an inheritance from another country that belongs to you. All you have to do is provide your personal information such as your bank account number or Social Security number. You may also receive a request to wire fees to cover your taxes in advance.

Here are a few tips to help protect you from becoming a victim of a scam:

- Know who you are dealing with by obtaining and then confirming the identity of the person requesting information from you. Be wary of verifying an individual's identity by contacting a number they have given you. Scammers will give a potential victim a phone number and then have a third party available to verify their identity.
- Do not give your checking account number or Social Security number in response to solicitations from unknown individuals.
- Be wary of anyone requiring payment by a method that's difficult to track, such as wire transfer, money order or by sending cash via an overnight courier. This is usually one of the first indications of a scam. Get details in writing before signing any agreements, sending money or giving out any credit card or bank information.

- Take your time and resist the urge to act quickly no matter how good the offer is. It's better to think things through than make an impulsive decision based on an emotional whim. If it sounds too good to be true, it probably is.
- Be wary of unsolicited e-mails. Cyber criminals may use the names of government agencies or law firms and spoofed e-mail or web addresses to add legitimacy to their scams.
- If you do seek assistance in dealing with a business transaction, remember that state consumer protection agencies do not charge fees for complaint mediation or for accepting and processing consumer refunds.

The Department is available to assist consumers who have received unsolicited calls or visits and are concerned about the possibility of fraud. We'll assist you in finding answers for any consumer related questions you may have or direct you to the best resource for assistance. Please call 1-800-HELP-FLA (435-7352) within Florida, 1-800-FL-AYUDA (352-9832) en Español, (850) 410-3800 from outside of Florida or visit us online at www.800helpfla.com. The Consumer Assistance Center is staffed with trained analysts who answer more than 218,000 calls and e-mails annually from consumers and businesses. Through our website, you will find the department's online A-Z Resource Guide, a directory of agencies and other resources that consumers can utilize to find appropriate assistance on a wide variety of subjects. As always, an educated consumer is the best defense against fraud and deception!





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Florida's One Call Shortens Name to Sunshine 811

It's a mouthful to say – Sunshine State One Call of Florida, Inc. – and it's even harder to remember. So, armed with recent results of a brand identity study conducted by marketing and communications agency MGH, Florida's one-call center changed its name to Sunshine 811.

"We created a 10-minute online survey," Chris McMurry, MGH senior vice president said. "It was sent to 15,137 e-mail addresses and completed by 413 people. The study focused on brand identity, brand name, brand perceptions, usage of the center and its services."

With a two-decade history in Florida and several names, the study reflected what some already knew – brand confusion.

"The study showed that most people remembered 'sunshine' in our name, but not the whole name," Sunshine 811 Executive Director Mark Sweet said.

With "Sunshine" as the most consistent word mentioned, MGH recommended the name Sunshine 811. The new name will also be easier to remember because it's shorter and uses 811, which comes with substantial recognition from momentum built by the national 811 campaign.

Early on, there was some concern that using 811 in the name could negatively impact Internet Ticket Entry usage.

"We are pleased with an Internet Ticket Entry level of more than

60 percent," Sweet said. "Nobody wanted to see that percentage decrease."

As a result, Sunshine811.com will be used interchangeably with Sunshine 811 as a dual marketing campaign – one that seeks to attract new users with the easy-to-remember 811 phone number, and another that promotes the full-service damage prevention resources available to professional excavators.

And there's always that chance," Sweet added, "that we'll attract new Internet users since the name no longer uses 'call.'"

Sunshine 811 is currently rebranding its communications pieces and website.

"Watch for more exciting things to come," Sweet concluded, "as we continue striving to make Florida the safest place to dig!"



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Notice of Workers' Compensation Exemption Law Change

The Florida Legislature passed and the Governor signed into law **Chapter No. 2012-213, CS/HB 941**, which amended Sections 440.02(9) and 440.05, Florida Statutes. These amendments will streamline the filing and processing of exemption applications. Highlights of **Chapter No. 2012-213** include:

- Provides applicant the ability to electronically file their applications via a web-based system.
- Eliminates the requirement for the application to be notarized; and
- Eliminates the need to submit a copy of the stock certificate or documentation of ownership evidencing 10% ownership in a company.

Additionally, the legislative changes

provide that all Certificates of Elections to be Exempt issued on or after January 1, 2013, are valid for 2 years after the effective date and, beginning July 1, 2013, non-construction limited liability members will be treated as corporate officers, and will be eligible to apply for an exemption.

On July 1, 2012, a new DWC Notice of Election to be Exempt web-based system will be available for applicants to electronically apply for or renew their Certificate of Election to be Exempt. This system will be convenient and easy to use.

If you have questions regarding this notice, please contact the Division of Workers' Compensation's Customer Service Representatives at (850) 413-1609. To learn more about these issues and other Workers' Compensation information, please go to <http://www.myfloridacfo.com/WC>.

Re-employment Services have Transferred to the Division of Workers' Compensation

Chapter No. 2012-135, CS/HB 5203, from the 2012 Legislative Session, which was signed by Governor Scott on April 20, 2012, transferred workers' compensation reemployment services responsibilities from the Department of Education to the Division of Workers' Compensation.

Questions about these services can be directed to (800) 342-1741 – option 4, or e-mail wrcres@myfloridacfo.com.

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UUCF

The Underground Utility Contractors of Florida thank the following Platinum and Gold Sponsors of the UUCF Convention which was held on July 19–22, 2012 at The Ritz–Carlton Orlando, Grande Lakes:

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Follow up article and photos will be placed in the August issue of the *Ditchmen*.



**UUCF
2013 Convention**

**July 25–28, 2012
Boca Raton Resort & Club
Boca Raton, FL**

Mark your calendar now for the UUCF 2013 Annual Convention which will be held on July 25–28 at the Boca Raton Resort & Club in Boca Raton, FL.

The UUCF 2013 Convention Chairperson is Kim Bryan with Petticoat–Schmitt Civil Contractors, Inc. in Jacksonville, FL.

Watch for information on the 2013 Convention in future issues of the Ditchmen.

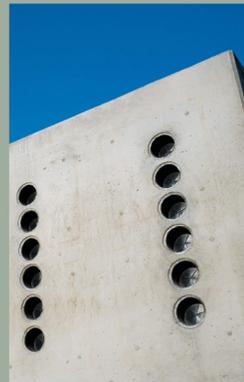


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GrayRobinson's Tampa Office Welcomes Shareholder George E. Spofford, IV

George E. Spofford, IV has joined the Tampa office of GrayRobinson, P.A. as a shareholder. Spofford brings more than 27 years of construction law experience to the team, and routinely represents clients in matters such as litigation of delay, extra work claims, breach of contract actions, mining disputes, claims preparation, bid protests, Occupational Safety and Health Administration (OSHA) matters,



contract negotiation and drafting, and claims avoidance.

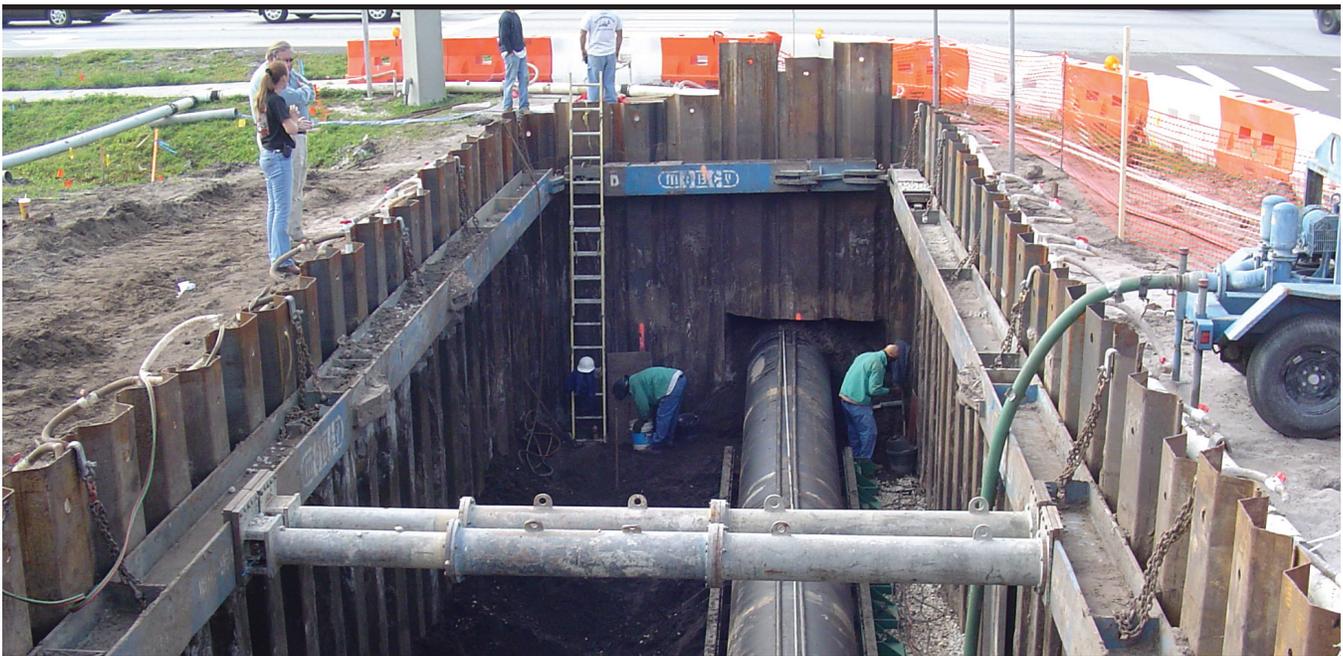
“George’s extensive background in construction law, and strong Tampa roots, make him an extremely valuable asset,” said GrayRobinson President Byrd F. “Biff” Marshall, Jr. “He has established himself as a respected professional and community leader in Southwest Florida, and we look forward to the wide range of talents he will bring to our clients and firm.”

Spofford is Florida Bar Board Certified in Construction Law. He

is ranked by Chambers USA, is an AV Martindale-Hubbell rated lawyer, and has also been recognized as a Florida Trend Legal Elite, Florida Super Lawyer, and is listed as one of the “Best Lawyers in America.” He serves as General Counsel to The Underground Utility Contractors of Florida, is a certified mediator, and is a member of the FDOT Disputes Review Board and the Florida Transportation Builders Association.

Spofford earned his juris doctorate from Emory University School of Law and his B.A., cum laude, from Auburn University.

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“When, If Ever, Is It Too Late To Bring A Demand For Arbitration?”

(Part 1 of 2)

By — George E. Spofford, IV

GrayRobinson, P.A.
Offices Statewide

george.spofford@gray-robinson.com

Construction disputes generally are resolved three ways – the matter is litigated in court before a judge, the matter is arbitrated before a private arbitrator, or the matter is settled before or after the litigation or arbitration commences. Matters that are litigated are subject to fairly strict rules of procedure, rules of evidence and the judge is supposed to follow precedent, i.e. rule consistently with prior cases. Arbitration is an alternative to litigation and is intended to be more streamlined, more flexible, and more efficient and there can be more than one arbitrator deciding a case. The arbitrator(s) is not required to apply the rules of civil procedure or rules of evidence, and is not even required to follow precedent. Parties cannot be required to arbitrate unless they voluntarily agree to do so, which usually occurs via a clause in a contract signed prior to the dispute. Another significant distinction between litigation and arbitration concerns when the dispute becomes too stale to pursue, and that is the subject of this two-part article.

When drafting, negotiating and reviewing your contracts you should be aware that claims that are to be arbitrated may not be subject to the same “statute of limitations” that applies to claims which are to be litigated.

Florida has several statutes dictating that after a certain period of time

claims become too old, or too stale, to be litigated. For example, Florida Statutes, Section 95.11(2) provides that claims for breach of contract must be filed in court within 5 years after the contract was breached. F.S. 95.11(3) further provides that claims for breach of a construction contract must be brought within 4 years of the breach. Claims for negligence also must be brought within 4 years of the negligent act. Statutes of limitation such as these were created in recognition of the difficulty a defendant has defending against claims as time passes.

Florida Statutes, Section 95.03 further provides that any contract provision that seeks to shorten an applicable statutory time limit within which a suit may be filed is unenforceable. In other words, if a construction contract states that a lawsuit for breach of the contract must be filed within 1 year of any alleged breach, that limitation would be ineffective and a claimant would have 4 years to sue as allowed by Section 95.11(3).

Thus, claims that are to be decided in court via litigation have a specific limited shelf life. If the suit is not brought before the statutory limitation period expires, then the claim is barred. Of course, given the number of lawyers we have in Florida, there are numerous exceptions if you know where to look, and sometimes what

appears to be a dead claim can be resurrected. For example, while a claim for damages due to a construction defect would be subject to the 4 year limitations period governing construction contract suits, if the defect is deemed to be a latent defect, then FS 95.11(3) (c) states that the suit must be filed within 4 years of the defect being discovered or the date it reasonably should have been discovered. Under Section 95.11(3)(c) a claimant could have more than the standard 4 years within which to file a lawsuit for breach of the construction contract. And, the arguments regarding when a defect “reasonably should have been discovered” have paid for the expensive sneakers of many a lawyer’s kid.

The statutes of limitation provide some level of assurance that after the specified period of time a lawsuit cannot be successfully pursued. However, as of the date of this writing the same cannot be said if you have agreed to use arbitration instead of litigation to resolve your disputes.

What is not commonly recognized is that the Florida statutes of limitation do not apply to arbitrations. For example, if the subcontract you have with your paving subcontractor states that all claims by the subcontractor will be decided by arbitration, then the 4 year limitation period in F.S. 95.11(3) does





not apply and the subcontractor conceivably can file a demand for arbitration years after a law suit would have been stale under Section 95.11(3). Moreover, while Florida Statutes, Section 95.03 prohibits parties to a contract from agreeing to a shorter limitation period than that statutorily specified, Section 95.03 does not prevent parties from shortening the time within which an arbitration claim may be brought. Section 95.03, like Section 95.11, only applies to litigated claims, not to arbitrated claims.

The current law in Florida on this issue is summarized in *Raymond James Financial Services, Inc. v. Phillips*, 2011 WL 5555691 (Fla. 2nd DCA 2011). In that case, the Second District Court of Appeals ruled that the limitation periods contained in Section 95.11 only apply to “actions”, and arbitration is NOT an “action”. Thus, the statute of limitation time limits do not automatically apply to disputes that are to be arbitrated. The Second District Court of Appeals has asked the Florida Supreme Court to look at the issue and determine whether the Second District got it right, but until the Supreme Court issues a decision, the law is that arbitrations are not automatically subject to the statutory limitation periods specified by F.S. 95.11. Similarly, because arbitration is not subject to the statutory limitation periods, the prohibition in F.S. 95.03 against contractually shortening an applicable statutory limitation period also does not apply to arbitrations. Thus, parties to an arbitration agreement are free to specify whatever limitation period they deem appropriate because they are not shortening any limitation period specified by statute.

The fact that arbitration claims are not subject to Florida statutory limitation periods and are not subject to the prohibition against contractually shortening an applicable statutory limitation period

creates uncertainty regarding when an arbitrable claim expires, but it also provides an opportunity for strategic draftsmanship. Next month, we’ll address ways the reader can revise a contract to limit some of the uncertainty regarding the shelf life of arbitration claims, and we will discuss how a contractor can use the Raymond James decision to the contractor’s advantage.

George Spofford is a shareholder in the Tampa office of the GrayRobinson law firm. Spofford has represented the construction industry since 1985 and serves as General Counsel to the UUCF. GrayRobinson, P.A. (gray-robinson.com) is a full-service business law firm with over 250 attorneys and 10 offices across Florida. If any member has specific questions relating to this topic or any topic they would like to see addressed in future editions, please feel free to contact George at (813) 273-5000 or george.spofford@gray-robinson.com.

NUCA Provides New Member Benefit

Have you heard about the great new NUCA member benefit? NUCA recently announced that members can now enjoy special pricing on a wide range of HP business products you use every day including printers, notebooks, desktops, tablets, servers, storage, networking and much more. As an NUCA member, you can enjoy these exclusive benefits: Discounts on reliable HP business products, FREE U.S. ground shipping, Flexible financing and

leasing options, Solutions specialists to assist you, and Award-winning service and support. Choosing HP can help boost your efficiency while cutting costs. Take advantage of this valuable new member benefit from NUCA today. Call Jessica at NUCA at (703) 358-9300 and get started today!

Florida House Sub-committee Renews Call for Input Through Your Voice Survey for Florida’s Businesses

After receiving more than two thousand submissions from Florida business stakeholders on excessive rules and regulations, members of the House Rulemaking and Regulation Subcommittee are once again asking those doing business in Florida to allow their voices to be heard. Floridians are encouraged to fill out the **YourVoice regulation reform survey online**. Since its

(Continued on Page 10)





**(Florida House Sub-committee
Renews Call for Input Through
Your Voice Survey for Florida's
Businesses
Continued from Page 9)**

introduction in October, more 2,500 people have participated in the YourVoice survey.

“The YourVoice survey provides Florida’s business stakeholders a platform to sound off on burdensome rules and regulations on businesses,” said House Rulemaking & Regulation Subcommittee Chairman Chris Dorworth (R-Lake Mary). “Identifying excessive or costly barriers to new business will go a long way in helping to create a favorable business climate across Florida.”

In 2011, the Florida Legislature enacted a bill increasing public scrutiny of agency rules that regulate the actions of Floridians and their businesses. The bill required all state agencies to review existing rules and identify which ones may impose significant economic impacts on Floridians. Additionally, the bill endorsed an effort by the Legislature to solicit public input on rules and regulations online.

Launched in 2011, “**YourVoice**” is an online tool for business owners and stakeholders to collect feedback on any potential burdensome rules and regulations for businesses as well as regulations that are making a positive impact. “**YourVoice**” is currently gathering important information from current and potential Florida business owners and stakeholders that can be used to enhance or revise existing rules and regulations. Those interested in completing the survey can **access it online**.

CILB Update

Re-activation of Inactive Licenses:

**Chapter No. 2012-61, CS/
HB 517**, passed during the 2012 Legislative Session and was approved by Governor Rick Scott on April 6, 2012. This bill reduces the number of continuing education credits an inactive or delinquent contractor licensee must complete prior to reactivating his or her license. Effective July 1, 2012, an inactive or delinquent licensee will only need to complete the continuing education requirements for the renewal cycle immediately preceding license reactivation.

Applications and Licensure – Streamlined Applications Released:

In an effort to assist applicants through the licensure process and to reduce the number of deficient applications, the Department of Business and Professional Regulation (DBPR) and the Construction Industry Licensing Board (CILB) conducted a complete review and revision of construction applications. The new application forms provide clearer instructions, reduce paperwork and provide clear criteria to establish financial stability/responsibility and work experience.

The CILB will begin accepting the Department’s new streamlined applications beginning April 13, 2012. There will be a ninety (90) day transition period during which the Department will continue to accept submission of the old applications; this period will end on July 16, 2012.

If you would like more information on the new bonding form or the required credit score, please visit the Department’s financial responsibility and stability website by clicking

the following link: ***Contractor Financial Responsibility and Stability***.

Examination and Re- examination: Board Increases Time Limit to Pass of All Examination Parts.

The CILB has amended Rule 61G4-16.009, Florida Administrative Code, to grant candidates more time to complete all portions of the initial licensure examination. Beginning November 1, 2011, examination candidates will be permitted four years from the date he or she initially sat for the initial licensure examination to pass all portions of the examination and will not be limited in the number of times they may re-take a test during the four year period. If you have any question regarding the Board’s change, you may visit ***www.myfloridalicense.com/dbpr/pro/cilb/index.html*** or call (850) 487-1395 for more information.

Florida Homeowners’ Construction Recovery Fund Experiencing Funding Shortfall

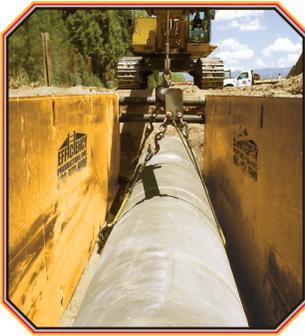
Due to a shortfall in funding, there are not sufficient funds available to pay claims received by the Florida Homeowners’ Construction Recovery Fund at this time. The Department will monitor revenues for the Recovery Fund and make payments as funds become available.

The Department will continue to process claims until the claims are complete and ready for review by the CILB. The Department will then present claims to the Board, in the order they are completed, as funds become available. The Department will notify claimants by mail when the claims are complete and when they are ready for Board review. For more information, please refer to the Frequently Asked Questions regarding the status of the Recovery Fund or contact the Department’s Customer Contact Center at (850) 487-1395.



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UUCF Receives Nominations for 2012 Construction Performance Awards

UUCF will be holding its Fifteenth Annual Awards Presentation for the Mitch Ellington Award (Contractor Member of the Year), Gary D. Sawyer Award (Associate Member of the Year) and Andrew J. Mayts Award (Board of Director of the Year). The awards honor outstanding individuals who have made significant contributions (on the local level and continue on to the state level) to the industry and/or association. These contributions can be in any area that results in benefits, progress, achievement or

recognition for our association or industry and must have local and/or state impact.

The winners will be announced and awards presented at the UUCF 2012 Convention on Friday evening, July 20 at The Ritz-Carlton Orlando, Grande Lakes in Orlando.

UUCF would like to take this opportunity to thank each chapter for submitting one contractor and associate member for this award. Picking an individual from the list of

contractors and associates is a very difficult task. The following is a list of nominees and the chapter they represent:

Contractors:

- NUCA of North Florida: Flo Woodall (John Woody, Inc.)
- NUCA of Northwest Florida UCA: Gabe Jackson (Brown Construction of NW Florida, Inc.)
- SUCA: Lisa Judge (Ajax Paving

(Continued on Page 16)

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DEP Launches New Social Media Accounts

*~New accounts provide timely information
about DEP programs and activities~*

The Florida Department of Environmental Protection has launched three new social media accounts as part of an ongoing effort to keep Floridians and online users better informed of research, events and news related to the Department. Social media users can now find the latest news on Department programs through Pinterest, Twitter and Facebook, in addition to the Online Newsroom.

“DEP is full of hard-working and talented folks who do a fantastic job serving Floridians and protecting our natural resources every day,” said Secretary Herschel T. Vinyard, Jr. “Using social media is a great way to keep Floridians and people

worldwide updated on the exciting initiatives going on throughout our agency and at our award-winning state parks.”

By implementing these new accounts, the Department is working to improve public interaction and increase educational outreach among Floridians by keeping in tune with the ever-growing social media trend.

The Department encourages Floridians and interested users worldwide to follow the accounts below for news related to the Department and Florida’s environment:

Department News on Twitter: <https://twitter.com/FLDEPNews>.

For information on the Department’s wide-ranging programs and daily activities, Twitter users can follow [@FLDEPNEWS](https://twitter.com/FLDEPNEWS). This account provides followers with information on statewide, local and division-specific information and activities. From public workshops to environmental news and new projects, this Twitter account will keep users informed of the day-to-day activities within the Department.

DEP Alerts on Twitter: <http://twitter.com/FLDEPAlert>.

This account provides users with breaking environmental news and

(Continued on Page 16)

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UUCF District 2

Lake, Orange, Osceola, Polk, (East of Lakeland), Seminole, Volusia (West of I-95)

UUCF District 3

Broward, Dade, Martin, Monroe, Palm Beach

UUCF At Large

Alachua, Columbia, Dixie, Gilchrist, Hamilton, Jefferson, Lafayette, Levy, Madison, Marion, Suwannee, Taylor

Did you know that UUCF does not have an affiliated chapter in these counties? Did you know that membership with UUCF is only \$100 per year, per district?

For a list of What We Have Done For You, **please click here**. If you are interested in joining UUCF, **please click here** for a Membership Application.

Certified Contractor License Renewal Reminder

Just a reminder that the Certified Contractor licenses from the Department of Business and Professional Regulation (DBPR) are up for renewal on August 31, 2012. Current law requires licenseholders to obtain 14 hours of continuing education with at least one hour in workplace safety, one hour in workers' compensation, one hour in business practices, one hour in the advance building code module, one hour in laws and rules (Chapter 489) and one hour in wind mitigation (this requirement only affects general, residential, building, roofing and glass and glazing contractors).

Don't forget to notify the DBPR office of any address change. Section 489.124(2) gives sole responsibility to the licensee for notifying DBPR in writing of the licensee's current mailing address and phone number.

Failure to notify the department of a change of address shall constitute a violation of this section. In addition, if your address changes and you do not notify the department, you may not receive important mailings from the department such as your renewal notice.

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President's Message



Paraprosdokians are funny sayings because they can remind us of ourselves, someone we know or something we can relate to. Caution! You may laugh out loud.

- Do not argue with an idiot. He will drag you down to his level and beat you with experience.
- If I agreed with you, we'd both be wrong.
- We never really grow up, we only learn how to act in public.
- Knowledge is knowing a tomato is a fruit; Wisdom is not putting it in a fruit salad.
- The early bird might get the worm, but the second mouse gets the cheese.



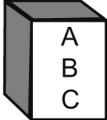
To steal ideas from one person is plagiarism. To steal from many is research.

A bus station is where a bus stops. A train station is where a train stops. On my desk, I have a work station.

- How is it that one careless match can start a forest fire, but it takes a whole box to start a campfire?
- A bank is a place that will lend you money, if you can prove that you don't need it.
- Whenever I fill out an application, in the part that says

- "In an emergency, notify:" I put "DOCTOR".
- I didn't say it was your fault, I said I was blaming you.
 - Why does someone believe you when you say there are four billion stars, but check when you say the paint is wet?
 - Women will never be equal to men until they can walk down the street with a bald head and a beer gut, and still think they are sexy.
 - A clear conscience is usually the sign of a bad memory.
 - You do not need a parachute to sky dive. You only need a parachute to sky dive twice.
 - I discovered I scream the same way whether I'm about to be

(Continued on Page 16)

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<p>www.abcutting.com aspblkcon@aol.com</p>  <p>ASPHALT BLACK CONCRETE</p> <p>CUTTING CONTRACTORS, INC. 1571 Main Street, Atlanti Beach, FL 32233</p> <p>JONTHAN "CHIP" BOYD (904) 246-1656 • FAX (904) 246-7084 • TOLL FREE 1-888-254-9751</p>	<p>Safe digging is no accident. Always call 811 before you dig.</p>  <p>811 Know what's below. Call before you dig.</p> <p>www.callsunshine.com</p>	<p>YOUR SOLUTIONS PROVIDER</p> <ul style="list-style-type: none"> • N-12" Pipe • Nyloplast® • Low Head Irrigation Pipe • Geosynthetics • SaniTite® Pipe • StormTech® • Arc™ Leachfield Chambers • MEGA GREEN™ Recycled Pipe  <p>ADS 1-800-821-6710 www.ads-pipe.com</p>
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(UUCF Receives Nominations for 2012 Construction Performance Awards Continued from Page 12)

Industries, Inc.)

Associates:

- NUCA of North Florida: Mike Gruber (Ellis & Associates, Inc.)
- NUCA of Northwest Florida: Chris Dixon (Coastal Machinery Company)
- SUCA: Wayne Jensen (Stahl & Associates Insurance)

UUCF wishes each candidate the best of luck. We know that everyone can not win; however, it is going to be a tough decision for the Awards Nomination Committee. The committee consists of UUCF President Bruce Wendorf and UUCF Executive Vice President Bruce Kershner.

(UUCF President's Message Continued from Page 15)

devoured by a great white shark or if a piece of seaweed touches my foot.

- I used to be indecisive. Now I'm not sure.
- You're never too old to learn something stupid.
- To be sure of hitting the target, shoot first and then call whatever you hit the target.
- Nostalgia isn't what it used to be.
- A bus is a vehicle that moves twice as fast when you are after it as when you are in it.
- Change is inevitable, except from a vending machine.

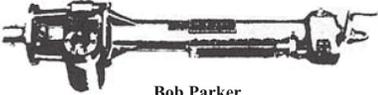
Sincerely,
Bruce Wendorf
UUCF President

(DEP Launches New Social Media Accounts Continued from Page 13)

information. During a time of need, **@FLDEPAlert** keeps over 2,800 followers informed of environmental alerts, information and emergency response activity.

About the Florida Department of Environmental Protection

The Florida Department of Environmental Protection (DEP) is the state's principal environmental agency, created to protect, conserve and manage Florida's environment and natural resources. DEP enforces federal and state environmental laws, protects Florida's air and water quality, cleans up pollution, regulates solid waste management, promotes pollution prevention and acquires environmentally-sensitive lands for preservation. The agency also maintains a statewide system of parks, trails and aquatic preserves.

<p>Linkhorst & Hockin, P.A. Attorneys at Law</p> <p>ADAM C. LINKHORST Board Certified Construction Law Attorney</p> <p>4495 Military Trail, Suite 106 Jupiter, FL 33458 Tel. 561-626-8880 Fax. 561-626-8885</p> <p>Tel. 954-776-5990 Cell. 954-562-9199 acl@FloridaHardhatLaw.com www.FloridaHardhatLaw.com</p> 	<p>Your Business Card Could Be Here!</p> <p>Call (407) 830-1880</p>	<p>Don't adjust your manholes with bricks anymore! Use precast concrete grade rings! Do the job faster- easier! Call for pricing! Delivery Available!</p>  <p>3702 OLSON DRIVE DAYTONA BEACH, FL 32124</p> <p>OFFICE 386-238-6020 FAX 386-258-3788</p> <p>SOUTHEAST CONSTRUCTION PRODUCTS</p>
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Division of Workers' Compensation Offers Free Classes

The Florida Department of Financial Services, Division of Workers' Compensation, is offering free classes regarding Florida's workers' compensation laws and workplace safety to business owners, licensed contractors and employers.

Workers' compensation topics covered include:

- Review of Key Statutory Definitions
- Contractor Responsibilities
- Exemptions
- Insurance Coverage Requirements
- Enforcement Provisions

Workplace safety topics presented by OSHA (U.S. Dept. of Labor, Occupational Safety and Health Administration) include:

- Direct and Indirect Costs
- Inspections
- Florida Fatalities

The following is a list of class dates and times for future sessions:

August 7, 2012

Pensacola
9:00 a.m. – 12:00 noon EST
Alabama Associated General Contractors, Northwest Florida Section
201 South F Street
Pensacola, FL 32502

August 9, 2012

Tampa
9:00 a.m. – 12:00 noon EST
State Office Building
1313 North Tampa Street, Suite 605
Tampa, FL 33603

August 15, 2012

2:00 p.m. – 3:00 p.m. EST
Workers' Compensation
WEB Based class

August 16, 2012

2:00 p.m. – 3:00 p.m. EST
Workplace Safety
WEB Based class

August 17, 2012

Pompano Beach
9:00 a.m. – 12:00 noon EST
Workforce One
2301 West Sample Road, Building 4,
Conference Room C
Pompano Beach, FL 33073

September 6, 2012

Orlando
9:00 a.m. – 12:00 noon EST
State Office Building,
Hurston Complex
400 West Robinson Street, North
Tower, Conference
Room N-301
Orlando, FL 32801

September 12, 2012

2:00 p.m. – 3:00 p.m. EST
Workers' Compensation
WEB Based class

September 13, 2012

2:00 p.m. – 3:00 p.m. EST
Workplace Safety
WEB Based class

September 20, 2012

Tallahassee
9:00 a.m. – 12:00 noon EST
Southwood Complex, Betty Easley
Conference Center
4075 Esplanade Way, Room 178
Tallahassee, FL 32399

October 17, 2012

2:00 p.m. – 3:00 p.m. EST
Workers' Compensation
WEB Based class

October 18, 2012

2:00 p.m. – 3:00 p.m. EST
Workplace Safety
WEB Based class

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(Continued on Page 20)





Calendar of Events

UUCF 2012

Sept./Oct. (TBA)..... President's Cup Golf Tournament
Nov. 2..... Board of Director's Meeting, Orlando

2013

July 25..... Board of Director's Meeting,
Boca Raton Resort & Club, Boca Raton
July 25-28 Annual Convention,
Boca Raton Resort & Club, Boca Raton

NUCA of North Florida

Aug. 14..... Executive Committee Meeting
Aug. 16..... Bettering Your Business
Sept. 11..... Executive Committee Meeting
Sept. 26..... General Membership Meeting
Oct. 9..... Executive Committee Meeting
Oct. (TBA)..... Fishing Tournament
Nov. 6..... Executive Committee Meeting
Nov. 15..... Election of Officers
Dec. 10..... Executive Committee Meeting
Dec. (TBA)..... Holiday Party

NUCA of Northwest Florida

Aug. 9..... Board of Director's Meeting, Pensacola
Sept. 13..... Board of Director's Meeting, Pensacola
Sept. 29..... Equipment Rodeo, Pensacola
Oct. 11..... Board of Director's & General,
Membership Meeting, Pensacola
Nov. 8..... Board of Director's Meeting, Pensacola
Nov. 10..... Annual Meeting/Installation of Officers,
Pensacola

NUCA of Southwest Florida

Aug. 23..... General Membership Meeting,
Holiday Inn Gulf Coast Town Center
Sept. 14-16 Fishing Tournament,
Tween Waters Inn, Captiva Island
Oct. 25..... Trade Show,
Harborside Event Center, Downtown Fort Myers
Dec. 1..... Christmas Party,
Holiday Inn Gulf Coast Town Center

SUCA

Aug. 2..... SUCA Showcase,
DoubleTreeHotel, Tampa
Sept. 6..... General Membership Meeting
Sept. 20..... Fish Fry, Largo Central Park, Largo
Oct. 4..... Annual Membership Meeting & Elections
Nov. 1..... General Membership Meeting
& Installation of 2012 Officers & Directors

Nov. 10..... Clay Shoot, Tampa Bay Sporting Clays,
Land O' Lakes
Dec. 1..... Holiday Banquet, Tampa Club, Tampa

National Utility Contractors Association (NUCA) 2013

Feb. 11-15..... Convention,
Sheraton Phoenix Downtown Hotel, Phoenix, AZ
Oct. 2-6..... Fall Board of Directors and Leadership
Meeting, El Conquistador in Las Croabas, Puerto Rico

Sunshine 811 Meetings

Oct. 16..... Executive Committee Meeting,
DeBary/Conference Call
Nov. 15..... Committee Meetings, DeBary Call Center
Nov. 16..... Board of Director's Meeting,
DeBary Call Center

Construction Industry Licensing Board (CILB) Meetings

Aug. 8-10..... Casa Monica Hotel,
St. Augustine
Sept. 12-14..... The Biltmore Hotel,
Coral Gables
Oct. 10-12..... Embassy Suites Orlando-North,
Altamonte Springs
Nov. 14-16..... Embassy Suites Tampa/USF,
Tampa

(Division of Workers' Compensation Offers Free Classes

Continued from Page 19)

November 14, 2012

2:00 p.m. - 3:00 p.m. EST
Workers' Compensation
WEB Based class

November 15, 2012

2:00 p.m. - 3:00 p.m. EST
Workplace Safety
WEB Based class

December 12, 2012

2:00 p.m. - 3:00 p.m. EST
Workers' Compensation
WEB Based class

(Continued on Page 21)





(Division of Workers' Compensation Offers Free Classes

Continued from Page 20)

December 13, 2012

2:00 p.m. – 3:00 p.m. EST

Workplace Safety

WEB Based class

The Division of Workers' Compensation is an authorized provider (Provider Number: 0004354) for continuing education purposes through the CILB. Course Number: 0010118 – one hour satisfies the workers' compensation requirement and Course Number: 0010630 – one hour satisfies the workplace safety requirement.

The form is available on the Division's website at www.myfloridacfo.com/WC. For additional information, e-mail bocseminars@MyFloridaCFO.com, or call (813) 221-6518.

Welcome New Members
July 27, 2012

Daniels Commercial Insurance, LLC

Shelby Daniels
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Affiliate
Chapter: NUCA of Northwest Florida

Flagler Construction Equipment

Bob Minichbauer
Tampa, FL
Phone: 813/630-0077
Associate
Chapter: SUCA

Underground Imaging Technologies, LLC

Michael Harford
Orlando, FL
Phone: 407/271-8911
Associate
Chapter: District 2

Sunshine 811 2012 Holiday Calendar

Labor Day	09/03/12
Thanksgiving Day	11/22/12
Day after Thanksgiving Day	11/23/12
Christmas Eve	12/24/12
Christmas Day	12/25/12

2013 Holiday Calendar

New Year's Day	01/01/13
Martin Luther King Day	01/21/13
Memorial Day	05/27/13
Independence Day	07/04/13
Labor Day	09/02/13
Thanksgiving Day	11/28/13
Day after Thanksgiving Day	11/29/13
Christmas Eve	12/24/13
Christmas Day	12/25/13

SSOCOF's business hours are Monday through Friday from 7:00 a.m. to 5:00 p.m. **Please keep the above dates in mind when calling for locates two business days prior. The law now**

requires two full business days prior to digging.



2012 FDOT Letting Date

August 29
September 26
October 31
December 5

2013 FDOT Letting Date

January 30
February 27
March 27
April 24
May 22
June 19





Chapter News

NUCA of North Florida

We just completed our Red, White and Blue Donation Campaign for our adopted charity, Seamark Ranch. We had a great time at Seamark on Saturday, June 23 when we drove to the ranch to deliver all of the items that were collected during our drive. Items collected included paper towels, toilet paper, craft supplies, sports equipment, laundry detergent, toothpaste, toothbrushes, deodorant, trash bags, food items and much more. A lunch of hot dogs, hamburgers, soda, chips and cookies was provided by Lippes & Bryan. The staff and families at Seamark were very grateful for our contributions. If you weren't able to make this event and would like to visit the ranch, a five year anniversary celebration will be held on Saturday, November 3. Thank you to the employees, friends and families who made donations thru these companies: A. J. Johns, Inc.; Beard Equipment Company; Ellis & Associates, Inc.; Grimes Utilities, Inc.; HD Supply Waterworks; J. B. Coxwell; John Woody, Inc.; Patrick & Robinson; Petticoat-Schmitt Civil Contractors, Inc.; Regan, Zebouni, P.A. and Ritchie Bros. Auctioneers. We are please to announce that we have a new monthly sponsor. United Rentals Trench Safety will be a gold monthly sponsor starting on July 1. We are grateful for the support of all of our monthly sponsors: Silver Sponsors: Beard Equipment Company; Professional Shoring & Supply; Layne Heavy Civil; and Standard Precast, Inc. Bronze Sponsors: A. J. Johns, Inc.; Ellis & Associates, Inc.; Highway Technologies and Petticoat-Schmitt Civil Contractors, Inc.

Have you purchased your ticket yet for our Decision 2012 Raffle? Would you like the chance to win your choice of a trip for two to Jekyll Island, a Browning X Bold Rifle, \$1,000 cash or a selection of other great prizes? Tickets are just \$50, and you do not

need to be a member to participate. Only 100 tickets will be sold. Just fill out the ticket on our website at www.nucanf.com and send with payment to the NUCA of North Florida office. The raffle will be held as soon as all tickets have been sold. Would you like to win a free ticket? The member who sells the most tickets will receive a free raffle ticket. Make sure your name is on all the tickets you sell.

Our next General Membership Meeting and BBQ, will be held on Thursday, August 2 at 6:00 p.m. at Layne Heavy Civil, 5634 West 5th Street. Hope to see you there!

NUCA of Northwest Florida

NUCA of Northwest Florida held its First Annual Inshore Fishing Tournament on June 16. It was held at Sabine Marina on Pensacola Beach. The waters were a bit rough, but fish were still turned in. Congratulations to our winners. Jimmy Rickett took first place for the Trout and Howard Patterson took second. The Flounder winners were Howard Patterson for first and Kenny Smith for second. Robert Scott took first for the Redfish and Curtis Scott took second. The Red Snapper winner was Shane Ruth and Larry Pierce turned in the second place fish. Carolyn Smith won first place for the ladies division and Karah Miller received second place. Our Junior angler winner was Easton Joyner and second place was his brother Ben Joyner. Coastal Machinery was the only boat that turned in a Trash Can Slam.

We wish to say thank you to our sponsors: Coastal Construction Products, Coastal Machinery, Cowin Equipment and Ferguson Waterworks. Thompson Pump and Utility Service Company. Thank you also to Sabine Marina for the use of the marina. And a shout out goes to Lissa Dees for the Shrimp and Chicken Boil. What an outstanding job.

We are in the process of planning

our Second Annual Equipment Rodeo. More information will be available next month. We will hold our Annual Meeting & Officer Installation on November 10 at the Museum of Commerce in Pensacola.

We would like to thank our current 2012 Sponsors: Brown Construction Company, Ford Meter Box, Kelson Electric Company and Southeastern Pipe.

NUCA of Southwest Florida

NUCA of Southwest Florida wants to thank everyone who attended and supported the 2012 Scholarship Golf Tournament which was held on Saturday, May 19 at the beautiful Old Corkscrew Golf Club in Estero on a beautiful day!

Thank you to the our Chairman Pres Bliss and the entire golf tournament committee for making this tournament a huge success. Special thanks to Rhonda Cason for stepping up to the plate and making sure everything ran smoothly and efficiently in Sharon's absence. We would also like to thank our many sponsors: **Major Sponsors:** Advance Drainage Systems, Cast Systems, HD Supply Waterworks, Iron Planet, Linder Industrial Machinery, Mader Electric Motors, MSC Waterworks, Nortrax Equipment, Oldcastle Precast, Sewer Viewer, U.S. Traffic Safety and Valenti, Trobec & Woody. **Green Sponsors:** B.J. Linings, Cast Systems, Clary's Site Work, Ferguson Waterworks, Guymann Construction, Hayes Pipe Supply, Haskins Co., Hertz Equipment Rental, J.P. Murphy Inc., Maximo Equipment, MWI Pump Rentals, Stevens & Layton, Strickler Brothers and Youngquist Brothers. **Tee Sponsors:** All Star Equipment of Ft. Myers, Andrew Site Development, Boyd Irrigation, Cast Systems, C.W. Roberts, Denco Construction, Family Business Coach, Forsberg Construction, Haskins Co., Maximo Equipment,





McWane Cast Iron Pipe, Mitchell & Stark, MWI Pump Rentals, Oldcastle Precast, Sunshine State One Call and Valenti Trobec & Woody. Closest to Pin Sponsors: Pavement Maintenance Inc., Kelly Tractor and B.J. Enterprises. Longest Drive Sponsor: Rinker Concrete Pipe Div. Straightest Drive Sponsor: McWane Cast Iron Pipe.

NUCA of Southwest Florida will be awarding scholarships to deserving students at our Scholarship Awards Dinner Meeting on July 26 at The Holiday Inn, Gulf Coast Town Center. Applicants must be an employee of NUCA of Southwest Florida member company or the child or an employee. Applications and instructions are available online at our website, www.swfuca.com. If you are interested or have a child that is interested, please apply today for this fantastic opportunity to receive assistance with educational expenses.

NUCA of Southwest Florida's Annual Fishing Tournament is getting close! The date is September 21-23 at

'Tween Waters Inn, Captiva Island. One of our favorite places in the world! Mark your calendar and plan to attend. This is a great weekend for members and their families to relax, have fun together and catch fish! Registration forms will be out soon and will be sent out by e-mail and available on our website.

We are also looking forward to our 2012 NUCA of Southwest Florida Trade Show on October 25. It will be held at Harborside Event Center in Downtown Fort Myers. Information will be out soon. If you are interested or know of someone who would be interested in getting a booth or attending, get the word out. This is a very popular Trade Show for our industry in Southwest Florida. It has been called "The Best in our Area."

SUCA

SUCA's Scholarship Committee has completed the challenge of selecting the recipient of the 2012 scholarship award. The recipient will be announced and awards presented at Scholarship Night on

July 12 at the Columbia Restaurant in Ybor City. The evening begins with cocktails at 6:30 p.m., dinner at 7:15 p.m. and the awards presentations immediately following dinner. SUCA's scholarship program has been in place since 1989 and has awarded over \$98,000 to the children of SUCA members. Please take part in this important association event. Make your reservations today by contacting the SUCA office by phone at (813) 355-4879 or by e-mail at mtjader@suca.org. The 2012 Scholarship Committee is chaired by Tom Woodward of David Nelson Construction Co. and assisted by Bill Cammann of Lanier Upshaw, Tom Butler of RIPA & Associates and Penny Danielecki of Raymow Construction.

The SOLD-OUT 2012 SUCA Showcase will be held on Thursday, August 2, 2012 at the DoubleTree Hotel in Tampa. Admission to the event is free and attendance is open to contractors, engineers and representatives of municipalities in SUCA's membership area. If you are



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interested in attending or sponsoring the event, please contact the SUCA office. We look forward to your participation in making the show in 2012 a success!

SUCA will offer the NUCA Excavation Safety and Competent Person training seminar to our members on Saturday, September 15 at the Ring Power training facility, 10421 Fern Hill Drive in Riverview. Space is limited to the first 40 attendees. Reservations are on a first-come, first-serve basis. The cost is \$60 for SUCA members and \$80 for non-SUCA members.

Mark your calendars now for SUCA's 17th Annual Fish Fry on Thursday, September 20, 2012. The fish fry will again be held at Largo Central Park from 11:00 a.m. – 1:30 p.m. This ever popular event draws over 300 people year after year for seafood cooked on site and a chance to make those important business contacts over lunch. SUCA member employees, prospective members, customers, guests and family are all welcome to attend! Ten tickets will be mailed

out to each member firm in late August. Unwanted tickets should be mailed back to the SUCA office by September 12 to avoid charges.

SUCA's Membership Committee, chaired by Tom Butler of RIPA & Associates, is in full swing with the half year dues promotion. This is a great time to have a prospective member try membership for six months at half price. Please contact the SUCA office for more information. Remember, you will receive \$50.00 for each new member you sponsor!

SUCA's 7th Annual Clay Shoot will be held on Saturday, November 10 at Tampa Bay Sporting Clays in Land O' Lakes. Registration and breakfast begins at 8:00 a.m., and the tournament will begin at 9:00 a.m. The tournament will be followed by a barbecue lunch and awards. The cost for a four man team remains \$350.00. This price includes the fifty target, eight station event, ammunition, breakfast, lunch and awards. Tickets will also be sold for a shotgun raffle at the event. If you are interested in sponsoring

this event, please contact the SUCA office. There are very specific safety rules and regulations for the clay shoot. Each person involved (shooting or not) must sign a waiver and wear ear and eye protection (ear protection provided, bring your own safety, sun or prescription glasses).

SUCA's Nominating Committee is currently working to plan our leadership for 2013. If you are interested in serving on SUCA's Board of Directors or in serving on a committee, please e-mail the SUCA office of your interest at mtjader@suca.org. You do NOT have to sit on SUCA's board to serve on a committee. Get involved in your association!

It's not too early to mark your calendar for Saturday, December 1, 2012. That's the night of SUCA's Annual December Banquet at the Tampa Club. Additional information will be sent out in the coming months.

If you are interested in SUCA's projects or events, please contact our office at (813) 355-4879 or visit our website at www.suca.org.



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