



Ditchmen

Online

Underground Utility Contractors of Florida, Inc.

APRIL 2011

UUCF 2011 Annual Convention July 21-24 *(see page 4 for details)*



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ANNUAL CONVENTION
July 21 - 24, 2011**

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This form is invalid unless received on or before Saturday, June 18, 2011

All rooms are subject to applicable taxes. Group rates and availability for arrivals three days prior and departures three days after above group dates are on a space available basis only. Group rates may not be combined with any other special offer, package or discount. **When reservations are made, the Casa Marina Resort & Beach Club will require a deposit of one night's room and tax by guest check or credit card to be charged upon reservation. An individual's deposit is refundable if the resort receives notice of cancellation three (3) days prior to the scheduled arrival. After arrival, guests departing earlier than reserved will be charged a \$75.00 early departure fee plus tax.** Rooms will be held under the UUCF room block until June 18, 2011. After this time, reservations will be accepted on a space available basis at prevailing hotel rates.

HOTEL RESERVATION FORM (PLEASE TYPE OR PRINT ALL INFORMATION)

FIRST AND LAST NAME

COMPANY

ADDRESS

()

CITY, STATE, ZIP

AREA CODE/PHONE NUMBER

E-MAIL ADDRESS FOR CONFIRMATION

ARRIVAL DATE

HOUR (Check-in
time 4:00 p.m.)

DEPARTURE DATE

(Check out time 11:00 a.m.)

NUMBER OF PEOPLE IN ROOM/SHARING WITH

Please check (X) your preference of the following: KING BED _____ TWO DOUBLE BEDS _____ All rooms are non-smoking.

Handicapped Person(s), please specify any special needs you may require

One night's deposit is required to confirm a reservation. Payment can be made by check or credit card. Check enclosed in the amount of \$ _____.

Please guarantee to: ___ MasterCard ___ Visa ___ American Express ___ Diner's Club ___ Discover

Card Number

Expiration Date

Name as on Card

Signature

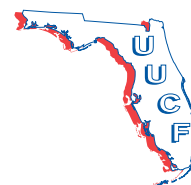
Please return by mail to:

**Casa Marina Resort & Beach Club
Attn: Reservations Department
1500 Reynolds Street
Key West, FL 33040**

By Fax:

(305) 296-4633

Attention: Group Rooms Coordinator





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UUCF 2011 Annual Convention

Only the Best Survive in Key West

The 2011 UUCF Convention will be held at the Casa Marina in Key West on July 21–24. Built in 1920, Casa Marina, is a flawless merging of old Key West ambiance and contemporary luxury. Immerse yourself in a restful haven where emerald lawns meet a blue Atlantic – welcoming stunning sunrises each day. Come to the "house by the sea" enveloped in breezy elegance and shaded by graceful palms. Enjoy a taste of tropical living at the most legendary choice of Key West hotels and resorts – Casa Marina. Nestled along the southern edge of the island – spanning more than 1,100 feet of private beach. The Casa Marina is a proud new member of the Hilton family, and their level of service remains unsurpassed.

This year's Convention Committee is being chaired by Flo Woodall of John Woody, Inc. in Jacksonville. The theme of this year's convention is "Only the Best Survive in Key West."

The UUCF office is currently accepting sponsors for the 2011 Platinum, Gold and Silver Sponsorship Programs.

UUCF would like to thank the following companies for committing to be a Platinum Sponsor for this year's convention: **CNA; Nortrax; and Sunshine State One Call of Florida, Inc.** UUCF would like to thank the following companies for committing to be a Gold Sponsor for this year's convention: **Glenn Rasmussen Fogarty & Hooker, P.A.; Linder Industrial Machinery Co.; and Pensacola Concrete Construction Company, Inc.**

To become a Platinum Sponsor, the cost is \$3,000.00. Platinum Sponsors are entitled to the following benefits:

- Platinum Sponsor company name



will appear alphabetically on all flyers and registration forms regarding the convention.

- A handsome banner with your company's logo will be displayed at all major functions during the convention.
- Each Platinum Sponsor will have an exhibit board to display information pertaining to their company in the registration room during the convention.
- A profile of your company will be included in the convention

program and printed in one month's issue of the *Ditchmen*.

- One reserved table at the Friday and Saturday night dinners.
- Special name tags displaying "Platinum Sponsor" to all employees of your company in attendance.
- First option on returning as a sponsor for the 2012 Annual convention.

If your company is interested in becoming a Platinum Sponsor, please contact the UUCF office at (407) 830-1880.

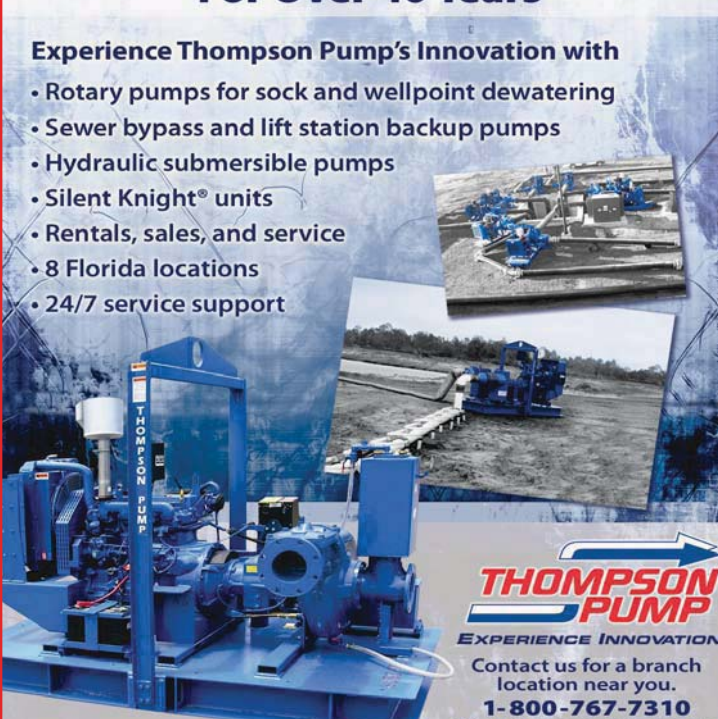
To become a Gold Sponsor, the cost is \$1,500.00. Gold Sponsors are entitled to the following benefits:

- Your company's name added to a handsomely printed sponsor sign which will be displayed at the

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Thursday, Friday and Saturday night events (i.e., UUCF 2011 Annual Convention Gold Sponsors: "Your Company Name". All companies will be listed in alphabetical order on the signage).

- Your company name listed with other Gold Sponsors in our convention program which will be given to all attendees.
- First option on returning as a Gold Sponsor for the 2012 Convention.

If your company is interested in becoming a Gold Sponsor, please contact the UUCF office at (407) 830-1880.

To become a Silver Sponsor, each event is given a slot value of one (1) to seven (7) depending on the event, and the cost is \$500.00 per slot. Silver Sponsors are entitled to the following benefits:

- A handsome printed sponsor sign displayed at the event you choose (i.e., This Reception is Proudly Sponsored or Co-Sponsored by "Your Company Name").
- Company name listed with other Silver Sponsors in our convention brochure which will be given to all attendees.
- First option on returning as a Silver Sponsor for the 2012 Convention.

UUCF would like to thank the following companies for committing

to be a Silver Sponsor for this year's convention: **Glenn Rasmussen Fogarty & Hooker, P.A.** and **Ring Power Corporation.**

The 2011 Convention Hotel Reservation Form can be found on **page 2** in this issue of the *Ditchmen*. The room block for the UUCF Convention expires on Saturday, June 18; however, we strongly encourage everybody to make your hotel reservation(s) as soon as possible. This year's Convention Committee has secured a run of the house guest room rate of \$219.00 per night, single/double occupancy, Island Vista room rate of \$219.00 and Ocean Vista room rate of \$299.00.

The Convention Committee is still working on the details for the convention; however, there will be a roundtable discussion, a Chinese Raffle and Silent Auction. On Saturday evening, we have a fun-filled evening planned. Get ready to name your tribes and play our Survivor games.

The UUCF Convention Registration Brochure and Forms were e-mailed to the membership on April 8 but can also be found on the UUCF website at www.uucf.com. Be sure get your registration into the UUCF office on or before May 6 in order to receive the discounted rate. After May 6, the registration fee increases.

Repealing the 1099 Reporting Requirement: A Big Win for Small Business

On April 14, President Obama signed a law that removes the expanded "1099" reporting requirement from the Affordable Care Act. This is a big win for small businesses.

The U.S. Small Business Administration and President Obama supported repealing this provision, which would have required businesses to send 1099 forms for all purchases of goods and services over \$600 annually. With this bipartisan effort, we have removed a requirement that would have been an undue barrier to small business growth.

The many benefits of the health reform law for small businesses remain in place. These tools are already helping small business owners find more affordable and accessible coverage for themselves

and their employees.

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UUCF

**The Underground Utility
Contractors of Florida
2011 Annual Convention**
Casa Marina Resort & Beach Club
Key West
July 21–24

2011 Platinum Sponsors:
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Watch future issues of the *Ditchmen*
for additional information.

UUCF 2011 Annual Convention

**July 21–24
Casa Marina Hotel
in Key West,
Florida**

**Mark your calendar
now be part of
Only the
Best Survive
in Key West.**



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Amendment 4 Has Been Defeated!

That is music to my ears. The voters of Florida saw through this attempt to hijack our political process.

Amendment 4 (Hometown Democracy) has been on the UUCF radar since 2004 because it had the potential of having a devastating effect on Florida's economy if passed. In the years and days leading up to November 2, 2010, it became very apparent that, based on the facts, this amendment would have a negative effect on jobs, taxes, growth and our voting system.

The UUCF PAC stepped up to the plate with a \$5,000 donation to **"Citizens for Lower Taxes & a Stronger Economy"** which was to be used for a statewide campaign against Amendment 4. **IT WORKED!!**



We can all breathe a collective sigh of relief . . . for now. But, we will face many new challenges in the future that will require an abundance of dedication and effort in order to protect the industry we love, an industry that provides for our families and an industry that we have poured our hearts and souls into.

The UUCF PAC will continue to work for its members, but now it's time for the members to give back to the

UUCF PAC. UUCF PAC Chairman Bruce Wendorf is asking every single member to contribute \$40.00 to "Rebuild and Reload" the UUCF PAC and help replenish the \$5,000 we committed to help save our industry and state.

The next threat to our industry is right around the corner. Let's be ready for the fight with a strong UUCF PAC.

By April 2011, the new headline will read – **"THE PAC IS BACK!"**

If you have any questions or need additional information, please do not hesitate to contact the UUCF PAC office at (407) 830-1880. If you would like to contribute \$40.00 to "Rebuild and Reload" the UUCF PAC, please make check payable to UUCF PAC and mail to 231 West Bay Avenue, Longwood, FL 32750-4125.

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Bid Protests: Grounds For and Defenses Against

By — George E. Spofford, IV

Glenn Rasmussen Fogarty & Hooker, P.A.

P. O. Box 3333

Tampa, Florida 33601-3333

(813) 229-3333

Most public contracts in Florida must be awarded under a competitive bid process. Most frequently, this means the contract is awarded after a sealed bid letting where the bids are evaluated based on low price. The winner of the competition is the bidder that submitted the lowest price. Low price need not be the criteria upon which the competition is decided, but it is the most common criteria used. There also are exceptions to the requirement that public contracts be awarded via a competitive process, but discussion of the exceptions will need to be addressed in a later article. Recently we discussed the time limits within which a bid protest must be filed. This month we will identify some of the grounds that can give rise to a bid protest.

If the advertisement for bids states that the contract will be awarded to the bidder submitting the lowest responsive bid, then the more common protests we see are because: only one bid was submitted, or only one bidder could qualify; the apparent low bid was not responsive; the specifications were ambiguous; the owner awarded the contract based on something other than the criteria published in the bid advertisement; or, the owner allowed the apparent low bidder to change its bid after the fact.

Florida's competitive bid law is intended to make sure that public monies are used to obtain the best value for the public. The competitive

bid laws are also intended to prevent even the appearance of favoritism and collusion in the bid process. If there is no competition to obtain a public works contract, then the public owner is not going to get the best price possible for that contract. Similarly, if there is a "competition," but it is not conducted in an open and fair manner, then contract prices ultimately will increase because eventually no one will waste their time preparing a bid if it is known that the bidder will not be treated fairly. When the specifications are clear and price is the determining factor, subjectivity, which can lead to collusion and favoritism, is removed from the competition. Thus, when a contractor believes that another bidder has received some special treatment, or has obtained an unfair advantage over the other bidders, that can lead to a bid protest.

Only One Bid was Submitted or Only One Bidder Could Qualify

Competition, by definition, requires that at least two bids to have been submitted, even if one of the bids is nonresponsive. Thus, if the bid specifications are written in such a manner that only one bidder is willing to do the work and only one bid is submitted, then the project should be revised and re-advertised. According to the court in *Satellite Television Engineering, Inc. v. Department of Gen. Services*, 522 So.2d 440 (Fla. 1st DCA 1988) if there have been two or more bids for a public contract, only one of which conforms in all material respects to invitation to bid, the competitive bidding requirement has

been met, and the owner may award a contract without instituting second round of bidding. The court concluded that the term "competitive bids," was intended to encompass those situations where a public owner has received one responsive bid together with one or more nonresponsive bids. On occasion, the specifications are drafted in such a manner that in reality only one bidder can submit a responsive bid. For example, owners sometimes specify that only one brand of equipment and no "or equals" will be allowed, or that only bidders with a high minimum experience threshold will be allowed to submit bids and there is no reasonable basis for such a high minimum threshold. In that instance, a pre-bid protest would be appropriate because bid advertisements that unreasonably restrict competition are contrary to the Florida competitive bid laws. Sole-source bids, whether they limit the bidders, or the material or equipment used on the project, restrict competition. Florida Statutes, Section 255.04, does allow sole-source bids under certain limited circumstances, but generally when a public owner intends to utilize a sole-source bid, it will be explicitly identified as such, and the owner will have complied with the requirements of the statute.

The Apparent Low Bid Was Not Responsive

To be considered for an award, a bid must be "responsive". This means the bid must strictly adhere to the material specifications of the





solicitation. See System Development Corp. v. Dept. of Health & Rehabilitative Services, 423 So.2d 433 (Fla. 1st DCA 1982). Florida Statutes, Section 287.012(5) governing state procurements of commodities and services expressly defines a responsive bid as one that conforms in all material respects to the solicitation. For example, if the specifications require the use of a certain type of construction material, say domestic steel, and a bidder proposed to use foreign steel, then the bid would be nonresponsive and subject to being protested.

However, not all deviations from the solicitation will be fatal to a bid. Irregularities in bids are divided into two general categories: (1) material irregularities, and (2) nonmaterial irregularities. Only material deviations render a bid non-responsive. Whether an irregularity in a bid is material turns on “whether the variation affects the amount of the bid by giving the bidder an advantage or benefit not enjoyed by the other bidders.” Harry Pepper & Associates, Inc. v. City of Cape Coral, 352 So.2d 1190, 1193 (Fla. 2d DCA 1978). If the bidder receives or could have received an economic advantage from its departure from the bid instructions, then the variation is material and the bid must be rejected. Minor, nonmaterial irregularities in a bid, i.e. those that do not affect the price, generally may be waived by the owner. In Overstreet Paving Company v. State of Florida, Department of Transportation, 608 So.2d 851 (Fla. 2nd DCA 1992) the apparent low bidder’s failure to submit a required form did not provide the bidder with economic advantage. The court held that the failure to submit the form was merely a technical defect because the information on the missing document was also provided elsewhere in the bid.

The Specifications Were Ambiguous

In order for the comparison of price to be fair, all bidders must have based their price on the same specifications. A public owner must provide unambiguous specifications to ensure that the owner can truly compare the prices in order to obtain the best price for the work specified. The owner has to have the ability to perform an “apples to apples” comparison. Wester v. Belote, 103 Fla. 976, 138 So. 721 (1931).

Not every ambiguity in the specifications can serve as the basis for a bid protest. Only ambiguities that are “material” can support a bid protest. Whether an ambiguity is material is determined by whether any bidder was afforded an unfair economic advantage, i.e. was able to submit a lower price than the other bidders. Therefore, although a bid may include unclear or inaccurate specifications, the ambiguity or error must be material to support a bid protest. A challenge will succeed only if the alleged defect is material.

The Owner Awarded the Contract Based on Something Other Than the Criteria Published in the Bid Advertisement

In a competitive bid setting, any contract award must be based on who submitted the best bid based on the criteria set forth in the bid advertisement. A public owner may not award a contract based on some criteria that is not stated in the bid advertisement. In Marriott Corporation v. Metropolitan Dade County, 383 So.2d 662 (Fla. 3rd DCA 1980) the County initially awarded a contract to a bidder on the basis that the bidder was a local business. However, the bid advertisement did not state that one of the criteria to be considered was whether the bidder maintained a local business presence. Accordingly, the court held that the local preference criteria, in that instance, could not be considered in evaluating the bids.

The Owner Allowed the Apparent Low Bidder to Change its Bid.

A public owner also must consistently apply the bid documents to all bidders and may not change or waive specifications after the bids have been opened in a manner that creates the potential for favoritism. In Emerald Correctional Management v. Bay County Board of County Commissioners, 955 So.2d 647 (Fla. 1st DCA 2007) the court held that if a county requested modifications of pricing from one contractor but not another and relied on those modifications in making its award, that would amount to impermissible favoritism.

In Harry Pepper & Associates, Inc. v. City of Cape Coral, 352 So.2d 1190 (Fla. 2d DCA 1977), the apparent low bidder based its bid on pumps that were different than what was specified. After the bids were opened, the low bidder said it would provide the specified pumps at the same price used in its bid for the non-compliant pumps. Substitution of the pumps was not allowed. The court held that it would be unfair for a bidder to be allowed to change its bid after the opening. If that were allowed, then the apparent low bidder would have everything to gain and nothing to lose. After everyone else’s bids were opened, the apparent low bidder was in a position to decide whether it wanted the job badly enough to incur the additional expense of supplying conforming pumps. None of the other bidders had the option of accepting or rejecting an offered contract.

Conclusion

The examples provided above are just some of the types of flaws that can result in a bid protest. The common element in all bid protests is whether the bid was conducted in a manner that was fair to all qualified bidders and did not restrict competition. Regardless of the facts,

(Continued on Page 14)





UUCF/Andrew Scott Johnson Memorial Scholarship Foundation Scholarship Application Available

The UUCF/Andrew Scott Johnson Memorial Scholarship Foundation, Inc. is pleased to announce that its scholarship application is now available. The scholarship application is available to any employee and/or their immediate family member (i.e., child, grandchild, etc.) who is employed by a company that is a member of UUCF. The applicant must be a senior graduating from high school who will be enrolling in an accredited two- or four-year college or university for the year beginning in August or September 2011 or an individual who is currently attending an undergraduate two- or four-year

accredited college or university for the year beginning in August or September 2011. The enrollment may be in a curriculum of any number of years but the scholarship will not exceed one year. (Applicants must be affiliated with a UUCF member in good standing with dues paid at the time of application. Out of state branches of member companies are not eligible.)

The UUCF/Andrew Scott Johnson Memorial Scholarship Foundation, Inc. was established in memory of the son of a Past President of UUCF, Scott J. Johnson (Johnson-Davis, Inc.). On December 28, 1999, Andrew "Andy" Scott Johnson was killed in

an automobile accident. Andy was 19 years of age. He was an honor student and a 1998 graduate of Pope John Paul II High School. He was a sophomore at Vanderbilt University. He loved the outdoors, all kinds of sports, especially Lacrosse, music and sport fishing. Andy was especially dedicated and loyal to his many friends and family.

If you have any questions, need additional information or would like to request a scholarship application, please do not hesitate to contact the UUCF/Andrew Scott Johnson Memorial Scholarship Foundation office at (407) 830-1880.

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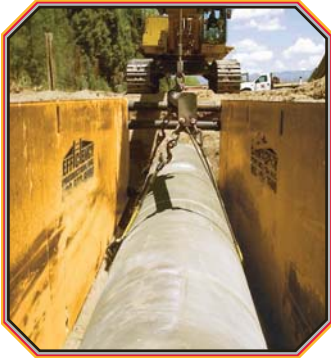
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Florida Utility Contractors visit Lawmakers in Tallahassee

The Underground Utility Contractors of Florida (UUCF) took to the halls of the state capitol in Tallahassee in March to explain to lawmakers the position of utility contractors on a number of issues. "It's all about jobs right now — that was our message," said Bruce Kershner, Executive Vice President of UUCF.

The team fanned out and spoke with legislators about seven priorities including the problem of municipalities self-performing public works projects rather than bidding them out to the marketplace. The law requires local government to bid anything over \$300K, but this is not always happening. Among other things, utility construction representatives also raised their

concern about the raiding of the State Transportation Trust Fund. They also encouraged lawmakers to support a bill that extends the time period for protesting a bid solicitation. Representatives from four of Florida's NUCA chapters participated in the visits to legislators. Representative Will Weatherford, who will be Speaker of the House in 2012, was the guest speaker and joined the group for lunch.

"We also addressed an issue we've been working on with NUCA — AC Pipe bursting. This is a huge issue across the country," said Bruce. Former Congressman and Florida Speaker of the House Tom Feeney gave the group an update on that issue, and because integrated

contractors reached out to the Florida Department of Environmental Protection (DEP), they are now onboard with us. The Florida Department of Environmental Protection has pledged to help the EPA see that there is no need to dig up pipes once they are burst underground. "What was accomplished with Feeney and others is that we have a good partnership going forward to convince the EPA on this regulation. It's very important for our members to make this trip once a year, and overall, I think the meetings went very well," added Bruce. "Our members were very well received by legislators. The vast majority of what we had on our wish list was very well received, and I have high expectations for the rest of the session."

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Associate Member of the Month: Professional Shoring & Supply

Efficiency Production, Inc., America's leading manufacturer of trench safety equipment, introduces Professional Shoring and Supply (PSS)—Florida's newest trench shielding and shoring equipment experts.

Based out of three locations in Florida—Orlando, Tampa and Jacksonville—Professional Shoring and Supply's staff has more than 100 years combined shoring experience in Florida. Professional Shoring and Supply offers a full range of trench shielding and shoring equipment, including:

- Steel and Aluminum Trench Shields
- Steel Manhole Shields
- Build-A-Box™ Aluminum Modular Trench Shielding
- Hydraulic Shores, Rescue Shores,

- Hi-Clearance Shores, and Hydraulic Aluminum Shields
- Slide Rail Systems and Shore-Trak™ Cross-Trench Utility System
- Stone Mizer® Bedding Box Material Containers
- Porta-Tank™ Water-tank & Power-Spray System

All products are P.E. certified to meet OSHA standards. Professional Shoring and Supply also supplies and services a full range of construction support equipment, such as:

- Road Plate
- Pipe Plugs
- Pipe Pullers
- Gas Monitors

Professional Shoring and Supply is Florida's complete rental resource;

offering OSHA and NUCA (National Utility Contractors Association) certified trench safety/Competent Person training. Additionally, PSS is supported by the nation's leading trench shielding and shoring equipment manufacturer—Efficiency Production, Inc.

Engineering support from Efficiency includes custom engineering and pre-bid CAD system drawings; special application design for highly challenging job site conditions; sales, marketing and customer service support; and on-site installation assistance from the country's foremost Slide Rail System and Trench Shielding Specialists.

Professional Shoring and Supply is

(Continued on Page 21)

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(Bid Protests: Grounds For and Defenses Against Continued from Page 9)

if you encounter a situation that "isn't fair" or "just smells bad", then it may be worth the effort to dig a little deeper to make sure the letting is being conducted properly.

George Edson Spofford, IV of the Tampa law firm, Glenn Rasmussen Fogarty & Hooker, P.A., prepared this article. Spofford has represented the construction industry since 1985. Spofford is Board Certified by the Florida Supreme Court in Construction Law and practices throughout Florida representing owners, contractors, subcontractors, and sureties. Feel free to contact the author at (813) 229-3333 or gspofford@glennrasmussen.com.

Disclaimer: The information contained in this article is for general educational information only. This information does not constitute legal advice, is not intended to constitute

legal advice, nor should it be relied upon as legal advice for your specific factual pattern or situation. Regulations and laws may vary depending on your location. Consult with a licensed attorney in your area if you wish to obtain legal advice and/or counsel for a particular legal issue.

Registered Contractor License Renewal Reminder

Just a reminder that the Registered Contractor licenses from the Department of Business and Professional Regulation (DBPR) are up for renewal on August 31, 2011. 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



Greetings to all, and we welcome all of our new members. The 2011 Legislative Session is coming to a close. There are

only two weeks left;

however, there doesn't appear to be much getting done in Tallahassee. To date, we still don't know the outcome of changes to Florida Statute 255.20 (Competitive Bid Law), changes to the time frame allowed in current law to file a notice of protest on bid solicitations as well as the legislators raiding of the State Transportation Trust Fund (STTF). Be sure to read the weekly Legislative Reports that are sent by the UUCF office.

The Scholarship Application for the UUCF/ASJMSF is available. This year, the foundation will be awarding two one-time only \$6,000 scholarships. If you would like to request an application, please go to the UUCF website at www.uucf.com and fill out the request form or call the UUCF office. Deadline to return completed



applications is Monday, June 13.

The UUCF PAC is still soliciting donations

for the Rebuild & Reload Campaign. During 2010, the UUCF PAC disbursed \$5,000 toward Vote No on Amendment 4. UUCF PAC Chairman Bruce Wendorf established the Rebuild & Reload Campaign to replenish these funds. To date, the UUCF PAC has collected \$2,510. We're half way towards the \$5,000 goal. For those who have donated, I thank you. For those who have not, it's not too late. [Click here](#) for a donation form.

And last, but not least . . . My family and I are excited about the UUCF 2011 Convention which will be held on July 21-24 at the Casa Marina Resort in Key West. This year's theme is "Only the Best Survive in Key West." The UUCF Convention

Registration forms were e-mailed on April 8. Registration forms, along with payment, that are received in the UUCF office on or before May 6 receive a discounted rate. The room block at the hotel expires on June 18. The Hotel Reservation Form can be found on [page 2](#) in this issue of the *Ditchmen*. So, don't delay . . . register today. I look forward to seeing everybody in the Keys in July.

I thank Chairperson Flo Woodall and the Convention Committee for their hard work in preparing this event. As always, Flo Woodall does a great job and gets very creative. You can tell because there is going to be a Cornhole Tournament on Friday. Not sure what a Cornhole Tournament is? Well, go to the official website of the American Cornhole Association at www.playcornhole.org and read all about it.

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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 locations, dates and times for future sessions.

May 13, 2011

Pompano Beach
Workforce One
2301 West Sample Road, Bldg. 4
Pompano Beach, FL 33073

May 19, 2011

Jacksonville
Florida Dept of Law Enforcement
921 N. Davis Street, Bldg. E, Rm. A
Jacksonville, FL 32209

May 26, 2011

Pensacola
Alabama Associated General
Contractors, Northwest FL Section
201 South F Street
Pensacola, FL 32502

May 26, 2011

Orlando
State Office
Building, Hurston
Complex
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Street, South
Tower, Conference
Room A & B
Orlando, FL
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June 2, 2011

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Pinellas County
Construction
Licensing Board
12600 Belcher
Road, Suite 102
Largo, FL 33773

June 9, 2011


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Southwood
Complex, Betty
Easley
Conference Center
4075 Esplanade
Way, Room 180
Tallahassee, FL 32399

June 10, 2011

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These seminars are open to all licensed contractors, business owners and employers. 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.

Advanced registration is required. 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.



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Construction Law Group Receives Recognition as Corporate INTL Magazine's 2010 “Construction Law Firm of the Year in Florida”

Glenn Rasmussen Fogarty & Hooker, P.A. is proud to announce that its Construction Law Group was named

(Continued on Page 21)





Calendar of Events

UUCF

June 3 Board of Director's Meeting, Orlando
July 21 Board of Director's Meeting,
Casa Marina Resort & Beach Club, Key West
July 21-24 Annual Convention,
Casa Marina Resort & Beach Club, Key West
Sept. (TBA) President's Cup Golf Tournament
Nov. 4 Board of Director's Meeting, Orlando

NUCA of North Florida

May 10 Executive Committee Meeting
May 19 Board of Director's Meeting
May 19... Jacksonville Suns vs. Mississippi Braves Game,
Baseball Grounds of Jacksonville
June 14 Executive Committee Meeting
July 12 Executive Committee Meeting
July 28 Board of Director's & General
Membership Meeting Meetings
Aug. 9 Executive Committee Meeting
Sept. 13 Executive Committee Meeting
Sept. 22 Board of Director's & General
Membership Meeting Meetings
Oct. (TBA) Fishing Tournament,
Sister's Creek Marina/City of Jacksonville
Oct. 11 Executive Committee Meeting
Nov. 8 Executive Committee Meeting
Nov. 17 Board of Director's & Election of
Officers Meetings
Dec. 13 Executive Committee Meeting

NUCA of Northwest Florida

May 5 Golf Tournament, Pensacola
May 12 Board of Director's Meeting, Pensacola
June 9 Board of Director's Meeting, Pensacola

NUCA of Southwest Florida

May (TBA) Golf Tournament
June 16 General Membership Meeting,
Holiday Inn, Gulf Coast Town Center, Fort Myers
July 21 General Membership Meeting,
Holiday Inn, Gulf Coast Town Center, Fort Myers
Aug. 18 General Membership Meeting,
Holiday Inn, Gulf Coast Town Center, Fort Myers
Sept. (TBA) Fishing Tournament
Oct. 20 General Membership Meeting,
Holiday Inn, Gulf Coast Town Center, Fort Myers
Nov. (TBA) Board of Director's Meeting
Dec. (TBA) Christmas Party

SUCA

May 12 Membership Mixer,
Magnuson Hotel Marina Cove, St. Petersburg
June 2 General Membership Meeting,
Imperial Lakewoods, Palmetto

June 17 Scholarship Golf Tournament,
Eagle Golf Club, Odessa
July 14 Scholarship Night,
Columbia Restaurant, Ybor City
Aug. 4 Membership Meeting
Aug. 25 Trade Show,
DoubleTree Westshore, Tampa
Sept. 8 Membership Mixer,
Howl at the Moon, Channelside
Sept. 15 Fish Fry, Largo Central Park, Largo
Oct. 6 Annual Meeting & Elections,
Rusty Pelican, Tampa
Oct. 21 Clay Shoot,
Tampa Bay Sporting Clays, Land O'Lakes
Nov. 3 Membership Meeting & Installation of
2012 Officers & Directors
Dec. 3 Year End Banquet,
Tampa Club, Tampa

NUCA

May 10-12 Washington Summit,
Holiday Inn Hotel and Suites, Old Town Alexandria, VA

Sunshine State One Call of Florida, Inc. (SSOCOF) Meetings

May 19 Annual, Board of Director's and Committee
Meetings, DeBary Call Center
May 20 Golf Tournament, DeLand
June 17 Executive Committee Meeting,
DeBary Call Center/Conference Call
Aug. 18 Committee Meetings
Aug. 19 Board of Director's Meeting
Sept. 16 Executive Committee Meeting,
DeBary Call Center/Conference Call
Nov. 17 Committee Meetings, DeBary Call Center
Nov. 18 Board of Director's Meeting,
DeBary Call Center
Dec. 16 Executive Committee Meeting,
DeBary Call Center/Conference Call

Construction Industry Licensing Board Meetings

May 11-13 Embassy Suites - Fort Lauderdale,
Fort Lauderdale, FL
June 8-10 Crowne Plaza Jacksonville Riverfront,
Jacksonville, FL
July 13-15 Gaylord Palms Resort & Convention
Center, Kissimmee, FL
Aug. 10-12 Embassy Suites Tampa/USF,
Tampa, FL
Sept. 14-16 TBA
Oct. 12-14 Gaylord Palms Resort & Convention
Center, Kissimmee, FL
Nov. 9-11 Hampton Inn & Suites Amelia Island,
Fernandina Beach, FL





(Associate Member of the Month: Professional Shoring & Supply Continued from Page 13)

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(2011 Platinum Sponsor of the Month: Nortrax Continued from Page 16)

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(Construction Law Group Receives Recognition as Corporate INTL Magazine's 2010 "Construction Law Firm of the Year in Florida" Continued from Page 19)

Corporate INTL Magazine's "Construction Law Firm of the Year in Florida" for 2010.



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Firms were researched by an independent team looking at service range, business type, geographical location, how the business operates and the expertise each team can offer to companies. The 2010 Awards have commemorated those who have been active over the past 12 months and who have shown excellence not only in expertise but also in service during a difficult global economic downturn.

**Sunshine State One Call of
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2011 Holiday Calendar**

Memorial Day	05/30/11
Independence Day	07/04/11
Labor Day	09/05/11
Thanksgiving Day	11/24/11
Day after Thanksgiving Day	11/25/11
Christmas Eve	12/23/11
Christmas Day	12/26/11

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2011 FDOT Letting Date

May 25	June 22
July 27	August 31
September 28	October 26
December 7	

2012 FDOT Letting Date

January 25	February 29
March 28	April 25
May 23	June 20





Chapter News

NUCA of North Florida

Effective April 1, we have changed our name to NUCA of North Florida, Inc. Last fall, our Board of Directors made the decision to change our name. We have a new website at www.nucanf.com and have changed the look of *The Flow*, our monthly newsletter. We are using our new logo on our letterhead, business cards and on new nametags for the Board of Directors.

We just returned from our annual visit to Tallahassee to meet with our Senators and Representatives. We had breakfast with Representatives Lake Ray and Charles Van Zant. We had some good meetings with members of the Duval Delegation and will follow up with them in a few weeks. Thanks to the UUCF staff for producing a very nice legislative summary piece that we could leave with our legislators.

During lunch at the UUCF Board of Director's Meeting, our chapter presented Representative Will Weatherford with the 2010 *Don Davis Excellence in Public Service Award*. Established last year in memory of the late Representative Don Davis, the award will be presented annually to a non-member who has made a significant contribution to the industry or association that most exemplify the life and example of the late Don Davis. Considerations include accomplishments in private life, business, military and public service. The candidates may hold office on a state, local or national level.

The NUCA of North Florida Annual Golf Tournament on Tuesday, April 5 at Deerwood Country Club is quickly approaching. Thank you to the following companies who are participating with a Gold Vendor Showcase: Advanced Drainage Systems, Inc.; All Pro Asphalt; Cecil W. Powell & Associates; Ferguson Waterworks, Inc.; Harry Warren/Watts; Oldcastle Precast, Inc.; and Surety Associates. We are expecting over 100 golfers.

Applications are now being accepted for the Mike Allen Scholarship from any High School Senior, High School graduate, Undergraduate College

Student or Graduate Student who is the daughter or son of a NUCA of North Florida member company employee and will be enrolling full- or part-time in an academic institution of higher education beginning in August/September. The enrollment may be in any curriculum for any number of years. This may be a four-year college or a community college anywhere in the United States.

The Mike Allen Scholarship is a \$1,000 one-time award. Special consideration will be given for those pursuing degrees in construction related field. Call the NUCA of North Florida office at (904) 296-1230 to request an application. Application deadline is Tuesday, June 14.

NUCA's Washington Summit & Spring Board Meeting has been rescheduled to May 10-12 at the Holiday Inn Old Town in Alexandria, VA. This three day event includes the Federal Issues Conference, Annual Awards Luncheon, a full day of lobbying on Capitol Hill and important association meetings. Registration forms are available at www.nuca.com. We have a group from our chapter attending. We hope to see a large group from Florida!

NUCA of Northwest Florida

NUCA of Northwest Florida was represented by Joe Cook (Pensacola Concrete Construction Company, Inc.), Bill Davis (HD Supply Waterworks), Gabe Jackson (Brown Construction of NW Florida), Bill Lee (Utility Service Company), Paula Lieser (Pensacola Concrete Construction Company, Inc.) and Bill McGough (Gulf Equipment Corp.) at UUCF's Annual Legislative Briefing and Meeting held in Tallahassee on March 21. On Tuesday, the group met with members of the Northwest Florida legislative delegation to voice concerns on specific bills and issues which could impact our industry.

NUCA of Northwest Florida's next outing is the spring After Hours Mixer on April 19 from 5:00 p.m. - 7:00 p.m. at The Fish House's Deck. Thanks goes to Utility Service Company who is our sponsor. This

event is designed for networking with other industry members and will be attended by area engineers, public works engineers, contractors, subcontractors and suppliers. There is no cost to attend; however, advance reservations are required. For details contact the chapter office.

The Sixth Annual NUCA of Northwest Florida Golf Tournament has been scheduled for Thursday, May 5 at Marcus Pointe Golf Club. The format is the same as in years past - a four man scramble. Sponsorship details and registration forms can be obtained by contacting the NUCA of Northwest Florida chapter office. Everyone who participated in last year's tournament had a great time, so make plans to participate! A variety of sponsorship opportunities are available. For details please contact the chapter office at (850) 434-8328 or by e-mail at nwfluca@aol.com.

SUCA

SUCA's Community Affairs Committee made a \$700.00 contribution to the American Cancer Society, Relay for Life with proceeds from the 50/50 raffle held at SUCA's Annual Family Barbecue on March 19. Thanks to all of our generous members who participated!

SUCA's Safety Training Committee partnered with American Traffic Safety Services Association (ATSSA) to sponsor a Florida Advanced Maintenance of Traffic (MOT) training class March 23-25, 2011. Thanks to all members who participated.

SUCA's April 7 membership meeting was held at the Temple Terrace Golf & Country Club in Temple Terrace. Members enjoyed dinner and drinks while being updated on the latest health care reform laws from Chris Bergstrom of Wallace Welch & Willingham.

SUCA members are getting ready to travel to Washington, DC to the NUCA Summit and visit our lawmakers on Capitol Hill. This is an exciting trip and all members are invited to attend. You don't have to be a lobbyist, just someone interested in the process of how your business is regulated. SUCA





Welcome New UUCF Member

April 20, 2011

Atlantic TNG LLC

Megan Ditcher
Sarasota, Florida
(941) 355-2988, 800/874-5430
Associate
Chapter: SUCA

Coble Trench Safety, Inc.

Steve Barnhardt
Greensboro, Florida
(336) 398-3000
Associate
Chapter: NUCA of North Florida

Curb Systems of NE FL

Gary Alligood
St. Augustine, Florida
(904) 829-3455
Associate
Chapter: NUCA of North Florida

Enterprise Fleet Management, Inc.

Paul Hladun
Jacksonville, Florida
(904) 562-0424
Affiliate
Chapter: NUCA of North Florida

Freightliner of Tampa

Rick Sowinski, Chris Chasteen
Tampa, Florida
(813) 262-0890
Associate
Chapter: SUCA

GrayRobinson, P.A.

Andy Mayts, Jr.
Tampa, Florida
(813) 273-5000
Associate
Chapter: SUCA

HD Supply Waterworks

Curt Hinson
Tampa, Florida
(813) 623-3343, 800/967-1295
Associate
Chapter: SUCA

Insurance of America

Bryan Yoho, ARM AAI
Tampa, Florida
(727) 243-1042
Associate
Chapter: SUCA

International Construction Equipment, LLC

David Williams
Sarasota, Florida
(941) 925-0783
Associate
Chapter: SUCA

J & L Utility Construction, Inc.

James Messer
Orlando, Florida
(407) 704-6961
Contractor
Chapter: District 2

Linder Industrial Machinery Co.

Jeff Roberts
Pembroke Pines, Florida
(954) 433-2800
Associate
Chapter: District 3

Linder Industrial Machinery Co.

George Carr
Orlando, Florida
(407) 849-6560, 800/989-6560
Associate
Chapter: District 2

Mabey Bridge & Shore, Inc.

Bob Gray
Fort Lauderdale, Florida
(954) 535-7610
Associate
Chapter: District 3

Mabey Bridge & Shore, Inc.

Dave Howard
Orlando, Florida
(407) 856-8283, 800/956-2239
Associate
Chapter: District 1

MWI-Moving Water Industries Pump Rental

John Springer
Deerfield Beach, Florida
(954) 426-1500
Associate
Chapter: District 3

Oldcastle Precast, Inc.

Liz Rodriguez
Medley, Florida
(305) 887-3527
Associate
Chapter: District 3

Oldcastle Precast, Inc.

Greg Perkins
Orlando, Florida
(407) 855-7580
Associate
Chapter: District 1

Oldcastle Precast, Inc.

Paul Dachoff
Orlando, Florida
(407) 855-7580
Associate
Chapter: District 2

Quality Culvert

Whit Hyde
Jacksonville, Florida
(904) 777-3313
Associate
Chapter: NUCA of North Florida

R. M. Tugwell & Associates

Roy Tugwell
Pensacola, Florida
(850) 477-1200
Affiliate
Chapter: NUCA of Northwest Florida

Ritchie Bros. Auctioneers, Inc.

Curtis Griffin
Davenport, Florida
(863) 420-9919
Associate
Chapter: District 2

Sitech SE

Greg Hasty
Lutz, Florida
(813) 478-8866
Associate
Chapter: SUCA

The Lane Construction Corporation

Dan Hoyt, Gary Justice
Eaton Park, Florida
(863) 665-0457
Contractor
Chapter: SUCA

Wakefield Road Boring, Inc.

Bobby Wakefield
Palm Beach Gardens, Florida
(561) 694-8996
Contractor
Chapter: District 3





members Tom Butler of RIPA & Associates and Tim Smith of Dallas 1 Construction & Development will meet with NUCA members from across the country at this event. If you are interested in attending the meetings and legislative visits on May 10-12, please contact the SUCA office right away.

Come dressed completely casual to SUCA's May 12 Membership Mixer as this event will be held BEACH-SIDE at the Magnuson Hotel Marina Cove in St. Petersburg! The cost is \$35.00 per person and includes cook out dinner, drinks and live entertainment by musician Pat Best! Cash bar will be available. Advance reservations are required by phone, fax or e-mail.

SUCA members and families will enjoy a day of fishing for gray snapper and red grouper on Saturday, May 21. SUCA has reserved the Super Queen out of Clearwater Beach for this family-friendly chartered fishing trip. We will leave the Clearwater Marina at 9:00 a.m. and return at 2:00 p.m. The cost

is \$20 per person and includes three fourth day chartered fishing trip, rod rental, bait, license and tax. Food and drinks will be available for purchase on the boat or members may bring their own coolers. Reservations are taken on a first-come, first-serve basis. The boat capacity is 150, so get your reservations in now by calling the SUCA office at (813) 355-4879. Sponsorships are still available and appreciated.

SUCA's Spring Scholarship Golf Tournament will take place Friday, June 17 at Eagles Golf Club in Odessa. A return to this beautiful course was requested by our members after a great tournament last spring. Additional information will be out to members soon.

SUCA Scholarship applications were mailed to member firms last month. The \$4,000 scholarship is offered to the children of SUCA members who are seniors in high school this year and will be attending college in the fall. The scholarship is \$4,000 paid at \$1,000 per year for four years. The deadline to return completed applications is May

15. Scholarship Night will again be held at the beautiful Columbia Restaurant in historic Ybor City on Thursday, July 14. The Scholarship Committee is excited to read all 2011 entries!

SUCA's Trade Show Committee is working to put together an event for August 25 at the DoubleTree Hotel in Tampa. This will be a table top expo which is sure to sell out. Invited guests will include contractors, engineers and representatives of cities and counties throughout SUCA's membership area. Members will have a chance to showcase their products and services to their target audience at this spectacular event. Food, drinks and door prizes are incentive to fill the house and keep attendees there until the last ticket is drawn. Showcase Chairman James Adams of Ferguson Waterworks, Inc. is expecting a great turnout with great results.

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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