



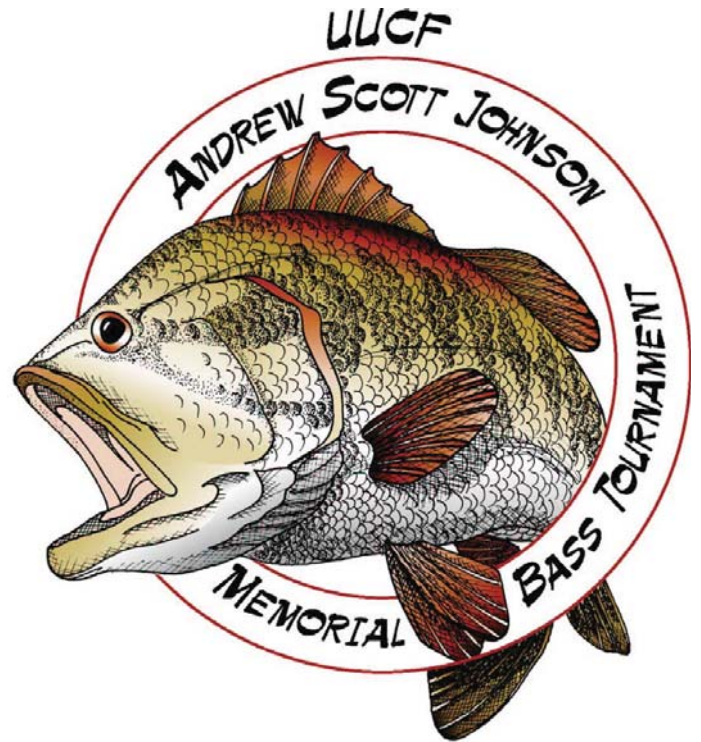
Ditchmen

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JANUARY 2011

UUCF/ ASJMSF Annual Bass Fishing Tournament *(see page 4 for details)*



CGA Excavation Safety Conference & Expo *(see page 5 for details)*

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Deadline Extended for UUCF/ ASJMSF Eleventh Annual Bass Fishing Tournament

The UUCF/Andrew Scott Johnson Memorial Scholarship Foundation will be holding its two-day Bass Fishing Tournament on Friday, February 25 – Saturday, February 26, 2011 on the Kissimmee Chain of Lakes on Lake Toho at the Big Toho Marina. This tournament has been organized to raise funds for the *UUCF/Andrew Scott Johnson Memorial Scholarship Foundation*. This year's Fishing Tournament is being chaired by Scott Johnson.

There will be a mandatory Captain's Meeting on Thursday, February 24, 2011 at the Kissimmee Steak House which is located across the street from The Heritage Park Inn (formerly known as the Quality Inn Heritage Park hotel). One representative from each team must be present at this meeting. The weigh-in for each day's tournament will be held at the Big Toho Marina. An Angler Dinner will be held at 5:00 p.m. on Friday, February 25 at The Heritage Park Inn.

The tournament will be a two-day event. Five fish per boat, per team, per day. There is a minimum of two people on a team. No team can consist of more than three people. Paid professional guides cannot be considered as a team member. This will be a catch and release tournament and will be scored in accordance with the B.A.S.S. guidelines. However, the use of live bait is permitted! (After all, this is for FUN!) Professional guide services are available through the foundation.

The schedule for both days is as follows: Check in/Registration starting at 6:30 a.m.; Cast Off at 7:00 a.m. (or safe light); and Weigh-in starts at 2:00 p.m. The cost to register for this event is \$85.00 per person. The

registration fee includes a T-Shirt, hat and raffle ticket at registration. Hotel accommodations, meals, bait, boats and professional guides are not included in this fee.

Angler, Boat/Guide, Shiners and Hotel Registration Forms were e-mailed to the UUCF membership in mid-December. The deadline to submit all registration forms, along with payment, to the UUCF office **has been extended to January 28, 2011.**




UUCF is also accepting companies to be a part of the Major, General, Captain's Meeting Happy Hour, Angler Dinner Beverage, Angler

Dinner, Grand Prize, Weigh-In and Trophy Sponsorship Programs. All sponsorship forms were e-mailed to the UUCF membership in mid-December. If you are interested in participating in any of the sponsorship programs, please complete the appropriate sponsorship form and return with payment to the UUCF/Andrew Scott Johnson Memorial Scholarship Foundation office **no later than January 28, 2011. This deadline has also been extended.** If you need a specific sponsorship or registration form, please visit the UUCF website at www.uucf.com or contact the UUCF office at (407) 830-1880.

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CGA Excavation Safety Conference & Expo

The CGA Excavation Safety Conference & Expo will be held on March 8 – 10, 2011 at the Caribe Royale Hotel & Convention Center in Orlando. Thursday, March 10, 2011 is Safety Day from 8:00 a.m. – 2:00 p.m. Please [click here](#) for additional information.

Joey Logano, driver of the #20 Home Depot Camry, will be appearing Wednesday morning.

Guest Speaker Eric Giguere will speak from 8:00 a.m. – 9:00 a.m. On the morning of October 4, 2002, Eric Giguere headed to work on what appeared to be a normal day on the job. Eric worked as a laborer for a construction crew installing water lines in a rural setting. What happened that day in the blink of an eye changed his life forever. Come hear his terrifying account of what happened when a trench collapse occurred and buried him alive. Don't let this happen to you.

For additional information or to register for the CGA Excavator Safety Conference & Expo, please [click here](#).

The CGA Excavation Safety

Conference & Expo brings together stakeholders from throughout the industry to share ideas, learn from the experts and gather information on industry trends and technologies.

- More than 50 conference sessions!
- Over 100 exhibits & demonstrations!
- In-depth workshops!
- Networking functions!
- Underground Safety Summit!
- Learn from industry leaders!
- Common Ground Alliance (CGA) Annual Meeting
- And much, much more!

There will be more than 100 exhibits dealing with the latest technologies and practices in the underground utility industry, with a focus on damage prevention and safe excavation. We bring together exhibits and demonstrations plus exciting after-hours networking functions. Take advantage of the most current market information, discuss issues affecting the underground utility and construction industries, and participate with a worldwide audience.

The CGA Excavation Safety

Conference and Expo includes hands-on workshops with an in-depth look at underground excavation safety.

Workshops include:

- Damage Investigation Workshop (Full Day Workshop)
- HDD Consortium's Horizontal Directional Drilling Good Practices Guidelines (Full Day Workshop)
- Locator Workshop (Half-day afternoon workshop)
- Locator Workshop (Half-day morning workshop)
- Subsurface Utility Locating & Marking Workshop (Full Day Workshop)

The following is a list of some of the Conference Sessions that will be presented:

- 811 or 911 . . . Change One Little Number and Your Whole World Changes.
- Assisting Stakeholders in Damage Reduction
- Damage Claims Avoidance for Excavators
- Trench and Excavation Safety – OSHA Requirements for

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April 19 & 20, 2011
June 21 & 22, 2011

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**Watch future issues of the *Ditchmen*
for additional information.**

Engineered
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- WINNING
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Construction

- Working
Safely Around
Pipeline Crossings

- YOU THE
JURY – Trial Of An
Underground Utility
Damage Claim

The Caribe Royale Hotel & Convention Center discount rate has been extended until January 25, 2011! CGA has secured a block of rooms at The Caribe Royale All-Suite Hotel and Convention Center. Reservations made BEFORE JANUARY 25, 2011 will get a preferred rate of \$149.00 per night (plus tax). After January 25, the room rate will go to \$189.00 per night (plus tax).

To make your own hotel reservation directly, please [click here](#).

To see more about the Caribe Royale All Suites Hotel, please [click here](#).

For directions to the Caribe Royale All Suites Hotel, please [click here](#).

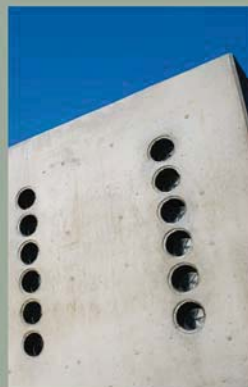


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Amendment 4 Has Been Defeated!

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

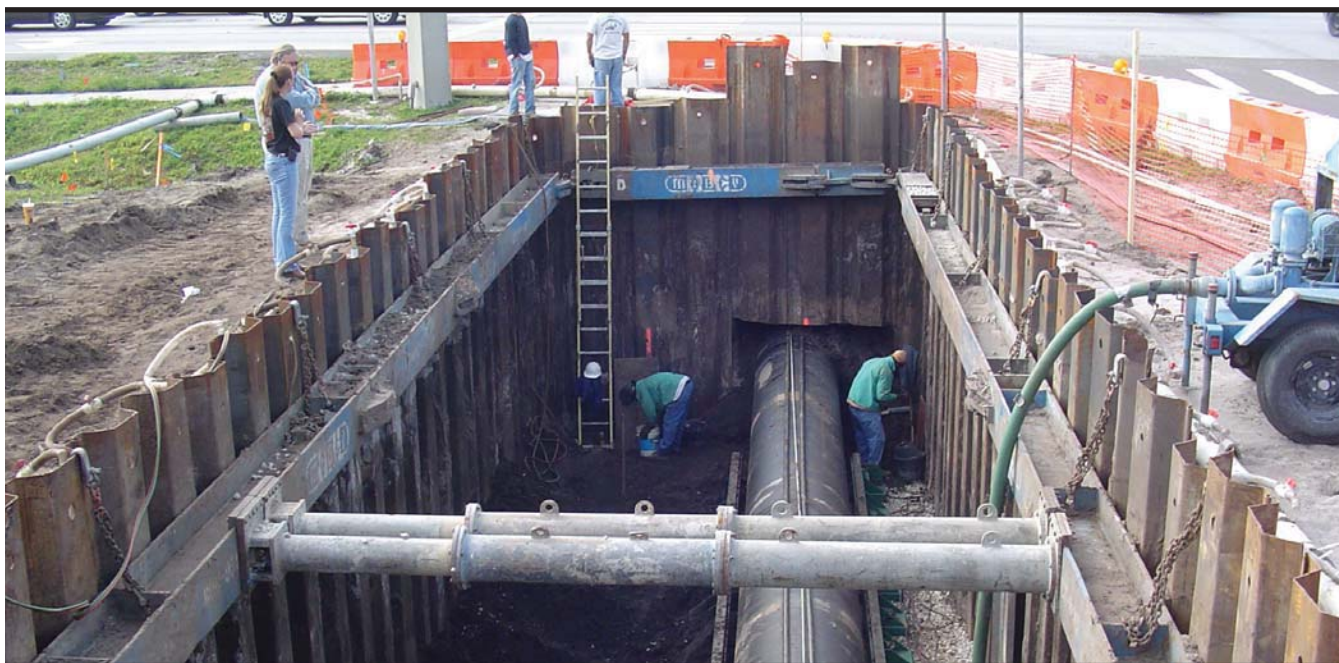
UUCF PAC. UUCF PAC Chairman Bruce Wendorf is asking every single member to contribute \$40.00 to "Rebuild and Reload" the UUCF PAC and help replenish the \$5,000 we committed to help save our industry and state.

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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- Trench and Excavation Safety
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Joey Logano, driver of the #20 Home Depot Camry, appearing Wednesday morning!
See CGAconference.com for more details.



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For additional information or to register, visit CGAConference.com or call 866-279-7755.



New 1099 Requirement Will Hit Businesses Hard in 2012

A controversial provision in the federal health care law will greatly increase recordkeeping and forms processing for businesses. Starting in 2012, section 9006 of the Affordable Care Act makes two big changes: (1) payments businesses make to corporations will no longer be exempt from having to issue a 1099 and (2) the types of payments that will require a 1099 are significantly expanded. Basically, businesses will be required to issue 1099s on all payments to and purchases from any taxable entity, if the payment is more than \$600 in a calendar year.

Currently, businesses have to issue IRS Form 1099 on all unincorporated businesses for services over \$600. Under the new

law, payments to corporations will no longer be exempt from reporting and will require a 1099 to be issued.

The new law also expands the type of payments that must be reported. Right now, the type of payment that most commonly triggers a 1099 to be issued is payment for services of \$600 or more. Starting in 2012, a 1099 will be required for purchase of goods and other property as well.

This also means your business will have to get a W-9 filled out on everyone you make a purchase from of over \$600 so you will have the correct information to issue the 1099. There is one exception: if your business makes the purchase via a credit card, the transaction will be reported to the IRS by the credit

card company, so you will not have to issue a 1099.

Right now, this law is not scheduled to go into effect until January 2012 and will apply only to payments made after December 31, 2011. While there has been discussion in Congress about repealing it because of its undue burden on small businesses, no action has been taken yet to repeal or delay it. In case the law does take effect as scheduled, some accountants are recommending that businesses spend 2011 getting into the habit of getting W-9s from everyone they do business so they will have the necessary information to file their 1099s. We will keep you updated on this law and any changes to its implementation.



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* Substance Abuse and Mental Health Services Administration (SAMHSA). Nationwide study 2007



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UUCF to Hold Board and Committee Meetings in Tallahassee

The 2011 Legislative Session will begin on March 8. The Underground Utility Contractors of Florida (UUCF) Board of Director's and Committee Meetings will be held in Tallahassee while the state legislature is in session. The date is Monday, March 21, 2011. As with every board meeting, UUCF members are invited to attend. However, this is a special invitation to all UUCF members to attend this "legislative session" Board of Director's Meeting.

The UUCF Executive and Convention Committee Meetings and Board of Director's Meeting will be held on Monday, March 21, 2011 at the Governors Club located at 202 South Adams Street in Tallahassee. The Executive and Convention



Committee Meetings will be held from 10:00 a.m. – 12:00 noon, lunch will start at 12:00 noon and the Board of Director's Meeting and Legislative Briefing will be held from 12:30 p.m. – 4:00 p.m.

On Tuesday, March 22, 2011, attendees are encouraged to walk the halls of the Capitol and meet with their local representatives and senators. Attendees will be briefed on the issues to discuss with their

legislators during the Legislative Briefing on Monday, March 21, 2011.

UUCF has secured a block of rooms at the Doubletree Hotel Tallahassee. The rate is \$139.00 single/double occupancy. Information, along with a Hotel Reservation Form, was e-mailed to all UUCF members. Please feel free to contact the hotel directly at (800) 222-8733 or call the UUCF office for a Hotel Reservation Form. **The room block will expire on Friday, February 18, 2011**, so make your room reservation now. Tallahassee is busy this time of year.

Don't forget to make appointments with the senators and representatives from your district on Tuesday, March 22, 2011.

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Payroll Tax Cut Will Boost Take-Home Pay For Most Workers

Under a bill passed in December by the United States Congress, payroll taxes will be cut by 2% in 2011 due to a decrease in the Social Security tax. Starting in 2011, the amount employers withhold from employees' payroll for Social Security tax is reduced from 6.2% to 4.2%. This reduction in withholding will have no effect on the employee's future Social Security benefits.

Because these changes happened so late in the year, the IRS is asking employers to adjust their payroll systems as soon as possible, but no later than January 31, 2011. Employers should start using the new withholding tables and reducing the

amount of Social Security tax withheld by January 31. For any Social Security tax over withheld during January, employers should make an offsetting adjustment in their employees' pay no later than March 31, 2011.

The Internal Revenue Service (IRS) has just released instructions to employers to help them implement this new payroll tax cut. Notice 1036 contains the new withholding tables, the lower Social Security withholding rate and related information employers may need to implement these changes.

Because employers and payroll companies (if one is used) will handle

these withholding changes, employees do not need to fill out a new W-4 withholding form. However, it is always a good idea to remind your employees to review their withholding every year and, if necessary, fill out a new W-4. For example, employees who are having children, getting married, getting divorced or buying a home may want to consider revising their W-4.

For more information on how to implement this payroll tax change, please call your local accounting professional. For a copy of the IRS Notice 1036, please [click here](#).

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The 2010 Year In Review

By — Ted Garrison

During 2010, the worldwide construction industry continued to be negatively affected by the economic crisis of 2008. Of course, some areas were less affected than others, namely those areas that avoided the excesses that contributed to the crisis. The construction and real estate industries have always been cyclic, and it could be argued that downturns are good for them. The downturns help rein in the excesses that occur during a boom period. The normal cycle is usually a few years, but from 1993 to 2008, there was only one slight downturn around 2001. This exceptionally long boom period made the correction that much more severe because it created very unrealistic expectations about the marketplace.

The false beliefs that real estate goes only up and if we build it, they will come fueled a frenzy that was clearly unsustainable. The result has been the worst recession in the construction industry since the Great Depression. The industry downturn is unique because it was worldwide. Normally construction industry downturns occur in some regions, while other regions remain healthy. Virtually every region around the globe was affected by the crisis, and while some regions didn't experience negative growth, they did see their growth stopped.

For example, the Census Bureau reported on November 1, 2010, that U.S. construction spending totaled \$802 billion in September at a seasonally adjusted annual rate, up

0.5 percent from August, but still down 10 percent from September 2009. Private nonresidential construction was reported down 25 percent for the year. New housing starts are running at less than half the normal volume based on decades of figures. The only thing up recently is public construction, which climbed 1.3 percent for the year, in part due to federal stimulus funding. In contrast, public education funding fell 4.8 percent for the year because that is funded mostly by state and local revenues.

Potentially the biggest disappointment to the construction industry was the failure of the stimulus package to focus more on

(Continued on Page 23)

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In Memory Of Wayne E. Lee 1926 — 2011

The construction industry lost a highly respected member on January 5 with the passing of Mr. Wayne Lee. Mr. Lee is the father of UUCF President William "Bill" Lee.

Wayne's entire career was spent in the construction field, first as a Resident Engineer for the Florida Department of Transportation and then as a Project Manager for Noonan Construction. In 1963 he founded Utility Service Company in Gulf Breeze. He was known for his high standards and work ethic. Wayne was an Army veteran of World War II and was actively involved in the Gulf Breeze Community. Utility Service Company, Inc. was a charter member of Northwest Florida UCA and remains active today.

Our thoughts and prayers are with the Lee family, employees of Utility Service Company, Inc. and friends.

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



I would like to wish all of our members a Happy New Year.

I hope this year will be the turning point for better economic times for our country, state and local counties. For the past couple of months, we have heard a little better economic news than we have heard in the past. Homebuilders that I have spoken with are still depressed but seem to be optimistic that 2011 will be better than 2009 and 2010. One of the homebuilders told me that the recession did bring property and home prices back to realistic values and homes are still being built and inventory is still being sold.

Over the past few months, our company started looking back to see



where we have come and how we got to where we are. We are looking

at the past history of the company to see what we did successfully and what ideas failed. We are still working with this but a few of the ideas we all agree on is that the leadership must live up to the standards we set for the company as whole. Second is the employees that make up the company are its best assets. Third is the reputation of our workmanship and management, the management of projects through communication with owners and suppliers seems to be just as important sometimes more that the project itself. The field workmanship and attitude of

our employees sets the tone for the field side of the project. We are still asking more questions about our philosophy. How should we measure success? What services should we provide other than those that we now provide? How do we expand and grow knowing that tough times will come again? Another question is when should the owner let the company leaders try their ideas? These are questions that we are asking ourselves to help with the growth and direction of our company.

I thought I would share what our company is doing to prepare for the new year and years to come. A lot of what we are doing came from conversations with fellow UUCF members at the Board of Director's

(Continued on Page 25)

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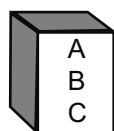
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Consider Using New SSOCOF Alternative Dispute Resolution

S S O C O F has created an alternative dispute resolution process for disputes over excavations that cause loss of service, down time, delays, similar economic disruptions and non-use of facilities during restoration or replacement. This is a voluntary process and is open to anyone involved in the incident. Each party pays for DOAH services. The alternative dispute resolution process can be stopped anytime before the final decision. Parties can then pursue a formal court proceeding.

The Alternative Dispute Resolution

1. Parties agree to handle the dispute through the DOAH and accept the DOAH law judge's decision as binding.

2. Parties sign and send an Alternative Dispute Resolution Expense Reimbursement Contract and \$500 deposit to SSOCOF. Please [click here](#) for the Alternative Dispute Resolution Expense Reimbursement Contract.
3. SSOCOF sends contract to DOAH.
4. An administrative law judge (ALJ) is assigned to the case.
5. The ALJ's office works with parties to schedule proceedings.

Benefits of Alternative Dispute Resolution

- Faster than formal court proceeding
- More flexible process
- Less costly

STAY INFORMED!

- An electronic version of the Excavation Guide, now called Damage Prevention Guide, is posted online at www.callsunshine.com.
- Updated Damage Prevention Guides are available in SSOCOF's online store.
- Visit the legislation link on SSOCOF's home page for updated materials about the legislation.
- Sign up to receive Tweets when new Hot Topics are posted on <http://twitter.com/florida811>.
- Visit www.callsunshine.com and sign up to receive SSOCOF's electronic newsletter, unearthed.
- Schedule an in-person presentation with an SSOCOF liaison. Contact information is available online.

<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>SCP</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 locations, dates and times for future sessions.

January 19, 2011

Pompano Beach
Workforce One
2301 West Sample Road,
Building 4, Conference Room C
Pompano Beach, FL 33073

January 20, 2011

Ocala
Construction Education
Enhancement, Inc.
1644 N.E. 22nd Avenue, Building B
Ocala, FL 34470-7748

January 28, 2011

Miami
State Office
Building
401 N.W. 2nd
Avenue, North
Tower, Room 423
Miami, FL 33128

February 4, 2011

Lakeland
Lakeland Public
Library
100 Lake Morton
Drive, Meeting
Room
Lakeland, FL
33801

February 10, 2011

Fort Myers
State of Florida
Office Building
2295 Victoria
Avenue, Room
165A
Fort Myers, FL
33901

February 10, 2011

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

February 24, 2011


Orlando
State Office Building, Hurston
Complex
400 West Robinson Street, South
Tower, Conference Room C & D
Orlando, FL 32801

March 10, 2011

Jacksonville
Florida Dept of Law Enforcement
921 North Davis Street, Building E,
Room A
Jacksonville, FL 32209

March 11, 2011

West Palm Beach
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1951 North Military Trail, West
Palm Beach, FL 33409



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March 15, 2011

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

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.





Calendar of Events

UUCF **2011**

Jan. 28 Board of Director's Meeting, Orlando
Feb. 24 UUCF/Andrew Scott Johnson Memorial
Scholarship Foundation, Annual Bass
Fishing Tournament Captain's Meeting,
Kissimmee Steakhouse
Feb. 25-26 UUCF/Andrew Scott Johnson Memorial
Scholarship Foundation, Annual Bass
Fishing Tournament,
Big Toho Marina, Kissimmee
Mar. 21 Board of Director's Meeting,
Governors Club, Tallahassee
Mar. 22 Tallahassee Summit, Tallahassee
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 Southwest Florida **2011**

Feb. 24 General Membership Meeting,
Holiday Inn, Gulf Coast Town Center, Fort Myers
Mar. 17 General Membership Meeting,
Holiday Inn, Gulf Coast Town Center, Fort Myers
Apr. (TBA) General Membership Meeting
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 **2011**

Feb. 3 General Membership Meeting,
St. Petersburg Yacht Club
Mar. 19 Annual Family Barbecue,
Starkey Ranch, Pasco County
Mar. 23-25 Florida Advanced Maintenance of Traffic
(MOT) and Florida Advanced Maintenance of Traffic
(MOT) Refresher Seminars, Hampton Inn and Suites,
Clearwater

NUCA **2011**

May 17-19 Washington Summit

Sunshine State One Call of Florida, Inc. **(SSOCOF) Meetings** **2011**

Feb. 17 Committee Meetings, DeBary Call Center
Feb. 18 Board of Director's Meeting,
DeBary Call Center
Mar. 8-10 . CGA Excavation Safety Conference & Expo,
Caribe Royale Hotel & Convention Center, Orlando
Mar. 18 Executive Committee Meeting,
DeBary Call Center/Conference Call
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 **2011**

Feb. 9-11 Embassy Suites Tampa/USF,
Tampa, FL
Mar. 9-11 Embassy Suites Orlando-North,
Altamonte Springs, FL
Apr. 13-15 Hampton Inn & Suites Amelia Island,
Fernandina Beach, FL
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





Governor Rick Scott Fulfills First Campaign Promises to Hold Government Accountable

Immediately after being sworn-in as Florida's 45th governor, Gov. Rick Scott fulfilled campaign promises by signing executive orders to freeze job-killing regulations and require state agencies to verify legal immigration status. He also established a tough new ethics policy and affirmed his commitment to diversity in employment.

Executive Order No. 11-01 freezes all new regulations and establishes the Office of Fiscal Accountability and Regulatory Reform, which will review all rules prior to promulgation as well as agency practices and contracts.

- Immediately suspends rulemaking for all agencies under the direction of the Governor.
- Establishes the Office of Fiscal Accountability and Regulatory Reform to review all rules (including those suspended by the Order) prior to promulgation and to review agency practices and contracts.
- Imposes 90-day suspension on execution of any contracts with a value in excess of \$1 million, without prior approval from the Office.
- Prohibits agencies from promulgating rules unless they obtain prior approval from the Office.

Executive Order No. 11-02 requires state agencies to use the E-Verify system verify employment eligibility of state employees and contractors.

- All state agencies under the direction of the Governor must use E-Verify system to check employment eligibility of their current and prospective employees.
- Requires state agencies under the direction of the Governor to include in all state contracts a requirement that contractors utilize the E-Verify system to verify the employment eligibility of:
 - all persons employed during the contract term by the contractor to perform employment duties within Florida; and
 - all persons (including subcontractors) assigned by the contractor to perform work pursuant to the

(Continued on Page 24)

Sunshine State One Call of Florida, Inc. 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

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.**



2011 FDOT Letting Date

January 26	February 23
March 30	April 27
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

Northwest Florida UCA

Northwest Florida UCA Annual Sponsorships are available in four different levels: **Platinum** – \$500.00, **Gold** – \$350.00, **Silver** – \$250.00 and **Bronze** – \$150.00. Sponsors receive a listing in each month's newsletter, as well as signage posted at all events. In addition, a 10% discount is received for two attendees at all chapter functions. Sponsorships are available to members and non-members alike. This would be an excellent opportunity for companies to show their support of our industry through such a sponsorship. Deadline to become an Annual Sponsor is February 20.

SUCA

The New Year is off to a busy start for SUCA members. Committees are at work planning meetings and events months in advance. SUCA's meetings include monthly general membership meetings and monthly board meetings. Events planned for 2011 include a scholarship golf tournament, family-style barbecue, chartered fishing trip, trade show, fish fry, clay shoot and the year end banquet in December. If you are interested in joining a committee, please contact Misty McKendree at (813) 355-4879.

SUCA had an extraordinary December 4 Banquet at The Tampa Club in downtown Tampa. SUCA Chairman Ken Wachman of MWI Pump Rental presented year end awards to some of SUCA's hardest working association members.

Associate of the Year was presented to James Adams of Ferguson Waterworks, Inc., **Contractor of the Year** was awarded to Lisa Judge of R. E. Purcell Construction Co. and the **Chairman's Award** was presented to Mickey Bell of Wallace, Welch & Willingham, Inc. Bruce Akers of Ferguson Waterworks, Inc. also received a **Special Recognition Award** for his dedicated service to SUCA. Congratulations to all very deserving award winners!

SUCA members gave very generously at the banquet to the following charities through the Holiday Pledge Cards: Metropolitan Ministries, Boys & Girls Club of Tampa Bay, Children's Dream Fund and Gold Shield Foundation. Thank you to all who were so generous in giving to those less fortunate than us.

The evening also featured a reverse raffle drawing which generates a lot of excitement. Kurt Keith of Pepper Contracting Services was this year's lucky winner of the \$1,000.00 grand prize! This was SUCA's last big event of the year, and we thank our members who registered to attend the gala.

Last, but certainly not least, special thanks to the generosity of our 2010 banquet sponsors. They truly made it possible to have this wonderful banquet: Acme Barricades; Ajax Paving Industries of Florida, LLC; Bob's Barricades; Dallas 1 Corporation; David Nelson Construction Co.; Ferguson Waterworks, Inc.; Florida Gas & Electric Corp.; Glenn Rasmussen Fogarty & Hooker, P.A.; HD Supply Waterworks; Keystone Excavators; Lanier Upshaw Insurance; LGM Contracting, Inc./Merucci Equipment Co.; Liberty Mutual; ME Wilson Company; MWI Pump Rental; Nortrax Equipment; Pepper Contracting Services, Inc.; Raymow Construction Co.; R. E. Purcell Construction Co.; Ring Power Corp.; RIPA & Associates, Inc.; Rowland, Inc.; Stahl & Associates Insurance; Stuart Angelo & Co., CPA's; Tampa Pavement Constructors; Westra Construction Corp.; and Woodruff & Sons, Inc.

We hope you will plan to join us next year, as we are planning an even bigger and better year end banquet!

SUCA's January membership mixer will be held Thursday, January 13, 2011 at Tampa's premier martini lounge, Blue Martini, International Plaza. Advance reservations are required by phone, fax or e-mail.

Registration and cocktails begin at 6:30 p.m. The cost is \$30.00 per person and includes appetizers and two drink tickets. This meeting is strictly for networking, catching up and having a good time! Please feel free to bring a date. We will have the fireplace area to ourselves and live entertainment during the mixer.

SUCA's February 3 membership meeting will be held at the St. Petersburg Yacht Club. The program will be an open forum where members can express issues of concern, make suggestions for meetings and programs or share anything on their minds. SUCA chairman Ken Wachman will moderate the meeting which is sure to have some good discussion. SUCA member companies with 20+ years of commitment to SUCA will also be recognized at this meeting.

Mark your calendars now for SUCA's annual Family Barbecue! Committee Chair Lisa Judge of R. E. Purcell Construction Co. is planning the big event for Saturday, March 19, 2011 at the beautiful Starkey Ranch in Pasco County. This event is a long time family favorite attended by 300-400 people each year.

SUCA's Safety Training Committee has partnered with American Traffic Safety Services Association (ATSSA) to sponsor a Florida Advanced Maintenance of Traffic (MOT) training class and a Florida Advanced Maintenance of Traffic (MOT) Refresher training class. The classes will be held March 23-25, 2011 (refresher class on March 25 only) at the Hampton Inn and Suites, 4050 Ulmerton Road in Clearwater. The outstanding benefit of co-sponsoring the course is the monetary savings for SUCA members. The regular registration fee for the Advanced MOT class is \$445.00 per person. Our fee for this course is \$395.00, a savings of \$50.00 per person! The cost of the refresher course for our members is \$135.00. We urge you to register immediately as the notice will be





circulated by SUCA and ATSSA within days. We don't want you to miss out on this great opportunity. To register, contact Misty McKendree at (813) 355-4879 or mtjader@suca.org.

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.

UCA of North Florida

Hope everyone enjoyed the holidays and is ready to take on 2011! A group from our chapter is starting the year out right by attending the NUCA's Utility Construction Expo '11 at the El Conquistador Resort, Puerto Rico beginning on January 18. Hope to see you there!

The UCA of North Florida 2011 Officer Installation & Annual meeting will take place on Thursday, January 27 at 6:00 p.m. at the River City Brewing Company. There will be an update on the state of the association as well as an update on NUCA. We will have an awards ceremony, and we will recognize our 2010 sponsors. The first *Don Davis Excellence in Public Service Award* will be presented. We will hear from our outgoing president Ed Porter and our incoming president Lauren Atwell. Refreshments will be served and a cash bar will be available. Please RSVP by January 21 to ucanf1@gmail.com.

We welcome Quality Culvert, Inc. who recently joined our association. Our contact is Whit Hyde, and he can be reached at (904) 509-6528. Quality Culvert is in the business of selling RCP & HDPE.

2011 Membership dues invoices were mailed out on December 1. Payment is due January 31. Please contact Kathy at (904) 296-1230 if you have questions regarding your invoice.

(The 2010 Year In Review Continued from Page 13)

infrastructure. During an NCS interview with Congressman John

Mica, he revealed that only 7 percent, or about \$63 billion, of the \$862 billion stimulus package went to infrastructure, and as late as September less than 35 percent of those funds had been spent, which means that more than \$40 billion is still sitting there, unspent.

During the boom period, the construction industry was operating at peak capacity. It was difficult to find qualified workers and managers. Construction commodities, such as cement, steel and other metals, were in short supply. This drove costs to very high levels. The combination of these factors made it difficult for the nation to invest in its infrastructure. The result is, according to the ASCE, the backlog of work exceeds \$2 trillion. However, now the industry has significant unused capacity and, in fact, could use help in putting millions of workers back to work while restoring our infrastructure at a reasonable cost. Unfortunately this opportunity was missed. In contrast, countries such as Russia, Qatar, Saudi Arabia and the United Arab Emirates are focusing on infrastructure.

During his interview, Congressman Mica, the incoming chairman of the Transportation and Infrastructure Committee, reported that he and Congressman James Oberstar, the outgoing committee chairman, pushed to get a six-year transportation commitment. Unfortunately the White House said it would not support a six-year plan; it wouldn't support anything longer than 18 months. In the end, the extension was only to the end of the year. Mica explained the problem with these short time spans is the states don't have the necessary commitment for long-term funding necessary for large projects. This resulted in money being spent on resurfacing contracts, bike paths and other similar projects. He argued that larger long-term projects are needed to stimulate the economy.

Since the crisis has caused a lot of pain throughout the world. Those investing or lending capital have become very cautious. It doesn't

matter if you are in Europe, the Middle East or the United States; the same message keeps coming up, "We need financing for projects." It is easy to argue that people are overreacting, but think about Dubai, which has seen real estate prices drop by as much as 60 percent, and some are predicting further drops. Consider the United States, which is experiencing record foreclosures of homes. Even the exuberant world of Las Vegas is not immune. The new Harmon Hotel, which hasn't even opened, is cowering under the threat of demolition.

These are crazy times.

Several years ago, when rebar prices were through the roof and causing contractors significant pain, one person came up to me after a presentation and said, "The large increase in rebar prices is the best thing that has happened." I was surprised by his comment because everyone else was complaining. I asked, "Why do you think it is good?"

He responded, "It's so bad, they will have to do something about it."

I thought he had a good point then, and I still do.

Professor John Kotter, author of *Sense of Urgency* and one of my NCS Radio guests, has stated that the most important issue in creating significant sustainable change is a sense of urgency. After a year where unemployment in the construction industry has gone to more than 25 percent, where volume is down significantly and where profit is a mere wish for many companies, maybe the sense of urgency is strong enough that industry leaders will begin making the necessary changes, not only for the practitioners and workforce, but also for the clients the industry serves.

I didn't report on a lot of things happening in 2010 mainly because not a lot happened, except for doom and gloom. The industry has lost its swagger, just a like a sports team in the middle of losing streak. However, the industry has incredible talent, and





it's time we put it to use fixing the industry, not just building structures.

"Ted Garrison, president of Garrison Associates, is a catalyst for change. As a consultant, author and speaker he provides breakthrough strategies for the construction industry by focusing on critical issues in leadership, project management, strategic thinking, strategic alliances and marketing. Contact Ted at (800) 861-0874 or Growing@TedGarrison.com. Further information can be found at www.TedGarrison.com."

(Governor Rick Scott Fulfills First Campaign Promises to Hold Government Accountable Continued from Page 21)

contract with the state agency.

Executive Order No. 11-03

establishes the Governor's policy on ethics and open government.

- Orders the adoption and implementation of a revised, stronger, code of ethics in the Governor's office, and directs agencies under the direction of the Governor to revise their codes of ethics accordingly.
- Recognizes work of 19th Statewide Grand Jury and directs Governor's Special Counsel and Chief Ethics Officer to review their Report and recommend a plan for implementation of all or certain, as advisable, of the Grand Jury Recommendations.
- Reaffirms commitment to Office of Open Government and calls for establishment of new Web site providing access to accountability information.

Executive Order No. 11-04

reaffirms the Governor's commitment to diversity in government.

- Reaffirms prohibition on discrimination in employment based on race, gender, creed, color, or national origin, and affirms commitment to hiring, retaining and promoting the highest quality candidates regardless of the above.
- Reaffirms policy of non-discrimination in state contracting without regard for race, gender, creed, color, or national origin.

To view a copy of each Executive Order and the Code of Ethics, please visit these links:

[Executive Order No. 11-01](#)

[Executive Order No. 11-02](#)

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Civil Engineers	Highway Contractors									
Golf Course Designers	Land Developers									
Residential Developers	Sight Work Contractors									
Environmental Engineers										





OSHA Withdraws Proposed Interpretation on Occupational Noise

Agency Examines Other Approaches to Prevent Work-Related Hearing Loss

The U.S. Department of Labor's Occupational Safety and Health Administration recently announced that it is withdrawing its proposed interpretation titled "Interpretation of OSHA's Provisions for Feasible Administrative or Engineering Controls of Occupational Noise." The interpretation would have clarified the term "feasible administrative or engineering controls" as used in OSHA's noise standard. The proposed interpretation was published in the Federal Register on Oct. 19, 2010.

"Hearing loss caused by excessive noise levels remains a serious occupational health problem in this country," said Dr. David Michaels, assistant secretary of labor for occupational safety and health. "However, it is clear from the concerns raised about this proposal that addressing this problem requires much more public outreach and many more resources than we had originally anticipated. We are sensitive to the possible costs associated with improving worker protection and have decided to suspend work on this proposed modification while we study other approaches to abating workplace noise hazards."

Michaels met earlier this month with the offices of Sen. Olympia Snowe and Sen. Joseph Lieberman, members of the Senate Committee on Small Business and Entrepreneurship, in response to a letter from the senators. Sens. Snowe and Lieberman are also co-chairs of the Senate Task Force on Manufacturing.

Thousands of workers every year continue to suffer from preventable

hearing loss due to high workplace noise levels. Since 2004, the Bureau of Labor Statistics has reported that nearly 125,000 workers have suffered significant, permanent hearing loss. In 2008 alone, BLS reported more than 22,000 hearing loss cases, and Michaels emphasized that OSHA remains committed to finding ways to reduce this toll.

As part of this effort, the agency will:

- Conduct a thorough review of comments that have been submitted in response to the Federal Register notice and of any other information it receives on this issue.
- Hold a stakeholder meeting on preventing occupational hearing loss to elicit the views of employers, workers, and noise control and public health professionals.
- Consult with experts from the National Institute for Occupational Safety and Health, and the National Academy of Engineering.
- Initiate a robust outreach and compliance assistance effort to provide enhanced technical information and guidance on the many inexpensive, effective engineering controls for dangerous noise levels.

For small businesses, OSHA's On-site Consultation Program offers free and confidential advice on health and safety solutions with priority given to high-hazard worksites. Through this program, small and medium-sized employers can obtain free advice on addressing noise hazards. On-site consultation services exist in every state, and they are independent from OSHA's enforcement efforts. On-site Consultation Program consultants,

employed by state agencies or universities, work with employers to identify workplace hazards, provide advice on compliance with OSHA standards, and assist in establishing safety and health management systems.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to assure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://www.osha.gov>.

(President's Message Continued from Page 15)

Meetings and the UUCF Conventions. I would like to promote three other items. The UUCF PAC is a very important part of UUCF. We spent a lot of our money this year on candidates and need to replace this money for 2012. The second is the UUCF/Andrew Scott Johnson Memorial Scholarship Bass Tournament. This is a memorial for Scott Johnson's son Andy, and the money raised will go to student scholarships. Third is our UUCF Convention which will be in Key West. As all of you know, the convention is our main fundraiser and is always a lot of fun with some business included. Please make plans early, and we will see you in Key West.

Happy New Year!

*Bill Lee
UUCF President*





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