

Ditchmen Online Magazine

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Issue 64



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President's Message



Last November while awaiting a plane ride home for Thanksgiving, I had enough time to stop in a book store and I purchased a small book entitled, "Reflections on Pearl Harbor" by Admiral Chester Nimitz.

Sunday, December 7th, 1941--Admiral Chester Nimitz was attending a concert in Washington D.C. He was paged and told there was a phone call for him. When he answered the phone, it was President Franklin Delano Roosevelt. He told Admiral Nimitz that he (Nimitz) would now be the Commander of the Pacific Fleet.

Admiral Nimitz flew to Hawaii to assume command of the Pacific Fleet. He landed at Pearl Harbor on Christmas Eve, 1941. There was such a spirit of despair, dejection and defeat -- you would have thought the Japanese had already won the war.

On Christmas Day, 1941, Adm. Nimitz was given a boat tour of the destruction wrought on Pearl Harbor by the Japanese. Big sunken battleships and navy vessels cluttered the waters everywhere you looked.

As the tour boat returned to dock, the young helmsman of the boat asked, "Well Admiral, what do you think after seeing all this destruction?"

Admiral Nimitz's reply shocked everyone within the sound of his voice.

Admiral Nimitz said, "The Japanese made three of the biggest mistakes an attack force could ever make, or God was taking care of America. Which do you think it was?"

Shocked and surprised, the young helmsman asked, "What do mean by saying the Japanese made the three biggest mistakes an attack force ever made?"

Nimitz explained:

Mistake number one: The Japanese attacked on Sunday morning. Nine out of very ten crewmen of those ships were ashore on leave. If those same ships had been lured to sea and been sunk--we would have lost 38,000 men instead of 3,800.

Mistake number two: When the Japanese saw all those battleships lined in a row, they got so carried away sinking those battleships, they never once bombed our dry docks opposite those ships.

If they had destroyed our dry docks, we would have had to tow everyone of those ships to America to be repaired. As it is now, the ships are in shallow water and can be raised. One tug can pull them over to the dry docks, and we can have them repaired and at sea by the time we could have towed them to America. And I already have crews ashore anxious to man those ships.

Mistake number three: Every drop of fuel in the Pacific theater of war is on top of the ground in storage tanks five miles away over that hill. One attack plane could have strafed those tanks and destroyed our fuel supply. That's why I say the Japanese made three of the biggest mistakes an attack force could make, or God was taking care of America.

I won't forget what I read in that little book. It is still an inspiration as I reflect upon it.

In jest, I might suggest that because Admiral Nimitz was a Texan, born and raised in Fredericksburg, Texas -- he was a born optimist. But any way you look at it--Admiral Nimitz was able to see a silver lining in a situation and circumstance where everyone else saw only despair and defeatism.

President Roosevelt had chosen the right man for the right job. We desperately needed a leader that could see silver linings in the midst of the clouds of dejection, despair and defeat.

There is a reason that our national motto is, "IN GOD WE TRUST."

Happy Thanksgiving



Lauren C. Atwell



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MEET Mr. Wayne Jensen



How long have you lived in Florida

I was born in Winterhaven, Florida and grew up in St. Petersburg. College at the University of Florida took me away from Tampa Bay for a while as did the Marine Corps at the tail end of the Vietnam war. I was one of the lucky ones that never had to serve in Vietnam. I worked on radio systems for jet fighters for the Marine Corps mostly in Florida, Jacksonville.

What interest you about the Underground Utility Industry

I started my own small business right out of college doing heavy equipment operations but wanted big company experience so I decided that highway/heavy utility construction was the next step for that experience. I started out with CE Pierce then to Azzarelli Construction, Dallas 1, S&E Contractors and Overstreet Paving. I started serving SUCOA when I was with Dallas 1 and S&E Contractors. I was also fortunate to have the opportunity to serve on the NUCA Board and made it to Treasurer in the progression to serving as President. A turn of events to become a "safety consultant" with FMI Corporation took me out of the industry but gave me the opportunity to serve many contractors across the country with their safety issues.

The safety consulting led me to a

powerline construction company named Red Simpson headquartered in Alexandria, LA. We did a major amount of underground construction so I remained in the industry. The powerline industry was amazing but the needs and challenges to preserve life were great. I was very fortunate to lead a team of people to take a company of some 2,000 employees from one of the worst safety records in the industry to one of the best in about 3 years. The owner and senior management team asked for vision as to how to protect the lives of their people and were willing to risk losing the business if that was what it took to stop the dying. I can't begin to tell you how it felt to work with a management team that would give away all they had accomplished in terms of monetary gains if it would save even one life. Like so many very successful businesses they thought that a dedication to working 100% safe instead of working as "safe as you can" would literally put them out of business. Of course, the dedication to working 100% safe—no matter the consequence was the ingredient to success in both safety AND profitability. We made the company so attractive that we got acquired by Pike Electric. I was fortunate in the acquisition to be kept on as the Director of Safety for the entire company over about 8,000 employees.

I learned in the underground utility industry first hand that it is possible to go millions of man-hours without loss time injuries in very treacherous businesses and remain profitable. I learned that there is nothing more magical than leading organizations to huge financial success

with nobody getting hurt.

What is your favorite book

Good to Great by Jim Collins. I bought copies of this book for everyone on the management and safety team at Red Simpson. Jim Collins shares great vision of how to take a Good business and make it Great. Vision is indeed the key to building on existing business success. I encourage everybody to build on the tenets found in this book

What are your hobbies

I love photography. I was particularly happy to see Theresa use my photography of the last fishing trip in her advertising for this year's fishing trip. I was more interested in the camera than the fish. I grew up as a fisherman with my Dad out of John's Pass in Madeira Beach. Every summer from the time I was 11 until I was 18 I was the "1st Mate" and only mate with my Dad. We spent 5 days at a time about a 100 miles offshore fishing. We carried out about 4000 lbs. of ice and usually brought back 5,000 pounds of snapper and grouper. We got 10 cents per pound for grouper and 25 cents per pound for snapper. I got paid a penny a pound for my services. \$50 was big money for me in that day. I have caught more fish than most people in 10 lifetimes.

I also like antique farm tractors and show them each year at "Pioneer Park Days" in Zolfo Springs in March. I have a 1905 5 hp Jumbo hit and miss engine that weighs about 400 pounds and a 1936 Model B John Deere tractor

GET TO KNOW YOUR BOARD MEMBERS!



as a for instance.

Tell us about the services your company provides

Stahl & Associates provides a full cross-section of commercial insurance products for every aspect of business and personal needs including Property & Casualty, Workers Compensation and Employee Benefits. I support our teams in safety and risk management issues. We have developed some great tools to minimize general liability claims from damage to buried facilities.

What is your business philosophy

I have been blessed to serve a company that is dedicated to serving the needs of industry in every way that it can simply on the basis that it is the "right thing to do." We utilize the resources and skillsets we have to make a difference in industry to best of our ability. Our business philosophy includes service on the board of SUCA which has been a great honor for me. The Tampa Bay Excavation Task Force has been a huge opportunity for service to industry both locally and nationally and the work continues to grow. We understand the "Field of Dreams" business approach: "If you build it they will come".

What is your favorite sports team

I am the typical person who hopes their college team does well. So I went to the University of Florida and sometimes that works out and sometimes not.

What was the first car you drove

My first car was a 59 VW Beetle

with the "roller gas-petal" and battery under the back seat. The battery had a tendency to short out to the metal frame and catch the back seat on fire under some circumstances. I'll stop that story there.

What is one interesting thing we should know about you

I am a conservationist. I will transplant a very dangerous snake to a safe spot for the snake to make my yard a spot safe for my family. I demonstrated my "conservationist attitude for my youngest son Jamie when he was about six. I caught a coral snake on my property in south St. Petersburg by grabbing it by the tail as it was trying to go underground and holding it up in the air so it couldn't bite me. I told Jamie who was watching everything; did I say he was 6 years old, to go get me a box. He did. We put the coral snake; did I say how poisonous a coral snake is, in the box and taped it up and we took it to Boyd Hill nature park near my house and with permission released it there. Now doesn't that seem like a nice way to illustrate the importance of conservation to a 6 year old? I was so proud of myself. The next day when I came home my 6 year old Jamie ran up to me and announced "I caught another coral snake, Dad, let's take it to Boyd Hill park. Yup, he caught one too and had it in a box ready for delivery to Boyd Hill. Note to self: Kids will do

everything parents do—

Workers also do everything they see supervisors do. Son Jamie is now 33. This last week both sons, Jason and Jamie were with my wife and I on vacation in Ireland. We were reminiscing about the coral snake story. Jamie remembered in great detail how he got the snake in the box. I never heard before his side of the story. He said that he got the snake in the box using sticks and not his bare hands. He said it was far too dangerous to do it as I had done. Did I say this was before I became a safety guy?

What is your favorite Charity

I love the work of the St. Petersburg Free Clinic and do as much as I can for them.

What is one thing you would like to see SUCA accomplish

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Construction Economy Improving Slowly, According to FMI Outlook

Oct 21, 2014



FMI, a leading provider of management consulting and investment banking to the engineering and construction industry, recently released its Q3-2014 Construction Outlook. The forecast calls for solid, slow growth. Contributing factors include relatively low energy prices, low inflation, unemployment holding around 6.2 percent and GDP slowly growing. Additionally, consumer confidence is rising steadily, building permits and housing starts bounced back in July and banks are starting to lend again, that is, if the applicant has good credit and cash flow.

Therefore, sectors such as power, conservation and development, as well as transportation, will continue to see growth ahead of GDP. However, water supply, sewage and waste disposal and highway and street construction will be weaker as government spending is not expected to pick up significantly in the near term. Additional select market predictions include:

- ▶ Residential — Multifamily construction is still expected to grow at a healthy pace of 13 percent in 2015 after reaching a near-record pace in 2014. The inventory for new homes increased to six months in July, showing some weakness in sales, but housing starts in July were 21.7 percent above July 2013 levels.
- ▶ Office — Dropping unemployment rates and rising GDP have provided a lift in the office forecast now expected to reach 8 percent growth in 2014 and grow an additional 7 percent in 2015. Large metropolitan areas like New York City will benefit the most, as vacancy rates drop to 10.6 percent compared with national vacancy rates hovering around the 16 to 17 percent range.
- ▶ Manufacturing — Improvements in manufacturing construction have been a surprise to many as the sector has been riding a roller coaster since the recession. After a flat 2013, the forecast calls for 2014 to end up 6 percent, growing an additional 8 percent in 2015.

- ▶ Transportation — Transportation construction also continues at a solid pace with 7 percent growth in 2014.

An Excerpt for the Q3-2014 Construction Outlook

Like aging baby boomers, our infrastructure is developing a hardening of its arterials both above and below the ground. Setting the question of funding highways aside — that seems to be the popular way to treat the issue these days — cities and towns across the nation are fighting in the trenches to solve problems with underground plumbing for water, wastewater, stormwater and gas. These unseen systems are becoming more noticeable and making headlines. Most recently, in the midst of a severe drought, a water main failed in Los Angeles, gushing 8 to 10 million gallons of water onto the streets and creating serious flooding on the UCLA campus. Toledo, Ohio, instituted a ban on water use for several days after algaerelated toxins were detected in its water source, Lake Erie. Fortunately, the testing systems in place worked and no one got sick.

Among those who study and report on our nation's water infrastructure, the EPA, the American Water Works Association (AWWA), American Council of Engineering Companies (ACEC) and the American Society of Civil Engineers (ASCE), all agree the need for maintaining and upgrading our water and wastewater systems far outstrips current investment, and in 20 years, investment in water-related infrastructure will be over a trillion dollars in the hole, so to speak, on spending to meet our needs.

When it comes to our future water needs, the numbers are so large it is tough to get our heads around the problem; like counting the grains of sand in a 10-gallon vessel, who has the time? Maybe it is time for a Tweet. @FMICorporation: Should I buy water futures?

We don't deal in stock market tips, but it is certain that the world will need more sources of fresh water in the future. In fact, there are now indexes for water trading already (see "Water: The Ultimate Commodity" www.investopedia.com/articles/06/water.asp). Fortune recently reported on a new futures exchange in Australia that lets investors bet on water futures (see "How to bet on the price of water"). Despite being surrounded by vast oceans — 97 percent of the world supply is saltwater — only 1 percent of available water is potential drinking water. As the Ancient Mariner observed, "Water, water, everywhere, Nor any drop to drink." Water is a commodity in limited supply just like oil, gas and gold, only more precious. Managing it and making more available will require a combination of discovery, recovery, conservation, desalination, restrictions, inventions and construction. To read the full report for free, visit www.fminet.com.

- Utility Contractor Online Article

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NUCA of Central Florida Calendar of Events

November 17	Board of Directors Meeting
December 5	NUCA Central Florida Christmas Party

NUCA of North Florida Calendar of Events

November 11	Executive Committee Meeting
November 13	Sporting Clay Challenge
November 20	Boar Meeting
	Election of Officers Meeting
December 11	Building Industry Holiday Party

NUCA of Northwest Florida Calendar of Events

November 13	Monthly Board Meeting Franco's
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NUCA of Southwest Florida Calendar of Events

November 19-20	"Racing for Success" Membership Recruitment
December 6	Holiday Party & Installation of Officers

SUCA Calendar of Events

December 5	Installation Banquet The Glazer Children's Museum, Tampa
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UCA of South Florida Calendar of Events

November 7	UCA of South Florida Annual Scholarship Golf Tournament 1pm Shotgun Start, Palm Beach National in Lake Worth
December 11	Annual Holiday Party 6pm-9pm, Maggiano's - Boca Raton

Upcoming CILB Meetings

November 12-14	Altamonte Springs
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Fundraiser Photos



*NUCA of Florida PAC
Chairman Tony
Zebouni chats with
Congresswoman
Corrine Brown at recent
fundraiser.*

*NUCA PAC Chairman Tony
Zebouni speaks with
Congressman Ander Crenshaw
recently at local fundraiser*



NUCA PAC Talks Politics

Lead by PAC Chairman Tony Zebouni, the NUCA of Florida PAC met via conference call on October 15th and discussed various state political races. Recommendations for financial contributions were submitted by lobbyist Bruce Kershner and the committee debated each one, arriving at agreement to give to the following candidates:

- ▶ Steve Crisafulli, Speaker-Designate HD 51
- ▶ Jeff Brandes—SD 22
- ▶ Ellyn Bogdanoff—SD 34
- ▶ Lake Ray—HD 12
- ▶ Scott Plakon—HD 29
- ▶ Neil Combee—HD 39
- ▶ Colleen Burton—HD 40
- ▶ Chris Latvala—HD 61
- ▶ George Moraitis—HD 93

Previously, the committee had contributed to Steve Crisafulli (HD 51); Tom Goodson (HD 50); and Charles McBurney (HD 16).



PAC Chairman Tony Zebouni delivers NUCA of Florida PAC contribution to Rep. Lake Ray, R-Jacksonville.



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Board-Certified Construction Law Attorney

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Apopka, FL 32703
Tel: 505-626-0080
Fax: 505-626-8885

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NUCA Central Florida Report

NUCA of Central Florida would like to thank all the members and guests who attended our Membership Social at Miller's Ale House in Orlando. It was a great turnout and it was wonderful to see some new faces getting involved in our chapter. Thank you also to our Event Sponsor: Brewer Paving & Development, Inc.

Our 2014 Fall Golf Tournament was held Friday, October 3, 2014 at the Rio Pinar Country Club in Orlando where perfect weather and a beautiful course greeted our players. After up to an hour on the driving range, it was off to the links in a shotgun start. Participants were then rewarded with a delicious lunch, during which raffle prizes were distributed. While all the attendees enjoyed the day, some may have been more successful than others.

Congratulations to the following teams for bringing home the trophies:

1st Place	Eric Beer, JR Johnson, Andrew Porteus & Steve Porteus	Flagler Team
2nd Place	Ben Blasino, Greg Deigler, Marc Hazen & Daniel Ray	Ferguson Team
3rd Place	Paul Bosner, Rodd Litchfield, Jon Ritchey & Scott Ritchey	Rinker/Hubbard Team

Our thanks to the following companies for their generosity in sponsoring our Tournament:

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Finally, Thank you to our Fall Golf Tournament Chairman, Andrew Porteus for your hard work on this event.

Members and friends are invited to join us for our 2014 Holiday Party which will be held at the Orlando Marriott in Lake Mary. Please contact the NUCA Central Florida office for more information.

US Department of Labor Wage Rate Survey

Overview: The US Department of Labor is currently conducting a Wage Rate Survey for our industry in Florida. The survey is for General and Specialty Contractors and it's open for the next six months. This survey determines the wage rates for individual trades and skills not just on Federal projects but also on many local public projects. Many local governments adopt the Federal Davis Bacon Wage Rates as their local living wage.

Issue: Historically, Merit Shop Contractors are not great at participating in surveys. Whether it's because they feel it doesn't apply to them or whether they prefer not to deal with the federal government, they have not been effective in taking action in this way when given the opportunity to do so. Conversely, unions do a tremendous job of responding and therefore, and in the absence of any competing data, we end up with union wages on public projects in Florida whether or not they are Federal.

Result: If we do not participate, we cannot complain about the resulting data. The last time a survey was conducted in Florida was in 2003. There is no prediction as to when the next survey will take place. Now is your time to act.

What can you do now?

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A Rich History in Legislative Accomplishments

By R. Bruce Kershner, NUCA of Florida Director of Government Affairs



By the time you read this article, the 2014 elections will be history, unless we are recounting votes in the Governor's race. As in the past, NUCA of Florida has participated in the election process through the NUCA of Florida Political Action Committee.

Providing financial support for candidates to fund their campaign is important to the success of NUCA of Florida in Tallahassee. It provides the underground utility contractors a voice in the political arena and a chance to have their views heard. We support candidates who are knowledgeable about the construction industry and share our views on legislation that may be critical to the industry and our members.

NUCA of Florida has been representing the industry in Tallahassee for many years. For most of that time, I have had the privilege of representing underground utility contractors from around the state before lawmakers and state agencies. In that time, NUCA of Florida has been directly involved in issues that play a vital role in your company's business. Some of you may not be familiar with all of those issues. Many of you enjoy the outcome of those victories in your business today but have forgotten that your state association played a vital role in their creation. Our success was because of the relationships we have been able to build over the years with our elected officials and state agencies.

One of NUCA of Florida's greatest accomplishments was the adoption of the Underground Facility Damage Prevention and Safety Act or "One Call" in 1993. This was an issue that your state association advocated for against all odds as the state's powerful investor owned electric utilities rallied against the creation of a statewide notification system which would alert utilities of pending excavation. It would not be an easy victory. NUCA of Florida began working on the issue in 1988, and we ultimately saw legislation approved in 1989 only to have Gover-

nor Bob Martinez veto the bill over concerns with liability issues with local government. This set back, though disappointing at the time, gave greater resolve to NUCA of Florida to pass a statewide notification system which would eliminate the small regional voluntary call centers like Call Uncle and Call Candy. It took another four legislative sessions before Chapter 556, the Underground Facility Damage Prevention and Safety Act would become law...and then it was only a voluntary system. Another four years would pass before then freshman Senator Tom Lee would provide the push needed to require all underground facility owners to be members of Florida's "One Call". Today, NUCA of Florida continues working with Sunshine 811 to maintain an effective damage prevention partnership. We have a seat on the Sunshine 811 Board of Directors. Mike Woodall represents the "excavators" and I serve as Chairman of the Legislative Ad-Hoc Committee. Working together, NUCA of Florida and Sunshine 811 can make "Florida - the Safest Place to Dig".

Other legislative accomplishments include: Contractor V License, reauthorization and funding of Florida's Clean Water and Safe Drinking Water programs, Prompt Pay (public and private), Public Bid Disclosure Act, Retainage, Trench Safety Act, OCIP's, Lien Law, just to name a few.

On November 18, 2014, our newly elected officials will travel to Tallahassee to meet and organize for the 2015 Legislative Session which begins on March 3. They will be shaping the future of the State of Florida, our job market, our infrastructure dollars and the health of our state's economy; and as always, NUCA of Florida will be there as they have in the past.

To say the 2015 Legislative Session will be challenging would be an understatement. With changes to the lien law, water-related policies certain to impact stormwater rules, building code issues and other construction and business issues looming large, we'll need to continue the legacy we have built in Tallahassee to be successful.

SAVE THE DATE!

NUCA of Florida's 2015 Annual Conference

Renaissance Vinoy

St. Petersburg, Florida

July 30 - August 1, 2015



Stay up-to-date on the conference theme, room block information, and registration details by checking the website and future Ditchmen issues!

If you are interested in joining the Conference Committee please contact Kari Hebrank at khebrank@wilsonmgmt.com or Sydney Phillips at sphillips@wilsonmgmt.com.

Generators Take Final Step Toward Tier 4 Final Compliance - The Final Frontier

By Todd Howe, Oct 21, 2014



Beginning Jan. 1, 2015, the Environmental Protection Agency (EPA) will require the final phase of transition to Tier 4 Final-compliant diesel engines to be installed in mobile generators like those commonly used in the construction and utilities industry. To meet Tier 4 Final standards, engines with advanced emission control technologies similar to those used for highway trucks and buses will be mandated in all newly manufactured generators ranging between 19 to 560 kW. Generators rated 560 kW and larger will have an additional year to transition to Tier 4 Final standards.

Tier 4 Final is the last step in The Clean Air Non-road Diesel Rule, a program aimed at reducing emissions from non-road diesel engines by integrating engine and fuel controls as a system. Once fully implemented, Tier 4 Final compliance is expected to reduce exhaust emissions by more than 90 percent.

Continue reading [here](#).

Commissioner McCarty Announces Decision on Workers' Compensation Rates

Harvey Bennett/Amy Bogner

(850) 413-2515

press@floir.com

TALLAHASSEE, Fla. – Florida Insurance Commissioner Kevin McCarty today issued an [Order](#) notifying the National Council on Compensation Insurance (NCCI) that its proposed 3.3% overall decrease in workers' compensation rates in Florida as filed has been disapproved. NCCI, which files on behalf of approximately 250 workers' compensation insurers with Florida policyholders, can re-file an overall rate reduction of 5.2% instead by next Tuesday and receive final approval.

After a careful review and analysis by the Office, the filing reflected an increase in the underwriting profit and contingency provision from its current approved 2.5% to 4.5% that was deemed excessive and unsupported.

"Just last year, NCCI requested and was approved for a 2.5% profit and contingency provision and the record does not reflect any significant change in the economy in the past year that would justify a near doubling of the underwriting profit,"

said Commissioner McCarty. "Florida's Workers' Compensation market is functioning very well, taking into account current economic conditions, and we want to ensure it remains doing so."

The required re-filing by the Office is to include a negative 2% annual trend for indemnity costs and a positive 0.5% annual trend for medical costs. The new rates would be effective January 1, 2015 for new and renewal policies. For more information about the 2015 NCCI annual rate filing, visit the Office's "[Past Public Rate Hearings By Date](#)" website page.

About the Florida Office of Insurance Regulation

The Florida Office of Insurance Regulation has primary responsibility for regulation, compliance and enforcement of statutes related to the business of insurance and the monitoring of industry markets. For more information about the Office, please visit www.floir.com or follow us on [Twitter @FLOIR_comm](#) and [Facebook](#).

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