



NUCA OF FLORIDA
LEGISLATIVE DAYS 2024

January 30-31
Tallahassee, FL

LEGISLATIVE DAYS BROCHURE

WHO ARE WE?

The National Utility Contractors Association of Florida (NUCA of Florida) is an industry trade association comprised of excavation and underground utility contractors, material equipment suppliers and manufacturers involved in water, sewer, gas, cable, electric and telephone installations accomplished through open excavation or trenchless technology.



NUCA of Florida was formed in 1980, with six Chapters throughout the state. Governed by a Board of Directors, our Statement of Purpose is to support and monitor legislation that may affect the underground utility industry, create formal coalitions with construction industry groups to deal with legislative and regulatory issues, exchange information between the Chapters, promote damage prevention and safety awareness and enhance public awareness of state-licensed underground utility contractors.





PUBLIC CONSTRUCTION

HB 705 by Rep. Shoaf (R-Port St. Joe)
SB 742 by Sen. Grall (R-Vero Beach)

A top priority for NUCA of Florida, HB 705 and its companion SB 742 modify the definition of "public works projects" in s. 255.0992, F.S., to add "local or" for public works projects funded with local dollars. This will prevent local governments from excluding certain contractors from the bidding process, imposing wage and employment conditions on contractors, or mandating specific hiring and training protocols. The same taxpayer funds the projects whether local or state dollars are utilized.

Public works projects should be bid through competitive processes that ensure the project is awarded to the most qualified company, for the best possible price, on behalf of the taxpayers who fund the work. When governments impose bid mandates that limit who can compete, or enforce hurdles that essentially eliminate bidding opportunities due to increased costs, they limit competition and drive up price. Floridians deserve a competitive marketplace.



NUCA of Florida SUPPORTS HB 705 and SB 742.

SUNSHINE STATE “ONE-CALL” 811 LEGISLATION

HB 825 by Rep. Koster (R-Tampa)
SB 708 by Sen. Burton (R-Lakeland)

This legislation filed on behalf of the Sunshine 811 Board, changes the current 2-day timeline for marking underground facilities to a 3-day timeline before excavation may begin and changes the timeline for a positive response from the current 2 days to 3 days. They also add a new violation for failure to notify of a planned excavation start date and time before beginning excavation if the member operator provides timely notice of the existence of a high-priority subsurface installation

Underground utility contractors must plan projects in advance to ensure crews are available, machinery and equipment can be on the jobsite or rented timely—and they cannot begin work until the locate company responds and marks any hidden facilities. When projects are delayed by failure to locate timely, costs increase. Contractors collaborate with locate companies now when they request additional time so there is no need for this well-intentioned legislation.

This bill will delay critical infrastructure projects for drinking water, sanitary sewer, stormwater, cable, electric and natural gas, further exacerbating a system that allows construction delays without consequences to the locate companies or facility owners.



NUCA of Florida OPPOSES HB 825 and SB 708.

WORKPLACE HEAT ILLNESS PREEMPTION

HB 433 by Rep. Esposito (R-Fort Myers)
SB 1492 by Sen. Trumbull (R-Panama City)

This legislation preempts regulation of heat exposure conditions and requirements to the State of Florida for employers of employees who work outdoors (agriculture, construction, landscaping). We don't need a patchwork of local ordinances mandating requirements for outdoor workers contrary to OSHA requirements.

Our employees are our greatest asset and as such our members have adopted High Heat Injury & Illness Prevention Plans consistent with OSHA and CDC guidelines and provide training and hazard identification for employees. We also modify work schedules, provide ample drinking water, work/rest cycles, protective shade and allow for acclimation to higher temperatures.



NUCA of Florida SUPPORTS HB 433 & SB 1492.

SUNSHINE 811 BOARD OF DIRECTORS— UNDERGROUND CONTRACTOR

SB 492 by Sen. Hooper (R-Clearwater)

SB 492 was filed on behalf of NUCA of Florida to require the Sunshine 811 Corporation to add 2 Florida-licensed underground utility contractors to the Board. NUCA of Florida would be able to make recommendations for the contractors to serve on the current 21-member Board. The underground utility contracting business is not well-represented on the very Board that regulates their business.



NUCA of Florida SUPPORTS SB 492 or an amendment to add at least one NUCA of Florida member who is a Florida-licensed underground and excavation contractor to the Sunshine 811 Board.

CAREER & TECHNICAL EDUCATION (CTE)

HB 917 by Rep. Snyder (R-Palm City)
SB 460 by Sen. Simon (R-Tallahassee)

The construction industry faces a looming workforce shortage as older workers retire and young people are not exposed to careers in construction. Today, students whom do not have access to Construction CTE programs or are not enrolled in such programs, are unable to learn new skills and gain real-world, hands-on experience in the construction trades,

These proposals allow 16 and 17 year- olds with OSHA-10 certification to obtain hands-on construction trade experience and work on construction sites only with an experienced supervisor. The bills also require school districts to include additional CTE classes and create a task-force that will offer recommendations on relevant CTE classes.



NUCA of Florida SUPPORTS HB 917 and SB 460.

BUY AMERICAN U.S. PRODUCED IRON & STEEL

HB 779 by Rep. Griffiths (R-Panama City)
SB 674 by Sen. Boyd (R-Bradenton)

These bills require iron and steel used in public works projects and materials utilizing any stat-appropriated funds to be manufactured and produced in the United States unless:

- Iron and steel products produced in the U.S. are not produced in sufficient quantity, reasonably available or of satisfactory quality;
- The use of U.S.-produced iron and steel products will increase the cost of the contract by more than 20 percent; or

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- Complying with the law is inconsistent with the public interest.

Concerns with this legislation include current supply chain shortages, resultant construction delays and onerous "red tape" to demonstrate an iron or steel product cannot be utilized in a public works project as an affidavit must be filed for each product: pipes, valves, fittings, etc. These policies are more onerous on small, family-owned businesses who do not have the requisite staff to process the documentation.

Notably, the staff analysis states "the bill has an indeterminate, but likely significant, negative fiscal impact on state and local government expenditures."



While we support "Buy American" in theory, given supply chain shortages, market volatility and increased material costs, NUCA of Florida OPPOSES HB 779 & SB 674.

STATE BUDGET-INFRASTRUCTURE FUNDING

NUCA of Florida SUPPORTS increased funding for the Clean Water and Drinking Water State Revolving Fund and Water Restoration Assistance programs for water pollution control, small community sewer construction and safe drinking water initiatives as well as efforts to enhance our infrastructure resiliency, address sea level rise and flooding issues and adequately fund local transportation and state highway infrastructure.

MEET THE NUCA OF FLORIDA TEAM

State Association Officers

Penny Danielecki, Technical Sales Corporation, President

Tim Carmichael, ACP, Vice President

Matt Donnell, R & D Paving, Treasurer

Cheryl Ricciardi, Andrew Site Work, Secretary

Clark Cryer, Johnson-Davis, Immediate-Past President

Daniel Young, Young Foster LLC, General Counsel

Chris Stewart, Xylem, Conference Chair

Brian Hunsicker, Rinker Materials, At-Large

Jordan Lee, Utility Service Company, At-Large

Scott Johnson, Johnson-Davis, At-Large

Mike Kivlin, JWJ Inc., At-Large

Chapter Executive Directors

NUCA of North Florida, Kathy Blackman

NUCA of Northwest Florida, Shannon Joyner

NUCA of Central Florida, Bryana Hart

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