

Top Roofing Professionals

Trent Cotney, P.A. fights for the industry



**\$750 million Okeechobee
Clean Energy Center
boosts national
construction starts**

**Challenges with the
Statute of Repose:
Florida construction
defect legislation
under review**

**BOMA Greater Tampa Bay
combines advocacy, education
and community for commercial
real estate owners, property
managers and allied businesses**

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* Data based on e-list mailing March 10, 2016.



Coverings 2017 in Orlando April 4 to 7

North America's largest tile and stone exhibition features more than 65 sessions



Florida Construction News staff writer

Coverings 2017, North America's largest tile and stone exhibition, featured more than 65 sessions focused on the most pressing topics for industry professionals from April 4 to 7 at the Orange County Convention Center.

The event offered advanced business topics, as well as beginner-intermediate discussions and a thin tile mini-track.

Tile Magazine reported that new show elements included guided audio tours, a NASCAR Racing Experience and a reinvigorated social media lounge.

"The 2015 edition, which was the last time Coverings was held at the Orange County Convention Center, had attracted the show's largest crowd since 2009, with approximately 23,000 attendees from more than 40 countries," the magazine reported. "It showed a 10 percent growth over the previous year. The 2017 event expected to feature 1,100 exhibitors, promoting their products to thousands of

distributors, retailers, fabricators, contractors, specifiers, architects, designers, builders and developers."

There were 10 featured sessions highlighting various topics from industry leaders, including:

Eric Astrachan, executive director of the Tile Council of North America, who moderated the panel "Critical Changes to Industry Standards, Guidelines and Best Practices" with participants Stephanie Samulski of TCNA, Martin Howard, executive vice-president of David Allen Company, Inc., Kevin Fox, owner of Fox Ceramic Tile, Inc., and Chuck Muehlbauer, technical director, MSI + BSI. "Focusing on the ever changing industry standards and guidelines, the panel provided attendees an overview of the most critical recent changes to better specify, sell, bid and install tile and stone."

Beatrice Eiseman, executive director of the Pantone Color Institute and director at Eiseman Center for Color Information and Training, shared insights on the origin of color trends, understanding upcoming trends and

assisted attendees in determining the best choices to make when specifying with color palettes in her session titled, "Communicating with Color/Design: Inspiring and Defining Essential Trends."

Edie Cohen, deputy editor of Interior Design magazine, sat down with Hagy Belzberg of Belzberg Architects, Denise Cherry of Assembly Design, Jennifer Kolstad of Interior Architects and DB Kim, hospitality designer for "Design: A Global Affair." As much of these designers' work took place overseas during the economic downturn, this conversation centered around the global influence on current design trends within the U.S. and addressed tile and stone within these current trends.

Vince Marazita, president and owner of Stone Trends International, discussed the state of the stone industry in his session "Stone Trends: A Historical Perspective." Focusing on information, sourcing, marketing and application trends in the stone industry over the last year, topics included international sourcing channels for nat-



atural stone, how stone is used in interior and exterior architecture and design, and an overview of testing criteria for designing with natural stone.

David Sarkus dove into strategies and tactics that assist in achieving zero-incident workspaces for years of sustainable success in the session: "Behind the Curtain to Zero-Incident Safety!"

"Coverings will help you uncover opportunities in today's flooring installation market and profit from them," the show organizers said in their announcement. "Make connections with hundreds of global suppliers of in-demand materials and tools on the exhibit floor and take advantage of free educational sessions. (*also presented in Spanish)

Free Sessions for contractors and installers included:

- Top 5 Reasons Why Tile Installations Fail*
- Introduction to Tile Industry Standards and How to Use Them to Your Advantage
- How to Become a Certified Tile Installer*
- Ceramic Tile Grouts: Types and Characteristics
- Proper Substrate Preparation for Tile Installations*
- Innovative Tools in the Tile Industry*
- New Directions for Gauged Porcelain Tile
- Connecting Actual Job Costs Back to Estimating
- Using Online Education and Apprenticeship to Improve Company Performance
- Turning Your Project Managers into Business Managers
- Hiring and Retaining the Right People this great

Register for free at www.coverings.com.

\$750 million Okeechobee Clean Energy Center boosts national construction starts

Florida Construction News staff writer

Work on a \$750 million natural gas fired power plant in Florida helped boost the Dodge Data & Analytics national construction starts total, the research and lead providing service has reported.

Dodge didn't provide details about the \$750 million project in its news release, but Florida regulators on Jan. 5 approved the 1,600-Mw Okeechobee Clean Energy Center of NextEra Energy subsidiary Florida Power & Light (FPL) near Vero Beach.

The plant will be the fifth advanced combined cycle power plant FPL has commissioned since 2009, powermag.com reports.

FPL says the facility will create an average of approximately 300 jobs during the two-year construction period – as many as 650 jobs during peak activity – and more than 30 permanent positions to operate it.

Overall, Dodge Data & Analytics says the value of new construction starts in January climbed 12 percent to a seasonally adjusted annual rate of \$690.2 billion. As well, nationwide results continued to be impressive in February as well, according to the report for the following month.

The Dodge Momentum Index rose 1.6 percent in February to 144.0 (2000=100) from its revised January reading of 141.7. The Momentum Index is a monthly measure of



the first (or initial) report for nonresidential building projects in planning, which have been shown to lead construction spending for nonresidential buildings by a full year.

February's increase was due to a 4.4 percent jump in institutional planning, while commercial planning slipped slightly, falling 0.3 percent for the month.

The Momentum Index has now increased for five consecutive months; however, the underlying components continue to be volatile on a month to month basis as large projects continue to sway the data. The overall trend, however, is rising.

On a year over year basis the Momentum Index is 22 percent higher, with commercial planning up 28 percent and institutional planning moving 15 percent ahead of last year. This suggests that construction activity will continue to see further growth as the year progresses.

In February, four projects entered planning each with a value greater than \$100 million. For the institutional building sector, the leading projects were a \$100 million hospital in Westampton NJ and a \$100 million military barracks in Great Lakes IL.

The leading commercial projects were a \$470 million hotel in Nashville TN and a \$130 million hotel and shopping center in La Puente CA.

**Dodge Momentum Index
(Year 2000=100)**



Challenges with the Statute of Repose:

Florida construction defect legislation under review

Florida Construction News staff writer

Florida's construction defect legislation is under review relating to issues focused on interpreting the Statute of Repose.

Florida Senate Bill 204 and its counterpart, House Bill 377, would amend Statute 95.11(3)(c), the construction Statute of Repose, "in order to close a recent loophole that has caused the statute, which was intended to be definite but is no longer," according to an article by Rouselle "Bo" Sutton III and Natalie Bunnell in the Daily Business Review.

The lawyers write: "Everyone in Florida's construction industry should be aware of and voice their support" for the legislation.

The statute "bars unfiled lawsuits pertaining to latent defects in the design, planning or construction of improvements to real property after the passage of 10 years," they write.

"However, 10 years does not necessarily mean 10 years. It is not until 10 years after the last of four specified events to occur that construction related liability ceases. In Florida, the 10-year deadline begins to run from the last date of the following: actual possession by the owner, issuance of a certificate of occupancy, date of abandonment of construction, or the date of completion or termination of the contract between the engineer, architect and licensed contractor with the owner."

They write that the loophole the bills would close is in the fourth trigger: completion of the contract.

"Florida courts have wrestled with the question of what does 'completion or termination of the contract' mean and, if completion of the contract is the last of the four triggers to occur, from what date the 10-year window is measured."



Florida's Fifth District Court of Appeal weighed in on this issue in 2015, the lawyers say. "In *Cypress Fairway Condominium v. Bergeron Construction*, the court held that 'contract completion' was the date on which final payment was made rather than when the work under the contract was completed."

This distinction is critical as construction can be completed long before final payment is made. It further poses concerns if final payment on the contract is never made or is not made in full.

"Because this issue has not been directly addressed by Florida courts, it leaves an open question about whether or when the statute of repose begins to run. In the *Cypress Fairways* case, had the statute of repose been tied to completion of construction rather than final payment, the lawsuit would have been barred. Instead, the developers, planners, designers and contractors found themselves in the unenviable position of defending against construction defect claims involving a project more than 10 years old."

"The new legislation was, in large part, introduced in response to the *Cypress Fairways* court's holding; to now tie up the "completion of contract" loose end by linking it to completion of contract work (not including punch list work) rather than receipt of final payment," they write.

"Completion of the contract would be defined as: 'Completion of the contract means the latter of the date of final performance of all the contracted services or the date that final payment for such services becomes due without regard to the date final payment is made.' Both bills seek to provide clarity as to what 'completion of the contract' means and could have a large effect on how courts interpret completion when applying the statute of repose to cases involving old construction."

While the bills will define what completion of the contract means, if it does not pass, planners, engineers, architects and contractors should take certain steps to help protect themselves. For one, payment deadlines should be included in contracts. For example, a contract could include a term that specifies the owner must make payment within 20 days of a final payment application, regardless of punch list items remaining. If payment is not made within 20 days or it is not full payment, the contract might still be deemed complete, just that the owner breached it.

"The owner should not be permitted to prevent the statute of repose from beginning by not making timely or full payment. Otherwise, construction related liability could be open-ended."

Other legislative attempts involving the statute of repose have failed in recent years, including an effort to reduce the statute of repose window from 10 years to seven years, the lawyers observe. "The current amendment to the law is certainly critical to avoid unnecessary litigation, but a three-year reduction would significantly help to reduce extended legal exposure."

EAI, Inc.

On Time and Within Budget

Florida Construction News special feature

For 25 years, New Jersey based EAI, Inc. has offered its complete list of specialty contracting services and expertise. The company's dedicated team of geologists, engineers and planners, foremen and installers have implemented unique solutions across a range of projects and challenges, minimizing risk and providing efficient and cost-effective solutions.

Among its expertise, president and CEO Robert Carvalho says EAI has become a national leader in the installation of waterproofing, vapor barriers and air barriers on various redevelopment projects throughout New York and New Jersey.

Other services include sheet membrane waterproofing, spray applied waterproofing, hot applied waterproofing, and injection grouting waterproofing. The company provides an equally comprehensive range of air and vapor barrier options as well.

The company has partnered with large scale developers, homebuilders, general contractors, architectural and engineering firms, and government agencies across the country, getting involved with key projects from earliest design and costing stages through to successful completion. These include large and complex projects in which EAI addresses challenges such as deep foundation waterproofing.

Carvalho says the company has built its reputation and a long list of repeat client partners through hard work and dedication. "These relationships are a testament to the quality of our job performance and customer service. We are proud of the strong professional relationships we have built with our clients."

Part of EAI's success, he says, is the result of a conscious decision to employ talented and motivated people who strive for excellence every day. "We are determined to provide an exceptional work environment in which our employees' contributions and ideas are both recognized and valued. We go above and beyond average thinking and performance to meet our clients' needs. We believe in utilizing



the abilities of our employees and investing in them, so that they can be the best they can be."

The company's expertise, combined with exceptional insurance and bonding credit and an impeccable safety record, has made EAI a successful partner on several challenging and high profile projects. EAI has partnered with Whole Foods, for instance, on the completion of various locations in the New York area including Herald Square and Gowanus Canal in Brooklyn.

EAI, Inc. is a member of several professional associations including the American Institute of Professional Geologists (AIPG), the American Society of Civil Engineers (ASCE), the Building Trades Employers Association (BTENY), and the Roofing & Waterproofing Contractors Association of New York. For more information, visit <http://www.eaienviro.com>.



Water conservation is key element in achieving effective green building



Column contributed by the Florida Green Building Coalition (FGBC)

Water plays a big role in our local communities. Without water, there would be no local business or industry. Fire fighting, municipal parks, and public swimming pools all need a reliable supply of water. In addition, water is used for agriculture, manufacturing, energy production, and outdoor recreation.

Almost every facet of life in Florida is closely associated with water. According to the U.S. Geological Survey, the average Floridian uses 133 gallons of water each day. Slightly less than

half is used inside the home. The rest is used outdoors, primarily for landscape irrigation.

As our population grows and the demand for drinking water increases, Florida must build on its water conservation initiatives and expand the use of reclaimed water to extend groundwater supplies. In many areas, utilities will need to develop alternative sources of water to bolster traditional drinking water sources.

This increasing demand on our state's water resources necessitates that sustainable building be a cornerstone of Florida's future.

To that end, the Florida Green

Building Coalition (FGBC) develops and administers the "Florida Green" green building certification standards, designed to increase the sustainability of Florida's built environment.

Land developments requiring green home certification such as Lakewood Ranch in Manatee County, Babcock Ranch in Charlotte County, Oakland Park in Orange County, and Alys Beach in Walton County are key drivers for advancing sustainability among the building industry. And the builders embracing this trend such as Neal Communities, Lennar, Pulte, Mattamy Homes, Taylor Morrison, William Ryan Homes, Southern Crafted

Homes, and Premier Construction & Development are capturing a large portion of the new home sales market across the state. That type of participation has helped FGBC reach a new milestone of more than 14,000 “Florida Green” certified projects.

Water conserving strategies, both inside the building and out in the landscape, play a primary role in green building and are a main category in the certification process. Approaches include low-flow plumbing fixtures, greywater reuse, rainwater harvesting, reclaimed water reuse, proper plant selection for landscapes, and properly installed irrigation systems.

With many regions of Florida facing public water supply constraints, building homes and commercial projects to use less water by way of high-efficiency components only makes sense.

The Florida Water Star program is a voluntary water conservation certification program for new residential and commercial construction and existing home renovation that works in partnership with comprehensive green building certification. The program encourages water efficiency in appliances, plumbing fixtures, irrigation systems and landscapes, as well as water quality benefits from best management practices in landscapes. Based on estimates, an average Florida Water Star homeowner can save up to 20 percent of water use annually.

With site appropriate plants, increased shade and reduced areas of irrigated turf grass, an irrigation system can be set to run for much shorter periods — and in some cases, an irrigation system is not necessary at all.

Looking to the future, and Florida’s continued water resource constraints, it will become even more critical that water conservation be a part of every aspect within Florida’s economy.

Agricultural water users will need to upgrade to more efficient irrigation systems and implement best management practices. Golf courses must reduce the amount of acreage irrigated, install irrigation systems that reduce the volume of water used, and install soil moisture and rain sensors.

Builders will need to incorporate green building programs such as FGBC Florida Green and Florida Water Star into their construction process. The advantages of green building are abundant: less impact on our natural resources, healthier indoor environments, increased worker productivity, reduced operating costs, and increased market value.

With a concerted effort, Florida can alter its pending water crisis by engaging the many different disciplines of the building industry in adopting water conservation strategies.

For information about green building practices, visit the Florida Green Building Coalition website at: www.floridagreenbuilding.org. Florida Water StarSM information is available at floridawaterstar.com.

Challenges with the Statute of Repose: **Contractor forces Hollywood condominium project to foreclosure auction**



Florida Construction News staff writer

In a rare action, general contractor LB Construction has won a judgement ordering the stalled H3 Hollywood Condominium project to foreclosure auction because of a massive unpaid construction lien.

LB Construction has been awarded \$20.2 million in damages against the developer, Hollywood Station Investments, including a \$15.8 million construction lien judgment.

Miami attorney Jill Nexon Berman, who represents Hollywood Station Investments, declined comment, the South Florida Business Journal reported. Hollywood Station Investments is managed by Diego Besga of Team Real Estate Management.

“We are proceeding to foreclosure judgment if necessary,” said attorney Peter Berlowe, who represents LB Construction. “We are hopeful that resolution will be reached before we get that far. We are trying to work with all of the subcontractors and material suppliers to see that they are taken care of to the best of our ability.”

Construction hit the 13th floor before the developer halted construction last fall. It was slated to be completed in January. Prices for units started at \$250,000.

An auction has been scheduled for April 25.

In September, Hollywood Station Investments sent a letter to buyers telling them that construction had stopped because “general market conditions have deteriorated.”

South Florida condo sales have declined over the past year. Many experts blame the strong U.S. dollar making it more expensive for foreign investors to buy here. Few domestic buyers are willing or able to put down 50 percent deposits.

BOMA Greater Tampa Bay combines advocacy, education and community for commercial real estate owners, property managers and allied businesses



Florida Construction News staff writer

BOMA (Building Owners and Managers Association) Greater Tampa Bay was formed more than 30 years ago to promote the unique interests of local commercial real estate building owners and property managers, and to add value through advocacy and education. Through its participation in BOMA Florida and its ties to BOMA International (BOMI), Greater Tampa Bay is part of an international network that includes 91 BOMA U.S. associations and 18 in-

ternational affiliates whose mission is to “advance a vibrant commercial real estate industry through advocacy, influence and knowledge.”

President Sandy Ballestra says BOMA Greater Tampa Bay has three key roles: advocacy, education and to operate as a trade association for the benefit of members. In its advocacy role, the association works in concert with other local CRE (commercial real estate) and all Florida BOMA Associations to advocate for the industry locally, at the state level and nationally.

“Our members assisted with suc-

cessfully moving the local TBX (Tampa Bay Express) transportation initiative to the next stage earlier this year,” she said.

Members will also be traveling to Tallahassee to lobby legislators in February, along with all other BOMA associations in the state, in an effort to repeal the sales tax on commercial leases. Currently, Florida adds a state tax of six percent and municipalities may add their own tax, as high as 1.5 percent in some areas. “We are the only state in the union to carry this state tax and it puts us at a disadvantage with other states when it comes

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Vilmar giving an update to BOMA International's Board of Governors on the national Government Affairs Committee

to attracting business.”

She says since Florida does not have individual income tax, this is one of the ways it has been creative with other taxes.

BOMA Greater Tampa Bay also sent members to Washington, DC to lobby congressional leaders last year for what she calls three main issues: To prevent drive-by ADA (Americans with Disabilities Act) lawsuits prevalent in the state by adding a notice period to implement changes; to reduce the depreciation period for mandatory fire sprinkler upgrades from 39 years to 15 years, and to extend the energy efficiency investment tax incentives.”

Education is the second of the association's critical missions. Through various educational series, and networking and learning opportunities, Greater Tampa Bay vice president Sara Wayson says members have access to a wide range of BOMI courses including Design, Operations and Maintenance of Building Systems, Environmental Health & Safety, Ethics is Good Business, Managing the Organization and Real Estate Investment & Finance, all scheduled for 2017.

Other educational opportunities include the Winter Business Meeting and National Issues Conference (January 28) and the BOMA International Conference & Expo set to take place in June. Last year Trade Show Executive “ranked the 2015 BOMA International Conference & Expo as one of the top 50 fastest-growing shows in the category of total attendance” and Wayson says it is an incredible education and networking opportunity for all

members.

Connections with BOMA International also provides BOMA Greater Tampa Bay and its members with eyes on what others in the industry are doing with respect to issues including sustainability. These relationships can help drive new initiatives and opportunities locally and gives members an opportunity to be aware of future issues, she said.

“In Orlando right now for instance there is a benchmarking reporting that buildings must do. BOMA Orlando is working with the City of Orlando to ensure there are provisions for buildings who must use higher levels of energy to support specific uses so they are not discriminated against unfairly. Though this reporting does not impact us we recognize that it could in the future so will watch their progress with this.”

As a trade association, BOMA Greater Tampa Bay observes the general BOMA principle that membership should be equally divided between property owners and managers and allied members through a specifically defined 50/50 Program.

Allied members may come from a variety of interested sectors and include “firms that provide services and products to the real estate industry, including but not limited to lawyers, consultants, accountants, designers,



Sandy Ballestra and BOMA GTB past president Lynn Vilmar while in DC last year meeting with congressman Gus Bilirakis aid



Ballestra and Vilmar flank a statue of former Speaker of the House, Sam Rayburn.

contractors and architects.”

Allied members must, under the 50/50 Program “attend at least half of the scheduled events per year; or actively participate in a BOMA committee attending at least 75 percent of committee meetings or events; or be an annual Platinum or Gold level sponsor of the local.”

Ballestra says the association wants to ensure allied members are there for the benefit of members and the industry as a whole. Part of the 50/50 initiative, she says, is to ensure a balanced, stable membership with shared values. The aspect of shared values is supported by an Allied Member Committee who works to ensure the allied members' participation is based on networking and expertise, rather than simply a selling opportunity for the allied member. “We look at our allied members as partners and rely on their expertise. We want them there offering advice to our members.”

In order to ensure its 50/50 balance, the association requires that interested parties apply for membership and be placed on a wait list which is maintained and monitored throughout the course of the year.

For more information, visit <http://bomagtb.org>.

FLORIDA'S TOP 10 CONCRETE & ASSOCIATED PRODUCTS INDUSTRY REPORT

Celebrating contractors, suppliers and professionals in the June issue

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CONGRATULATIONS!

Your company has been nominated as one of the Top 10 Concrete & Associate Products Industry Professionals of Florida!

Your company and the other Top 10 will be showcased in our report highlighting your staff, projects, anniversaries, awards and new products!

This June, in our Special Edition of the Florida Construction News, we want to celebrate you and the work you do. This special report will examine the evolution of Concrete & Associated Products in industrial, infrastructure, ICI and residential sectors, as well as highlighting many new innovative products, environmentally friendly alternatives and legislation providing new opportunities for revenue and growth. The profile will also include engaging profiles of some of Florida's best Concrete & Associated Products suppliers, contractors and the associations to which they belong.

The Florida Construction News magazine reaches 8,000 readers each issue. Our report will also be included in the digital editions of our other publications such as New York Construction Report, North Carolina Construction News and Chicago Construction News reaching over 25,000 more readers.

If you would like to take this unique opportunity to showcase your employees and key members of your team you are encouraged to nominate them. If you advertise with a ¼ page colour advertisement or larger we will dedicate a full page to your nominee and company that you get to approve.

New for 2017 is our New Product and Technology Showcase where you can include a 100 word write up and photo for our guide starting at only \$475!

For more information about how you can participate in this Special Edition by placing an ad, profiling your company or submitting a guest editorial, call Chase at 905-228-1151 or email: chase@floridaconstructionnews.com.

Advertising Deadline: June 9th
Editorial Deadline: June 2th



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COLOUR	
1/8 page	+ \$100.00
1/4 page	+ \$150.00
1/3 page	+ \$225.00
1/2 page	+ \$275.00
Full page	+ \$475.00

Autodesk offers free e-book to introduce designers to BIM for FDOT projects



Florida Construction News staff writer

Autodesk has launched a campaign to encourage designers and engineers to consider implementing Building Information Modeling in their work for the Florida Department of Transportation (FDOT).

The company invites civil engineers to request a copy of an e-book, *Transportation: A Guide to Florida's Transformation to BIM*.

The company says it is time to consider AutoCAD Civil 3D for FDOT projects. "Powerful and versatile, Civil 3D can optimize all your project workflows and help you communicate design work better."

Key topics in the book include how Civil 3D can deliver:

- The ability to meet FDOT's upcoming requirement to deliver 3D engineered models;
- 3D modeling with intelligent data for smart decisions early in the process;
- Agility to make changes on the fly for satisfying requirements or fixes;
- Smooth integration of preliminary data into a detailed design environment; and
- Entry into the Autodesk ecosystem that includes ReCap 360 and InfraWorks 360.

You can request a copy of the e-book at this link: <https://goo.gl/8qY7rh>.



FLORIDA'S TOP 10 EAST COAST CONSTRUCTION INDUSTRY PROFESSIONALS REPORT

Celebrating contractors, suppliers and professionals in the June issue

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Full page	+ \$475.00



Florida Roofing and Sheet Metal Contractors Association to host convention and expo in June

Florida Construction News staff writer

The Florida Roofing and Sheet Metal Contractors Association, Inc. (FRSA) will host its 95th Annual Convention and Florida Roofing & Sheet Metal Expo June 22 to 24 at the Hyatt Regency Orlando and Orange County Convention Centre.

The event provides networking, as well as educational opportunities, through a variety of seminars and workshops and a total of 23 hours of continuing education credits offered through FRSA's Educational and Research Foundation, CILB Provider #0000910, Florida Board of Architecture #0000910 (select courses), and the BCAIB (Building Code Administrators and Inspectors Board) Provider #0000910.

The association's website says that "all courses are designed specifically for contractors" under the goal of providing members with the tools required to run successful businesses.

Licensed construction contractors are "required to earn 14 hours of continuing education credit" every two years and must meet six specific training requirements so courses are focused on this.

Seminars at the event will cover topics including licensing issues and construction contracts; the impact of the legalization of marijuana on the construction industry led by

Trent Cotney, P.A.; how to hire smart, manage smart, sell smart; wind mitigation methods and the law; drones updates in the roofing industry; and OSHA updates the construction industry, also presented by Cotney.

The conference and expo is just one of many programs FRSA has developed over its 95-year history to meet its purpose of fostering and encouraging "a high standard of business ethics among members" and informing "the public of the importance of doing business with competent, ethical and licensed companies."

The association has positioned itself to be proactive in meeting the growing threat of a labor shortage and the challenge of attracting young people to the industry through its Young Professionals (YP) group. According to the association's website, the YP group's mission is to "bridge the gap between current and future roofing industry professionals through networking, technology and education" while striving "to promote the advancement of the roofing industry through new and innovative technologies while preserving the roots that our industry was founded upon."

Among the association's initiatives with respect to this mission is an FRSA apprenticeship program, educational opportunities for young professionals, and increased YP participation in events and activities.

For more information, visit <http://www.floridarooft.com>.

Trent Cotney, P.A. at work

Blue collar construction lawyers focus on the industry they know from personal experience



Florida Construction News special feature

Based on a long, personal history, Trent Cotney P.A. describes itself as a blue collar legal firm uniquely representing the construction industry. Through offices in Tampa, Jacksonville, Orlando, Tallahassee, South Florida, and Mobile, AL, the team focuses on several construction specific practice areas, including roofing law.

President Trent Cotney grew up with a family who worked in construction and he was employed in the industry while attending school. When he began to practice law in the late 1990s, he started by representing roofing contractors and suppliers. Over time, his involvement in the industry and related associations grew.

Cotney was among the inaugural law class to be certified specifically in construction law. He maintains a subspecialty in roofing law.

"The best way to represent, advise and argue for roofing contractors is to know how to build a roof, to know the job from all sides, and to know the law," he says. "I don't need the ins and outs of the industry explained, or the process involved, because I've actually done it."

Building his firm, which he formed in 2012 and that now has 12 attorneys, he sought the same kind of expertise and personal experience in his colleagues. He says each lawyer has experience in the field because "you can teach anyone the legal aspect but you can't give proper advice unless you know the business."

Today, the team handles construction litigation and arbitration, lien and bond claims, alternative dispute resolution, bid protests, license defense, contract review and drafting, employment law, and Occupational Safety and Health Administration (OSHA) defense.

Cotney has developed expertise in OSHA defense, and has published an Amazon best-selling book titled *OSHA Defense for the Construction Industry*. "We can assist contractors in their defense and represent employers against charges."

Beyond lawyers who know the industry, Cotney has also spent years developing a network of suppliers, manufacturers and others in the know. Understanding who to call or to connect with, he says, ensures he gets the information and action his clients may need to clarify questions that arise and keep jobs running.

"Representing the construction industry is truly what we love, it is who we are and what we do," he said. "There are a lot of lawyers focused on construction work, representing the owner, or the insurer, but very few who defend and advocate for the industry as we do."

Cotney says team members advocate for the industry on a basis of humility and collegiality. "Construction is in all of our roots. An ethic of hard work, an understanding of the people and of the work, is part of who we are and will always be the basis under which we operate."

Trent Cotney P.A. represents clients ranging from small, family owned operations, to publicly traded companies. Cotney speaks at various roofing contractor events on topics ranging from OSHA defenses to crisis management.

He publishes regular articles in industry magazines, is a Florida CILB certified continuing education provider, and is involved in helping develop roofing friendly building codes and statutes.

"We try to give back to the industry personally and professionally, by providing pro bono services to construction associations and donating to industry charities," Cotney said.

Cotney's commitment to his clients, and the flexibility a firm of his size carries, means he is able to be creative, offering fixed price or monthly fixed fees for clients, and thinks outside the box to ensure the team is meeting the clients' needs the best way possible.

That commitment also extends to offering clients leading edge and easy to use technologies supporting information security.

Cotney is general counsel for the National Women in Roofing (NWIR), and the Florida Roofing & Sheet Metal Association (FRSA), among others. He has been recognized with numerous awards, including the Gold Circle Award for service from the National Roofing Contractors Association (NRCA), the OSHA Defense Law Firm of the Year, and Most Outstanding Construction Lawyer.

For more information, visit <http://trentcotney.com>.

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American Concrete Pumping Association (ACPA)

Advocating for safety, training, and fair taxation and business success

Florida Construction News special feature

The American Concrete Pumping Association (ACPA) provides year-round support, advocacy and leadership for the concrete pumping industry.

The approximately 500-member association, which also has members representing Canada and Mexico, says its mission is to “promote, expand and improve the concrete pumping industry through progressive leadership, communication, education and advocacy.”

Throughout the year, the ACPA schedules other programs and activities including a biannual fall educational conference and programs at the World of Concrete show.

Last year’s conference in Nashville in September included a variety of educational and networking opportunities, in connection with the National Ready Mixed Concrete Association (NRMCA)’s annual ConcreteWorks event.

ACPA developed its certification program in the early 1980s. “It has really progressed . . . with substantial increases in the education requirement and operational evaluation for first time certification,” Christi Collins, ACPA executive director, said in an earlier published report.

“Contractors are also increasing their demand for the use of certified operators on their jobs, and as a result, this year we will process more certifications than ever before,” she said.

“The ASME standard is basically about increasing safety on the job,” Collins said in the article published in *Construction Today*. “If the concrete pumper, ready mixed provider and concrete contractor each adhere to their assigned responsibilities, the job site with a pump will be much safer.

But in the unfortunate situation of an accident or an incident on the job, that’s also where the standard will come into play. Each party will become accountable for their responsibilities.”

Operators must be recertified every two years.

Approximately 3,000 operators have been certified in the last two years, Collins said. “That doesn’t necessarily mean that all of our members have certified operators, but clearly, we’re moving in that direction,” she says.

ACPA members receive a significant certification fee reduction compared to non-member rates – from \$225 to \$60 per operator.

The association also advocates for its members’ interests. There have been initiatives to revise taxation rules

to make it fairer for concrete pump operators, including success in eliminating the retail excise tax on concrete pump chassis.

“That was probably the biggest feather in our cap since I’ve been here,” Collins said in the interview. “The IRS wanted to change the classification of concrete pumps from mobile machinery to ordinary over the road highway vehicles because in their opinion, a concrete pump chassis can be reconvered to a vehicle which can carry a load across the highway. Not only is this not possible, but clearly it’s just not feasible.”

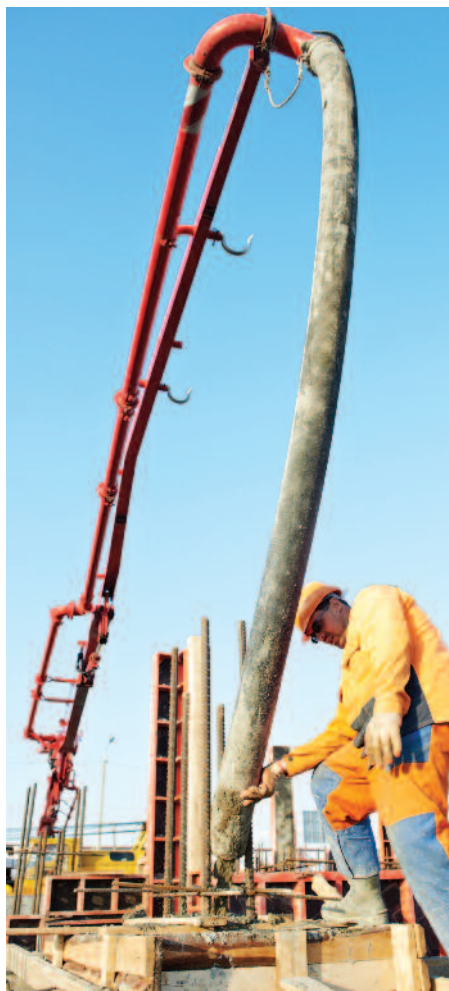
Removing the tax, for which mobile machinery is exempt, saves about \$14,000 per chassis. The association also succeeded in ending the over the road use tax, averaging approximately \$550 per vehicle.

“It was several years of fighting back and forth, but last year, we were able to prevail, and by doing so saved our members million of dollars every year,” Collins said.

The ACPA has also initiated a program to establish benchmark concrete pumping business financial data. Information from members’ financial statements, processed through a third party accountant, allows them to understand which operations are most profitable and the typical expenses to expect, enabling the companies to see how they are performing and where they can improve.

Collins is optimistic about the association’s future.

“(Our members are) very passionate about what they do,” she said. “They’re very involved. They are going to make the association succeed. They do what they can. They all pitch in and work very hard at making sure the industry continues to progress and is a success.”



ACPA president Beth Langhauser discovers dynamic opportunities in concrete pumping industry



Florida Construction News special feature

Beth Langhauser, the first woman president of the American Concrete Pumping Association (ACPA), says she had a somewhat unconventional start to her construction industry career. However, Langhauser, owner of Midwest Placing, says the dynamic nature of the business and the people she has met along the way have cemented her to the industry.

"I had a degree in communication and came to Midwest as a temp 20 years ago while I looked for my future career," she said. "I started in the office and have been here ever since."

Langhauser says the owner of the company at the time opened the doors to the business and future opportunities. She says she began attending seminars, learning about the industry from jobsite to operations,

and took classes to fill in what she needed to know.

She says she was never treated poorly at any point in her career. However, in her early years, she appreciated she was working in a male dominated field, where women were unexpected.

"There has not been a significant change in this but where before I would attend a conference and be the only woman present, now there may be several women in the room," she said.

She indicates she is happy to see younger people are entering the industry. "Our industry is made up of a lot of family businesses and we're starting to see the (millennial) sons, and daughters, taking over, which is great."

She says the concrete pumping industry gets in your blood – both be-

cause of the customers and the tight knit community. Working with heavy equipment and complex mixing science can be challenging depending on the job, but the work is also rewarding when you succeed, she said.

Langhauser said the concrete pumping industry is a great industry for any woman because of its opportunities and potential. She has a niece currently considering her career options. "Construction is an opportunity often ignored by women but there is so much potential," and she hopes the young woman will consider the career.

The best way to get started is "look into internships, find a way to get into the field to see what it is really all about," she said.

ACPA executive director Christi Collins discovers opportunities and professionalism in the concrete pumping community

Florida Construction News special feature

Over more than 20 years with the American Concrete Pumping Association (ACPA), Christi Collins has grown from a part time assistant to the association's current executive director. She has helped grow and evolve the association and its focus, and committed to a new level of professionalism for both the association and the industry.

Collins says her expertise in accounting, operations and systems initially led her to work for the association's former executive director at a time when ACPA was just getting started. "We were very lean, didn't have many programs, few members and a small budget. My role was to implement systems and processes, to get book-keeping and so on set up. As we got organized, I started taking on more roles. The executive director at the time was semi-retired and said that if I was interested in taking over one day, he would help me along."

She says he proved an excellent mentor, teaching her all about the industry and its people. Gradually, membership and programs doubled, the budget grew five-fold and in 2001, Collins took the helm as executive director.

Collins' take over coincided with other changes that were happening within the association and she says it was both a challenging and exciting time. While she was concerned initially about her relative inexperience with the industry, she said the board was confident in her ability to learn and even more so in her ability to run the association which was key.

"We took that opportunity to bring in some new people, to elevate the level of our magazine and to focus on



increasing the level of professionalism within the national office, and the industry as a whole."

She also took the opportunity to begin attending events at other associations, increasing ACPA's presence.

Collins says she initially felt she

had to work to earn the confidence of her peers, but says this was more about inexperience in the industry than her gender. "I have always found the industry to be respectful. There are places for people with such diverse interests and skills, whether they be in marketing, technology, organizing.... The industry is open to us all."

The diversity of opportunities and within each day's work provides opportunities for everyone to find their niche and to grow from one role into others, she said. "I would encourage anyone interested in an exciting and rewarding career to consider the construction industry. Don't let old labels get in your way."

She says the concrete pumping sector in her experience is a small, cohesive group representing a mix of all ages, levels of experience and genders, which welcomes newcomers.

For more information about ACPA, visit <http://www.concretepumpers.com>.



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APPOINTMENTS AND PROMOTIONS



Moss & Associates promotes Jason Clark to vice-president/project executive

Moss & Associates has promoted Jason Clark to vice-president/project executive. Clark, who has more than 15 years of experience in construction management, first joined Moss in 2005 as an assistant project manager.

In his new capacity, Clark will supervise multi-million dollar projects from the conception phase through completion. Previously, as a project executive, he managed the construction of three high-rise condominiums in Miami-Dade County: 400 Sunny Isles, 1010 Brickell and The Harbour.

"Jason is an incredible asset to our team," Moss & Associates president Scott Moss said in a statement. "His extensive knowledge of the construction industry, positive attitude and business savvy made him the perfect candidate for this position."

Before joining Moss, Clark held the positions of assistant project manager and assistant superintendent at Bovis Lend Lease in New York City.

Clark earned an MBA and a Bachelor of Science in building construction from the University of Florida. He is LEED accredited and a Florida certified licensed general contractor. Clark resides in Coconut Grove.



Miguel Lopez Jr. asphalt maintenance names Yahaira Parrales as chief of staff

Miguel Lopez Jr. Inc., a Miami asphalt and concrete maintenance firm, has promoted Yahaira Parrales to the newly created position of chief of staff. Parrales has been with the company for 10 years, most recently in the position of executive director responsible for office operations.

"We realized the need to have a strong professional who will oversee our realignment and expansion," said president and CEO Miguel Lopez, Jr. "Yahaira is the 'go to' person for our staff, clients and vendors, so it was only natural to name her chief of staff."



Chad Ward to seek Florida sales footprint for Construction Industry Allies

Construction Industry Allies (CIA), a Dallas based construction site service provider, says it has appointed Chad Ward as vice-president of sales and operations to oversee business development of new suppliers and customer relations in Florida and Georgia.

The company says Ward has a 25-year background in the construction industry playing a key role at two of the world's largest construction suppliers, 17-years of which he spent in Florida and Georgia.

His focus in construction has been technology, energy and equipment. "His expertise in project and account management, engineering solutions, product development as well as leadership in training and support is exactly what our company needed for our new expansion," says CIA president Angie Ellis. "Ward's proven track record leaves me completely confident that he will more than exceed the key objectives on the horizon."

"I'm excited to be joining the team at Construction Industry Allies and honored to be involved on the cutting edge of bringing the construction site consolidation services to Florida and Georgia," Ward said in a statement. "Angie has developed this business from the ground up and I've already seen tremendous expansion and opportunities in a short amount of time. I am determined and committed to the continued growth and improvements to make this company's future even brighter."

Williams Company Southeast breaks ground for new 225,000 sq. ft. St. Cloud Commons retail center in Kissimmee



Orlando based Williams Company Southeast says it has broken ground for St. Cloud Commons, a new 225,000 sq. ft. retail center on a 33-acre site at the Florida Turnpike and U.S. 192 in Kissimmee.

Pan American Group, Miami, is the developer, and completion is scheduled for October 2017.

Live Oak Contracting to build \$28 million Gainseville apartment complex project



Live Oak Contracting, based in Jacksonville, says it has been awarded a \$28 million apartment complex in Gainesville.

The Mayfair will consist of eight three-story apartment buildings; nine garage buildings; a clubhouse and a fitness center totalling 385,437 sq. ft. and 243 units. In addition, the project will include dual zone wine coolers, a swimming pool, clock tower, electric car hook ups in select garages, LED backlit mirrors, elevators, air conditioned corridors, and quartz countertops in kitchens.

Mayfair Apartments Gainesville, LLC owns the project and the architect is Fugleberg Koch, based in Winter Park.

Roger B. Kennedy Construction breaks ground for Unicorp's \$65 million Drake Midtown Apartments in Orlando's Lake Mary submarket

Orlando based Roger B. Kennedy Construction has broken ground for the Drake Midtown Apartments in Orlando's Lake Mary submarket for Unicorp National Developments Inc.

Valued in excess of \$65 million, the five-story, 263-unit



apartment community is adjacent to the site of Unicorp's announced Griffin Farms at Midtown, a town center with 150,000 sq. ft. of retail.

Slocum Platts Architects, Orlando, designed the apartments which will also feature two clubhouses, and completion is slated for June 2018. Goldman Sachs Bank USA provided financing.

This project will mark more than 1,000 apartment units constructed in partnership between Roger B. Kennedy Construction and Unicorp National Developments over the past four years. Most recently, in December 2016, the firms completed the Zen Luxury Living Apartments adjacent to the Hyatt Regency Grand Cypress in Orlando.

Miami: Developer proposes 78-story tower at Brickell Burger King site



A proposal for a new 78-story tower in Brickell has been approved by Miami's Urban Development Review Board for the Karem brothers' City Centre Properties LLC. The developer purchased the land where the fast food restaurant (and other businesses) are located in 2006 for \$6.1 million.

Between entitlements, permitting and securing approvals, the developer hopes to break ground during the middle of next year, Simon Karam told The Real Deal (TRD).

The plans call for 392 residential condo units, 66,618 sq. ft. of retail on four floors, 464 parking spaces and bicycle parking. Nichols Brosch Wurst Wolfe & Associates is designing the LEED Silver building.

Simon and his brother Antoine Karam develop through their firm, the Karam Group.

"We try to buy in urban, high-intensity sites," Karam told TRD when he purchased the gas station at 720 Southwest

Second Ave. for \$8 million. He also owns the CVS anchored shopping strip directly behind the gas station, which brings his total on that block to 2.23 acres.

He also has FAA approvals for 960 ft. for the site at 10 Southwest Eighth St. It's also surrounded by the Related Group's Brickell Heights and SLS Lux, three new high-rise towers. Brickell City Centre, which opened its 500,000 sq. ft. shops in November, has also added a hotel, two condo towers and office space to the area.

Focus Development begins work on Van Dyke Commons in Lutz



General contractor Focus Development Construction Company, with offices in Tampa and Orlando, has begun construction on the new Van Dyke Commons retail center in Lutz.

The new 8,400 sq. ft. retail center at 17461 N. Dale Mabry Hwy. includes four retail spaces from 1,050 sq. ft. to 3,500 sq. ft. The contractor has completed the site pad, and construction will begin on the shell space.

The project is scheduled to be completed in April 2017.

Lehman Pipe Supply breaks ground on a new facility with \$10 million construction loan

Wells Fargo Bank has granted a \$10 million loan to Lehman Pipe & Plumbing Supply, Inc. to begin construction of a new warehouse in Miami.

General contractor Grycon recently started site work on the 84,811 sq. ft. warehouse at 3319 36th St.

The company is preparing to relocate its long time business from the Wynwood neighborhood, where it sold its warehouse to Thor Equities for \$41.5 million in 2015, South Florida Business Journal has reported.



FLORIDA CONSTRUCTION NEWS

Florida Construction News combines a bi-monthly magazine with a weekly newsletter and a website (updated daily), delivering news, analysis and networking opportunities to Florida's architecture, engineering and construction community. The magazine is distributed primarily online to 9,000 general contractors, specialty contractors, developers, professional services and building owners throughout Florida.

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