



## Florida Signals 6.4% Workers' Comp Rate Hike

Florida Insurance Commissioner, Kevin McCarty said that he would approve a rate filing to increase Florida's workers' compensation insurance rates by 6.4 percent to be effective April 1, for new and renewal business.

McCarty's action is technically a denial of the November 14, rate filing by the *National Council on Compensation Insurance (NCCI)*, in which insurers sought an 8.9 percent rate increase as a result of the impact on rates it projects following the October 23, Florida Supreme Court opinion in the case of *Emma Murray v. Mariner Health Inc.*

The court's decision eliminated the statutory caps on attorney fees that were imposed as a result of 2003 reforms (under SB 50A) and enable claimant attorneys handling workers' compensation claims to collect increased fees for their services.

"It's very early to know for sure what the full impact of the Supreme Court's decision on workers' compensation rates will be," said McCarty. "But, if history holds true, we will see these rates start to go up as more

attorneys get involved, likely extending the litigation process, with workers' compensation cases.

"I am cautiously optimistic that business leaders and the plaintiff attorneys will get together and propose an amendment to our law that will help to ensure that workers' compensation insurance remains affordable for our employers, while also protecting injured workers by ensuring their access to courts, medical care and other necessary benefits."

Prior to the legislative reforms, McCarty said, Florida consistently ranked No. 1 or No. 2 in the country for the highest workers' compensation rates; however, post-reform Florida has dropped out of the top 10 rankings.

The NCCI proposed spreading an 18.6 percent rate increase over two years - 8.9 percent for the first year, to become effective March 1 - for the voluntary market for all new and renewal workers' compensation insurance policies written in Florida. Over two years, the 6.4 percent increase recommended by McCarty could amount to a 13.1 percent increase,

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## Member News

February 2009  
Vol. 20, No. 02  
Ft. Lauderdale,  
Florida

The new prototype schools located in Southwest Miami (UU-1), Hialeah Gardens (MM-1) and Miami Gardens (PP-1), priced at an average cost of \$35 million dollars each, were recently completed by

**James A. Cummings, Inc.**

ahead of schedule. Each of the 12-plus buildings, multi-story schools feature capacity for over 1,600 students.

**Builders Plus Inc.,**

Boynton Beach based tilt-up contractor, has begun construction of a Sedano's Supermarket and Office Depot in Miami. The project consists of two retail buildings totaling approximately 72,000 square feet.

**Stiles Construction Company** announced the

start of construction on Shoppes at Avalon, a new Publix-anchored shopping center in Hernando County's Spring Hill community. Located at the high-traffic intersection of the Suncoast Parkway and County Line Road, the Shoppes at Avalon is scheduled for completion in fall 2009.



ZELMA GLAZER MIDDLE SCHOOL



HIALEAH GARDENS MIDDLE SCHOOL



The Shoppes at Avalon  
in Hernando County

# Notice Service with a Proven Track Record

A full service Notice to Owner Company, Sunshine Notices, Inc. has been protecting the lien rights of their clients in Florida and many other States for over 15 years. Suzanne Rodriguez, President, has directly worked in the Notice to Owner business since 1986. Their experienced staff provides excellent customer service locally, with offices in Broward and Palm Beach. Sunshine Notices, Inc. services also include Notice of Commencement, Notice to Contractor, Claim of Lien, Notice of Non Payment, Demand Letter, Satisfaction of Lien, Final and Partial Release of Lien.

A Notice to Owner is a prerequisite to filing a claim of lien. It must be sent within 45 days from the first day on the job by anyone not working directly for the owner. It puts the owner on notice to get a release of lien from those companies filing a Notice to Owner every time they pay their contractor to protect the owner from paying twice. A Notice to Owner

is not an encumbrance on a property nor does it infer that the General Contractor or Owner have failed to pay the company that files the Notice to Owner. It is a statutory requirement to protect the right to file a claim of lien if it becomes necessary to insure payment.

"Recently we have seen the number of liens filed rise, so it is important to have a professional Notice service with a proven track



record of protecting lien rights, whose Notice to Owner can be relied on to prepare and file the lien. Defendant attorneys always look for technical errors on liens to get them dismissed. Our information is accurate and can withstand the closest scrutiny", comments Rodriguez. "As construction

has slowed and funding has become more difficult for new and existing projects, protecting your lien rights has become more important than ever. Many of our customers are having us research the jobs before they sign a contract. This is smart business, as it can reveal if others are having difficulty getting paid and the liens are starting to accumulate. The cost of the research is part of the Notice cost so it makes good business sense to know what pitfalls may lay ahead."

At various times throughout the year Sunshine Notices, Inc. provides seminars taught by attorneys specializing in the construction lien law. These seminars are provided as a service to their clients and potential clients to provide education about the construction lien law and amendments to the law when they are enacted.

"When we opened our doors in 1994, one of the first things that we did was to join CASF. It has proven to be a great resource", said Rodriguez. They attend many of the networking events and are active on committees.

Sunshine Notices offers discounts to CASF members and waives any setup fees. They are located at 1063 NW 31st Avenue, Pompano Beach, FL 33069. For more information, visit their website at [www.sunshinenotices.com](http://www.sunshinenotices.com) or e-mail [Suzanne@sunshinenotices.com](mailto:Suzanne@sunshinenotices.com) or call (800)774-9888.

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*Construction Focus is the official publication of the Construction Association of South Florida. Article suggestions and submissions for publication consideration should be forwarded to the Executive Vice President.*

# American Recovery and Reinvestment

The economy is in a crisis not seen since the Great Depression.

Credit is frozen, consumer purchasing power is in decline, in the last four months the country has lost 2 million jobs and we are expected to lose another 3 to 5 million in the next year.

As you read this Congress is considering the *American Recovery and Reinvestment Bill of 2009*. This package is the first crucial step in a concerted effort to create and save 3 to 4 million jobs, jumpstart our economy, and begin the process of transforming it for the 21st century with \$275 billion in economic recovery tax cuts and \$550 billion in thoughtful and carefully targeted priority investments with unprecedented accountability measures built in.

The package contains targeted efforts in:

- **Clean, Efficient, American Energy**
- **Transforming our Economy with Science and Technology**
- **Modernizing Roads, Bridges, Transit and Waterways**
- **Education for the 21st Century**
- **Tax Cuts to Make Work Pay and Create Jobs**
- **Lowering Healthcare Costs**
- **Helping Workers Hurt by the Economy**
- **Saving Public Sector Jobs and Protect Vital Services**

The economy is in such trouble that, even with passage of this package, unemployment rates are expected to rise to between eight and nine percent this year.

Without this package, we are warned that unemployment could explode to near twelve percent. With passage of this package, we will face a large deficit for years to come. Without it, those deficits will be devastating and we face the risk of economic chaos. Tough choices have been made in this legislation and fiscal discipline will demand more tough choices in years to come.

Government's short term task is to try to prevent the loss of millions of jobs and get our economy moving. The long term task is to make the needed investments that restore the ability of average middle income families to increase their income and build a decent future for their children.

**Here's a detailed summary:**

<b>Transportation Infrastructure</b>			
Highway and Bridge Construction	\$30 billion		
Transit			
New Construction	\$1 billion		
Upgrades and Repair	\$2 billion		
Transit Capital Assistance	\$6 billion		
Amtrak and Intercity Passenger Rail Construction Grants	\$1.1 billion		
Airport Improvement Grants	\$3 billion		
TSA Explosive Detection Systems	\$500 million		
Coast Guard Bridges	\$150 million		
<b>Subtotal, Transportation Infrastructure</b>	<b>\$43.75 billion</b>		
<b>Water and Environmental Infrastructure</b>			
Clean Water			
Clean Water State Revolving Fund	\$6 billion		
Drinking Water State Revolving Fund	\$2 billion		
Rural Water and Waste Disposal	\$1.5 billion		
Water Resources			
Corps of Engineers	\$4.5 billion		
Bureau of Reclamation	\$500 million		
Watershed Infrastructure	\$400 million		
International Boundary and Water Commission	\$224 million		
Environmental Cleanup			
Superfund Hazardous Waste Cleanup	\$800 million		
Leaking Underground Storage Tanks	\$200 million		
Nuclear Waste Cleanup	\$500 million		
Closed Military Bases Cleanup	\$300 million		
NOAA Habitat Restoration	\$400 million		
Brownfields Cleanup	\$100 million		
<b>Subtotal, Water and Environmental Infrastructure</b>	<b>\$17.424 billion</b>		
<b>Building Infrastructure</b>			
GSA Federal Buildings and Facilities	\$6.7 billion		
Border Ports of Entry	\$1.15 billion		
Military Construction			
DOD Medical Facilities	\$4.2 billion		
DOD Facilities Renovations	\$2.1 billion		
Troop Housing	\$1.4 billion		
Child Development Centers	\$360 million		
Guard and Reserve Facilities	\$400 million		
VA Construction			
Veterans Medical Facilities	\$950 million		
Veterans Cemeteries	\$50 million		
School Construction			
K-12 Schools		\$14 billion	
Higher Education Facilities		\$6 billion	
Housing Facilities			
Community Development Block Grants		\$1 billion	
Public Housing Capital Fund		\$5 billion	
Home Investment Partnerships		\$1.5 billion	
Native American Housing Block Grants		\$500 million	
Self-Help and Assisted Home Ownership Program		\$10 million	
Lead Paint Removal		\$100 million	
Rural Community Facilities		\$200 million	
Other Facilities			
National Science Foundation Facilities		\$600 million	
NIH University Research Facilities		\$1.5 billion	
Centers for Disease Control and Prevention Facilities		\$462 million	
National Institute of Standards and Technology Grants		\$300 million	
Agricultural Research Service Facilities		\$209 million	
U.S. Geological Survey Facilities		\$200 million	
Social Security Administration Facilities		\$400 million	
USDA Facilities		\$44 million	
Construction on Public Lands and Parks		\$3.1 billion	
National Monuments		\$400 million	
Bureau of Indian Affairs Facilities		\$500 million	
Indian Health Service Facilities		\$550 million	
Community Health Centers		\$1 billion	
<b>Subtotal, Building Infrastructure</b>		<b>\$54.885 billion</b>	
<b>Workforce Development and Safety</b>			
DOL Worker Protection and Oversight		\$80 million	
Training and Employment Services		\$4 billion	
Job Corps Facilities		\$300 million	
Vocational Rehabilitation State Facilities		\$500 million	
<b>Subtotal, Workforce Development and Safety</b>		<b>\$4.88 billion</b>	
<b>Energy and Technology</b>			
Wireless and Broadband Grants		\$6 billion	
Electricity Grid		\$11 billion	
Local Government Energy Efficiency Block Grants		\$6.9 billion	
Energy Efficiency Housing Retrofits		\$2.5 billion	
Energy Efficiency Grants and Loans for Institutions		\$1.5 billion	
Diesel Emissions Reduction		\$300 million	
<b>Subtotal, Energy</b>		<b>\$28.2 billion</b>	
<b>Total</b>		<b>\$149.139 billion</b>	

January's  
**Member PICs**  
 (Send your Pictures to  
 casf@mindspring.com)



*Lauth Medical Building*  
 Contractor- Moss & Associates



*North Lauderdale Fire station*  
 Architect- Walters, Zackria Associates  
 Contractor- DooleyMack

## Florida Workers' Comp Rate Hike

(Continued from Page 1)

unless changes to the system are made to minimize the impact of attorney involvement.

In requesting the NCCI to amend its most recent filing, McCarty cited disagreements with the data and methodology the NCCI used to calculate the projected effect of the Court's ruling.

In October, McCarty approved an 18.6 percent reduction in rates, effective Jan. 1. It was the sixth consecutive drop in worker's compensation rates since the Florida Legislature passed the reforms in 2003; and with the change, the cumulative overall statewide average rate decrease since 2003 is more than 60 percent.

When filed and approved, the latest recommended increase in rates will add about \$172 million in insurance costs for Florida employers.

The 2003 workers' compensation reform law instituted provisions for enhanced fraud compliance and revised permanent and temporary disability definitions. It also set new parameters for attorney and physician compensation and improved dispute resolution procedures, in addition to making many other improvements to the system.

Source: Florida Office of Insurance Regulation  
[www.floir.com](http://www.floir.com)

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