



Florida Legislative Update

Member News

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Florida

By: Brian A. Wolf, Esq.

Delay of Unemployment Tax Increases (House Bill 7033)

Overview: The bill sought to delay the increase of unemployment taxes. State law provides that unemployment taxes will increase upon the unemployment trust fund falling below a specified amount. Due to the current economic downturn, and the expansive unemployment benefits legislation passed by Congress, the state's trust fund is currently in bankruptcy. The stated increase in the unemployment tax was estimated to cost Florida employers nearly \$750 million dollars a year.

Status: The bill has passed.

Anti-Geographic Preference (House Bill 899/ Senate Bill 1924)

Overview: The bills seek to prohibit local governments from passing ordinances giving contract preferences to contractors located in their respective jurisdictions. While the bill may appear beneficial on its face given the state of the current economy, the ultimate result of the law will be fewer bidders, higher contract costs, and an increase in taxes. Local governments are currently opposed to the bill, as expected.

Status: The bill has not been heard in either chamber, and at this time is not likely to pass.

Local Government Prompt Pay (House Bill 1157/ Senate Bill 1056)

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Skanska USA has secured the assignment to construct the new head office for Gainesville's Regional Utilities unit. The contract amounts to USD \$49M, which will be included in order bookings for the first quarter.

The Gainesville Regional Utilities (GRU) Eastside Operations Center will comprise nine buildings with a total of about 25,000 square meters of building area gathered on a 48-hectare, campus-type site.

JobSite123.com recently announced a solution to save the hurting commercial construction industry billions of dollars annually spent finding, qualifying and managing qualifications related information amongst a complex and highly fragmented buy-sell-recommend chain. They now provide a standardized online platform for contractors and other industry companies to showcase their current qualifications and relationships in one convenient place.

DooleyMack Constructors of South Florida was recently awarded the contract for the total renovation of an existing 21,900 SF building into a Food Bank and Thrift Store for the Poverello Center of Wilton Manors. Renovation will include new mechanical systems; HVAC, Electrical, Security and Sprinkler Systems. The new Food Bank and Thrift Store will be located at 2056 N. Dixie Highway in Wilton Manors.

2010 CASF Summer Getaway & Planning Meeting

KEY LARGO GRANDE
Resort & Beach Club

August 13 - 15, 2010
Get Plugged in!

(look for details coming your way soon!)

INSIDE:

Pictures of GC Bowling Challenge

Full-service Engineering Consulting Firm

Each month Construction FOCUS features a CASF member company, selected by drawing a business card from among those attending the monthly networking breakfast. The next breakfast, sponsored by KM-Plaza, will be held on Thursday, April 22, 7:30 a.m. at Shula's Hotel in Miami Lakes.

GFA International, Inc. is a full-service engineering consulting organization serving a broad spectrum of industries. GFA's services include: Environmental, Geotechnical, Construction Material Testing, Special & Threshold Inspections, Private Provider Inspections, and Mold Remediation.

Since 1988, GFA has established a reputation for superior service, trustworthy business practices, and strict attention to detail. GFA maintains offices throughout the state of Florida from Boca Raton, Delray Beach, Miami and Stuart to Orlando and Fort Myers. In addition to Florida, they also hold professional certification licenses in Georgia, Mississippi, Alabama, North Carolina,

and South Carolina, allowing GFA to effectively service the southern United States.

GFA is comprised of a unique team of highly qualified, in-house professionals, that include Engineers, Geologists, Environmental Specialists, Inspectors and Technicians. Without relying on subcontractors, GFA utilizes state-of-the-art equipment, global information systems, wide-area communications, a fleet of vehicles and company owned drill rigs. Their certified, in-house concrete and soils laboratory assure clients that the services they receive are timely, accurate, and complete.

GFA represents a varied client base, reflecting the dynamics of the global marketplace. They have a solid reputation servicing long-term customers and developing repeat business. Their

clients are lenders, attorneys, realtors, mortgage companies, developers, general contractors, utility companies, hospitals, school boards, governmental agencies and owners of residential, commercial and industrial real estate. With their extremely broad range of services, GFA can provide their clients with turn-key services on a vast range of projects from single and multi-family residential communities, office buildings, schools, hotels, healthcare facilities, to houses of worship, shopping centers, industrial warehouses, distribution centers, as well as, a wide variety of road, bridge and highway projects.

No matter what the economic conditions are, the construction industry demands time-sensitive, high-quality, scientific analysis for successful business and real estate decisions. GFA's team practices the most modern and cutting-edge techniques, providing clients with the information they need to make informed transactions and decisions. Regardless of the scale of the project, GFA will develop a practical approach to successfully achieve project goals on schedule and within budget. GFA is a committed, professional, and cost-effective service provider, dedicated to providing the highest quality performance and the ultimate in customer service.

GFA International's corporate headquarters is located at 1215 Wallace Drive, Delray Beach, Florida 33444. For more information, call 561-347-0070, or visit their website at www.teamgfa.com.



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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.

Legislative Update

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Overview: The bill seeks to make improvements to the current Local Government Prompt Pay Act, as local governments are delaying payments to contractors in light of the recent economic downturn.

Status: Both bills have passed the first committees of reference, and will likely be heard after the Spring Break.

State-Wide Crane Safety (House Bill 375/ Senate Bill 1174)

Overview: The bills seek to adopt a state-wide crane safety regulation that will preempt local crane safety ordinances. Miami-Dade County enacted an ordinance in 2008 that sought to regulate the operation of cranes and the certification of operators despite OSHA regulations and federal law already in effect on these topics. The ordinance was successfully challenged on federal preemption grounds by a consortium of construction groups, and the permanent injunction against Miami-Dade County was recently affirmed by the Eleventh Circuit Court of Appeals on January 26 of this year. The hope is that a state-wide regulation will be passed for building cranes in accordance with the OSHA standards. The bill also seeks to adopt statewide standards for specified cranes relating to hurricane preparedness.

Status: The house bill has passed its first committee; the senate bill has not yet been heard.

Binding and Non-Binding Fire Code Opinions (House Bill 663/ Senate Bill 648)

Overview: The bill seeks to extend the opinion procedures of the Florida Building Code to Florida's fire code. The Florida Building Code has binding and non-binding opinions, which have led to increased efficiency due to the decreased time required to resolve code interpretations.

Status: The House bill has passed all of its committees of reference. The Senate Bill has passed two of its three committees of reference.

Construction Liens/ Payment Bonds (House Bill 693/ Senate Bill 1048)

Overview: The bill seeks to simplify the statutory language of the lien and bond sections, and deals primarily with residential construction liens. The bill provides that 1) any payment bond must be attached to the Notice of Commencement, 2) a "plain-language" notice advising owners of their lien rights and obligations under the lien statutes for single or multiple family dwellings (up to four units) must be signed and submitted with the building permit application, and 3) that a Notice of Commencement shall be valid until 90 days after all work on the project is complete or a Notice of Termination is filed by the owner. All of the three above conditions must be satisfied and copies must be on file with the building official before any inspections may be conducted.

An earlier draft of the sen-

ate bill sought to award attorneys' fees to a lienor or bond claimant who had any recovery in the underlying litigation, rather than rely on the long-established precedent that the prevailing party of the issue is entitled to an award of fees. The provision has since been removed from the senate bill. An amendment to the house version of the bill will clarify that the contractor is responsible for recording the bond in the public record.

Status: The senate bill has passed three of the four committees, but the house bill has not yet been heard.



Brian is Board Certified in Construction Law by The Florida Bar. Chairman, Construction Law Committee of the Florida Bar, Real Property Section. Past Chairman, Construction Law Committee of the Broward County Bar Association. Author of Florida Lienlaw Online, Construction Publications, Inc. Contributing editor of Commonsense Construction Law, John Wiley & Sons. Active member of the Associated Builders and Contractors, Construction Association of South Florida, South Florida Associated General Contractors of America, Florida Prestressed Concrete Association, Engineering Contractors Association and Underground Contractors Association. Frequent lecturer on construction law issues. Stetson Law Review.

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1st Annual CASF GC Bowling Challenge



(Pictured left) **Balfour Beatty Construction, LLC** team wins the **1st Place Trophy** with a total score of 1,038 points. Congratulations on winning the first annual **CASF GC Bowling Challenge!**



Dave Anger, Balfour Beatty Team gets award for "**Highest Score**" of 258 points.

HITT/ Designer Specialty Millwork wins trophy for "**Best Bowling Shirts**"

Wednesday, March 24, 2010
STRIKES in Boca



Metro Caulking & Waterproofing wins **2nd Place** with a score of 933 points.



JMA of Fla. gets honorable mention for "**Best Bowling Shirts**"



SKANSKA, USA wins **3rd Place** with a score of 865 points.



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