

## JUNE 2017

### JUNE

*June 21*  
**Monthly Meeting**  
**III GC HAPPY HOUR**  
**Casino Queen Hotel**

### JULY

*July 19*  
**Monthly Meeting**  
**LUNCH Mtg**  
**Ballpark Village**

### AUGUST

*August 16*  
**Monthly Meeting**  
**DINNER Mtg.**  
*Syberg's on Dorsett*

### SEPTEMBER

*September 20*  
**Monthly Meeting**  
**GC LUNCH Mtg**  
*L. Keeley Construction*

### OCTOBER

*October 2*  
**30th Annual**  
**Golf Tournament**  
*Whitmoor CC*

visit  
[www.asamidwest.com](http://www.asamidwest.com) for  
a calendar of events.

I want to start off my final message as president of the ASA Midwest Council, by saying thank you. I have grown both personally and professionally, over the past year. I have had the chance to get to know so many of our members, and it is a remarkable group of people, that I am proud to be a part of, and had the opportunity to lead this year. It has been an incredible experience, and I know when I had over the baton to our vice president, Val Perales, with Bazan Painting, the ASA will be in great hands for the upcoming year.

A Big Thank You to our executive director, Susan Winkelmann, you are amazing!! She is constantly going above and beyond, keeping this organization running smoothly. Susan, your support, input, and guidance has helped me immensely during my presidency, so Thank You again!

Our Monthly Membership Meeting this month will feature six of the area's top General Contractors in Illinois. Mark your calendars for June 21st from 5:00 to 7:00 p.m. at the Casino Queen Hotel. This is an exceptional event to mix & mingle and enjoy some cocktails and appetizers, with multiple representatives from Contegra Construction, Holland Construction Services, Impact Strategies, The Korte Company, Korte & Luitjohan Contractors, and Poettker Construction Company. Register by June 16th for the meeting, and I look forward to seeing you in Illinois on June 21st.

We are still collecting for ***Tickets for the Troops***..... We need Cardinals tickets for the month of July, so service members on leave can attend a game, with their friends and family. A very special thank you to Tom McDonnell, for all you do to make this program a success year in and year out! To donate tickets please call Tom McDonnell with George McDonnell & Sons (314) 581-1681 or Susan Winkelmann, ASA Midwest Council (314) 845-0855.

Thank you again for the privilege to serve this past year, and I look forward to seeing you at the next ASA event!



Sincerely,

Amy Heeger  
AME Constructors  
[amyh@ameconstructors.com](mailto:amyh@ameconstructors.com)  
President, ASA Midwest Council



**Casino Queen Hotel**  
**200 South Front St.**  
**East St. Louis, IL 62201**

**The Casino Queen is conveniently located just over the Eads Bridge, minutes from downtown St. Louis.**



# TICKETS FOR THE TROOPS


July 2017

The ASA Midwest Council proudly supports the USO with our "Tickets For the Troops" program. Our membership is generous enough to donate Cardinals tickets for the month of July so that soldiers on leave can attend a game with their families. Donations in the past 8 years have totaled over 2,000 tickets with a value over \$155,000.00.

TO DONATE TICKETS, PLEASE CALL:

**Thomas McDonnell,**  
**George McDonnell & Sons**  
(314) 581-1681

**Susan Winkelmann, ASA Midwest Council**  
(314) 845-0855



**JUNE 2017  
MONTHLY MEETING  
MEMBER HAPPY HOUR MEETING  
*Casino Queen Hotel*  
Wednesday, June 21, 2017**

Please join the ASA Midwest Council for our monthly membership **HAPPY HOUR** meeting on Wednesday, **June 21, 2017**.  
**Casino Queen Hotel:**  
5:00 to 7:00 p.m.

**Mix & Mingle with 6 Illinois General Contractors in a relaxed atmosphere, to kick off summer 2017!**

***Contegra Construction Co.  
Holland Construction Svcs.  
Impact Strategies  
The Korte Company  
Korte & Luitjohan  
Poettker Construction Co.***

**MEETING AGENDA:**

**5:00 to 7:00 p.m. Networking,  
Cocktails & Appetizers, and  
ASA Announcements**

**\*Easy Access from MO, just over the  
Eades Bridge in Illinois, minutes from  
downtown STL.\***

**Casino Queen Hotel  
200 South Front St.  
East St. Louis, IL 62201**

**Registration includes hosted bar & appetizers  
\$42 ASA Members  
\$84 Non Members**

**Register online-[www.asamidwest.com](http://www.asamidwest.com)  
by Friday, June 16, 2017**

**Attendees not cancelled by 6.16.17 will  
be charged per ASA cancellation policy.**



**MIDWEST COUNCIL**

Building. Community. For **50** Years.

The American Subcontractors Association-Midwest Council (ASA) is celebrating its 50th Anniversary in 2017!

**Join a committee today.**

**Membership**

*(Chris O'Hagan)*

**Programs**

*(Chris O'Hagan)*

**Golf** *(Jennifer Church)*

**Advocacy** *(Tim Thomas)*

**Awards Gala**

*(Molly Spowal /Rick Swanson)*

**Construction Showcase & BBQ**

*(Amy Heeger/Jim Riportella)*

**GC Expo**

*(Walter Bazan, Jr. /Tim Thomas)*

**Safety**

*(Mike Sicking)*

**Brand Development**

*(Stephanie Woodcock)*

**Contract Review** *(Dick Stockenberg)*

**Contact a committee chair today, to join a committee!**

# Protecting your Network Using Ballistic Vest Tactics

**Nick LaRosa**  
**CMIT Solutions**

With all the security breaches, hacking and virus attacks many business owners are struggling to protect their most precious asset, their data. The best approach to combating these threats is to take a page from the designers of bullet proof vest. While not truly considered bullet proof, they are, for the most part bullet resistant. The main component is a piece of body armor that is made up of many layers of an extremely strong and light weight fabric (typically Kevlar) that by design is intended to slow the bullets forward movement, mushroom the shape and therefore spread the energy over a larger area to prevent piercing what is behind it.

By designing a network security plan in the same manner you should consider a similar approach. The intention is to place multiple layers of protection between your data and the bad guys. Most business owners may assume that just because they have a firewall and antivirus software, they are protected, but in this day and age it's not enough. You must layer your security to slow and hopefully stop the threat before it reaches your data. Let's take a look at what those layers might look like and then a bit of detail on each one.

**Internet based DNS filtering, A Managed Firewall, Fully patched Servers and Desktops, Business Class Antivirus/Antimalware, Strong Password Policies, Antispam/Antiphishing system, Employee Training, Backup and Disaster Recovery system**

**Internet based DNS filtering** – Most businesses are unaware that there are cloud based DNS filtering services (DNS is what computers use to translate user friendly web addresses like www.google.com into a series of digits that is the true IP address like 10.177.162.5 on the web) to protect your internet traffic from known bad sites. The DNS service is constantly scouring the internet to locate potentially malicious sites and prevents the transfer of data back and forth to those sites. This can be very helpful in preventing Ransomware attacks as most Ransomware requires a “mother ship” to report to in order to receive an encryption key to encrypt your data.

**Managed Firewall** – While any firewall is better than no firewall at all, managed firewall go several steps further by using a subscription based group of products to constantly prevent Virus', Intrusions, and Denial of Service attacks from happening. Just as a good business class antivirus will constantly update itself to protect against the latest threats, so too will a managed firewall update itself (through the subscription service) to stop these threats from ever entering your network from the outside world.

**Fully patched Servers and Desktops** – Servers and Desktops require regular updates to patch security holes discovered by hackers and security companies. In the case of Windows based systems this is typically done on a monthly basis known as

“Patch Tuesday”. By keeping systems patched you close the holes that hackers will attempt to exploit. But Operating Systems like Windows are not the only vulnerable pieces of the security puzzle. Many third party software products such as Adobe and MS Office can be exploited as well. That's why you want to keep all software fully patched and up to date.

**Business Class Antivirus/Antimalware** – While most mainstream Antivirus/Antimalware will protect you from most threats, if it's not monitored you will never be quite sure if it's up to date. By using a business class product you can set up alerts through a console to warn your IT staff if it's not. Let's face it, it's still software and still relies on a connection to the internet to keep itself updated and does fail from time to time.

**Strong Password Policies** – Let's face it, everybody hates them and they hate having to change them, but strong passwords that are cryptic and long are still an excellent way to protect your data. Having rock solid password policies in place will cost you nothing in terms of equipment. Have too many passwords to remember and therefore use the same password for everything you log in to you say? Look at using a Password Management tool. It will give you the ability to set up and store (in an encrypted database) very strong passwords that are different for each login you require, all with a single sign on password. Oh yea, you will want that single sign on password to be strong as well and changed often but it sure beats changing 20 or 30 of them. There are password management systems that work well in the corporate environment as well, allowing IT to set up permission as to who has access to which passwords and can remove a user's access with a few clicks.

**Antispam/Antiphishing System** – Consider employing Antispam/Antiphishing filters to your email system. It will look for phishing emails and dramatically cut down on spam emails

**Employee Training** – I wrote an article about this in the December Newsletter. It goes without that you can have all the security hardware and software in the world but you can't always stop a threat when an employee clicks on an email attachment because it looked important, or they get an email that looks like it's from the CFO asking the bookkeeper to “transfer \$60K to this account or we will lose the deal”. It happens all too often. Train your employees to be vigilant in scrutinizing everything. And remind them that social media is now one of the easiest places to gather enough data on someone that they can easily guess a username and password.

**Backup and Disaster Recovery Systems** – Just having a backup of your data is a good start but how much time and business will you lose if you have your entire network encrypted by one of these ransomware attacks. Consider a very robust Backup and Disaster Recovery system that can have back up and running in a matter of hours instead of days or weeks. The lost productivity of all your employees alone will more than offset the cost of a well-planned Disaster Recovery System.

By layering your security and actively managing your network you can mitigate risk and sleep better at night knowing you've done your due diligence. Nick LaRosa is owner of CMIT Solutions of St. Louis Southwest and can be reached at 636.777.2648 ext. 105

**IT IS DUES RENEWAL TIME!**  
*(Payment due by June 30th )*

**YOUR 2017-18 DUES INVOICE WAS MAILED MAY 5th!**

Dues renewal only \$845 per year!

**Did you know ASA membership is a company membership & includes all employees of your company for one rate.**

**Questions? Contact Susan Winkelmann @ 314.845.0855**

**THANK YOU**

to the MEMBER COMPANIES that attended the APRIL monthly meeting:

Affton Fabricating & Welding	Commercial Fabrication	K & K Supply	RG Rents
American Steel Fabrication	CSA Advisors LLC	Kirby Smith Machinery	RubinBrown LLP
Architectural Sheet Metal	Cummins Sales & Service	Knapheide Truck Equip.	Sachs Electric
Aschinger Electric	Duct Systems	Lawrence Fabric & Metal	Safety International
Bazan Painting Co.	ELCO Chevrolet	Lizmark Branded Solutions	Schaeffer Electric
Bell Electrical	Enterprise Bank & Trust	Midwest Construction	Seal the Deal Too
Bick Group	Fabick Rents	Services & Products	SFW Partners LLC
BlueLine Rental	Freeman Contracting	Montgomery Bank	T.J. Wies Contracting
Boyer Fire Protection	ideas4promos	Nu Way	UHY LLP
Briner Electric Co.	Integrated Facility Services	P.M. Leach Painting Co.	United Rentals
CE Jarrell Contracting	J.D. Kutter Insurance	Premier Accounting & Consulting Solutions, LLC	Vinson Mortgage
	Johnson Controls		Wies Drywall

# ***2017 ASA Midwest Council Meetings & Events***



***June 21***

***Monthly Membership HAPPY HOUR Meeting  
Illinois GC Happy Hour-Casino Queen Hotel***

***July 19***

***Monthly Membership LUNCH Meeting  
Ballpark Village-AT&T Rooftop Deck***

***August 16***

***Monthly Membership DINNER Meeting  
Syberg's on Dorsett***

***September 20***

***Monthly Membership LUNCH Meeting  
L. Keeley Construction***

***October 2***

***ASA Midwest Council Golf Tournament  
Whitmoor Country Club***

***December 13***

***ASA Member Holiday Party  
Casino Night  
Syberg's on Dorsett***



***ASA Midwest Council is on Facebook, Twitter & LinkedIn  
Follow ASA Midwest Council for the latest news and information!***



*Save the Date!*

**30th Annual**  
**ASA Midwest Council Golf Tournament**

**Monday, October 2, 2017**  
**Whitmoor Country Club • 11:30 a.m. Tee Time**  
*Sponsorships Available*



**SAVE THE DATE FOR THE 30TH ANNUAL  
ASA MIDWEST COUNCIL GOLF TOURNAMENT**

**VISIT [WWW.ASAMIDWEST.COM](http://WWW.ASAMIDWEST.COM)  
FOR SPONSORSHIP & GOLFER REGISTRATION**



**NUWAY BBQ CHAMPIONS!**

**ASA's 5th Annual STL Construction Showcase & BBQ** was held on May 24th at Queeny Park. Thank you to our 60 exhibitors, that made the day a success!

12 companies participated in a BBQ contest, and the top three prizes were awarded to:

- \* **NUWAY-BBQ Champions**
- \* **Goedecke Company- 2nd Place**
- \* **BlueLine Rental -3rd Place**



**Goedecke Company-2nd Place BBQ Award**



**BlueLine Rental-3rd Place BBQ Award**



At 6:00 PM on May 12, the 2017 legislative session came to an end. That end, however, will be short-lived. Governor Eric Greitens has issued a call for the General Assembly to convene at 4:00 PM on May 22 for an extra session.

The constitution allows for the Governor to call for an extra session should the need arise on issues he feels to be “necessary and expedient”. In this case, Greitens is asking legislators to re-consider the matter of the now closed Noranda Aluminum smelter in New Madrid, MO. Noranda shut down the facility in 2016 after filing for Chapter 11 bankruptcy protection, then subsequently sold the plant to ARG International, a metals trading company based in Switzerland.

It is hoped that the smelter can be reopened or used as a steel mill, but to do so, it is said that legislation must be passed to give the Public Service Commission the authority to set a special electric rate for aluminum smelters and steel mills in the state of Missouri. Some in the Capitol remain opposed to the measure, stating they don’t want to give a special rate to a big corporation on the backs of home owners and other businesses. Should the plant reopen, an estimated 600 jobs will be brought to the region.

It was a slow end to the 2017 legislative session, as the General Assembly passed fewer bills than they have in nearly two decades. That was welcome news in our efforts opposing a modification or elimination of prevailing wage laws in Missouri. It had appeared that either full repeal of a modification to prevailing wage laws may pass in the final days of session, but in-fighting and filibusters slowed down the process, which meant very few bills were passed. ASA worked daily with other concerned groups and legislative leadership to kill attempts to gut prevailing wage or at least modify prevailing wage laws to minimize the devastating impact such a measure would have. And while the legislation did not pass any measure associated with prevailing wage, we are certain we will be in the same fight next session, or sooner, should the Governor decide to call an additional extra session to deal with prevailing wage and some of his other priorities that didn’t pass during regular session.

There were a few pieces of legislation that deal with the construction industry that passed. A bill dealing with statewide electrical contractor licensing was passed in the final days of session. SB240 creates a statewide license for electrical contractors. Any person who is operating as an electrical contractor in a political subdivision that does not require the contractor to hold a local license is not required to possess a statewide license. However, each corporation, firm, institution, organization, company, or representative thereof who engages in electrical contracting must have a least one statewide licensed electrical contractor employed at a supervisory level. Electrical contractors who hold a license that was issued by an authority in the State of Missouri prior to January 1, 2018, and that required the passing of a nationally accredited written examination based upon the National Electrical Code and completion of twelve thousand hours of practical experience shall be issued a statewide license. The bill will go into law on August 28, should the Governor sign the measure.

Also, worth noting is the fact that the General Assembly did not address highway funding once again. The only matter sent to the Governor regarding highway construction and maintenance was HCR 47. The resolution creates the 21st Century Missouri Highway System Task Force, which is tasked with evaluating the condition of our transportation system and make recommendations for funding options. The Task Force consists of ten members of the General Assembly, the Governor or his designee, the Director of MoDOT, the Director of the Department of Economic Development, the Colonel of the Highway Patrol, and nine Missouri residents from non-governmental organizations. The group shall issue their findings by January 1, 2018.

For a more in depth overview of the 2017 Legislative session, please review your ASA End of Session Report which should have been e-mailed to you on May 19. If you did not receive the report via e-mail, please contact Susan Winkelman.

We will keep you updated on any legislative activities or special session news that impact you over the summer months. If you have any questions regarding the 2017 Legislative session or the special session just called, please do not hesitate to contact us. Thank you for allowing us to represent you in Jefferson City. Nikki Strong, Strong Consultants.

# ASA Midwest Council Members

Acoustical Ceilings, Inc.  
Affton Fabricating & Welding  
AME Constructors  
American Burglary & Fire, Inc.  
American Steel Fabrication, Inc.  
Architectural Sheet Metal Systems  
Aschinger Electric  
Autco Appliances  
Automatic Controls Equipment Systems  
Bangert Computer Systems  
Bazan Painting Company  
Bell Electrical Contractors  
Benson Electric Company  
Bick Group  
Big Boy's Steel Erection  
Bi-State Fire Protection Corp.  
Bi-State Utilities Company  
Bloomsdale Excavating Co.  
Blue Line Rental  
Boyer Fire Protection  
Briner Electric  
Building Point Mid-America  
Bumpy's Steel Erection LLC  
C. E. Jarrell Contracting  
CK Power  
CMIT Solutions  
CNA Surety  
CSA Advisors LLC  
Car-Doc Automotive  
Cardinal Environmental Operations  
Cee Kay Supply  
CliftonLarsonAllen, LLP  
Collins & Hermann  
Commercial Fabrication  
Convergint Technologies  
Corrigan Company  
Cummins Sales and Service  
Doll Services and Engineering  
Drilling Service Company  
Duct Systems  
Dynamic Controls, Inc.  
ELCO Chevrolet Cadillac  
Enterprise Bank & Trust  
Envirotech, Inc.  
Event Productions, Inc.  
Fabick CAT  
Fenix Construction Co. of STL  
Flooring Systems, Inc.  
Foreman Fabricators  
Foundation Supportworks by Woods  
Freeman Contracting  
Frost Supply  
GadellNet Technology Solutions  
Gateway Land Services

Galloway, Johnson, Tompkins, Burr & Smith  
GBI, Inc.  
George McDonnell & Sons  
Golterman & Sabo  
Grant Contracting  
Greensfelder, Hemker & Gale, P.C.  
Guarantee Electrical  
H & G Sales, Inc.  
HM Risk  
Haberberger, Inc.  
Hanenkamp Electric  
Hayden Wrecking  
Heitkamp Masonry  
Helitech Civil Construction Division  
Herc Rentals  
Hoette Concrete  
Hunt Vac Services  
Ideas4Promos  
Integrated Facility Services  
IronPlanet  
Irwin Products  
J.D. Kutter Insurance  
J.F. Electric  
JJ Construction Services, LLC  
J.W. Bommarito Construction Co.  
J.W. Terrill  
John J. Smith Masonry  
Johnny on the Spot at Republic Services  
Johnson Controls  
K & K Supply, Inc.  
Kaemmerlen Electric  
Kaiser Electric  
Kay Bee Electric  
Kirberg Company  
Kirby-Smith Machinery, Inc.  
Knapheide Truck Equipment  
Landesign LLC  
Lawrence Fabric & Metal Structures, Inc.  
Leach Painting Company  
Liberty Mutual Surety  
Lindberg Waterproofing  
Lizmark  
Luby Equipment Services  
Marketeer, Inc.  
Martin Fence, LLC  
Mays-Maune-McWard, Inc.  
Merric  
Meyer Painting Co.  
Midwest Elevator  
Midwest Construction Services & Products  
Mobile Mini  
Montgomery Bank  
Murphy Company  
Negwer Door Systems

Negwer Door Systems  
NES Rentals  
Niehaus Building Services  
Nu Way  
O.J. Laughlin Plumbing Co.  
On Site  
P & A Drywall Supply  
P.M. Leach Painting Co.  
Parkway Construction Services  
PayneCrest Electric  
Pearl Street Electric, LLC  
Pirtek Fenton  
Precision Analysis, Inc.  
Premier Accounting & Consulting  
Professional Installers  
Professional Metal Works, LLC  
Priority Xpress Couriers LLC  
QualSafe Solutions  
RAI Insurance Group  
R.F. Meeh Co.  
RGR Equipment LLC  
RJP Electric  
RM Supply  
Raineri Building Materials  
Ravensberg, Inc.  
Rebar Specialists Installation  
Rental Supply, Inc.  
Riechmann Transport, Inc.  
Ritchie Bros Auctioneers  
Rock Hill Mechanical Corp.  
RubinBrown LLP  
Sachs Electric Company  
Safety International, LLC  
Sandberg, Phoenix, von Gontard  
Schaeffer Electric Co., Inc.  
Schmersahl Treloar & Co.  
Seal the Deal  
Seiler Instruments  
SFW Partners, LLC  
Signature Craft  
St. Louis-KC Carpenters Reg Council  
Stylemaster Apparel, Inc.  
Sunbelt Rentals  
Swanson Masonry, Inc.  
T.J. Wies Contracting  
Taylor Excavating  
Trojan Iron Works, Inc.  
TROCO Custom Fabrication  
Tyson Onsite  
UHY LLP  
United Rentals  
Vee-Jay Cement Contracting  
Vinson Mortgage  
Westport Pools  
Wies Drywall and Construction  
Zurich Surety

*Each month you will receive an update on the committees within ASA, to keep you informed. on current happenings at the committee level. Below are this month's committee reports.*

## **MEMBERSHIP**

### **WELCOME TO OUR NEWEST MEMBERS:**

***GadellNet Technology Solutions***

***Herc Rentals***

***St. Louis-Kansas City Carpenters Regional Council***

Do you know a company that would benefit from joining the ASA? Contact membership chairman Chris O'Hagan-[chris@jdkutter.com](mailto:chris@jdkutter.com) or Susan Winkelmann, ASA executive director-[susan@asamidwest.com](mailto:susan@asamidwest.com) with any prospective new members. The membership committee will follow up with your contacts, and invite them to the next ASA membership meeting as our guest.

The ASA Midwest Council helps St. Louis subcontractors become more profitable and provides members with numerous benefits. ASA's goal is to make our members more efficient and effective at doing business. We are an organization that helps its members increase their business and make them better at what they do on a daily basis.

ASA Midwest Council provides extensive opportunities to *Learn About and Network with Customers and Peers*: ASA provides a safe place for construction business leaders to discuss their business challenges and opportunities.

Being active in ASA-MWC is a great way to meet with and interact with all of the members of the construction team, including customers and prospective customers.

ASA Midwest Council events are "must attend" for everyone in the St. Louis Construction Community. Our Meet the GC's Expo, Awards Gala, Golf Tournament, and STL Construction Showcase and BBQ, set the standards for all industry events.

ASA Midwest Council events attract those from all aspects of the construction industry including General Contractors, Subcontractors, Suppliers, and the Service Providers to the construction industry.

## **PROGRAMS**

ASA programming is finalized through September. Watch for upcoming opportunities to interact with General Contractor partners, including 2 monthly meetings in June and September. If you have a suggestion regarding programming, please contact Chris O'Hagan, J.D. Kutter Insurance, ASA Program Committee Chairman.

## **CONTRACT REVIEW**

Having completed its review of the Paric subcontract, the committee will at its June meeting review a rather robust/lengthy/burdensome Clayco subcontract agreement. This subcontract contains particularly onerous change order, payment and dispute resolution clauses.

If you have other questions regarding the contract review service, contact committee chair, Dick Stockenberg, Sandberg Phoenix, von Gontard at [rstockenberg@sandbergphoenix.com](mailto:rstockenberg@sandbergphoenix.com).

## **SAFETY**

The safety committee meets the first Thursday of the month at 4:00pm. The location is Fallons Bar & Grill 9200 Olive Blvd. Olivette, Mo. 63132. We are looking for more members. Please consider sending someone from your staff to join our committee. Remember Safety Pays! Due to everybody's busy schedule please call to confirm we are meeting that month. Call Mike Sicking at 314-486-3141 for info.



**ASA Midwest Council is on  
Facebook, Twitter & LinkedIn**

## **ASA-Endorsed Change Order Reform Bill Introduced in U.S. House**

**“The ‘Small Business Payment for Performance Act,’ when enacted, will help protect the cash flow of small contractors and subcontractors,” said ASA Chief Advocacy Officer E. Colette Nelson. H.R. 2594, introduced by Rep. Brian Fitzpatrick (R-Penn.) on May 23, would require a federal agency to make interim partial payments to its construction prime contractor for work performed under a directed change order. “This is a best practice concept embodied in the changes clause in ConsensusDocs and brought to the attention of federal legislators by ASA and other members of the Construction Industry Procurement Coalition,” Nelson said. Today, when a federal agency unilaterally requires a prime construction contractor to perform extra work, a prime construction contractor may request an equitable adjustment—an increase in fee—for the additional work.**

**The request must be made in a timely manner and must specify the estimated amount it cost to perform the extra work required by the agency. Under H.R. 2594, once it receives a request for an equitable adjustment from a small business construction contractor, a federal agency would have to make an interim partial payment of at least 50 percent for the additional work performed, within the time frame specified by the Prompt Payment Act. The provisional payment would not prejudice the rights of either party in finalizing the contractor’s request for an equitable adjustment during subsequent negotiation or failing to reach mutual agreement, any further resolution pursuant to the disputes clause in the Federal Acquisition Regulation. As under the existing Prompt Payment Act, a federal prime construction contractor would have to pay its subcontractors and suppliers within seven days of receipt of payment from the federal agency.**

**Ask your Representative to co-sponsor H.R. 2594 by using the ASA Legislative Action Center.**

## **OSHA Postpones Electronic Reporting**

**On May 17, the Occupational Safety and Health Administration delayed implementation and enforcement of a rule that requires many employers, including those in construction, to send injury and illness data to OSHA for posting on a public Web site. In its announcement, OSHA merely said, “OSHA is not accepting electronic submissions of injury and illness logs at this time, and intends to propose extending the July 1, 2017 date by which certain employers are required to submit the information from their completed 2016 Form 300A electronically.”**

**According to OSHA, the availability of this data will enable prospective employees to identify workplaces where their risk of injury is lowest; thus, employers competing to hire the best workers will make injury prevention a higher priority. ASA had expressed concern about how the data could be used by a firm’s competitors and others. ASA will report in this newsletter when OSHA makes more information available.**





## Crane Operator Certification: Six Months and Counting

“Employers have only six months to ensure their crane operators are certified according to OSHA requirements,” ASA Chief Advocacy Officer E. Colette Nelson reminded members. The Occupational Safety and Health Administration published a rule on Aug. 9, 2010, that requires employers to ensure that crane and derrick equipment is in safe operating condition via required inspections and that employees in the work zone are trained to recognize hazards associated with the use of the equipment and any related duties that they are assigned to perform. The rule takes effect on Nov. 10, 2017.

**Who needs to be certified or qualified?** Any person engaged in a construction activity that is operating a crane covered by the cranes and derricks rule, except: sideboom cranes, derricks, equipment with a rated hoisting/lifting capacity of 2,000 pounds or less. (Operators of the listed equipment must meet the criteria for minimum expertise described elsewhere in OSHA rules.)

**Are operators of digger derricks required to be qualified or certified?** Yes, unless the digger derrick is being used to auger holes for poles carrying electric or telecommunication lines, place or remove the poles, or handle associated materials to be installed on or removed from the poles.

**What is required in the testing for certification?** Certification has two parts: (1) A written examination that includes the safe operating procedures for the particular type of equipment the applicant will be operating and technical understanding of the subject matter criteria required in the rules. (2) A practical exam showing the applicant has the skills needed to safely operate the equipment, including, among other skills, the ability to properly use load chart information and recognize items required in the shift inspection.

**Does an operator need more than one certification?**

With respect to certification from an accredited testing organization, an operator must be certified for the type and capacity of crane he or she is going to operate. Each accredited testing organization develops its own categories for crane type and capacity.

**How is an operator certified or qualified?** There are four ways that an equipment operator can be qualified or certified to meet OSHA requirements:

1. A certificate from an accredited crane operator testing organization.
2. Qualification from the employer through an audited employer program.
3. Qualification by the U.S. Military (only applies to employees of the Department of Defense or Armed Forces and does not include private contractors).
4. Licensing by a state/local government (if that licensing meets the minimum requirements set forth by OSHA). When state/local government requires a crane operator license, the crane operator must be licensed accordingly to meet OSHA requirements.

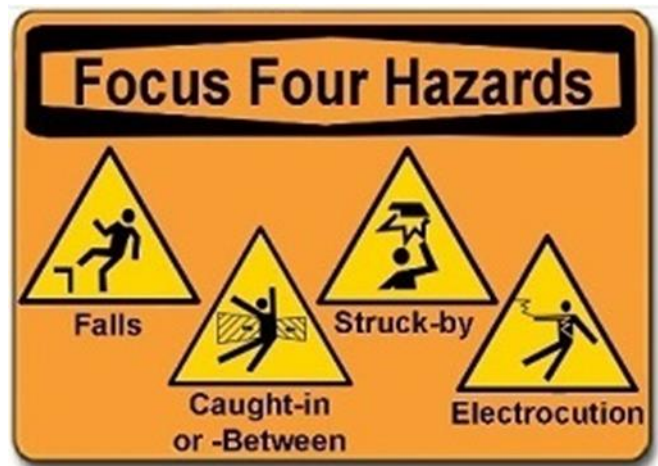
## Focus Four Hazards in the Workplace

*Michael Sicking, Safety International*

OSHA places quite a bit of emphasis on the Focus Four Hazards in the workplace. What this actually means is that when an OSHA inspector comes to your facility he or she will primarily be looking at the focus four hazards first before getting into other possible safety violations. I

always advise my customers if they can pay attention to the focus four group everything else will usually be OK.

I have listed below what actually are the focus four groups. Surprisingly many workers and Company owners are not aware of the “Focus Four” groups as being an increased emphasis from OSHA.



OSHA goes to great lengths to raise awareness in the recognition, evaluation and control of falls, struck-by, electrocution, and caught-between hazards, which account for a vast majority of the injuries and fatalities in construction. A great way to tackle this is to make your weekly tool box talks scheduled so that each topic is covered in succession by your field crews. Another excellent tool is to incorporate Focus Four hazards in your physical safety inspections that you're Foreman or Competent person does daily on the jobsite.

There are many useful publications available from the OSHA website to assist you in planning for this topic.

As always if you have any additional questions feel free to call me at any time. Stay Safe! Michael Sicking.

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# ASA Midwest Council Golf Tournament

Monday, October 2, 2017  
Whitmoor Country Club • 11:30 a.m. Tee Time  
***Reservations Required***



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