JULY 2014

JULY

July 16 Monthly Business Meeting Soccer Park-Fenton

AUGUST

August 20 Monthly Business Meeting Syberg's on Dorsett

SEPTEMBER

September 10 Contract Seminar Sandberg Phoenix & von Gontard

September 17 Monthly Business Meeting Soccer Park-Fenton

OCTOBER

October 6 ASA Golf Tournament *Whitmoor Country Club*

October 14 Contract Seminar Sandberg Phoenix & von Gontard

October 15 Monthly Business Meeting Syberg's on Dorsett

visit <u>www.asamidwest.com</u> for a calendar of events. As I begin my term as President of ASA MWC, it is impossible to not feel optimistic. After a long and hard recession the construction outlook in St. Louis is certainly looking up. Many members within our organization are at capacity as I write this letter. While the construction economy is headed in the right direction, the hangover from a hard recession still impacts our ability to capitalize on the new found opportunities. We have, for the most part, learned to do more with less by stretching our resources to the absolute maximum. Our most precious resource is time. We must make prudent decisions about how we spend it, for many of us the days of endless networking events and happy hours are over.

Despite this, perhaps more than ever, what our organization offers is critical. I know of no other organization that can provide; professional growth, timely legal and financial information pertaining to our work, personal growth, new business opportunities, friendship, and direct contact with our core client base. Each of these benefits are critical to maximizing our professional and personal success, and we enjoy the ability to get them all in one setting.

As an organization we will continue to maximize the value we offer to our members in every way possible. We know that as the economy continues to improve, this value becomes even more important and necessary to our members. Thank you for your support and efforts as we look forward to an exciting year!

Sincerely, Robert Trask Parkway Construction Services President, ASA MWC Building. Community.



Soccer Park-Fenton One Soccer Park Road Fenton, Missouri 63026 Directions: From HWY 270, take the HWY 44 west ramp. Take the first exit for Soccer Park Road, turn right and then left into the Soccer Park Facility.

Join a committee today.

Membership (Jennifer Tichacek/Jodi Waeltermann)

Programs (Tom Woodcock)

Golf (Jennifer Church)

Advocacy (Tim Thomas)

Awards Gala (Molly Spowal /Rick Swanson)

Construction Showcase & BBQ (Kevin Douglas/Rick Williams)

> **GC Expo** (Walter Bazan, Jr./Tim Thomas)

> > **Safety** (Mike Sicking)

Brand Development (Stephanie Woodcock)

Contract Review (Dick Stockenberg)

Most committees meet every 4 weeks, contact a committee chair today, to join a committee!!



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JULY 2014 MONTHLY BUSINESS MEETING SOCCER PARK-FENTON Wednesday, July 16, 2014

Please join us <u>Wednesday, July 16th at</u> <u>Soccer Park in Fenton, 5:30 p.m.</u> Our speaker will be Missouri Representative Dave Schatz.

Representative Schatz will give us an overview of current legislative initiatives supported by ASA and the subcontractor community.

Rep. Schatz is the current representative for Missouri district 111 and a candidate for senate in senatorial district 26.

Rep. David Schatz, represents parts of Franklin, Osage and Gasconade counties in the Missouri House of Representatives. He was elected to his first two-year term in November 2010.

The cost for the monthly meeting is \$42 per member and includes networking, program, hosted bar and dinner.

<u>Register online at</u> <u>www.asamidwest.com</u> <u>by Friday, July 11th.</u>

The following companies will be reviewed at BPI:

Brinkmann Constructors G.H. Voss HBD Construction Kozeny-Wagner Lawlor S.M. Wilson

BPI Topic:How to File a Lien.

Please invite a non member guest to the meeting, remember first time <u>non member</u> guests are FREE to attend. It is the best way to introduce someone to the benefits of ASA membership! Please register your guests in advance with the ASA office-susan@asamidwest.com or 314 845-0855.

2014-15 ASA Mídwest Councíl Offícers & Board of Dírectors

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Ríck Williams, K & K Supply

Marketing vs. Sales

Tom Woodcock Seal the Deal

Not that they are mortal enemies, or even conflicting, but sales and marketing are two different animals. Marketing plays a key role in both brand development and market presence. Sales presents the package and closes the deal. One plays off the other. The problem is many companies spend high levels of time and money on marketing campaigns then sit back and wait for the business. That simply isn't how it works.

but you have no idea how to drive traffic to it, or use it as a presentation tool? How effective can sales be if there's been no marketing presence to warm the waters? Let me put it in construction terms. Marketing is a ladder that provides steps to gain access. Sales is the contractor that climbs that ladder and performs the work. Pretty simple analogy. Out of the two, sales gets the least amount of respect. This is because marketing is more tangible. Specific products such as websites, newsletters and printed materials can be designed and touched. Sales is more ambiguous and uncomfortable. Great sales people are always hard to find or grow. The willingness to enter new business opportunities takes a bit of chutzpah. Tinkering with a website design provides reasons for meeting and evaluation. "Real" work in many people's minds.



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Coming from the position of a sales trainer, I'm sometimes amazed at the unrealistic expectations put on marketing programs and campaigns. I firmly believe this is couched in a fear of selling. Unfortunately, if you don't sell, you can't pay for the marketing work! Sales is critical to every contractor. Without a strong sales effort you're doomed to be ruled by price. If your sales personnel are disengaged with your marketing, it is then rendered virtually useless. Not marketing ahead of a sales effort leaves What's the value of creating a killer website a greater burden on the rep to create market awareness. Two legs and a mouth can't compete with an electronic blast to a large mailing list, in regards to market saturation. But alas, a website can't close!



RENEW YOUR MEMBERSHIP TODAY

You should have received your invoice via us mail & email from the **ASA** National organization in Alexandria, VA

Dues renewal \$845 due by July 1, 2014 **Ouestions?** Contact Susan Winkelmann



ASA Has Big Win in Missouri with **Retainage Reform on Public Work**

On June 20, Missouri Gov. Jay Nixon (D) signed legislation that clarifies when and how much retainage a government entity and a prime contractor may retain on public work in the state. This was a big legislative priority for ASA this year, and put your advocacy funds to great use in Jefferson City.

Under the new law, neither the government nor a prime contractor on public work may retain more than 5 percent of the value of the prime contractor or the subcontract, respectively. The law also allows the government, and thus the prime contractor, to retain up to 10 percent if there is not a surety bond on the project — that is, if the value of the project is \$50,000 or less.

In addition, the new law will help assure final payment and establish procedures for contractors, subcontractors and suppliers to learn what they need to do to obtain final payment. Specifically, the new law requires that if the public owner determines that that the project is not substantially completed and accepted, then the owner must provide "a written explanation of why the work is not considered substantially completed and accepted within fourteen calendar days to the contractor, who shall then provide such notice to the subcontractor or suppliers responsible for such work."

The new law also limits the amount that the government can withhold for punch list work to 150 percent of the value of the estimated value of such work.



to the companies that attended the May Monthly Meeting:

Air Masters/Gateway Mech. Duct Systems AME Constructors American Steel Fabrication Dynamic Controls Aschinger Electric Bazan Painting Co **Bi-State** Utilities Blue Line Rental Bommarito Ford Branham Electric Briner Electric C & R Mechanical Co. CeeKay Supply **CMIT** Solutions Corrigan Company D & J Glass & Sign *Dawson Dodd Heating &* Cooling

Ductz of West St Louis ELCO Chevrolet Cadillac Event Productions Inc. Excel Fire Protection Fabick Rents Firestone Foundation Supportworks by Woods Freeman Contracting Frost Supply GBI, Inc. George McDonnell & Sons Hayden Wrecking *Hoette Concrete* Ideas4Promos

IronPlanet, Inc. Irwin Products K & K Supply Lizmark McCarthy, Leonard & Kaemmerer Montgomery Bank Pac-Van, Inc. Parkway Construction Svcs Pipe Systems PS Rapp Sewer & Plumbing United Infrastructure RM Supply RubinBrown LLP SD Smith Financial Sachs Electric Co. Safety International

Sandberg, Phoenix & Von Gontard Schaeffer Electric Seal the Deal Sikich LLP St Louis CNR Stone Carlie Style Master T. J. Wies Contracting **UHY LLP** Wise Safety & Environmental

CONSTRUCTION SHOWCASE & BBQ June 18, 2014 @ Queeny Park

Thank you to our event sponsors AME Constructors, American Steel Fabrication, Bobcat of St. Louis, Fabick Rents, Freeman Contracting, Johnny on the Spot, K & K Supply, Pac-Van, Premier Rentals, Safety International, and Traffic Control.

> <u>Congratulations to our BBQ competition winners for 2014:</u> Champions-Luby Equipment Services 2nd Place-Alberici Constructors 3rd Place-K & K Supply



BBQ Champions-Luby Equipment Services



2nd Place-Alberici Constructors



3rd Place-K & K Supply



Construction Showcase & BBQ Committee 2014

CONSTRUCTION SHOWCASE & BBQ June 18, 2014 @ Queeny Park











FOR MORE EVENT PHOTOS VISIT WWW.ASAMIDWEST.COM



Monday, October 6, 2014 • Whitmoor Country Club • 11:30 a.m. Tee Time Reservations Required Ill-inclusive registration: Golf gift • Course Games • Lunch Buffet • Cocktail Hour • Steak Dinner • Live & Silent Auctions

> Visit asamidwest.com to register. susan@asamidwest.com or (314) 845-0855 for additional details.



The month of June was a little more active than usual on the political front for the State of Missouri. As you know the 2014 legislative session ended on May 16. The month to month and a half following the legislative session is typically is a quieter month for politics. Legislators spend time with their families and time in their districts. However, this year is an election year and there were many political events held in June and will continue through the August Primary straight through to the General Election in November. The month of June is when the Governor must make his final decision on the state's 2015 fiscal year budget passed by the General Assembly the first part of May and effective July 1. In addition the Governor has begun evaluating, signing and vetoing the other bills passed by the General Assembly.

Now that the legislative session is over the for the year, we sit back, wait and see which bills passed during the 2014 legislative session will be signed by the Governor and which bills he will veto. All bills must be signed by the Governor by July 14, 2014, with the exception of the budget bills which had to be signed prior to the end of June. The reason the budget bills must be signed earlier than all other bills is the state's fiscal year runs from July 1 to June 30 of each year; therefore, the Governor must sign the bills that make up the State's operating budget in time for the beginning of the fiscal year so the state can continue to do business. All other bills signed by the Governor go into effect August 28, unless an emergency clause was adopted when the bill passed the Missouri Legislature. If an emergency clause was adopted the bill would go into effect immediately upon being signed into law by the Governor.

As of newsletter press time, the Governor had not yet signed the 13 bills making up the state's fiscal year 2015 budget. The Governor's decision on the budget got harder this year, when state's current year revenue projections did not hit the expected 2% growth projected last year. This means the estimated \$250 million shortfall to the current budget year can only be recouped from next year's budget. In addition to the current fiscal year budget shortfall, the General Assembly passed a series of bills that would cut various sales taxes in the state. The Governor has vetoed these bills, but if the General Assembly overrides his vetoes, he projects the bills could cost the state a minimum of \$350 million for fiscal year 2015. With all these uncertainties, there will likely be many line item vetoes and budget withholds this year. To review the state's final FY2015 budget and Governor's vetoes and withholds of the FY2015 budget vetoes, please log onto http://content.oa.mo.gov/budget-planning/budget-information/2015-budget-information.

In addition to all the budget work the Governor has been reviewing all of the bills passed by the General Assembly this year to decide which bills he will either, sign, veto or simply take no action allowing bills to become law. There are several bills that have been signed and vetoed already this session. As of newsletter print time, the Governor had not yet taken any action on SB529 the public retention bill. To view the action taken by the Governor on all bills log onto http://governor.mo.gov/news/legislative-actions.

As I mentioned above, 2014 is an election year. The state's primary will be held on Tuesday, August 5 and the General Election will be held Tuesday, November 4. There are several interesting races this year as 163 House seats will be up for election or re-election and half the Senate. Since the primary is just around the corner, I would like to highlight an interesting primary race to watch. The decision as to who will replace termed out Senator Scott Rupp in Senate District 2 will be decided in a 3 way primary. The three candidates running to fill this seat are (1) incumbent Rep. Chuck Gatschenberger (Lake St. Louis); (2) former Reps. Vicki Schneider; and former Rep. Bob Onder. This is a strongly Republican district. Conventional wisdom would say the current incumbent representative will win this race; however, this race appears to be anyone's game. This will be interesting to watch.

Finally, I would like to encourage everyone to attend the ASA monthly meeting on July 16 to meet Rep. Dave Schatz ASA's guest for the meeting. Representative Schatz is running for Senate to replace Rep. Brian Nieves who decided not to run for re-election in District 26. This District encompasses West St. Louis County, Franklin County and Warren County. Rep. Schatz is also a contractor and owner of Schatz Underground. He has been very supportive of ASA's legislative Agenda. I hope you will all attend to meet and show our support of Rep. Schatz.

2014 A BIG SUCCESS TICKETS FOR THE TROOPS



With the generous donations of many companies, 188 tickets valued at over \$22,000, were donated to the USO of Missouri this year. The Cardinals tickets were given to our men and women in uniform as a thank you for the service and sacrifice they make for our country on a daily basis. Tickets were donated for home Cardinal games during the month of July 2014.

A special thank you to Tom McDonnell, George McDonnell & Sons, for his efforts each year, to make the Tickets for the Troops campaign such a big success. With his dedication to this program over the past 6 years and your generosity, the Tickets for the Troops campaign has donated over \$107,000 in Cardinal's tickets, to the USO of Missouri.

THANK YOU TO OUR 2014 DONORS:

American Steel Fabrication ARCO Construction Bachman Machine Bazan Painting Co. **Bi-State Utilities Briner** Electric **CLAYCO** Construction Corrigan Company ELCO Chevrolet Cadillac Fabick Fenix Construction Co. Frontenac Painting Co. George McDonnell & Sons, Inc. Grant Contracting Goedecke Company Haberberger, Inc. Heitkamp Masonry Irwin Products J. D. Kutter Insurance Associates JDS Masonry

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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

We had another very successful St. Louis Construction The program committee is busy planning programming As each year passes, I am more for the 2014-15 year, which begins July 1st. Showcase & BBQ! impressed with the amount of good people and networking that this event provides for our members. We owe our gratitude to the Showcase committee for all of their hard work to make this one of the industry's best events.

Make sure to invite all of your new contacts from the Showcase to our next Monthly meeting on July 16th, 2014 at Soccer Park in Fenton. Be the one who introduces them to the benefits of membership!

Renewal season is also upon us - so make sure to lock subcontractor in your ASA membership for 2014-2015 and continue reaping the benefits of membership!

Thank you for your time and all the best,

Jennifer Tichacek, Membership Chairman

SAFETY

The Safety Committee will be offering Aerial Lift Training & Scissor Lift Training in late summer. Watch your email. Dates will be announced shortly with more details. ASA Star Member Companies may send two employees free! We are looking for more members. Please consider sending someone from your staff to join our committee. Remember Safety Pays!

For additional info contact Mike Sicking, Safety International, 314-486-3141



PROGRAMS

If you have suggestions or comments regarding ASA Programming, feel free to contact Tom Woodcock, Seal the Deal.

CONTRACT REVIEW

The Contract Review Committee has completed its review the subcontract of Kevstone of Construction Company. Extensive recommendations are made for revisions to this subcontract by the use of our friendly addendum.

Next up for review is the subcontract of Green Street Construction LLC. For copies of subcontracts that have reviewed, contact Susan Winkelmann. been

If you are successful in achieving any revisions suggested by the committee we ask that you report such changes to the committee.

A 5 part seminar series on Killer Clauses and Lien Waivers is planned for late 2014/early 2015. Details coming soon.

Dick Stockenberg, Sandberg, Phoenix & von Gontard P.C.



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ASA's Excellence in Ethics Award Application Process Can Help Your Firm Start an Ethics Program

If your firm has implemented, or is developing, a corporate ethics code or training program, you may already Singh, Ph.D., an associate professor in International Busihave most of the materials you would need to apply for ness and the program leader of the Certificate in Corporate ASA's 2014 Excellence in Ethics Award. If your firm does Ethics & Compliance Management at Saint Louis Universinot yet have an ethics program, following the awards appli- ty, St. Louis, Mo. Dr. Singh also runs a consulting firm, cation process can help you start one! ASA's 2014 Excel- IntegTree, LLC, with his business partner, Thomas Bussen, lence in Ethics Award provides national recognition to sub- JD, MBA, providing ethics and compliance training and contractors that demonstrate the highest standards of integ- advisory services. For more information on ethics and comrity in the construction industry. Award winners are selected based on corporate ethics policies and procedures, construction industry practices, and general business practices.

The award is a great way to let your clients, employees, and others in your community know that your company is committed to professionalism and sound business practices — and including such a distinction in your bids can be a good way to help distinguish your firm from your competitors! ASA has developed a "Model Timeline for Preparing an Application for an ASA 2014 Excellence in Ethics Award," which assigns a completion date to each step in gathering or producing the needed documentation to complete the application, including: finalizing policies, scheduling ethics training, soliciting recommendation letters, arranging for payment of the application fee, and reviewing and submitting the application. Some examples of materials that must be included with your application are: an internal financial controls policy, a non-discrimination and/or anti-harassment policy, a process for timely and fair resolution of customer complaints, and a recommendation letter from a competitor, a customer, and a supplier.



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Awards applications will be evaluated by Nitish pliance services, email Dr. Singh. Dr. Singh also serves as co-chair for the Brand2Global: Global Branding & Digital Medial Annual Conference.

Read ASA's 2014 Excellence in Ethics Awards brochure to learn about the awards judging criteria and submission requirements. ASA also provides a resource guide to help firms prepare and submit applications. This guide contains model documents, such as sample recommendation letter requests and model policies on topics ranging from competition and conflicts of interest to internal procedures and whistle blowing. The application deadline is Dec. 12, 2014. ASA will present the 2014 Excellence in Ethics Awards at its annual convention, SUBExcel 2015, which will take place March 26-29, 2015, in Seattle, Wash. Learn more about the ASA Excellence in Ethics Awards on the ASA Web site under "Education & Events."



Confined Space Entry Safety, Are you Prepared?

Mike Sicking, Safety International

Confined space entry is one of the leading causes of occupational fatalities in this country right behind fall related fatalities. The standard covers 240,000 workplaces and 12.2 million workers. Workers make 4.8 million entries/year and it is felt that this standard alone may prevent 85% of fatalities and nearly 11,000 injuries.

So what is the definition of a confined space?

Limited means of egress

Can be bodily entered

Not designed for continuous occupancy

What is the definition of a permit required confined space?

Contains or has potential to contain a hazardous atmosphere

Contains the potential for engulfment (this means lungs filled with water, grain, dirt, etc.)

Internal configuration that can trap or asphyxiate entrant

Any other serious safety or health hazards

Typical permit confined spaces

can be Chemical storage tanks, Waste or storage pits, Grain There is by far too much to write about confined spaces that bins, underground tunnels, sewers, just to name a few. the size of this article will permit. What I have outlined so far

Typical non permit required confined spaces

can be Utility closets, Below-grade trenches, Storage vaults, Utility subbasements

There are a number of potential confined space hazards. They include Engulfment, Oxygen deficiency (19.5% or less), Oxygen enrichment (23.5% or higher), Flammable gases or vapors, Combustible dusts, Toxic substances, IDLH atmospheres, or other physical hazards.

Before entry into a known permit required confined space or entry into a confined space that has not been previously classified as a non-permit required confined space, atmospheric testing for hazards must be tested for in this order:

- 2. Combustibility/flammability
- 3. Toxic atmospheres.

This is usually done with a multi-function atmospheric testing device that is readily available from safety supply stores. The hazard must then be reduced to acceptable safe limits.

So what are your responsibilities as an employer?

Formulate and manage the confined spaces program. This includes a written confined space entry plan made readily available for employees to view.

Maintain a space inventory of known confined spaces

Maintain a list of "Authorized Personnel"

Maintain copies of space permits

Direct the confined space training program which includes formal documented training for all entrants, attendants, and supervisory personnel.

Maintain rescue equipment if you choose to perform your own rescues.

Coordinate any subcontractor activities who are working for you.

There is by far too much to write about confined spaces that the size of this article will permit. What I have outlined so far are a few of the definitions and responsibilities about confined spaces that are part of a much more detailed confined space entry class that I teach to companies and their employees. My main goal of this limited venue is to get

" you the employer " thinking about your own situation.

Do you encounter confined spaces?

Do you have any type of confined space entry program? Are you testing regularly for hazards?

Are you confident that all your employees are trained and that you have documented it?

This is an important subject and it needs your immediate attention if you are unsure about any aspect of confined space safety.

As always, if I can be of any assistance please feel free to contact me. Stay Safe, Mike Sicking, Safety International..

1. Oxygen content

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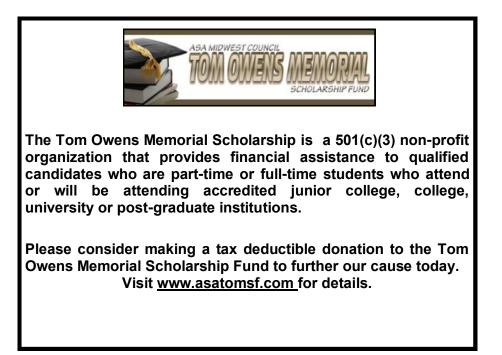
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Recruit a new member and earn a star for your ASA name badge.



>ponsorship Pater

Sponsorship opportunities are available in the ASA newsletter. Rates are very reasonable but are limited. Below are the rates. If interested, please call Susan at 314 845-0855.

- Website Rotating
- Website Static
- \$300/Year \$1,000/Year
- 1/4 Page Monthly
- 1/4 Page Quarterly \$125/Year
- 1/2 Page Monthly
- 1/2 Page Quarterly
- Business Card Monthly \$125/Year
- Business Card Quarterly \$70/Year
- Whole Page 1X
- Whole Page Quarterly
- Classified Ads
- \$300 Per Issue \$900/Year
- \$15 Per Issue

\$300/Year

\$500/Year

\$225/Year

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Contact Pam Holway or David Gillick (314) 645-1966



www.masonrystlouis.com

American Society of Professional Estimators (ASPE) Contact Mindy Funk or Cyndi Walker (314) 596-7695 or (314) 781-1422 www.stlouis-aspe.org

ASA Meeting Sponsorship

Highlight your company at an upcoming ASA Monthly Meeting

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> Contact Susan Winkelmann susan@asamidwest.com

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