

## MARCH 2024

### MARCH

**SUBExcel Convention**  
March 6-9  
New Orleans, LA

**March 20**  
*BPI in a Box Lunch Mtg*  
*Syberg's on Dorsett*

Hard to believe it is already March. Yes, the year is, indeed, flying by. February featured our dinner meeting with Fox2 Sports Director, Martin Kilcoyne. Martin shared his insights on the upcoming Cardinals season, the current Blues season, and he even discussed the long-gone St. Louis Rams a bit. Boo Stan! We won't forget! In addition to those things, he shared numerous stories of working with and interviewing some of St. Louis' greatest sports figures. I am sure we will have Martin back in the future for those that missed seeing him.

### APRIL

**April 20**  
**31st Annual Awards Gala**  
*The Four Seasons STL*

March brings the annual ASA SUBExcel Convention. This year, the convention runs March 6<sup>th</sup>-9<sup>th</sup> in New Orleans. If you have never been to SUBExcel, it is a great convention filled with keynote speakers, educational sessions, fun activities, and networking opportunities. We will have about 12 attendees representing our chapter this year.

### MAY

**May 10**  
**Claybird Tournament**  
*Blackhawk Valley*

For me, the networking is the highlight of the week. Talking with fellow subcontractors about business in their region, issues they face, what works and what doesn't, has proven to be very beneficial in my own organization. If you want to know more about future SUBExcel conventions, reach out to me, and I can share my experience.

**May 15**  
**Member LUNCH Mtg**  
*Syberg's on Dorsett*

As you can see, there is a lot happening at the ASA and there are even more events in the pipeline, including the Red-Carpet Awards Gala April 20, the Claybird Shootout May 10<sup>th</sup>, a Young Leaders Peer Group event at Ball Park village on May 22<sup>nd</sup>, and on June 12<sup>th</sup> an ASA/SITE joint networking event at the City Park soccer stadium. As always visit [asamidwest.com](http://asamidwest.com) to register for all events.

**May 22**  
**YLPG Networking Event**  
*Ballpark Village Rooftop*

These are all great events, but we need your help to make sure we reach all our current members as well as potential new members. There are a couple ways you can assist us in this:

### JUNE

**June 12**  
**ASA/SITE Networking Event**  
*CITYPARK Soccer Stadium*

First, when you receive one of the many e-mails ASA sends out about these events, please take a minute to forward it around your office. We typically only have one or two contacts from each company, so spread the news and bring your whole team. If you have additional contacts for your company that do not currently receive ASA information, just email [susan@asamidwest.com](mailto:susan@asamidwest.com), and she can add additional people to our member database.

*For a complete list of all upcoming ASA MWC meetings and events visit [www.asamidwest.com](http://www.asamidwest.com)*

Second, keep an eye out for our LinkedIn posts and share those with your contacts. We all use LinkedIn to connect with others in business; please help the ASA make those connections too. With your help, we can pack these events and show everyone that being an ASA member is not only fun but also valuable. I look forward to catching up with you this spring, and feel reach out if you have any ASA questions or comments.

Dennis Voss  
Golterman & Sabo  
President, ASA MWC  
314-402-5444 | [DennisV@golterman.com](mailto:DennisV@golterman.com)

**Syberg's on Dorsett**  
2430 Old Dorsett Rd,  
Maryland Heights, MO 63043

**March 20, 2024 | 11:30 a.m. to 1:00 p.m.**  
**BPI in a Box Lunch Mtg – Subcontractors & Suppliers Only**

**ASA members-\$30 | Lunch & BPI in included**



AMERICAN  
SUBCONTRACTORS  
ASSOCIATION  
MIDWEST COUNCIL

**ASA YLPG**  
**#buildingleaders**

**INTERESTED IN JOINING?**  
**WE ARE LOOKING FOR EMERGING LEADERS  
IN THE STL CONSTRUCTION COMMUNITY**



**For Information Contact-Ryan Hermann | YLPG Chair | [rhermann@tjwies.com](mailto:rhermann@tjwies.com)**

**Greetings ASA Midwest Council Members!**  
**Exciting news about an upcoming Member Benefit!**

**March 20, 2024**  
**BPI in a Box Lunch Meeting**

**Syberg's on Dorsett**  
2430 Old Dorsett Rd | Maryland Heights, MO  
**11:30 a.m. to 12:30 p.m.**

**The ASA Midwest Council is very excited to announce the launch of our own Group 401(k) Plan!**

Recent regulations paved the way for associations to begin offering 401(k) Plans for their members.

We believe this is a significant member benefit available to all our members, those with existing plans and those considering starting a plan.

**Some Advantages to group plans:**

**Costs.** Group 401(k) plans create cost savings by leveraging economies of scale. Through pooling the assets of multiple participants, these plans can negotiate lower fees with service providers, ultimately reducing overall expenses for both employers and employees.

**Individualized Plan.** You still have your own 401(k) Plan. Other members do not see how you structured your plan, or anything about you or your employees. You can set up plan provisions specifically for your group.

**Fiduciary Status.** These plans provide the highest level of fiduciary protection available.

**High Touch Local Service:** We have partnered with EPIC RPS and Enterprise Bank & Trust to be the recordkeeper and advisor for our plan.

**Keith Goltschman from Enterprise Bank & Trust will be reaching out to all members.** We encourage you to take a meeting. At the very least, he can provide a review of your current plan or an idea of what it would take to start a plan. If you do not currently have a plan, there are meaningful tax credits available. You receive a 100% tax credit for your costs for three years! Keith can explain the credits in more detail.

**Keith M. Goltschman, QKA, QPFC, TGPC** | VP, Retirement Plans / Enterprise Bank & Trust | 314-512-7245 | [kgoltschman@enterprisebank.com](mailto:kgoltschman@enterprisebank.com)

***It is important to note that the ASA Midwest Council does not receive any fees, compensation or other remuneration for making this group 401(k) solution available. ASA is not fiduciary to this program or any participating plans, ensuring transparency and trust. All third parties mentioned are not affiliated or associated with the ASA Midwest Council.***

**Join us for the BPI in a Box LUNCH Meeting on Wednesday, March 20, 2024 at Syberg's on Dorsett. 11:30 a.m. to 12:30 p.m. This meeting is for subcontractor & supplier members only, no associate members allowed for BPI meeting.**

*Business Practice Interchange (BPI) is an informal share session where ASA member subcontractors & suppliers can share their experiences with projects, general contractors, and owners. Only first-hand information is allowed to be shared. ASA is only providing a forum for the exchange of business information. Information exchanged by members must be current, accurate and first hand.*

**{ BPI COMPANIES FOR DISCUSSION }**

Duggan Contracting  
Raineri Construction  
SM Wilson  
Tarlton  
Wright Construction

**{ BPI TOPIC }**

**So Your Contract Says You Are Entitled To Recover Attorneys' Fees, But Will You Get Them?**

Missouri Supreme Court says not necessarily

Now, how do you protect yourself?

Will a statute offer protection?

When can you recover if neither the contract nor statute helps?

**Presented by Chapter Attorney |**

**Richard Stockenberg, The Stockenberg Law Firm**

**MEETING AGENDA:**

**11:30-11:50 a.m. | LUNCH**

**11:50 a.m. to 12:30 p.m. | BPI SESSION**

**Registration includes Lunch & BPI Session**

**\$30 ASA Members | Subcontractors & Suppliers Only**

**Register at [asamidwest.com](http://asamidwest.com) by Friday, March 15th**

*(Attendees not cancelled by 3.15.24. will be charged per ASA cancellation policy. No refund after 3.15.24. but you may always send someone in your place if you are unable to attend the meeting)*

# Five Compelling Reasons to Consider a Fractional CMO for Your Business

AJ Ford | Marketeer



As construction companies and service/supply providers strive to navigate the ever-changing landscape of marketing and branding, the role of a Chief Marketing Officer (CMO) becomes increasingly vital. However, not all companies have the budget, resources, or need for a full-time CMO. This is where a Fractional CMO (aka CMO For Hire) comes into play. A Fractional CMO is an experienced marketing executive who works with your business on a part-time or project-based basis.



Here are five compelling reasons why considering a Fractional CMO might be the perfect solution for your company.

## Expertise without the Full-Time Commitment

Hiring a full-time CMO can be a significant financial investment, especially for small and medium-sized enterprises. By opting for a Fractional CMO, you gain access to high-level

marketing expertise without the burden of a full-time salary, employer payroll taxes and benefits package. Fractional CMOs are seasoned professionals with a wealth of experience across various industries, allowing them to bring fresh ideas and strategic insights to your business without the long-term commitment.

## Cost-Effective Solutions

For many businesses, especially startups and scale-ups, cost-effectiveness is a top priority. A Fractional CMO typically works on a part-time or project basis, allowing you to customize their involvement to fit your budget and needs. This flexibility is particularly beneficial for companies looking to upscale their marketing efforts or undertake a specific marketing initiative without incurring the overhead costs of a full-time executive.

Additionally, with an outsourced marketer, there are numerous tax advantages vs. hiring an employee full time, including savings on benefits, no employer payroll tax and, currently, all compensation is 100% tax deductible.

## Objective and Unbiased Perspective

Internal marketing teams may sometimes be influenced by company politics or become entrenched in existing strategies. A Fractional CMO brings an objective and unbiased perspective to the table. Their primary focus is achieving results and driving success for your business. They can conduct an impartial assessment of your current marketing efforts, identify areas for improvement, and implement effective strategies to help your company achieve its goals.

## Adaptability and Agility

Businesses today need to be agile and responsive to market changes. A Fractional CMO is well-equipped to adapt to your company's evolving needs and the dynamic marketing landscape. Whether it's launching a new campaign, exploring emerging marketing channels, or responding to industry shifts, a Fractional CMO can swiftly adjust strategies to keep your business ahead of your competitors.

## Mentorship and Skill Development

For businesses with existing marketing teams, a Fractional CMO can act as a mentor and coach, nurturing the growth of your in-house talent. They can share their extensive knowledge and industry best practices, helping your team members develop their skills and become more effective marketers. This mentorship can lead to improved teamwork, increased employee satisfaction, and enhanced overall performance.

When considering a Fractional CMO, evaluate your company's specific marketing needs, growth goals, and budgetary constraints. By leveraging the expertise of a Fractional CMO, your business can make informed marketing decisions, stay agile in a rapidly changing market, and pave the way for long-term success.

# ASA MIDWEST COUNCIL'S

## Red Carpet Awards Gala 2024



Saturday, April 20, 2024  
6:00 to 11:00 p.m.

The Four Seasons Hotel  
999 North Second Street  
St. Louis, MO

VISIT [asamidwest.com](http://asamidwest.com) TO REGISTER BY APRIL 10, 2024 | \$250 PER PERSON | VALET PARKING INCLUDED | BLACK TIE OPTIONAL  
CALL ASAP 314.881.5757 TO RESERVE A HOTEL ROOM AT ASA RATE OF \$255 | ROOM BLOCK EXPIRES 4.5.24 (or when block is full)

6:00 - 7:30 PM - PRESIDENT'S COCKTAIL RECEPTION  
7:45 - 9:00 PM - DINNER SERVED  
9:00 - 10:00 PM - AWARDS PRESENTATION  
10:00 - 11:00 PM - CELEBRATION!

VISIT [ASAMIDWEST.COM](http://ASAMIDWEST.COM) TO REGISTER BY APRIL 10, 2024  
\$250 PER PERSON | VALET PARKING INCLUDED | BLACK TIE OPTIONAL  
CALL 314.881.5757 TO RESERVE A HOTEL ROOM AT ASA RATE OF \$255  
ROOM BLOCK EXPIRES 4.5.24 (or when block is full)

## 2024 NOMINEES

### General Contractor 2024

**CATEGORY A**  
BSI Constructors  
CLAYCO  
Contegra Construction Co.  
Kadean Construction  
Tarlton Corporation

**CATEGORY B**  
Goodwin Brothers Construction Co.  
Kozeny-Wagner  
McGrath & Associates  
Musick Construction  
Rhodey Construction

**CATEGORY C**  
Eagan Building Group  
G.S.&S. Construction  
Helmkamp Construction Company  
Spiegelglass Construction Co.

### MEP Subcontractor 2024

**CATEGORY A**  
Corrigan Company  
Guarantee Electrical Company  
Jarrell Mechanical Contractors  
Murphy Company

**CATEGORY B**  
Bi-State Fire Protection  
C&R Mechanical  
O.J. Laughlin Plumbing Co.  
Pipe and Duct Systems  
R.F. Meeh Co.

### Specialty Subcontractor 2024

**CATEGORY A**  
Aifton Fabricating & Welding Co.  
Flooring Systems, Inc.  
H&G/Schultz Door  
Titan Carpentry LLC  
T.J. Wies Contracting

**CATEGORY B**  
AME Constructors  
Imperial Metal Company  
Meyer Painting Company  
Total Contractor Services LLC

### Service Provider/Supplier 2024

JD Kutter  
MJ Products  
Nu Way

SFW Partners LLC  
The Sherwin Williams Paint Co.  
Too Creative

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



***March 20***

***BPI in a Box Meeting-Subcontractors & Suppliers Only  
Syberg's on Dorsett***

***April 20***

***The Red Carpet Awards Gala  
The Four Seasons Hotel STL***

***May 10***

***ASA Claybird Tournament  
Blackhawk Valley Hunting Club***

***May 15***

***ASA Monthly Member LUNCH Meeting  
Syberg's on Dorsett-Lets celebrate our award winners!***

***May 22***

***Young Leaders Peer Group Networking Event  
St. Louis Cardinals | Ballpark Village Rooftop***

***June 12***

***ASA/SITE Joint Networking Event  
CITYPARK Soccer Stadium***



***SCAN QR CODE TO VISIT ASAMIDWEST.COM  
TO REGISTER FOR EVENTS & MEETINGS***

***ASA Midwest Council is on  
Facebook, Instagram, X & LinkedIn***

***Follow ASA Midwest Council  
for the latest news and information!***



The ASA Midwest Council salutes all women in the STL Construction Community during the **Women in Construction Week** | March 3-9 2024

This year's theme, for Women in Construction week is 'Keys to the Future', which celebrates the strength and knowledge of women and the vital role they play in shaping the future of the construction industry.

The local NAWIC chapter has many local events planned this year, which you can find at the this link: [wicweek.org/midwest-wic-week-2024-events](http://wicweek.org/midwest-wic-week-2024-events).

The ASA Midwest Council Women's Council is planning an upcoming event for the spring/early summer, and would love to get your feedback as to what you would like to see from the Women's Council! Do you have ideas for an event or gathering of the ASA MWC WC? Is there specific content you need, and the WC can deliver to you?

Reach out to our committee chairs and we will add you to the peer group, and include you in our communications moving forward as we build our group and **#BuildCommunity**

**The ASA WOMEN'S COUNCIL | She's Built For This**

The purpose of our women's peer group is to become a valuable resource for women in the construction industry and related fields. Our goal is to help woman Build Community by providing resources needed to build relationships; be a source of information & support; and to provide connections & networking opportunities to all women from our member companies and the STL construction community as a whole!



For more information & to join our peer group contact the "She's Built For This" committee co-chairs:

Jennifer Church, United Rentals | [jchurch@ur.com](mailto:jchurch@ur.com)

Stephanie Woodcock, Too Creative | [stephanie@toocreativestl.com](mailto:stephanie@toocreativestl.com)

Susan Winkelmann, ASA Midwest Council | [susan@asamidwest.com](mailto:susan@asamidwest.com)

**THANK YOU to the MEMBER COMPANIES that attended our recent Monthly Meeting**

*A1 Professional Asphalt  
Affton Fabricating & Welding  
Archkey Sachs  
Bazan Painting Co.  
BeneSmart  
Budrovich  
Corrigan Company  
CNA Surety  
CSA Advisors*

*Enterprise Bank & Trust  
Foreman Fabricators  
Hayden Wrecking  
Imperial Metal Company  
JD Kutter  
J.F. Electric  
Jarrell Mechanical Contractors  
Leach Painting Co.  
Luby Equipment*

*Marketeer Inc.  
MC Mechanical  
Meyer Painting Co.  
MJ Products  
Mold Solutions  
Montgomery Bank  
NSC PVF  
Nu Way  
Pipe and Duct Systems*

*Precision Analysis  
R.F. Meeh  
Schmersahl Treloar  
Stifel Financial  
The Stockenberg Law Firm  
T.J. Wies Contracting  
Too Creative  
United Rentals*



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**ASA Midwest Council needs your time and talent!**



**Are you a new member looking to get more involved with the ASA?  
Or perhaps you are a long time member, and have never joined a committee!**

**We are always looking for committee members to assist with our  
quarterly events, as well as the ongoing committees,  
that help run the organization & further ASA's goals!**

**If you are interested in joining a committee, contact executive director,  
Susan Winkelmann 314.845.0855 or [susan@asamidwest.com](mailto:susan@asamidwest.com)**



Although the 2024 legislative session is well underway, not a single piece of legislation has found its way to the Governor's desk. As we have written about before, Senate Republicans have continued their infighting, with the end result being very little floor action on legislative issues. However, in an unusual turn, the Senate passed its first piece of legislation, SJR74 which would modify the initiative petition (IP) process. Passage of this legislation was the result of a multi-day standoff.

Republicans are seeking to make the process of changing statute or the constitution via an initiative petition process more difficult, especially in light of current efforts to overturn the state's abortion ban. Democrats say that changing the process interferes with the ability of citizens to have a voice in modifying the laws of the state. SJR74 now makes its way to the House we expect changes will be made. This issue will continue to dominate discussions in Jefferson City until the end of session.

House members have been working steadily through numerous priorities as session progresses, as they have already sent nearly a dozen bills to the Senate for their consideration. A recent issue on the House floor caused tempers to flare, as HB1659, a measure which changes provisions in various aspects of criminal law, was approved by the body. The bill was up for debate in the House immediately after members had returned to Jefferson City after having attended the Kansas City Chiefs Super Bowl celebration, where gunfire left one person dead, and 23 others injured. Many legislators used the opportunity to recount their experiences during the shooting, with Democrats calling for stricter gun laws to be inserted in the crime bill as it moved forward. Heated debate followed, as Democrats and Republicans sparred over 2<sup>nd</sup> amendment issues. The bill eventually passed by a vote of 120-26. House Democrats then held a press conference calling for stricter gun laws, with Minority Leader

Crystal Quade saying that she will be filing a proposed constitutional amendment to allow cities to write local gun laws that are stricter than state laws and allow cities to regulate concealed weapons. We are certain to see gun debates occur in both chambers throughout the legislative session.

Some House members have also continued their effort to fundamentally change the way MoDOT operates in the state. Numerous bills have been heard in the House Transportation Accountability Committee, including some that would dissolve the Highway and Transportation Commission, make the Director of MoDOT a cabinet position appointed by the Governor, and have all funds expended from the State Road Fund subject to legislative approval. The passage of such a bill would remove the current structure of MoDOT from the state constitution, a system which has been in place since 1921, and which was designed to keep politics out of distribution of funds. Although we don't expect any of the proposals to gain traction, the bills certainly have caused much discussion.

Important dates ahead include the opening of candidate filing for elected office on February 27, with the period remaining open until March 26. The halfway point of the legislative session is also closing in on us, as the legislative spring break - considered the halfway point of session - runs from March 18-22.

We will continue to keep you updated with political happenings in Jefferson City and around the state that impact ASA and the construction industry. If you aren't receiving your weekly ASA Legislative Update via e-mail, please send email to [susan@asamidwest.com](mailto:susan@asamidwest.com)

*Nikki Strong, Strong Consulting Group.*

# ASA Midwest Council Members

A-1 Professional Asphalt & Sealing  
Acoustical Ceilings, Inc.  
Affton Fabricating & Welding  
AME Constructors  
American Steel Fabrication, Inc.  
Aqueduct Plumbing LLC  
ArchKey/Sachs Electric  
Archview Metal Systems Co.  
Armanino LLP  
Aspen Waste Systems  
Associated Bank  
Barnhart Crane & Rigging  
Bazan Painting Company  
Bell Electrical Contractors  
Bene Smart  
Bi-State Fire Protection Corp.  
Blakely Sheet Metal, LLC  
Boyer Fire Protection  
Budrovich  
C. E. Jarrell Contracting  
C&R Mechanical  
Central Power Systems & Services  
Century Fire Sprinklers  
CK Supply  
CliftonLarsonAllen LLP  
CMIT Solutions  
CNA Surety  
CNC Foundations  
CSA Advisors LLC  
Cardinal Elevator  
Century Fire Sprinklers, Inc.  
Construction Risk Partners  
Corrigan Company  
D. Johnson Painting  
Daniel and Henry Company  
DJM Ecological Services  
D&L Painting and Drywall  
Deltek ComputerEase  
Drilling Service Company  
Dynamic Controls, Inc.  
E. Meier Contracting  
ELCO Chevrolet Cadillac  
Empire Fence & Custom Iron Works  
Enterprise Bank & Trust  
Eyes on Crimes  
Fabick CAT  
FastTrac Rentals LLC  
Federal Steel & Erection Co.  
Flooring Systems  
Focal Pointe of St. Louis LLC  
Foreman Fabricators  
Gateway Fire Protection Systems  
Gateway Safety Consulting  
George McDonnell & Sons  
Golterman & Sabo  
Grant Contracting  
Grasser Electric  
Greensfelder, Hemker & Gale  
Guarantee Electrical  
H & G /Schultz Door Inc.  
Haberberger, Inc.  
Hanenkamp Electric  
Hansen's Tree, Lawn & Landscaping  
Hawkins Construction & Flatwork  
Hayden Wrecking  
Heitkamp Masonry  
Imperial Metal Company  
Integrated Facility Services  
Irwin Products  
JD Kutter  
J.F. Electric  
J & S Industrial Services  
J.W. Terrill  
John J. Smith Masonry  
K & K Supply  
Kaemmerlen Electric  
Kaiser Electric  
KAM's Mechanical LLC  
Kay Bee Electric  
Kirby-Smith Machinery, Inc.  
Knapheide Truck Equipment  
Lawrence Fabric & Metal Structures  
Leach Painting Company  
Liberty Mutual Surety  
Lindberg Waterproofing  
Linek Plumbing Co.  
Luby Equipment Services  
Marketeer, Inc.  
Maxim Crane Works LP  
Metal Supermarkets  
Meyer Painting Co.  
MC Mechanical  
Mid-America Carpenters Reg. Council  
Mid-America Specialty Services  
Middendorf Logistics  
Midwest Construction Services  
Midwest Elevator  
Midwest Monogram Promotions  
MJ Products  
Mold Solutions  
Modern Communications  
Montgomery Bank  
Murphy Company  
Musselman and Hall Contractors  
National Sales Company (NSC)  
Negwer Door Systems  
Nu Way  
O.J. Laughlin Plumbing Co.  
Orion Environmental, Inc.  
P & A Drywall Supply  
Parkway Construction Services  
PayneCrest Electric  
Pipe and Duct Systems  
Precision Analysis, Inc.  
Professional Metal Works, LLC  
R.F. Meeh Co.  
RJP Electric  
Reinhold Electric, Inc.  
Rental Supply  
Ritchie Bros  
RubinBrown LLP  
Saint Louis Roofing Company  
Schaeffer Electric Company  
Schmersahl Treloar & Co.  
Seiler Instruments  
SFW Partners, LLC  
The Sherwin-Williams Co.  
SIC Midwest  
Stifel Financial  
Stylemaster Promotional Products  
Sunbelt Rentals  
Swanson Masonry, Inc.  
Titan Carpentry LLC  
T.J. Wies Contracting  
The Stockenberg Law Firm  
Too Creative  
Total Contractors Services LLC  
TROCO Custom Fabrication  
UHY LLP  
United Rentals  
USI Insurance Services  
Vee-Jay Cement Contracting  
Vision Electric & Systems  
Wipfli  
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. Interested in joining a committee? Contact Susan Winkelmann, ASA Executive Director- [susan@asamidwest.com](mailto:susan@asamidwest.com) or 314.845.0855*



## **SAFETY**

For additional information regarding the ASA Safety Committee, or to join the committee, contact our Safety Committee Co-Chairs: Rose Kastrup with CSA Advisors at (417) 761-4194 or Steve Williams with Bell Electrical at (314) 447-9071.



## **MEMBERSHIP**

**ASA Continues to grow, we have welcomed 20 new members this fiscal year (since July1)**  
If you know a subcontractor who would benefit from the resources that ASA brings to its members, let us know. The benefits of ASA membership are many and our committee is very focused on adding quality new members. For Additional information contact our Membership Committee Co-Chairs, Chris O'Hagan, JD Kutter. (314) 444-4949 [chris@jdkutter.com](mailto:chris@jdkutter.com). OR Rob Meeh, R.F. Meeh (314) 608-0361/[rjmeeh@rfmeeh.com](mailto:rjmeeh@rfmeeh.com)

## **CONTRACT REVIEW**

Did you know ASA Midwest Council has an extensive library of General Contractor contracts on file? These contracts have been reviewed by the Contract Review Committee, and include comments/suggestions of changes you may want to request during your contract negotiations. The contracts are available to ASA members only, and can be requested by sending an email to [susan@asamidwest.com](mailto:susan@asamidwest.com)

If you have questions regarding the contract review service offered to our ASA members, please contact the Contract Review committee chair, Dick Stockenberg, ASA MWC chapter attorney, The Stockenberg Law Firm; [richard@stockenberglawfirm.com](mailto:richard@stockenberglawfirm.com)

## **PROGRAMS**

We want to hear from our members to ensure we are providing the best content possible to meet your needs! Who would you like to hear from at an upcoming meeting? If you have any suggestions or feedback, please contact our Programs Committee Co-Chairs: Chris O'Hagan, JD Kutter [chris@jdkutter.com](mailto:chris@jdkutter.com) (314) 444-4949 OR Dan Tucker, MC Mechanical Services [dtucker@mcservicestl.com](mailto:dtucker@mcservicestl.com) (314) 707-7595

## ASA Supports the Fiscal Commission Act / the Fiscal Stability Act

ASA, along with the Transportation Construction Coalition (TCC), sent a letter to Congressional Leadership in support of H.R. 5779 the Fiscal Commission Act and its Senate companion bill S. 3262, The Fiscal Stability Act. These bipartisan measures, led by Reps. Huizenga (R-MI) and Peters (D-CA) and Sens. Manchin (D-WV) and Romney (R-UT) would create a bipartisan, bicameral commission to propose solutions to the nation's \$34 trillion-and-growing debt crisis. The letter calls for these measures be attached to any final Fiscal Year 2024 appropriations bill or other viable legislation that would ensure it is quickly signed into law.

Per the letter, "any proposal should address all contributors to the structural imbalances that factor into the federal debt. Such a result would generate momentum to forego patchwork, short-term solutions and enact real measures to fix some of the nation's most pressing fiscal challenges, especially in the medium and long term. There will not be a silver bullet, but if enacted, H.R. 5779/S. 3262 would inject new energy into this discourse, engage the American public in debating and determining a path forward, and require Congress to vote on the commission's bipartisan package. We stand ready to support Congress and ensure the debt commission is successful for the long-term health of the nation."



## The Foundation of the American Subcontractors Association (FASA)

The Foundation of the American Subcontractors Association (FASA) was established in 1987 as a 501(c)(3) tax-exempt entity to support research, education and public awareness.

FASA is committed to forging and exploring the critical issues shaping subcontractors and specialty trade contractors in the construction industry. FASA provides subcontractors and specialty trade contractors with the tools, techniques, practices, attitude and confidence they need to thrive and excel in the construction industry.

### **Mission:**

To educate and equip subcontractors and suppliers with the knowledge and resources they need to thrive in the construction industry. Additionally, FASA raises awareness about issues critical to and about construction in the United States.

### **Initiatives:**

**FASA Cares** is the main initiative of FASA and will focus on Diversity & Inclusion and Suicide Prevention in the Construction Industry.

**For additional details visit  
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# Understanding Freefall Distances



Insufficient training or lack of expert advice can lead to disastrous consequences when it comes to fall arrest systems. One of the biggest examples of this is calculating fall distance, where a misjudgment isn't a simple error but a potentially life-threatening mistake.

A solid understanding of these systems and the ability to adapt them to various work conditions is crucial for safety. Here's a guide to emphasize the importance of accurately calculating fall distance and maintaining necessary clearance to avoid injuries.

## OSHA's stance on free fall distance

According to OSHA, "Freefall distance means the vertical displacement of the fall arrest attachment point on the employee's body belt or body harness between onset of the fall and just before the system begins to apply force to arrest the fall. This distance excludes deceleration distance, lifeline, and lanyard elongation but includes any deceleration device slide distance or self-retracting lifeline/lanyard extension before the devices operate and fall arrest forces occur."

Limiting freefall distance is absolutely crucial for the safety of employees working at heights. By minimizing the free fall distance, the right system can slow the user's descent and bring the individual to a stop without contacting the ground below. But it's not just about preventing a collision with the ground; it's also about managing the forces experienced during the fall arrest to safeguard against the harmful impact during a jarring stop mid-air.

The less distance a worker falls before their fall arrest system engages, the less force they'll experience upon arrest, reducing the potential for a serious injury like broken bones or internal damage. The proper execution of this critical component of fall arrest can make the difference between a minor incident and a life-threatening event. But limiting freefall distance isn't just a best practice, it's also an OSHA regulation: "Personal fall arrest systems are rigged in such a manner that the employee cannot free fall more than 6 feet (1.8 m) or contact a lower level. A free fall may be more than 6 feet (1.8 m) provided the employer can demonstrate the manufacturer designed the system to allow a free fall of more than 6 feet and tested the system to ensure a maximum arresting force of 1,800 pounds (8 kN) is not exceeded." 1910.140(d)(2)(ii)

## Best practices to limit fall distance

At its most basic, a fall arrest system includes three main parts: a body harness, a fall-arrest device (this could be a lifeline, shock absorber, carabiner, connector, cable, etc.), and a system for anchorage. The free fall distance is how far you fall before the fall arrest system starts working, and the goal should be to make this distance as short as possible. To do this, whenever possible, the worker should connect their lanyard to an anchorage point above their shoulders. This lowers the impact force, lessens the chance of hitting something, and decreases the severity of injuries while making emergency rescue easier.

Anchorage points should also ideally be directly behind the worker because the risk of swinging during a fall increase with the horizontal distance between the worker's harness and their anchorage point.

## Important factors in fall arrest distance

Understanding and effectively managing freefall distances is critical in ensuring the safety of workers who operate at heights. Here are some key things to consider:

**Length of the lanyard, harness, and anchorage connector:** A worker who hasn't been trained might think a six-foot lanyard is enough when working at 10 or 12 feet. But the lengths of the harness and anchorage connectors also need to be considered. For example, with a fixed anchor, you just add the distance to the ring. But when the anchor is part of a horizontal lifeline, the calculation gets more complicated. Horizontal lifelines are not pulled tight on purpose and can stretch during a fall. This stretching must be added to the calculation.

**Deceleration distance:** The deceleration device is often forgotten. When it's used, it adds another 3.5 feet to the lanyard length. The harness can also stretch, moving the anchorage point above the head during a fall. In this case, the distance isn't 6 feet, it's 10.5 feet.

**Worker's height:** Although it seems simple, this part is often left out when figuring out the fall arrest distance. It's really important to consider the worker's height below the anchorage point. A fall arrest system that stops a worker at 12 feet doesn't work if the ground is at 14 feet, unless the worker is less than 2 feet tall, which is very unlikely! On average, at least an extra 5 feet should be added into the calculation to account for the person's height.

By understanding the importance of limiting freefall distances, we can drastically reduce the likelihood of severe injuries or fatalities in the workplace. But it's not just about adhering to regulations set by OSHA, it's also about creating a safer working environment that prioritizes the well-being of employees. Therefore, investing in proper training and expert advice is a non-negotiable aspect when dealing with fall arrest systems. Remember, a well-designed and properly utilized fall arrest system could mean the difference between life and death. Given the increasing number of fatalities related to falls, it's crucial to prioritize fall safety to ensure everyone returns home safely each day. However, choosing the right protection for your company's specific fall risks can be challenging, especially when the consequences of a mistake are so high.

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