

Governor Robert L. Ehrlich, Jr. To Address ASA/AGC Members at Joint January 24 Meeting

The Baltimore Chapter of the American Subcontractors Association is proud to announce that former Governor and Congressman Robert L. Ehrlich, Jr. will be our honored featured speaker at the annual joint dinner meeting January 24, 2008 at the Historic Belvedere Hotel in downtown Baltimore.

As the 60th governor of the state of Maryland and a United States Congressman, Bob Ehrlich established a reputation as a champion of education, a promoter of economic growth and a friend to the environment. In February, 2007, Governor Ehrlich joined Womble Carlyle Sandridge & Rice, PLLC, as a founder of the firm's Baltimore office.

The Baltimore native took office in 2003 on a platform of increasing education funding, balancing the state budget and protecting the Chesapeake Bay. He became Maryland's first Republican governor in nearly 40 years.

During his tenure, Maryland moved from a \$1.8 billion budget deficit to a budget surplus, and Governor Ehrlich negotiated balanced budgets each of his four years in office. Schools were funded at the highest allocations in state history, with schools in low-income and high cost-of-living areas receiving special attention. The state's community colleges and Historically Black Colleges and Universities also received record funding during the Ehrlich administration. He also championed the 2005 Chesapeake Bay Restoration Act, which has reduced pollution in Maryland's most famous natural resource.

But Governor Ehrlich had a long track record of public service before being elected to the state's highest office. From 1995-2003, he represented Maryland's 2nd District in the U.S. House of Representatives, including six years as the

House Deputy Whip. He served on the Budget, Energy and Commerce, Government Reform and Oversight, and Banking and Financial Services Committees during his House tenure. He also served as Co-Chairman of the Congressional Biotechnology Caucus.

From 1987-1995, Governor Ehrlich represented the 10th District (Baltimore County) in the Maryland House of Delegates. He also was a member of the Governor's Council on Child Abuse and Neglect, as well as the Maryland Juvenile Justice Advisory Council during that time.

Governor Ehrlich began his legal career after finishing law school in 1982. He was a successful civil litigator for more than a decade, practicing at the Baltimore law firm of Ober, Kaler, Grimes and Shriver.



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Our President



Thoughts As 2007 Comes To A Close

ASA of Baltimore takes pride in what its members have accomplished in this past year and is focused on finding the answer to future business problems affecting all subcontractors. We continue to work towards a common goal of promoting Advocacy, Education, and Legislation.

As Chapter President I would like to thank the Officers, Board of Directors, our Executive Director, Rob Bertazon and Executive Assistant, Denise Lindross for their dedication to the membership of ASA of Baltimore during 2007. Their concern and attention to details benefits us all.

I have always believed that our strength comes from our members. ASA, being a member based organization, needs to continually recruit new members along with retaining our existing base. With our goal of increased retention and our recruitment Champions we are well on our way to meeting or exceeding our membership goals in 2008.

My goal as president is to continue to promote the interest of subcontractors of all trades. It is with your continued support that ASA of Baltimore will be able to deliver its commitment to Advocacy, Education and Legislation within this ever changing and challenging business climate.

I thank you for the opportunity to serve you and wish you, your families and employees the very best for the New Year.

*Bruce Bergeron, Chapter President
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The Director's Chair.....

Remember ASA in the New-Year

I send my most heart-felt thank you to everyone who contributed their time and energy in 2007 to ASA and its' programs and events. Your membership alone warrants my thanks, but let me go past that and say that I am truly grateful to the many people that make ASA an integral part of their lives and livelihoods.

In the coming year I hope that everyone will find a new way to connect with the organization. Whether it is through one of our outstanding educational events, by utilizing the services of one of our professional members, finding a member who helps to increase your business savvy or perhaps by becoming a volunteer with the association, I want to see you gain new value and strength from ASA and I pledge to make every effort to help in any way possible. Our immediate past president, Joe Dohony, is beginning his search for the next group of leaders for ASA. If you think that serving a term as an ASA Director might be your way to get connected, let me know and I will forward your name to Joe. It is a great way to serve the group as well as broaden your leadership skills and your business network.

I also want to remind you that there are several ways to increase your visibility in the organization that would require little or no time. Do you recall the sponsorship brochure that you received in November? I would love to see you sponsor one of our meetings or educational seminars and to have your company linked to one of our great events. Give me a call if you cannot find your brochure. I will gladly send you another.

Coming up sooner than you might realize are two of our special events, the Golf Outing on April 29, 2008 and the Crab Feast on July 13, 2008. Spending four or five hours with us on either of those two dates would be a great way to pass an afternoon. You can take it a step further by donating items to our giveaway gifts at the golf outing or by contributing an item to our silent auction at the crab feast. Check out the event flyers when they are distributed for these and other ways to make your mark at these events.

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Attorney's Corner

Lack of Contract Acceptance Invalidates Mediation Clause

A court in another state recently determined that a clause in a contract which required mediation before a party could bring any other legal actions did not apply because the contract was not signed and accepted. In the case, a landscaping subcontractor performed its required work but never signed the subcontract agreement and was working on the basis of a letter of intent and various change orders. After a dispute arose, the subcontractor sought mediation.

The court found no evidence of a valid contract, stating that the letter of intent upon which the subcontractor worked was not a contract and therefore mediation required by the contract was not available to the subcontractor.

Please note that the subcontractor would still be able to recover for the value of the work that it performed, but it could not avail itself of other contract clauses such as mediation or arbitration because it did not sign the contract itself. This case is another reminder that a letter of intent is not a contract and does not provide the protection of one.

Increase in Sales Tax Does Not Apply in Contracts Entered Into Prior to 2008

ASA of Baltimore recently sent an e-mail indicating that the new law increasing the Maryland sales tax from 5% to 6% does not apply for items purchased pursuant to a construction contract entered into prior to 2008. Please note that the actual contract must have been entered into and not merely a bid. Thus if a bid did not result in an actual contract prior to the end of 2007, the increase in sales tax will apply.

Regulations have not yet been developed, but it is clear that where the exemption applies, if the vendor charges the higher sales tax, the contractor will be able to obtain a refund from the State.

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Safety Corner

Don't Get Burned by Corrosives

Corrosives are commonly used in both the workplace and in homes. A corrosive can be in the form of a liquid, powder, pellets, or gas. Most have a strong, irritating odor. Examples of common corrosives include lye, battery acid, paint stripper, and drain cleaner.

A corrosive is a chemical that causes visible destruction of, or irreversible alterations in, living tissue by chemical action at the site of contact.

OSHA's Hazard Communication Standard applies to operations involving employee exposure to corrosives. Under the Hazard Communication Standard, you must inform employees about the standard's requirements, the operations in the employee's work area where hazardous chemicals are present, and the location and availability of the written hazard communication program.

Health Hazards

Health hazards from corrosives include:

- Chemical burns
- Respiratory tract ailments
- Poisoning

Corrosives have other physical hazards as well, including being a(n):

- Flammable or combustible liquid
- Compressed gas
- Explosive
- Organic peroxide
- Oxidizer
- Pyrophoric
- Water-reactive or unstable chemical

Read the material safety data sheet (MSDS) and the container's label to find out the specific physical hazards of the corrosives your employees are working with.

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Tech Corner....

In-Flight Internet Service

AirCell, A Colorado based company said that it plans to use a newly acquired radio spectrum license to offer “affordable” broadband service aboard commercial airplanes.

In the style of cafe hot spots, AirCell’s idea would let passengers link up any computer or handheld using the 802.11b or 802.11g wireless standards while in the air. The network, which the privately held company hopes to begin testing and deploying on commercial aircraft next year, would work by channeling communications from at least one miniature cell site—called a “picocell”—on the plane to special cell sites on the ground.

AirCell’s plan would not conflict with a federal ban on in-flight cell phone use because the proposed network operates at a different frequency than that which could pose interference threats to aircraft navigational systems.

The company said it will be able to keep traditionally high installation and operating costs low by using “commercially

available” technology and a direct air-to-ground link, rather than bulky, expensive satellites used by some existing in-flight communications systems.



News of AirCell’s Wi-fi plans follows an FCC announcement that the company and JetBlue Airways emerged as the top bidders in an auction of two wireless bands.

Under the license, AirCell would launch its service in the 800MHz spectrum currently occupied by Verizon’s Airfone service, which permits air-to-ground telephone service but never proved wildly popular because of its high price tag.

AirCell ran several tests of the planned network on a high-end business jet last fall and claims it is capable of delivering Internet access at 600 mile-per-hour speeds and 40,000-foot altitudes. Users on that “flying prototype” were able to send and receive e-mail, surf the Web, and even watch live video feeds.

*Allen Gudesblat, NetLogic Technologies, Inc.
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alleng@nlt-usa.com*

Mark your calendar and get your foursome ready!
You won't want to miss ASA's 2008
Golf Tournament because

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April 29, 2008

Wakefield Valley Golf Club



United Rentals, Inc. is sponsoring

“The Lemonade Shaking Guy”

Marc Rosenberg

to serve up his “special lemonade drinks” and his high energy entertainment for our guests!

Snapshot - Contractor Default Insurance

Also Known as Subguard - A
Zurich Insurance Product

What Is It?

Default Insurance indemnifies the insured for direct and indirect costs resulting from a default in performance of any unbonded contractor or subcontractor. The concept is similar to a "wrap up" program designed to include all project participants under one insurance program and is marketed as an alternative to requiring performance and payment bonds.

Who Purchases It?

It is typically purchased by a general contractor or owner.

Why Haven't I Heard of This Before?

It is a relatively new product in the insurance market.

What Should I Know?

Although Contractor Default Insurance is marketed as a cheaper alternative to performance and payment bonds, there are disadvantages to using it as opposed to traditional bonding.

I have an article written by Rolf A Neuschafer of The Robert E. Harris Insurance Agency, Inc. titled, Bonding Tips and Tactics: Contractor Default Insurance, which identifies some shortcomings of Contractor Default Insurance. It also challenges the notion that it is a more cost effective alternative to bonding. I would be more than happy to share this article with any interested parties. Please feel free to give me a call or send me an email.

*Dan Workmeister, Consolidated Insurance Center, Inc.
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Directors Chair

— Continued from page 2

Please remember ASA in your plans for 2008. Without ASA there will be no one fighting for subcontractors and without you there will be no ASA. I wish all of you great health and happiness in the new-year!

*Robert W. Bertazon
Executive Director, ASA of Baltimore*

OSHA Announces Employer Paid PPE Final Rule

The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) announced a final rule on employer-paid protective equipment (PPE) on November 15, 2007. Under the rule, all PPE, with a few exceptions, will be provided at no cost to the employee. OSHA anticipates that this rule will have substantial safety benefits that will result in more than 21,000 fewer occupational injuries per year.

"Employees exposed to safety and health hazards may need to wear personal protective equipment to be protected from injury, illness and death caused by exposure to those hazards," said Assistant Secretary of Labor for OSHA Edwin G Foulke Jr. "This final rule will clarify who is responsible for paying for PPE, which OSHA anticipates will lead to greater compliance and potential avoidance of thousands of workplace injuries each year."

The final rule contains a few exceptions for ordinary safety-toed footwear, ordinary prescription safety eyewear, logging boots, and ordinary clothing and weather-related gear.

The final rule also clarifies OSHA's requirements regarding payment for employee-owned PPE and replacement PPE. While these clarifications have added several paragraphs to the regulatory text, the final rule provides employees no less protection than they would have received under the 1999 proposed standard. The rule also provides an enforcement deadline of six months from the date of publication to allow employers time to change their existing PPE payment policies to accommodate the final rule.

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to assure the safety and health of America's working men and women by setting and enforcing standards; providing training, outreach and education; establishing partnerships; and encouraging continual process improvement in workplace safety and health. For more information, visit www.osha.gov.

Governor Ehrlich

Continued from front page

Governor Ehrlich has won numerous state and national awards, including:

- Exceptional Legislator Award—104th Congress, American Health Care Association
- Legislator of the Year, Maryland State Attorneys Association
- Man of the Year Award, Better Business Bureau of Greater Maryland
- Guardian of Small Business, National Federation of Independent Business
- Tax Fighter Award, National Tax Limitation Committee
- Highest Recognition Award, U.S. Secretary of Health & Human Services
- Legislator of the Year, National Association of Mortgage Brokers
- Distinguished Service Award, Columbia Light House for the Blind
- Distinguished Marylander Award, National Football Foundation and College Hall of Fame (Maryland Chapter)
- Golden Bulldog Award, Watchdogs of the Treasury
- Spirit of Enterprise Award, U.S. Chamber of Commerce (three years)
- Governor of the Year, National Multiple Sclerosis Society
- Freedom to Compete Award, U.S. Equal Employment Opportunity Commission
- Distinguished Service Award, German Society of Maryland

Reservations are coming in fast so be sure to send yours in immediately. Cost for members is \$85 and includes dinner, beverages and parking. Because of the high demand from both associations, reservations made after January 17th will be accepted only if space allows and the \$110 late reservation fee will be strictly enforced. You won't want to miss out on the opportunity to hear from one of our finest civic leaders and a champion for the rights of subcontractors and Marylanders.



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Re-gifting the ASA Way - Online Auction Coming Soon!

The drawing for the Legislative Fundraiser was held at our holiday party on December 4. The lucky winner, Dennis McCartney of B & B Welding, wrote the following when he was notified of his good fortune: "We don't watch the super bowl and we recently bought a Sony that fits our row house fine. I have no idea what to do with this totally unexpected windfall."

His solution was to "re-gift" the television back to the Association so we could raise even more money to benefit our legislative efforts.

Tracy Steedman, chair of the Government Relations Committee, opted for an online auction in lieu of a second raffle. Bidding will start at \$500 for the 57" Widescreen Mitsubishi 1080p DLP HDTV valued at over \$2,000 including free delivery in the Baltimore/Annapolis area by The Big Screen Store!

So if Santa didn't bring you the gift you really wanted for Christmas, here is your opportunity to put your income tax return to good use! Watch your email for the details and date and start saving your pennies now for the chance to make bargain history. This year, everyone will want to come to YOUR house for the Super Bowl and you will be helping your business at the same time!

We thank Dennis for his generosity and support of ASA of Baltimore.

Corrosives

Continued from page 3

Employee Protection

When engineering controls and work practices cannot completely eliminate the risk of exposure to corrosives, personal protective equipment (PPE) is required.

PPE could include the use of splash goggles, face shields, gloves, aprons, coveralls, shoe covers, and respirators.

*Terry L. Foy
Foy Safety Consulting, Inc.
(410) 446-3995
foysafety@comcast.net*

Please join **ASA of Baltimore**
and **The Maryland AGC**
in welcoming our
special guest speaker
Governor Robert L. Ehrlich Jr.



to the Historic Belvedere Hotel
John Eager Howard and Charles Rooms
1 East Chase St. Baltimore, MD 21202
Thursday, January 24, 2008
5:00 pm to 9:00 pm.

Gov. Ehrlich will share his insights from 12 years of public service to the citizens of Maryland as both a Representative in the US House of Representatives and then as our Governor.

The Annual ASA / AGC joint meeting promises a great opportunity to expand your business horizons.

Please mark your calendar and make plans to attend this great event.

Reservations are limited!

Go to www.asa-baltimore.com or see the enclosed event flyer to register or for additional details.



Driving Along in Your Automobile Curbing the Strain of Vehicle Loss with Fleet Management

In a typical vehicle fleet, 20 percent of the drivers will be involved in some type of loss in any given year, from the smallest windshield break to the total loss of a vehicle. When loss is involved in these types of circumstances, it is especially valuable for the business to have an experienced fleet manager handling the situation.

From a fleet manager's perspective, the key elements of handling loss and processing claims include the following:

Initial Incident

Most lease customers are given a designated phone number to use in the event an incident should occur. Often this is a toll-free call. Generally, when a customer calls with an incident, an initial report of the accident is taken. Safety is the most important issue, so it is important to know how many people and/or vehicles were involved, if there are any injuries and if emergency medical assistance is needed. After determining that everyone is okay, the fleet manager can decide with the customer what the next best step to take is. Options may include emergency roadside assistance, towing, body shop, rental car or a combination of two or more of those.

Minimizing Costs

Once the customer is back on the road, the fleet manager can begin processing the accident to ensure that the vehicle gets the highest quality service at the lowest possible price. This can start with making sure those reviewing the damage on the vehicle are qualified technicians in the specified damaged area. For example, for body repair damage, the technician should be trained in auto estimates and body repair. For mechanical damage, it is best to work with technicians who are ASE Certified. Both will be helpful in ensuring that the proper repairs are done with safety at the forefront, with the highest quality workmanship and at the most cost-effective price. It may also be possible for the technician to flag any warranty work that should be included as well.

Furthermore, a fleet management company may maintain a nationwide network of repair facilities that can be recommended to customers. Having these relationships can enhance the fleet manager's ability to work closely with the body shops on behalf of the customer to secure advantages. These can range from comparing pricing to ensure the body shop is competitive and monitoring repairs to control downtime, to arranging rentals, monitoring rental invoices and ensuring the overall quality of the repairs.

Maximize Subrogation

In the unfortunate event of damage to or loss of a vehicle, customers who have paid for vehicle insurance want the piece of mind that they will be taken care of promptly and professionally. Companies with fleet managers who handle this for them appreciate having someone on their side who can work with all parties involved in filing the claim on their behalf. A fleet manager who is trained in subrogation can aggressively analyze each and every claim to determine the likelihood of collecting and provide customers with an accurate picture of the situation.

When processing a claim, fleet management companies will also typically obtain all of the legal information necessary to assist the customer in the collection process. These items might include police reports, vehicle registrations and insurance information. Ultimately, fleet managers want to minimize the collection time for their customers and they do this by staffing trained subrogation experts who provide uncompromising attention to each claim.

Risk Management Reporting

Because fleet management companies work so closely with their customers' losses, they are actually the best resource to their customers for risk management. At Enterprise, we demonstrate our commitment to excellent customer service by making our loss control staff available to our customers to help them understand reports, as well as losses. Furthermore, sharing loss data at first report in an easy-to-read, easy-to-understand format with the customer is an invaluable way of keeping the lines of communication open and keeping customers informed.

Mark Powell
Group Sales Manager Enterprise Fleet Management
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What a Line-up!

In January, ASA garners a governor. In February, we will present the President!



Let's give a warm winter welcome to ASA's National President

David Bradbury

at ASA's Luncheon Meeting
Thursday, February 28, 2008 ~
11:30 a.m. - 1:30 p.m.

**Cap't Harveys
Seafood Restaurant**

11510 Reisterstown Road
Owings Mills, MD 21117

Our February luncheon will be a traditional ASA of Baltimore meeting featuring some time to [network](#), a [BPI](#) session, an [Ask the Attorney](#) session, lunch and a [presentation](#) by our special guest speaker!

Event Flyer Enclosed!

**Register Early ~
Space is Limited!**

Holiday Cocktail Party 2007 - Sharing Our Christmas Memories

Always a favorite Christmas tradition with ASA of Baltimore members, this year's Holiday Cocktail Party at the Country Club of Maryland on December 4th was once again a highlight of the year. We couldn't have timed it better, our affair fell on the day

BEFORE snow flew for the first time this year. The food was delectable, the festive decorations and ambience perfect and our members shared in warmth of good friends and holiday spirit!



Chairwoman Tracy Steedman draws the lucky winning name for our Legislative Raffle as Rob Bertazon, Bruce Bergeron and Mel Taylor cross their fingers!



Generosity abounds! Our members fill the table with warm clothes and gifts for the needy families of the Fransican Center

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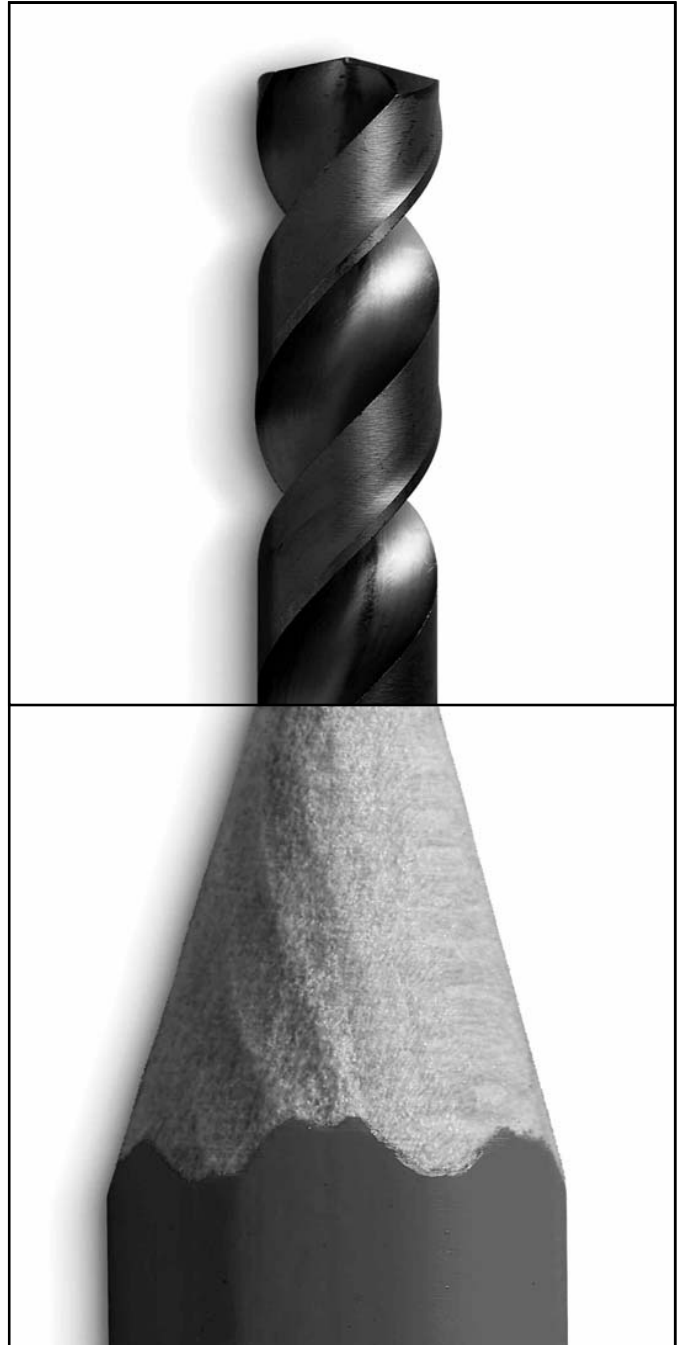
George French and Tim McGuire share holiday festivities over a cocktail.



Mike Wilmot, Paul Koch and their guests enjoy the delicious spread and warm conversation



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Member News....

1st Electric Receives Two Prestigious Awards

Maryland-based company, **1ST Electric, Inc.** has recently received two prestigious Safety Awards. In its first full year of business, **1ST** received an "Excellence in Safety" award for 2006 from the Washington Chapter of Associated Builders & Contractors (ABC), successfully completing over 80,000 man hours accident free. In 2007 the company also received an "Excellence in Safety" award from the Baltimore Chapter of ABC for working over 140,000 man hours with only 1 recordable incident.

ABC is a national association representing more than 24,000 merit shop construction and construction-related firms nationwide.

The awards, both a part of ABC's Safety Training and Evaluation Process (STEP), recognize ABC members that strive to achieve effective safety practices and demonstrate a continued commitment to jobsite safety. **1ST Electric, Inc.** received a gold level STEP Award from both the ABC Metro Washington Chapter and the Baltimore Metro Chapter.

The company's commitment to jobsite safety has effectively created a low risk environment for its workers. **1ST Electric, Inc.** differentiates itself from competitors by operating on five distinct principles: Focus, Integrity, Reputation, Safety, and Teamwork.

Goodman & Company Hires Thomas Hoeck

Goodman & Company is pleased to announce the recent hire of Thomas Hoeck as an Asset Based Lending Consultant in the Rockville office.

Hoeck brings twenty-two years' experience as a Senior Field Examiner with Bank of America. His background includes Asset Based Lending Field Examination on commercial bank customers and his expertise includes performing Field Examinations on Government Contracting companies. These examinations include identifying areas of potential risk, assessing that risk, and providing recommendations to aid in making informed decisions.

With its 80 partners and 500 professional staff, **Goodman & Company** is a regional certified public accounting and business advisory firm delivering quality accounting, tax and specialized services with offices located in Colonial Heights, Danville, Norfolk, Newport News, Richmond, Roanoke, Rockville, MD, Tysons Corner and Virginia Beach. The firm is celebrating its 75th anniversary in 2007. **Goodman & Company** is an independent member of the Moore-Stephens worldwide association of accounting firms. Visit www.goodmanco.com for more information.



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Member News....

Trico Backed By Investors

Trico Lift, an aerial equipment rental company headquartered in Millville, N.J., is pleased to announce the addition of two investor partners. Joining Trico Lift are investors John Michael Paz, owner of Godwin Pumps of America, Inc., and Argosy Partners represented by John Kirwin, III.

Godwin Pumps of America, Inc., based in Bridgeport, N.J., makes and distributes industrial pumps used for municipal sewer bypass work and for mine, quarry, and construction site dewatering and industrial applications. The company maintains a fleet of more than 5,000 portable rental pumps and related accessories in 24 company-owned locations throughout the United States. With home offices on two continents and distributor locations worldwide, Godwin employs more than 600 people around the world and has annual sales in excess of \$200 million.

“At Godwin pumps we pride ourselves on getting there first and we like to be associated with companies who do the same,” Paz said. “I believe that success comes from intimate knowledge of your product or service and, most importantly, about your market. I see that insight in the management of Trico Lift.”

Kirwin co-founded Argosy Partners, which is headquartered in Wayne, Pa., and manages in excess of \$300 million of private equity capital. Since 1989, Argosy Partners has invested in over 100 operating companies with a primary focus on acquisition and growth financings for lower middle market manufacturing, distribution and service businesses. Argosy also manages approximately \$100 million in real estate funds with a focus on equity investments with experienced, entrepreneurial real estate developers and operators.

Argosy’s Kirwin added, “The companies in which we invest have seasoned and highly motivated management teams, attractive growth potential, and a strategy for sustained, long-term profitability – Trico Lift more than meets all those qualifications.”

Trico Lift President and CEO Ken Pustizzi, who maintains controlling interest in the company said, “We’re very happy to have brought in John Paz and John Kirwin as our investors. As the long-time owner and entrepreneur of Godwin Pumps, John brings relative experience and notable success from which we’re sure to benefit.” Pustizzi added, “Having John Kirwin’s financial and professional backing is also an accomplishment for us considering the selective process involved in becoming one of Argosy’s investments.”

Trico Lift has one of the largest privately owned fleets in North America. Headquartered in Millville, N.J., the company maintains offices in Beltsville, Md., Gainesville, Va., Marcus Hook, Pa., Cincinnati, Ohio, and South Plainfield, N.J., and employs nearly 100 people. Its fleet includes more than 2,600 aerial equipment pieces including boom lifts, forklifts, scissor lifts, and general rental units such as air compressors, industrial pickup trucks and light towers.

Local CPA Publishes Construction Article in Baltimore Business Journal

Steve Ball, CPA, CVA, CCIFP, published an article called “Handle change orders well and contractors can boost reputation” in the November 2, 2007 issue of the Baltimore Business Journal. Ball, a partner at the CPA and management advisory firm of Gross, Mendelsohn & Associates, is the director of the firm’s construction consulting group.

In addition to being a CPA, Ball is a Certified Valuation Analyst and a Certified Construction Industry Financial Professional. He is a graduate of James Madison University.

Gross Mendelsohn is a full-service CPA and consulting firm serving the complete financial needs of privately-held businesses in the Mid-Atlantic region. In addition to offering traditional audit, accounting and tax services, the firm specializes in personal financial planning, litigation support, asset management, business valuation and computer consulting. For more information, visit the firm’s Web site at www.gma-cpa.com.

ASA NATIONAL NEWS

Bush Administration Plans To Revise 'No-Match' Rule by Next March

In a major victory for ASA, the U.S. Department of Homeland Security (DHS) abandoned its effort to enforce its proposed "no-match" rule that would require employers to take action upon receipt of a no-match letter from the Social Security Administration (SSA), or else face increased potential liability for knowingly employing an unauthorized worker.

In its letter filed Nov. 23 with Judge Charles R. Breyer of the United States District Court, Northern District of California, DHS requested that the court put a hold on a pending lawsuit challenging the no-match rule until March 2008, citing that it plans to develop and publish a revised rule that would address concerns previously raised by the court. The rule, which DHS originally planned to put into effect on

Sept. 14, 2007, would have required employers to terminate employees who could not resolve discrepancies in employment authorization documents.

In August, ASA and its partners in the Essential Workers Immigration Coalition submitted letters to DHS and SSA asking for a 180-day delay in the implementation of the rule, as well as clarification on multiple issues not addressed by the rule that would leave employers guessing about their compliance.

In October, Breyer delayed implementation of the rule indefinitely, explaining that DHS had failed to follow proper procedures in issuing the rule and that its implementation "would result in irreparable harm to innocent workers and employers."

Direction for the Future of the Construction Industry

Ever wish you had your own personal guide to advise you on the day-to-day problems within your business? Ever wish there was one place you could go to get the answers to all of your questions? While you may have not known it before, this coming March 6-8, the ASA Business Forum & Convention 2008, will be that place. Let ASA be your guide as you discover solutions based on world-class education on management trends, and leadership development strategies.

You won't find a more informative education lineup anywhere else. In addition to the interactive, information-packed workshops that are scheduled for the three-day event, this year's general sessions will address some of the hottest topics affecting subcontractors today. The general session lineup begins Thursday, March 6, from 7:30 a.m. to 9:15 a.m., with "Crime & Punishment: The Immigration Debate and the Future of Construction," which will focus on immigration-related laws and the impact they have construction employers. Shifting gears from the political arena to the nation's economy, Friday morning's general session forum, "What the Credit Crunch Means for Commercial and Industrial Construction," scheduled from 10:00 a.m. to 11:30 a.m., will provide forum participants with an overview of the credit crunch and tips on operating a profitable subcontracting firm in a time of shrinking credit.

Wrapping up this year's general session lineup will be Matthew Stevens, author of McGraw-Hill's new book *Managing a Construction Firm on Just 24 Hours a Day* (2006). Founder of the Stevens Construction Institute Inc., and a 30-year veteran of construction, Stevens will share his insights on various best practices for reducing risks and increasing profits during his session, "The Changing Construction Industry: Adapt or Perish," scheduled for Saturday, March 8, from 8:30 a.m. to 10:00 a.m. Get new perspectives on the make-or-break areas of estimating, pricing, bidding, project management, and financial management.

Beat the rush by registering for the ASA Business Forum & Convention 2008 today! To register, visit www.asaonline.com to download the registration form. Take advantage of ASA's room block at the Francis Marion Hotel by booking your hotel reservations by Feb. 2, 2008. The room rate is \$169. To make reservations, call the hotel at (877) 756-2121 and mention you're booking your room in the American Subcontractors Association room block. For more information, visit www.francismarioncharleston.com, or contact ASA Meetings Manager Starleeta Gaddis at (703) 684-3450, Ext. 1304, or sgaddis@asa-hq.com.

ASA NATIONAL NEWS

Usher in the New Year With Better Contracts!

What better way could there be of celebrating the New Year than with contracts that eliminate retainage, contain neither pay-if-paid language nor additional insured requirements, and limit hold harmless provisions? While you may never get all the contract changes you ask for, you can make convincing arguments to your clients on each of your points using the right tools from ASA. In ASA's Jan. 8 webinar, "Critical Tactics: Flexing Your Muscle With ASA's Updated Bid Proposal and Subcontract Addendum," learn how using ASA's most powerful contract tools can help you get anything from the minimum terms you'll accept all the way up to the best contract you ever got.

This two-hour webinar presented by Scott Holbrook, Esq., of the Covina, Calif.-based law firm of Crawford & Bangs, will examine how these critical ASA tools have been updated to take maximum advantage of the terms of the new ConsensusDOCS model contract documents. Participants will learn the ins-and-outs of bidding with the bid proposal document and negotiating with the addendum. The webinar will take place between 11:30 a.m. and 1:30 p.m. Eastern Time.

This webinar is part of ASA's 2007-08 "Subcontractor Bidding and Negotiating Advantage Series," a monthly series of interactive, two-hour webinars. Registering for a webinar provides access to the live event, the visual portion of which is transmitted over the Internet and the audio portion of which is transmitted over the telephone. There is no limit on

the number of people who can participate at a registrant's location. The registration fee is \$199 for ASA members and \$279 for nonmembers. Each webinar registrant also receives a multimedia CD-ROM with an audio-visual recording of the presentation, and a link to a printable ASA Certificate of Completion, after the program.

In January, ASA will also offer distance-learning education on the topic of stopping work. Eric Travers, Esq., of the Columbus, Ohio-based law firm of Kegler, Brown, Hill and Ritter, will present the Jan. 16 installment of ASA's monthly, one-hour audio teleconferences in the "Focus Series: Payment and the 2007 ConsensusDOCS and AIA Documents." This installment will examine how the 2007 ConsensusDOCS and 2007 American Institute of Architects A201 and A401 documents provide for a subcontractor's ability to stop work. The call will take place between 11:30 a.m. and 12:30 p.m. Eastern Time.

Registering for the audio teleconference provides call-in access to the live event. There is no limit on the number of people who can listen by speaker phone at a registrant's location. The registration fee is \$45 for ASA members and \$65 for nonmembers. Participants will be provided with a toll-free call-in number and code.

This year, have a really happy New Year: Register for these events securely online at www.asaonline.com or call ASA Meetings Manager Starleeta Gaddis at (703) 684-3450, Ext. 1304.



Professional Council

“Members Helping Members”

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foysafety@comcast.net

Each month a list of professional service members will be listed in the Hard Hat News as the Professional Council on call for the month. *They will be more than happy to address a question from ASA members.*

Is it time to outsource your bookkeeping?

Do you spend more time than you like interviewing, hiring, training and firing bookkeepers?
Do you get timely cash flow reports?

Unfortunately contractors already know the deck is stacked against them from retainage issues, one-sided contracts, etc... The last thing you need is to jeopardize your business because of poorly kept or out-of-date records.

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(i.e job costing, real estate settlement (HUD 1) analysis, etc...)

To see if N/L Outsource would be a good option for your business, contact Bruce Caulk, CPA at bcaulk@nlgroup.com or (410) 453-5500 Ext. 1419 or Teresa Sowder at tsowder@nlgroup.com (410) 453-5500 Ext. 1440.



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CALENDAR OF EVENTS

Tuesday ~ January 8, 2008

ASA National Webinar

“Critical Tactics: Flexing Your Muscle With ASA’s Updated Bid Proposal and Subcontract Addendum”

11:30 a.m. - 1:30 p.m.

Wednesday ~ January 16, 2008

ASA National Teleconference

“Payment and the 2007 ConsensusDOCS and AIA Documents: Ability to Stop Work”

11:30 a.m. - 12:30 p.m.

Thursday ~ January 17, 2008

ASA Sub-Defense Seminar

“The Accountability Factor”

Key Systems, Inc. 10830 Philadelphia Rd., White Marsh

8:30 a.m. - 10:30 p.m.

Thursday ~ January 24, 2008

ASA Sub-Defense Seminar

“Clash of Contracts: ConcensusDOCS vs. AIA 2007”

ASA of Baltimore - 2025 Inverness Ave., Baltimore

9 a.m. - Noon

Thursday ~ January 24, 2008

ASA/AGC Joint Dinner Meeting

“Special Guest Speaker: Gov. Robert L. Ehrlich, Jr.”

The Historic Belvedere, Downtown Baltimore

5 p.m. - 9 p.m.

HARD HAT NEWS

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BOARD & COMMITTEE MEETINGS

Golf Committee

January 8 ~ 9:30 a.m.

Membership Committee

January 8 ~ 9:30 a.m.

Board of Directors Meeting

January 8 ~ 10:30 a.m.

Education Committee

January 8 ~ 12:30 p.m.

Happy New Year!