

News from the MBCEA
Free and worth every penny!



MBCEA News & Updates - MARCH 2017

Message from the President

Just about this time every year, Sasha is pulling out her hair chasing membership renewals and diligently finalizing the Conference. Come on guys - put her out of her misery! Why wait until the last minute?

I know she stresses but the Conference is coming together great. What an impressive bunch of educational sessions - all offered by members for members. Check out the schedule [here](#). Keep in mind we are co-located with the MBMA, some of our activities will be joint, some on our own. The exhibit hall sold out. It is bigger and fuller than ever. We have a few great prizes associated with [Visiting all the Vendors](#), including a grand prize of a DRONE. **The early bird discount expires next week, so book today.**



Exhibitor space is sold out but we have 2 main sponsorships left: Saturday Breakfast \$2,000; and the Roundtable \$1,000. We also have a few golf holes left for \$150. If you are interested, please contact Sasha ASAP.

The MBCEA Board of Directors speaks for you. In order to do that we need to listen. Well, as I have been traveling and talking I heard some concerns about the AC478 program. Know that we are 100% committed to this game-changer for our industry but with most things, it has some growing pains. To address your concerns, the MBCEA has formally submitted modifications and improvements to the IAS for AC478. These will be reviewed at a Public Hearing on April 25th. Jackie, Keith Wentworth and I will attend to represent our agenda and your interests.

The notification of the accreditation committee meeting is available on the IAS website and can be found using this [link](#). The proposed revisions to AC478 can be found using this [link](#). If you are in the process of applying for AC478 or just thinking about it, reach out to [Jackie](#) for more information. I do want to re-emphasize, we are 100% committed to this program. It will change our industry and trade for the better.

Thank you. I look forward to seeing you in New Orleans!

Regards,

Mike Reynolds
President, MBCEA
mike@scisteel.com

WELCOME NEW MEMBERS!

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skirkman@vp.comwww.vp.com

Chapter News

Carolinas Chapter News: For our March 9th Construction Notebook Class #5, "How to install Roof Curbs", Greg Smyth with Roof Curb Systems provided his expertise for the Roof Curb process. We had a classroom and hands-on session that provided great instruction of a Roof Curb System. We built a 14'x15' mock up frame system where we installed insulation, a standing seam roof, and a Roof Curb. Everyone had the opportunity to have training by the Curb Manufacturer to provide a leak free assembly. We had more than 60 people in attendance.



Our Spring Golf Outing will be held April 20, 2017 at Tega Cay Golf Club. Times and more info to follow soon. Click [this link](#) to look at the course photos.

Our annual Summer Meeting will be held June 29 - July 2, 2017 at the Hilton Head Marriott Resort & Spa on Hilton Head Island, SC. Please click [this link](#) to book your hotel room.

The New England Chapter's OSHA Qualified Crane Rigging and Signal Person Training in Marlborough, MA on Thursday, March 23, is SOLD OUT - WAITING LIST ONLY!

We will be hosting a Roundtable to discuss the New Energy Code on Thursday, April 20, in Woburn, MA. Flyers will be out soon.

The MBCEA-NEC Annual Golf Tournament will be held in July. Location TBD.

As we begin to make our way into 2017, I'd like to say hello. It is my pleasure to have been elected as the President of the New England Chapter. I will have some big shoes to fill after the work Keith Wentworth, John Iverson and lots of others have done here. I'm sure with our dedicated board members we will continue to keep the chapter progressing. I'm always available to answer any questions or help any chapter members in any way I can.

Thank you,

[Tony Barnes](#)

MBCEA-NEC President

Register now for the **Mid-Atlantic Division's** [CPR and Basic First Aid](#) class to be held Friday, March 31, at ATAS International, Inc. in Allentown PA.

The Southeast Chapter is holding an Intro to MBCEA and Fall Protection Training Kickoff meeting at the Triangle Fastener Tampa Location, 10111 Woodberry Rd., Tampa, FL 33619. The training is scheduled for Friday April 21, 9 am to 3 pm and is free to members and non-members. Register to attend with [Sasha Graver](#). We will also be doing a SEC networking Sporting Clays Shoot on Saturday April 22, 9 am to noon, at Fishhawk Sporting Clays, Lithia, FL. Contact [Wade Hobbs](#) for more information and to register.

The Greater Ohio Chapter held an informative meeting on Insulation Solutions and Energy Codes followed by dinner on February 23, with 35 in attendance. Save the date for a safety training class scheduled for April 27. Full details and location to be announced shortly.

Conference 2017

The 48th Annual MBCEA Conference will be held May 18-20, 2017, at the New Orleans Downtown Marriott at the Convention Center

New this year, the Conference will be co-located with the MBMA Spring Meeting. This means more exhibitors, attendees, education and networking!



[Attendee Registration](#) is now open!! **Early bird rates are good until March 17.** Use the link to register yourself, all additional attendees from your company, and your spouse. Sign up for golf at English Turn or the National WWII Museum tour on Thursday morning, May 18. Sponsor a golf hole.

Check out the [Schedule Snapshot](#) here. Plan your visits to the [exhibitors](#) here.

The Building of the Year competition is now under way and we look forward to highlighting all the projects at the conference.

If you or a colleague have been a contractor or erector of metal buildings for at least 25 consecutive years we want to induct you into the prestigious [Pioneers Club](#) at this conference.

The Exhibit Hall is now filled, however a few [SPONSORSHIP OPPORTUNITIES](#) ARE STILL AVAILABLE!

Make your hotel reservations early as we anticipate peak attendance.

HOTEL ROOM RESERVATIONS:
New Orleans Downtown Marriott at the Convention Center
859 Convention Center Blvd.
New Orleans, LA 70130

Reservations: [Click Here](#)

Group room rates:

5/16 -5/20/17: \$209.00 per night (plus taxes)

* Use the reservation link above to receive our special room rate.

* The deadline to receive the group room rate is 5 pm ET May 2, 2017.

Please contact the MBCEA at sgraver@mbcea.org with any questions.

Conference Education Session Teasers

Josh Quinter - Project Economics for the Field Manager.

Decisions made in the field by those responsible to actually complete the work often have the largest impact on whether a project, and ultimately a company, is successful. This course will explore what challenges in the field have the biggest impact on a company's bottom line and how field personnel can navigate through them successfully.



Jackie Meiluta - Building Your Workforce with Apprenticeship Training

Apprenticeship is not just a union program; it is the time-honored tradition for training and developing your team. Formalizing your training program is a required element of AC478 and an effective way to ensure a qualified workforce. Jackie Meiluta will be joined by a member of LA Department of Labor, Justin Waller (Red Iron Construction), and Dave Leinbach (Kaiser-Martin Group). Justin and Dave are in the early stages of their program and will share their experiences.

Dustin Cole - Metal Building Inspection

Metal building projects continue to get more complex as use of this popular building type is for virtually every end-use imaginable. With the increase in structural complexity comes additional inspection requirements to meet the building code. This presentation will review MBMA's new "Guide for the Inspection of Metal Building Systems". This resource provides information on how a metal building is different from conventional steel buildings and review the function of all of the components that make up a metal building system. Inspection requirements found in the building code will be part of this overview, including discussion on the most common topics that may be different for the inspector and erector. This presentation is for builders, erectors and general contractors, engineers, and any other party who is involved with inspection of new metal building construction. This will be valuable to someone new to metal buildings and will also serve as an excellent refresher for someone with metal building experience.

Karin Corbett - Navigating OSHA Investigations and Citations

Maintaining and improving safety in the construction industry is a constant challenge, with companies investing significant resources to create safer working environments. Regardless of those efforts, however, a truly safe environment where every OSHA regulation is followed precisely is utopian. With federal agencies like OSHA targeting enforcement efforts in the construction industry, construction companies ignoring the possibility of OSHA investigations do so at their own peril. Knowledge and preparation on both the management and field level are critical. Companies can minimize the effects of an OSHA investigation and avoid civil penalties, abatement costs, criminal prosecution, unwanted media attention, and poor employee and government relations. This course will explore the scope of OSHA's authority, outline investigation and citation procedures, and provide

practical tips and best practices to manage enforcement efforts and minimize the impact of those efforts on both the company and the job-site. Participants will learn how to control the OSHA investigation and citation process by implementing management level policies to prepare for, handle and respond to OSHA investigations and employing techniques and tactics for all company personnel to best manage OSHA investigations and citations.

Plus fan favorites Bill Beals, Tim Kessel, Arnold Corbin, Tom Frahm, a representative from OSHA **and much, much more!**

Schedule and snapshot of all sessions can be seen [here](#).

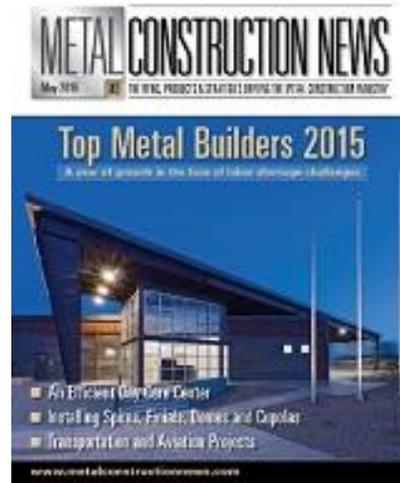
Submit Your Entry Now!

Top Metal Builders of 2016
Deadline: March 24, 2017

In the May 2017 issue, Metal Construction News will publish its list of Top Metal Builders. We identify the 100 largest metal builders measured by square footage and tonnage.

This is a great way to raise the profile of your company and help differentiate you from your competitors.

[Click here](#) to take this simple survey and enter your company for consideration.



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If It Quacks Like a Duck ... by Josh Quinter

In reviewing construction contracts for clients, I often spend a great deal of time looking at indemnification clauses. These

clauses come in many different shapes and sizes. There are three unique concepts in "indemnification" clauses, however, that are lumped together and seen by the unsuspecting as the same thing. These clauses all seem to "quack" like an indemnification duck as a result; but indemnification ducks they all are not.



Common indemnification language includes language which requires the contractor or subcontractor, as the case may be, to "defend, indemnify, and hold harmless" the upstream entity with which it has contracted. In examining this phraseology, it is initially important to note the independent use of the word "indemnify". The construction of the clause alone shows that the concept of indemnity is by definition different than holding someone harmless or defending someone.

Indemnification can be loosely defined as agreeing to pay for a loss suffered by another. This can be the case whether that other party caused the loss itself or it was caused by the party agreeing to provide indemnification. The implication is that money will change hands to cover damages should they occur.

Hold harmless provisions represent a contractual agreement that one party will not hold another party liable or responsible for a specifically defined risk. This is, effectively, similar to a waiver which is given from one party to another to refrain from taking action against that party if they contribute to a loss. It does not imply money changing hands.

Finally, the defense obligation is an agreement to take up the defense of another party if a claim, including a lawsuit, is brought against that other party. One could argue that this is an attorneys' fee provision of sorts, as its most practical application is to require the party agreeing to provide a defense to hire a lawyer to defend the other party.

These concepts get lumped in together because they are undeniably linked. They are, however, fundamentally different on their most basic levels. Those who are negotiating contracts should understand that they are unique and separate ideas, and each concept impacts how liabilities and losses are handled should some risk eventually materialize into a reality. The three concepts can come in the same clause and be linked to the same trigger; or they can come in separate sections of an "indemnity clause" and be linked to different triggers.

When you are reviewing indemnity clauses, be aware that all three of these concepts are usually part of the agreement, understand how they interplay, and plan accordingly.

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For those that like to read and follow research trends for construction, Construction Pro Network has this article:

MGI 2017 Construction Productivity Survey and Report - 10 Root Causes of Poor Productivity

By Paul Levin

Last week in our blog highlights, we announced the availability of a construction productivity survey by the McKinsey Global Institute (MGI). This week we take a closer look at the survey and the 168-page report. The survey was international in scope involving more than 75 MGI employees from eight offices worldwide. In addition, the MGI staff consulted with more than 45 internationally known productivity experts, consultants, academics, economists, researchers and practitioners, including AGC's Ken Simonson, Lean Construction Institute founders Greg Howell and Greg Ballard, productivity expert John Borcharding of the University of Texas and Stanford's Paul Teicholz.

MGI surveyed 5,000 construction-industry CEOs representing asset owners, engineering and construction firms, suppliers and other institutions such as construction consulting firms, academics, and industry associations. Participants were asked to rank the relative importance of root causes of low productivity, and indicate what their companies were doing to address them. [Read more.](#)

News from across the pond

Minister sees 'out-dated attitudes' towards apprentices

By Patrick Howse

The skills minister says parents and teachers often have "outdated attitudes" towards apprenticeships. Nick Boles said apprenticeships should be regarded as a clear alternative to a full-time university place.

Marking national apprentice week, he said he wanted to promote the idea that apprentices could "go as far as they want to go".

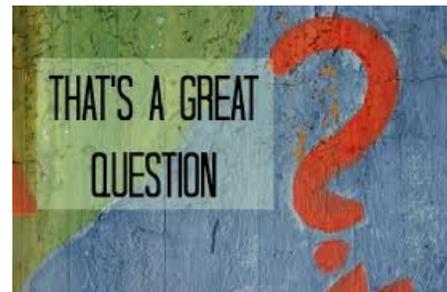
[Read](#) full article



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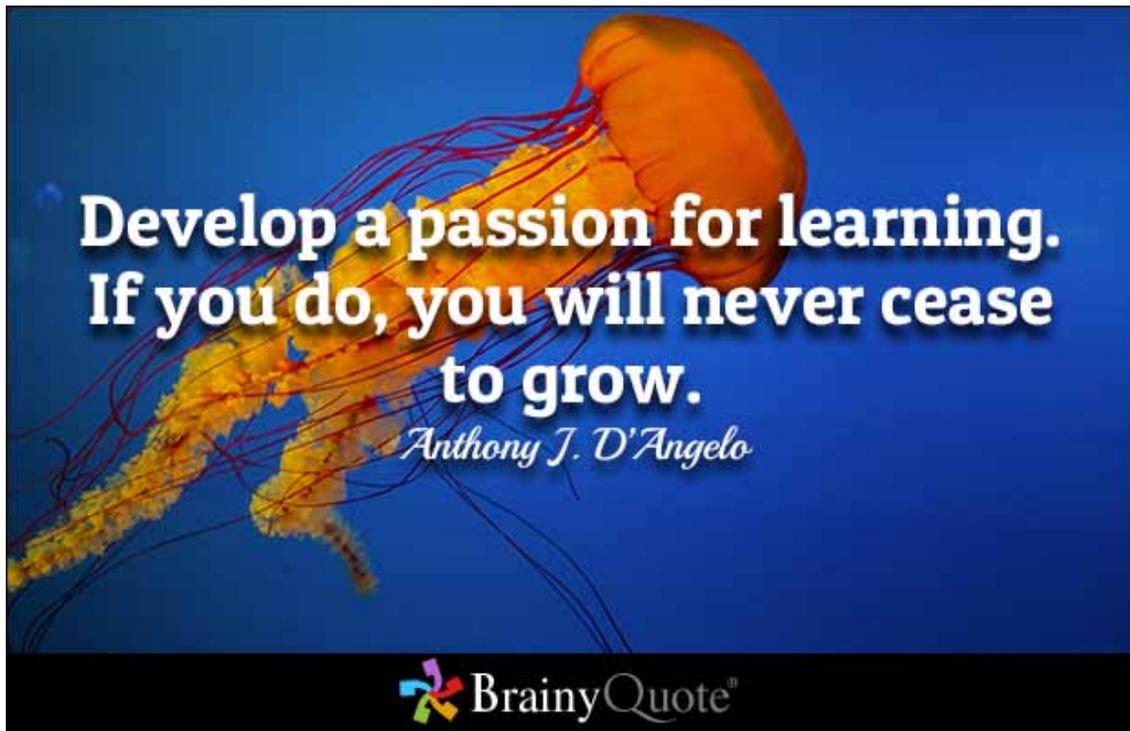
The MBCEA is dedicated to the professional advancement of our members. We need to know what is important to you, what kinds of things you are interested in, what you need.

[Sasha Graver, Executive Director](#)
[Mike Reynolds, President](#)
[Jackie Meiluta, Program Manager](#)



please connect with the MBCEA.

Quote of the Day



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