



March 25, 2024

“CONSTRUCTING A WAY FOR A BETTER FUTURE”

ECA NEWSLETTER

JOHNS SOAPBOX



Remember-this is an op-ed piece and I do not speak for the ECA or any of its members in this “Soapbox”. These are just my ramblings that hopefully you find thought provoking. Remember-these are my opinions, not those of the ECA or any of its member firms.

What Makes a “Good Owner?”

The ECA is continuing to have meaningful discussions with the City of Santa Rosa over issues pertaining to: Bidding Documents and Policies, Notice of Award and Notice to Proceed timelines, Change Order Policies, Progress Payment Streamlining, and Contract Closeout issues. On Monday, 3-25-24, the ECA will be well represented in a meeting with City of Santa Rosa staff and Department Heads to explore ways to make the bidding and construction process proceed and conclude with more efficiencies than we have seen in the past.

Let me remind all of you that this is an “opinion piece” and not necessarily indicative of any ECA member’s opinion. These are John’s opinions.

Here are some things that I believe make for a “good owner” and one that I will really sharpen my estimating pencil for and an owner that I would like to do repeat business with.

1. Know that when the plans are found to be “not perfect”, my contractor team can work with the owner’s team to find a quick and fair solution. This could mean issuing a change order, doing some value engineering, performing some work out of sequence, or issuing a reasonable time delay so we do not make a mess that is costly and unnecessary. In order to accomplish this, the project needs the CM and the PM to trust each other and not waste time with a bunch of RFI’s that simply burn manhours. We need to quickly agree on the problem, honestly and quickly debate the solutions, and make a decision to keep the good of the project in mind to move forward. Neither the owner’s rep nor the contractor or engineer should leverage the solution in a way that favors one party over another. It is always the project success and integrity that must be considered first.

Continue on page 2



Inside this issue

- John’s Soapbox.....1
- Board of Directors.....2
- Committee News.....3
- News you can Use.....3
- Upcoming Events.....4
- Public Officials Night.....5
- Workers Comp.....6
- Emergency Response manual.....6
- Fire Clean up List.....6
- From the Desk of Jim Persons.....7
- Workplace Violence Program.....7
- Safety Classes.....8
- Sustaining Members.....9
- County of Sonoma Solicitation Invite 10



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Continued from page 1

2. I want to get paid and paid fairly for work that is installed. Even if there is a question as to the integrity of a few yards of concrete that we installed, pay me for the bulk of what we put in. I have to make good on the quality of the installed work no matter what. Owners have performance bonds and retention to ensure that the work will be acceptable in the long run. I have to be able to count on getting paid and not carrying the financing of the project because of a bad compression or slump test. We need to have the experience and knowledge to sit down with the owner's rep and agree on a progress payment that is fair each month. Take care of the big dollars now and let the small dollars get settled at the end of the project.
3. I have a finite number of workers and pieces of equipment on a project. If the owner needs/wants me to apply my allocated workers and equipment to a change order, be prepared to pay a bit of a premium for that and to give me a time extension for that. If an owner nitpicks my lump sum change order request each time, and directs me to do T & M, why should I dedicate my main work force to do that work? I would only do that if there were some "reward" in it for me. Thus, lump sum change orders have risk to the contractor hopefully offset by the potential reward to the contractor. A good owner is one that recognizes that and is able to have a frank and respectful negotiating debate with my team and quickly move forward on lump sum change order requests. The only time T & M not to exceed should come into play, is when the change order work is so uncertain as to what is needed that the owner would be paying for lots of risk that may or may not be present. We need to have good veterans on both sides of the issue recognize what is unnecessarily vague work requirements and go to a T & M method but don't reject all lump sum change order proposals because the contractor is covering the disruption and manageable risk in that lump sum price.
4. Contract closeout should be done with preliminary punch list items to be performed while other work is ongoing. If there is a section of the project that is substantially completed but for some punch list items, the good owner will go through that section and let the contractor know what minor items of work need to be corrected/installed before closeout. Contract closeout, ideally, should be for final O & M submission, final test results to be submitted, final guarantees to be submitted, and final punchlists to be completed. Then a final walkthrough in the field, and from a paperwork perspective can be done and closeout can be accomplished. In no way should retention dollars ever be in excess of 125% of the value of the remaining or "in question" work. Good owners trust that good contractors will not screw them, and good owners will pay good contractors in a timely manner.

Continue on page 3

Continued from page 2

In a lot of what I have said above, you will find the theme of “trust” throughout. Trust and respect are a two-way street. In conclusion, it is abundantly clear that being a “good owner” has as much to do with how good the contractor is as anything else. What is frustrating in today’s contracting world, is that a chronic shortage of veteran, experienced, trusted workers exist that enable the projects to be completed as efficiently as possible. We can do what we can do on our contracting and engineering side of the project, and we hope the owners are able to do the same on their side of these complicated and expensive projects so that owner is one that we want to work with over and over again!

The answer to the question of what makes a good owner? Good projects make for good owners!

That’s All Folks,

John

COMMITTEE NEWS

ECA Executive Committee Meeting-next meeting is on Tuesday March 26, at 11:00 am. The Exec Committee meets every 4th Tuesday of the month in 2024 at 11:00-12:00 in the small NCBE conference room.

ECA Board of Director Meeting-next meeting will be held on Tuesday, Feb 27, 2024, from 12-1:30 pm. The Board of Directors meets in the NCBE main board room.

ECA Community Relations Committee-Chaired by Lacey Torkelson Smith, meets when there is a specific project to consider. Our current plan is to present the Children’s Museum project to be considered on April 23, 2024, by our full Board of Directors.

ECA Specification Committee-chaired by Casey Wood of GBI and Dale Smith of RCX. We will next meet on Wednesday, March 27 from 4-5:30 pm in the conference room at NCBE.

NEWS YOU CAN USE

1. Sonoma County Airport upcoming culvert and paving work-[Charles M. Schulz - Sonoma County Airport to replace storm culvert, refurbish sections of pavement at regional airfield \(ca.gov\)](#)
2. Windsor Roundabout is winning the ECA Bridge Award-timely announcement of another award for this project-[Windsor roundabout wins top state roads project award \(pressdemocrat.com\)](#)
3. Windsor KOI project needs more environmental review-[Another chance for public comment on Koi Nation casino project near Windsor \(northbaybusinessjournal.com\)](#)
4. State Farm dropping 72,000 California home insurance policies. [State Farm dropping 72,000 California home, apartment insurance policies \(northbaybusinessjournal.com\)](#)
5. Direct flights planned linking Las Vegas and Sonoma County [Alaska Airlines to add direct route to Las Vegas from Sonoma County airport \(northbaybusinessjournal.com\)](#)
6. Napa Valley city Oks warehouse project streamlining, rather than sending matter to voters. [Napa Valley city OKs warehouse project streamlining, rather than sending matter to voters \(northbaybusinessjournal.com\)](#)

Father's Day "Show & Shine" Car Show

Sunday, June 16, 2024
Juilliard Park, Santa Rosa

Registration Flyer click [HERE!](#) To register online click [HERE!](#)
Sponsor opportunities click [HERE!](#)



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Public Officials Night!

Wednesday, April 10

5:30pm - 9:00pm

No Host Cocktails 5:30 p.m. - Dinner 7 p.m.

Place

The Backdrop

1455 Corporate Center Parkway, Santa Rosa

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WORKER'S COMPENSATION

Worker's Compensation Endorsement By ECA-

HELLO!!! HAVE YOU ASKED YOUR HUMAN RESOURCES PERSON TO CHECK OUT THE WORKERS COMP PROGRAM ECA HAS ENDORSED? Everybody likes to save money, don't they? Doesn't cost you a thing to consider this as an option! Jeff Okrepkie at 707-360-4338.



George Petersen Insurance Agency

FIRE CLEAN UP LIST:

The Sonoma County Environmental Health Department, Transportation and Public Works, and James Gore's office are utilizing the ECA as a resource for debris testing, and debris cleanup for fire victims from the Kincade Fire. Please review the list that has been provided to the fire victims and the County, of ECA Firms that are interested and listed in various categories as being helpful in the fire aftermath. This is another benefit for ECA members and if you want to be included on the list, and are not, please contact mary@nceda.org. There is no charge for this. You can access the list by clicking [HERE](#)

EMERGENCY RESPONSE MANUAL

The updated 2023-2024 Emergency Response Manual is now available online!

In the event of an emergency, we have put together this manual to help our community receive quick service from our members.

Thank you to our sponsors for helping to get this manual completed. It is sent to city and county agencies in case of an emergency so they will know who to call for services, equipment and materials.

Click [HERE](#) for the manual.

Get Prepared Now! Here are some very useful tips from CalFire to get your own house/property "in shape" for fire season. [link](#)

Pocket Guide for CALOSHA For Contractors: Click [here](#) for the pocket guide you all need!

Roadwork in Sonoma County - Check out the County website for road info [here](#)

Labor Law Posters 2024

Click [HERE!](#)



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From the Desk of Jim Persons

Awareness of Homeless People on Construction Sites

As you may have noticed, the homeless population has increased in recent years.

Having awareness of homeless people on construction sites can prevent tragic accidents.

Click [HERE](#) to read more!



Workplace Violence Program

Implementation "Target Date" – July 1, 2024

Senate Bill 553 requires employers to create, implement and maintain a Workplace Violence Program by July 1, 2024. Employers must also train their entire workforce.

The Workplace Violence Program must include a reporting mechanism (how is the employee going to report incidents), detailing who will be responsible for receiving complaints, and who will be responsible for identifying and mitigating workplace hazards.

Jim Persons has developed a Workplace Violence Program and Active Shooter Guidelines that meet the requirements of this new regulation. He can also provide training resources for your employees.

Contact Jim if you are interested in getting his help on a Workplace Violence Program, COVID-19 related issues or other health and safety programs.

email: jimpersons@safetypride.com or phone: 707-889-0881



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SAFETY TRAINING

Upcoming CPR/First Aid Classes

Training includes bleeding control, strokes, seizures, broken bones and other life-threatening emergencies. Adult/child/infant CPR & airway obstruction management covered. This course is designed as both a course for first-timers and as a refresher

9 am—11 am

May 21—[Flyer](#)

June 18—[Flyer](#)

1 pm—3 pm

April 16 - [Flyer](#)

Contact mary@nceca.org for more information.



California's New Workplace Violence Prevention Requirements

No later than July 1, 2024, covered California employers must implement extensive workplace violence prevention plans (WVPP) and deliver specified training to employees under new legislation signed by Governor Gavin Newsom on September 30, 2023. In order to comply on time – including preparing plans that are “*specific to the hazards and corrective measures for each work area*” as required – employers will need to prepare early.

Senate Bill 533 adds section 6401.9 to the California Labor Code. The legislation is intended to help employers prevent and respond effectively to workplace violence. The legislature passed, and the Governor signed, the bill despite a full court press by the California Chamber of Commerce in opposition.

We will be setting up classes for the new requirements next week. Be sure to be on the lookout for the dates!

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County of Sonoma Solicitation Invitation

You are invited to participate in a County of Sonoma solicitation. Review this information and use the URL below to login and bid on this solicitation.

Event Overview

Event Name: Bid Roadway for Repairs at Fort Ross Rd.

Description:

Sonoma County Public Infrastructure is soliciting bids for the Roadway Repairs at Fort Ross Road. FEMA PROJECT NO. 106231. The County requests that bidders submit their bids electronically in the Sonoma County Supplier Portal as further defined herein in the section titled "General Work Description," below. Bidders shall submit the entire bid book and all other required documents in the bid submission. The County will open all Bids promptly following the deadline for receiving Bids and initially evaluate them for responsiveness, and determine an Apparent Low Bidder as specified herein. The Sonoma County Director of Public Infrastructure will review the bids and refer the bids to the Board of Supervisors to consider awarding the project within 60 to 90 days of the bid opening.

QUESTIONS:

Inquiries or questions based on alleged patent ambiguity of the plans, specifications or estimate must be communicated as a bidder inquiry prior to bid opening. Any such inquiries or questions, submitted after bid opening, will not be treated as a bid protest. Technical questions should be emailed to Stevan Hunter at spi-bid-inquiries@sonoma-county.org at the Sonoma County Public Infrastructure. Only questions received no later than 5:00 PM Tuesday April 2, 2024 will receive a response.

An Addendum, if necessary, will post on the County's Supplier Portal on Friday April 5, 2024.

VIRTUAL MEETING:

The bid opening will be held April 16, 2024, at 2:00pm online via Microsoft Teams platform. Please log on to the supplier portal to obtain meeting information. This can be found in the Notice to Bidders and Special Provisions Document.

PREVAILING WAGE:

The successful Bidder must comply with all prevailing wage laws applicable to the Project, and related requirements contained in the Contract Documents. This project is subject to compliance monitoring and enforcement by the Department of Industrial Relations. The successful Bidder must comply with all prevailing wage laws applicable to the Project, and related requirements contained in the Contract Documents.

SUPPLIER PORTAL:

Login to the County of Sonoma's Supplier Portal to view the Bid and all supplemental documents. You must be registered in the County of Sonoma's Supplier Portal (<https://esupplier.sonomacounty.ca.gov>) to login and view, upload, and download all solicitation documents, and to submit electronic proposals or bids. It is incumbent upon all interested parties to check for any changes, including updates or addenda, by logging into the County's Supplier Portal and reviewing the event. For any issues with the Supplier Portal please email: supplier-desk@sonoma-county.org

Event Details

Event Id: SC001-0000001807 Round 1 Version 1

Event Starts: 03/14/2024 9:15AM PDT

Event Ends: 04/16/2024 2:00AM PDT

Event URL [Review and bid on this event.](#)

Bid Roadway for repairs Fort Ross Rd. Click [HERE](#), Bidder registration instructions Click [HERE](#), How to view solicitations and submit bids Click [HERE](#), Supplier account management instructions. Click [HERE](#), Supplier registration and instructions. Click [HERE](#)



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