

ALUMINATION

HOLIDAY 2010



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PRESIDENT'S MESSAGE

By Michael Sonsini



Hi Group,

The holiday season is here and we are about to wrap up 2010.

I can't say enough that I am ready to enter into the new year hoping business will return to some normality. As always, I am requesting contractors to

join the AAF so we have a stronger voice when we vote on business laws or make decisions related to the new building code. You witness it as it happens. Your input is important when we are discussing the subjects. Your vote is more important.

Did you know that the wind speeds are going to be raised throughout the state of Florida in 2011? I am located in Palm Beach County and the wind speed is being raised from 140 mph to 165 mph. According to your state geographical location, you will all be affected. So, you can join the AAF and learn as we discuss issues like this during the moment. If you do not have a chapter in your area you can join the state directly and be a member. We have 4 state meetings at various locations including the central, east and west areas. We try to make it convenient for you.

There are times you can use the AAF Guide to Aluminum Construction in High Wind Areas and acquire your building permit without the cost of an engineer. When you are installing a small job including an aluminum roof (pan or insulated), the book works really well. Also, we offer an AAF backup warranty for your customers at just \$20 each. I hope these benefits satisfy your curiosity for being a member. These are all good reasons to become an AAF member.

After the holidays, why don't you think about being an AAF member. Town & Country is offering a membership special that saves you money toward your "NEW MEMBER" membership (not a renewal). Call them and ask for details. Gus Tarnowski Engineering (954-727-2027) and Florida Fasteners Direct (239-325-8383) are offering membership incentives as well. We are trying to make a difference so the membership is affordable keeping your budget intact.

As I mentioned in the beginning of my message, let's kick off 2011 with a positive attitude! When you are attached to the decision makers representing the industry, it will keep you informed and you can participate during the process.

Mike Sonsini, AAF President

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STRESS IN THE WORK PLACE

By John DeCosmo, J&M Aluminum Products, Inc.

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As a contractor or supplier in the construction industry business stress is an everyday occurrence. Competition is fierce and the profits are down but some contractors have found ways to be profitable while enjoying the new economy. What is the difference and why do other succeed while many fail and why is it important for your business and your health.

Many times an increase in work-related stress can cause negative emotional, physical and financial effects on otherwise happy employees. When stress becomes overly excessive, the results can be potentially dangerous.

Over time, job stress can lead to more serious, chronic health problems such as cardiovascular disease, physiological disorders and musculoskeletal problems (aches and pains in your bones and muscles). In addition to physical disorders employee theft and employee altercations go up in a direct proportion to job stress.

To avoid these health problems while also increasing your enjoyment at work, consider these recommendations: Set realistic goals while not trying to put unnecessary pressure on you or your employees.

Try to think positively about work tasks, avoid negative thinkers.

No project, proposal or situation will ever turn out perfectly. Just try and do your very best. Tell your employees you appreciate their efforts and give them a pat on the back when jobs go as planned.

Take a short break if you start to feel overly stressed. Walk away from the situation and go get a beverage, use the restroom or stand up and stretch for a few minutes.

Join and participate in a Business Association.

The next AAF meeting will be Port St. Lucia on February 18 & 19. Friday night will be a brain storming session to talk about what is working for other members of the association. Saturday morning will be the regularly scheduled business meeting where the officers and members will be charting the course for 2011. Come join us and improve your chance for success in 2011.

For information on advertising,
contact the AAF Office at
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FLORIDA BUILDING COMMISSION RULE DEVELOPMENT WORKSHOP

By Joe Belcher, AAF Code Consultant

The Florida Building Commission conducted a rule development workshop on the 2010 Florida Building Code, in plenary session on December 7 and 8, 2010, at Melbourne, Florida. Due to earlier action by the legislature, the meetings, originally scheduled as a final rule hearing, were conducted as a rule development workshop. The action by the legislature may require additional workshops. (See Additional Hearings below.) The code consultant does not anticipate any further workshops to effect the adoption of the changes of interest to the industry.

Regarding issues of interest to the industry, the Florida Building Commission (Commission) accepted all modifications, revisions, and public comments submitted on the behalf of AAF. In addition to adopting the recommendations of the TACs, the Commission adopted revisions submitted by the consultant as public comments. In short, all changes specifically requested by AAF were approved or approved as modified. A recap of the provisions and public comments is included at the end of this report.

The code is scheduled to be posted at the Building Code Information System (BCIS) website by December 31, 2010. (www.floridabuilding.org). Due to the action of the legislature, some of the dates of future activity in the Commission Work Plan may change slightly. The Glitch Code Change Cycle will be opened either February 1 or February 18, 2011. The deadline for glitch change submissions may be changed from March 1, 2011, to March 18, 2011. The final rule adoption hearing for the glitch changes is unchanged and is scheduled for June 2011. The implementation date December 31, 2011, of the 2010 Florida Building Code remains unchanged.

ASCE 7. Regarding the update to ASCE 7-2010 supported by AAF, citing various reasons, the Building Officials Asso-

ciation of Florida (BOAF) submitted a public comment in opposition. The Commission voted unanimously (including several BOAF members) to adopt ASCE 7-2010 and the related changes needed to integrate the document into the code.

Additional Hearings. As stated above, action by the legislature may result in additional rule development workshops before the final rule hearing. It is doubtful the Commission will entertain any further technical changes to the code before the Glitch Code Change Cycle. The additional hearings may be needed to satisfy legislative changes to the rule making procedure. (Ch. 120 F.S.)

The legislature, during the 2010 Regular Session, passed a bill mandating the preparation of a statement of estimated regulatory costs (SERC) for rules exceeding certain thresholds. The law changes permissive language into mandatory language. The preparation of a SERC is now required for any rule that is likely to result, directly or indirectly, in an increased regulatory cost exceeding \$200,000 in the aggregate within one year of implementation. (HB 1565) Previously, the preparation of a SERC was merely “encouraged.”

The legislature also added new language to the law requiring rules increasing costs by \$1,000,000 or more within five years of implementation to be ratified by the legislature. The law applies to rules determined by economic analysis to be likely to have an adverse impact on specified areas such as economic growth, private sector job creation, business competitiveness, regulatory costs, and others. The governor vetoed the bill and the legislature in special session overrode the veto. Since the Florida Building Code is adopted as a rule, the Commission is trying to determine if the law applies to the code. If it is determined the law applies to the code, the Commission

plans to explore whether or not an exemption can be obtained. Worst case is that the code would require ratification by the legislature. Once submitted to the legislature, the code could be accepted as submitted. However, there is a potential for parties to lobby the legislature for further changes; or, the legislature could direct the Commission to make further changes. Further changes would delay the implementation due to the requirement for public comment and other time constraints established by law.

The net immediate effect, ignoring possible action by the legislature, is that additional rule development hearings on the code may be necessary. A contingency to the Commission's Work Plan to accommodate the possibility of submitting the code to the legislature for ratification has been developed. (Contingency #5 provided below.) It appears this is the most likely scenario, but at this point nothing is certain. The final rule hearing is currently scheduled for February 1 at Tampa, Florida. (Please note that even with the time-line adjustments of the contingency plan, the effective date of the code does not change.) The code consultant believes there is little likelihood of further modification of the technical modifications approved at Melbourne unless dictated by the legislature. However, vigilance is paramount since there is nothing prohibiting further modification by the Commission. To safeguard the industry position, any and all hearings will be attended and monitored by the consultant.

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UNLICENSED ACTIVITY IN THE CONSTRUCTION INDUSTRY

By Richard Gillmore, Richard M. Gillmore Aluminum

There has always been some unlicensed activity in the construction industry in Florida. After the two hurricane seasons of 2004 and 2005, however, the problem became substantially more prevalent and pervasive. All building trades were affected.

Roofing contractors from other states temporary relocated to Florida. Some of the out-of-state contractors got temporary contractor licenses to do this work, but there was also a significant proportion that did not.

Many stories were aired on TV about the consumers getting ripped-off by con-artists and unlicensed contractors. The aluminum industry was affected in a similar way, but by a greater number of individuals pretending to be licensed contractors.

Roofing work requires a building permit for most work done, even small repairs. However, rescreening of swimming pool enclosures is exempt. This allowed many unlicensed individual to con their way into doing work (and generating income). Real Estate companies, insurance companies, and homeowners didn't check to see if the person that they hired was really licensed to do the work. And, yes, rescreening is a protected trade. Screen rolled into an aluminum frame makes that framework structural and engineering for wind loads must be followed. Old fasteners and the wind bracing were damaged by the wind and needed to be corrected. Unlicensed contractors were not following any engineering, since most of them ignore it. They are in the business to make "easy money". Example of "easy money" was the sheeting of the pool enclosure roof areas. This means that they didn't spline each individual panel separately.

Once an unlicensed contractor gets established with a supplier(s), they begin to build "fill-in" screen enclosures and porches with aluminum pan roofs or with structural insulated panel roofs, believing that a building permit is not required; or they will not get caught. Sad but true; they

rarely get caught breaking the law. Why?

There are a number of reasons:

People continue to hire these individuals without checking for licenses and proper insurance. People will see a "re-screener" at their neighbor's house and they will ask them to come to their house to do some work. Contractors must have their contractor license number on all their ads and contracts. Homeowners overlook this, as do the insurance brokers and real estate brokers. But the individuals who really need to do the checking and reporting are the licensed contractors. That's right! The license contractor must protect his trade from individuals stealing the work.

After the hurricane related work was completed, a slow down in the construction industry followed. Good times turned into a depression. Many companies that grew from the hurricane related work were now laying-off their workers. Many of these laid-off workers turned around and became unlicensed contractors, stealing work from the licensed companies. As a member of the Aluminum Association of Florida I can see that many licensed companies have disappeared, or are so small, that existence in the industry is a day by day problem to their survival. On the other hand, the unlicensed contractor who doesn't pay for any insurance, building permits, license fees, engineering, continuing education courses, or building rental, seems to be able to survive the downtime of this recession. I believe that there are more unlicensed individuals doing the aluminum work than unlicensed at this date.

We can rid the aluminum industry of most of these unlicensed contractors, if we choose; by reporting these individuals to the licensing board. It does work, but after you report an individual, expect up to six months for results. Licensed contractors must step-up and start reporting these people. In a year, if we work at this, there will be good results. If you don't step-up, you maybe out of business, soon.



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