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CAROLINAS CONTACTS

CRSMCA – Covering the Carolinas for over 65 Years



CORONAVIRUS-RELATED
CONSTRUCTION CHALLENGES

NOVEMBER/DECEMBER 2020

CRSMCA'S 4TH ANNUAL GOLF

TOURNAMENT

TITLE SPONSOR



OCTOBER 14, 2021

Rocky River Golf Course
Concord, NC

Registration opens in Spring 2021

Proceeds of the Golf Tournament will benefit the CRSMCA Dottie Nagle Scholarship and further CRSMCA educational opportunities.



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Letter from the PRESIDENT

I hope this note finds everyone well! This year has not been business as usual and has forced CRSMCA to adjust the dates on the Carolinas Mid-Winter Roofing Expo. My hope is that we can all adjust our schedules and attend the event April 27-29, 2021. The Carolinas Mid-Winter Roofing Expo will be bring contractors of both commercial and residential, three educational sessions, live demonstrations from vendors, and networking opportunities with roofing industry experts. I look forward to seeing all of you, it has been a while. CRSMCA appreciates your support. I wish everyone a good Christmas season. —Eric Campbell, Campbell Professional Roofing

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THE CRSMCA MISSION STATEMENT

To promote and safeguard the common business interest of its members and to improve conditions by educating all persons concerning the roofing and sheet metal business and industry. To work for the development and progress of the roofing and sheet metal business industry and to work with individuals' organizations and governmental agencies toward the achievement of a stronger profession of the roofing and sheet metal industry.



Letter from the ASSOCIATE GROUP PRESIDENT

First, I would like to thank the CRSMCA Board members for a great 2020 and say how much I am looking forward to a great 2021. Even during a pandemic, CRSMCA still was able to assist its members by providing virtual education classes and host a very successful golf tournament that will provide scholarships to two well deserving students. With that, there has been some changes set for 2021, the first is the Carolinas Mid-Winter Roofing Expo that has been moved to April 27-29, 2021. This

was not an easy decision, as this is one of the major events for our association, but the Board members wanted all its members to be able to get the full experience of the Expo trade show that provides education in forms classes, a trade show, and through social gatherings.

As an Associate member, I encourage all our fellow associate members and vendors to the contractors, to try and participate this year in any way possible. This roofing expo is the lifeblood of the Association. The support of the

Associate members will help the contractors gain access to further educate themselves and their employees. This expo also provides a major financial support for the Association, which helps with many contractor events throughout the year. Come in April... I hope to see all of you there Wednesday afternoon setting up your booths to support the CRSMCA. Until then, I hope everyone stays healthy and has a Merry Christmas and Happy New Year! —Bubba Kearse, ABC Supply Company, Inc.

CAROLINAS ROOFING & SHEET METAL CONTRACTORS ASSOCIATION

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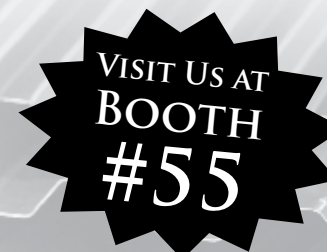
Carolinas Contacts addresses issues and concerns of the roofing industry. Technology, test, and building codes are constantly changing, and such changes may not be reflected herein. All information is presented for the benefit of our readers and does not necessarily reflect the views of CRSMCA. Press releases and product information presented do not reflect all available materials. Before purchasing, installing, using, or recommending any product, system, or method, readers should make independent evaluations.

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Association IN ACTION

CRSMCA Members & Peers,

Through the years, CRSMCA's priority has been to support members, peers and communities of the roofing industry throughout the southeast. This support comes in forms of educational events and face-to-face networking opportunities. Unfortunately, this year has been different due to the coronavirus pandemic that has impacted us all in one way or another. Each scheduled event has been thoughtfully evaluated with committee and staff members. Our priority has been how we best keep everyone safe while maintaining the valuable content you have learned to expect from CRSMCA. For the first time in CRSMCA's 77-year history, the Annual Meeting/Summer Convention was canceled, and the 2021 Carolinas Mid-Winter Roofing Expo trade show event has been postponed.

How has this affected CRSMCA? The canceled or postponed events have slowed down the source of cash flow putting CRSMCA's income approximately 75% below this time last year.



How can you help CRSMCA? The CRSMCA Executive Committee, Planning Committee and staff is asking for your support by registering NOW for the upcoming 2021 Carolinas Mid-Winter Roofing Expo that will be held April 27-29 in Winston-Salem, NC. Your early registration will assist CRSMCA maintain a normal cash flow with operational expenses.

The support from members and peers in the roofing industry is critically important during these uncertain times. Can we count on you? We are more determined than ever to make sure CRSMCA maintains its valuable re-

sources to everyone within the roofing industry.

Gratitude to all. —Carla B. Sims, CRSMCA Executive Director



A HUGE SUCCESS: Golf Tournament Recap

BIG SHOUT OUT to the sponsors that made this event successful in many ways that include their monetary donations, representative support, contractor support, raffle donations, and so much more. Be sure to view the sponsor listing and give them a personal thank you when you see/speak to them. IT IS TRULY OUR SPONSORS THAT MAKE EACH CRSMCA EVENT POSSIBLE AND SUCCESSFUL! Want to know where you ranked?



CONGRATULATIONS TO THE FOLLOWING TEAMS:

1st place team
CARVER & SONS ROOFING TEAM
[-20] Chris Carver, Chris Adkins, Alex Dean, Nate Hartness

2nd place team
GAF MATERIALS CORPORATION TEAM
[-18] Drew Buchanan, Jody Collins, Justin Maycher, Erik Wilson

WORTH MENTIONING AWARDS:

Closest to the Pin #5
David Summers [4'10"]

Longest Drive #9 Trent King

Closest to the Pin #15 Nick Capra [7'1"]

Straightest Drive #17 Erik Wilson

Poker Run Card Game
Brad Damewood [\$190]

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POSITION AVAILABLE

CL BURKS CONSTRUCTION

Commercial Roofing Contractors is HIRING for Commercial Roofers in CHARLOTTE!! Our company has a very strong team and has cultivated over 35 years of experience. We are looking for motivated people who are dependable team players with a good work ethic to join our team! Come find your solid future with a growing company. Preferred experience would include Modified, TPO, EPDM, Built Up, Etc.

Contact Josh Dernosek – 704.900.4676 – josh.dernosek@clburks.com

Requirements include:

- Work outdoors in all seasons
- Follow in-house and OSHA safety procedures

- Complete required daily paperwork such as work orders and timesheets, etc.
- Have a valid Driver's License, provide an MVR, and pass a DOT physical
- Required language is English, bilingual in Spanish is a plus
- Per state mandate, we E-verify all employees

Job Duties May Include:

- Conduct general inspections/scope of work for potential repairs/replacements
- Identify, locate, document, and advise on roof system deficiencies and issues
- Make emergency repairs when needed –including being available for weekend service calls
- Install, service, and perform high-quality approved exterior repairs

Job Type: Full-time



NC DEPARTMENT OF LABOR/ OSH

Compliance Bureau Contacts

- Tim Childers | 336-776-4420
tim.childers@labor.nc.gov
- Phil Hooper | 919-779-8512
phil.hopper@labor.nc.gov

Training information, registration and training course and dates can be found at here.

TRAINING EVENTS

- Personal Protective Equipment – Construction Industry (webinar) December 16
- Recordkeeping (webinar) December 17
- Electrical Safety – Construction Industry (webinar) December 22

WHAT IS THE CRSMCA MASTER INSTALLER CERTIFICATION?

The CRSMCA Roofing Academy Master Installer Certification Program is designed to promote safety issues and concerns in the application of the roof systems to prepare the employee for best practices in their job performance. It is intended for the use by anyone with an interest in these roof systems, from roofing workers to foremen to supervisors. It is a culmination of efforts by contractors, manufacturers, suppliers and others who are dedicated to promoting safety.

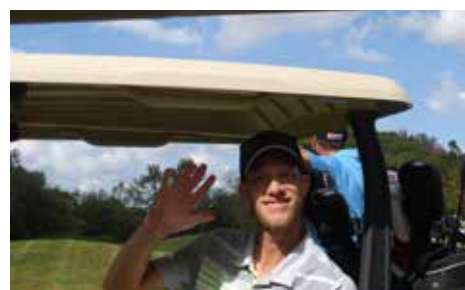
Enrolled students will learn and train the basics of roofing, in-



creasing their knowledge and skills to make them more valuable to their respective companies, as well as build future leaders in the roofing industry.

HOW CAN YOU GET INVOLVED?

The CRSMCA Roofing Academy Committee is always searching for instructors of the classroom material and the hands-on demonstration. View the class and hands-on courses in this issue. Should you wish to be an instructor, donate materials, and/or be a hands-on instructor; please contact the CRSMCA office at 704.556.1228 or cbsims@crsmca.org or the Committee Chairman, David Griffin, at dgriffin@coastalcommercialroofing.com.



IRS PROVIDES TAX INFLATION ADJUSTMENTS FOR 2021.

On Oct. 26, the IRS released **Revenue Procedure 2020-45**, which provides updated inflation adjustments for tax year 2021 for numerous items in the Internal Revenue Code. This includes updated

limits to section 179 expensing, which allows qualifying businesses to immediately expense the cost of qualifying property rather than recovering such costs during multiple years through depreciation. The Tax Cuts and Jobs Act of 2017, with NRCA's support, included nonresidential roofs as qualifying property under Section 179, allowing qualifying taxpayers to deduct the cost of a roof replacement in the year the asset is placed in service. Also, the TCJA expanded the expensing limits under Section 179, and the IRS up-

dated the maximum amount a business may expense in 2021, indexed for inflation, to \$1.05 million and the phase-out threshold to \$2.62 million. NRCA members may wish to inform existing and potential customers of this favorable tax treatment for nonresidential roofs. For more information and to obtain a sample letter you can use to market this favorable tax treatment to expand your business, please visit NRCA's website [here](#).

CONSTRUCTION MARKET HOPED TO RECOVER IN 2021

Dodge Data & Analytics, New York, has released its 2021 Dodge Construction Outlook, which predicts construction starts will increase 4% in 2021 to \$771 billion.

"Uncertainty surrounding the next wave of COVID-19 infections in the fall and winter and delayed fiscal stimulus will lead to a slow and jagged recovery in 2021," said Richard Branch, chief economist for Dodge Data & Analytics. "Business and consumer confidence will improve over the year as further stimulus comes in early 2021 and a vaccine is approved and becomes more widely distributed, but construction markets have been deeply scarred and will take considerable time to fully recover. The dollar value of starts for residential buildings will increase 5% in 2021, nonresidential buildings will gain 3%, and nonbuilding construction will improve 7%. Only the residential sector, however, will exceed its 2019 level of starts thanks to historically low mortgage rates that boost single family housing."

Expectations released in the 2021 Dodge Construction Outlook include:

- Single-family housing rising 7% in dollar terms and 6% in the number of units
- Multifamily housing decreasing 1% in dollars and 2% in units
- Commercial buildings increasing 5%
- Institutional buildings increasing 1%
- Manufacturing plant construction holding steady
- Public works construction holding steady
- Electric utility construction increasing 35%

View more information about the 2021 Dodge Construction Outlook.

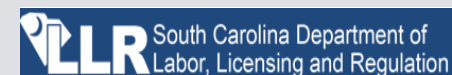


LEARN ABOUT THE CRSMC SELF-INSURERS FUND

Carolinas Roofing and Sheet Metal Contractors – Self-Insurers Fund is the oldest worker's Compensation group funded in the Carolinas and could be saving your company money! Members within

the CRSMC-SIF program are not just purchasing their workers compensation but investing into a program that brings additional value to their company through a commitment to ensure the safety of their employees. As a member/customer within the program, you participate in building a fund that is beneficial for all members/customers within the program, you could receive competitive rates within the insurance industry, and you could receive a return of interest determined by the CRSMC-SIF Trustees and other approved returns during the year. In the year 2018, the CRSMC-SIF returned more than \$1 MILLION DOLLARS to the CRSMC-SIF members!

Additionally, the CRSMC-SIF is large component of support for the CRSMCA through sponsoring the CRSMCA Annual Meeting/Summer Convention and attendance of Trustees at the event. **HAVE YOU CONSIDERED CRSMC-SIF FOR YOUR WORKERS COMPENSATION NEEDS?**



SC DEPARTMENT OF LABOR, LICENSING AND REGULATION/ SC OSHA

General Information

803-896-7665 askscosha@llr.sc.gov

OSHA's Office of Outreach and Education provides a variety of training programs and presentations designed to reduce or eliminate safety and health hazards in the workplace. Training is available to employers and employees of both the public and private sector upon request and may occur on-site (requiring participation of 12 or more employees).

General industry, health, and construction areas are covered in the training curriculum. Examples of training programs offered include:

- The OSHA Inspection Process
- Bloodborne Pathogens
- Lockout/Tagout (LOTO)
- Trenching/Excavation
- Hazard Communication
- Fall Protection (General Industry or Construction)
- Personal Protective Equipment
- Workplace Violations
- Scaffolding
- Confined Spaces
- Industrial Truck Safety Requirements
- OSHA Injury & Illness Record Keeping

To inquire for training, click here.



The Roofing Alliance is accepting applications for **two 2021 scholarships—the Accredited Post-secondary Institution Scholarship and the Accredited Technical Education Scholarship**. Employees of NRCA contractor and supplier members and their spouses and dependent children are eligible to apply.

The Accredited Post-secondary Institution Scholarship is a \$5,000 annual scholarship for individuals planning to attend post-secondary colleges and universities and seeking careers in the roofing or building construction industries.

The Accredited Technical Education Scholarship is a \$1,000 annual scholarship for students who are pursuing an education at accredited vocational or technical trade schools. It is designed to help those seeking professional careers within the roofing industry.

Apply today! The deadline for both scholarships is Jan. 28, 2021.

For more information and the application

link, visit roofingalliance.net, or contact Bennett Judson, the Roofing Alliance's executive director, at (800) 323-9545, ext. 7513, or bjudson@nrca.net.



2021 IRE HAS BEEN RESCHEDULED...

After ongoing discussions with key stakeholders and with full support from NRCA, Informa, Dallas, has decided to reschedule the International Roofing Expo® from February to August 2021 amid the COVID-19 crisis.

Moving the IRE dates was a difficult decision; however, Informa and NRCA believe it was the right choice to ensure a safe, productive, relaxed environment for attendees. The IRE now will be held April 14-16 in the same location—the Mandalay Bay Convention Center in Las Vegas—and NRCA's 134th Annual Convention will be held August 10 -12, 2021 in conjunction with the IRE. Exhibiting companies and attendees do not need to take any action regarding the new dates; everything automatically will transfer to August.

"We understand how important the International Roofing Expo is to the industry and the need to stay informed and connected," said Ray Giovine, group director for Informa Markets and the IRE. "There is a lot of effort that goes into preparation of events, so we wanted to provide our exhibitors, speakers, attendees and partners with ample notice to adjust plans."

Informa AllSecure will be adapted at the 2021 IRE in April; AllSecure is Informa's approach to ensuring the highest standards of safety, hygiene, cleanliness and quality for operating events.

Regarding hotel reservations, if you booked your room for IRE directly through the onPeak hotel registration link, your reservation already has been canceled, and you should have received a confirmation. If you did not receive a confirmation, please email ire@onpeak.com or call (855) 992-3353 or (312) 527-7300.

If you booked outside of the IRE show room block or with another hotel, you will need to cancel your reservation and re-book for IRE's August dates; Informa encourages you to do so through onPeak, IRE's official provider.

Thank you for your understanding and support; Informa and NRCA look forward to seeing you in Las Vegas in August 2021.

Any updates will be posted on IRE's website as soon as they become available. For more information, please visit IRE's COVID-19 resource page.

If you have additional questions regarding Informa AllSecure, please contact Meggan Spehar, senior marketing manager for the IRE, at meggan.spehar@informa.com.



NRCA RELEASES REDESIGNED ANNUAL REPORT

NRCA's 2019-20 Annual Report is available online and in a printed format, which will be sent to all members. The report highlights NRCA's activities and accomplishments during the year and now offers a more visual design.

The report includes a message from Nick Sabino, NRCA's immediate former chairman of the board; significant statistics; photos from the year; and NRCA's offerings and initiatives, among other information. To read the annual report, [click here](#).



NRCA OFFERS 2020 ROOFING MANUAL SET

NRCA offers The NRCA Roofing Manual, a set that contains the manual's four volumes.

The manual provides extensive information about design, materials and installation techniques applicable to almost all roof system types. It includes The NRCA Roofing Manual: Metal Panel and SPF Roof Systems—2020; The NRCA Roofing Manual: Membrane Roof Systems—2019; The NRCA Roofing Manual: Architectural Metal Flashing and Condensation and Air

Leakage Control—2018; and The NRCA Roofing Manual: Steep-slope Roof Systems—2017.

The member price for the manual is \$495, and the nonmember price is \$895. NRCA also offers an electronic PDF version of the manuals in the NRCA Bookstore, which are free for members.

For more information or to purchase, [click here](#). The manual also can be purchased by contacting NRCA's Customer Service Department at (866) ASK-NRCA (275-6722) or info@nrca.net.

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NRCA is continuing their popular series of FREE WEBINARS on the third Thursday of each month. These new and innovative webinar topics and presenters have been selected to expand your knowledge by giving you new ideas that you can implement into your company immediately. Each webinar offers a unique experience specifically tailored to roofing professionals. Don't miss out on these live opportunities to stay up to date with industry issues affecting your business.

For upcoming webinars and all previous webinar recordings, visit www.nrca.net/education/webinar-recordings.

UP AND DOWN EASTERN U.S.

- Virginia Association of Roofing Professionals, www.varoofingprofessionals.org
- Tennessee Association of Roofing Contractors, www.tarcroof.org
- Kentucky Roofing Contractors Association, www.krca.org
- Roofing & S/M Contractors Association of GA, www.rsmca.org
- Florida Roofing & Sheet Metal Association, www.floridarroof.com



UPDATE TO CONTRACT DOCUMENTS

New Construction Documents Help Ensure Success

AIA's Contractor's Qualification Statement and Warranty Bond were updated by experts in the fields of design, construction, law, and insurance. Here's why they are an important part of your next project:

Contractor's Qualification Statement: Used to inquire about a contractor's qualifications, the updated statement now includes more capabilities such as safety protocols and plans, sustainability, and BIM experience.

Additionally, it can now be assembled in a modular fashion where contractors can provide general information about their company, sensitive financial and performance information, and information that pertains to a specific project.

An owner preparing to request bids or award a contract for a construction project often requires a means of verifying the background, references, and financial stability of any contractor being considered. These factors, along with the time frame for construction, are important for an owner to investigate.

Using AIA Documents A305-2020, the contractor may provide a sworn, notarized statement and appropriate attachments to elaborate on important aspects of the contractor's qualifications.

When to use:

- Questionnaire to provide information about a contractor's background
- To be filled out by the contractor

Warranty Bond

The AIA worked closely with both the National Association of Surety Bond Producers (NASBP) and the Surety & Fidelity Association of America (SFAA) to develop the new warranty bond which provides coverage for the contractor's post-completion warranty obligations. This new bond is a useful tool to owners and contractors who wish to navigate the post-completion warranty obligation process more successfully, particularly on complex projects.

AIA Document A313-2020 is an assurance by the Contractor and the Contractor's Surety that the Contractor's warranty obligations will be performed and completed in accordance with the terms of the Construction Contract. The Warranty Bond specifically does not extend to warranties provided by the Contractor's suppliers and manufacturers.

The parties should note that Section 2 of the Warranty Bond sets forth the extent of the Bond's coverage, which is equal to the Contractor's warranty obligations set forth in the Construction Contract. The parties should carefully review the Contractor's warranty obligations in the Construction Contract prior to executing the Bond. If the Contractor's warranty obligations in the Construction Contract are non-standard or overly broad, the

surety may find it difficult to underwrite the warranty.

Normally, these bond forms are prepared for execution by the Surety or the Surety's agent.

When to use:

- It can be used on most projects where a contractor has contractual warranty obligations, and in conjunction with Payment and Performance Bonds

Enforceability of Arbitration Clauses in a Construction Contract

Thursday, September 17, 2020

In a recent matter before the appellate division, the Court discussed the enforceability of an arbitration clause in a construction contract where the clause did not contain a waiver of the right to file a state court action, nor a waiver of the right of a trial by jury. Furthermore, the court also reviewed the enforceability of

the clause due to the fact that the font was less than 10-point print, and thus, was very difficult to read.

The Court explained that the arbitration clause was unenforceable since it lacked the required waivers with regard to the right to file a state court action, and the right to a trial by jury. Such waivers are mandatory and must be included in order for an arbitration clause to be found enforceable by the Court.

The court further explained that the clause lacked the mutuality of assent, because it was less than 10-point font, and thus, was not easily discernable. This issue of legibility adds yet another pitfall for drafters of contracts to avoid. Gone are the days of fine print which may be dispositive. Instead, the Court explained that any such material provision must be clearly legible. As such, all contractors must be aware of this ruling and should carefully review their agreements in order to correct any such potential issues.

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WHAT WE KNOW — AND DON'T KNOW — ABOUT PPP LOAN FORGIVENESS

By Kim Slowey, Construction Dive,
Published on Oct. 28, 2020

Since the Paycheck Protection Program gave out \$525 billion in loans this spring — more than \$12 billion of it to U.S. contractors — borrowers have been wondering whether and when they'll need to pay them back.

Ranging in size from less than \$50,000 to more than \$5 million, PPP loans are forgivable if a business uses them according to the program's guidelines. Many small business owners are in the dark, however, as to how exactly to apply for forgiveness, according to Forbes, and are worried that advice from their lender or unclear government guidance, will end up costing them.

The program was designed to help small

businesses pay their employees and certain other business expenses, like rent and utilities, through Small Business Administration loans.

With the aim of clearing up some of the confusion surrounding forgiveness, Construction Dive talked to financial experts about what is known, and yet to be known, about the process. Here are the facts that are certain:

- The SBA opened its forgiveness portal for PPP loans in August.
- Loans are forgivable if borrowers devote at least 60% of the proceeds to payroll costs and 40% to certain expenditures like rent and utilities.
- Even if a business falls short of that threshold, partial forgiveness may be an option.

- Loans funded by June 4 or earlier must be paid back within two years, although borrowers and lenders may mutually agree to extend the maturity to five years. Loans funded on June 5 or later must be paid back within five years.

But on several other issues surrounding the program, borrowers and banks are awaiting more guidance. These include:

How the forgiveness process will work.

Just as PPP loan applications were funneled to the SBA through borrowers' banks, so are the applications for loan forgiveness, said attorney David Roth of Munsch Hardt Kopf & Harr P.C. in Houston. The process, he said, generally goes like this:

- The lender reviews the application for

accuracy and then submits it to the SBA.

- The SBA then notifies the lender whether or not the loan is forgiven.
- The SBA sends the lender funds for the portion of the loan that is forgiven, and the borrower must pay back unforgiven portions of the PPP loan at 1% interest over a period of time, which is determined by when they took the loan.

If the borrower defaults on the loan, Roth said, the SBA will reimburse the lender and seek repayment from the borrower.

How to Apply.

The original forgiveness application is a daunting one, he said, characterized by lengthy calculation worksheets and complex instructions. Completion of Form 3508 has proven to be so difficult, Roth said, that successful completion likely requires professional assistance, which adds costs for companies that are already struggling.

"It's too much to put on small businesses," he said.

This is one reason that the federal government decided to simplify the process for those companies that received \$50,000 or less. Just this month, the SBA and the Treasury Department released Form 3508S, a streamlined version of the forgiveness application, for those borrowers.

The one-page form requires borrowers to certify that they spent 60% of the loan proceeds on payroll and the remaining 40% on other allowable business expenses, Roth said. Once the lender verifies the information, then the SBA forgives the loan and pays off the lender.

The SBA has also made loan forgiveness simple for those borrowers with no employees. Form 3508EZ is a shortened application intended for independent contractors, sole proprietors and other self-employed individuals.

Will Small Loans Need Forgiveness?

Both Democratic and Republican congressional plans, said Matt Turkstra, director of congressional relations, tax, fiscal affairs and accounting at the Associated General Contractors of America, have included provisions that will expand so-called "automatic" forgiveness, so he said he is very confident that lawmakers will reach some deal in that regard.

If the expansion covers loans up to \$150,000 that would impact more than 28% of PPP loans.

In anticipation of lawmakers including additional forgiveness measures in the next stimulus package, CPA Paul Miller, founder of New York City-based tax and accounting firm Miller & Co., said he is advising clients with loans of \$150,000 or less to hold off on submitting their applications. Borrowers have 10 months after their covered period of either eight or 24 weeks ends, so they have some time, he said, to wait out the process.

Whether PPP loans will be taxed or deductible.

Businesses that received Paycheck Protection Program loans are anxiously eyeing an IRS ruling that could affect whether they apply for loan forgiveness. In a notice this spring, the IRS said it had ruled out tax deductions for wages and rent paid with forgivable PPP loans in order to prevent a "double tax benefit."

The ruling means that contractors cannot write off these types of expenses if they were paid for with PPP loan funds, leaving many wondering whether it will cost more in taxes than to pay the loan back.

Will More Lending be Forthcoming?

Additional actions that Congress could take as part of the next stimulus bill, Turkstra said, is authorization of another round of lending and more favorable rules about the deductibility of PPP loans. Turkstra said he is less confident about the latter, as it has only been addressed in proposals from the Democrats.

This move to expedite forgiveness, Miller said, is a reflection of the federal government's intention that these PPP loans serve as a stimulus for an economy decimated by COVID-19.

"They want it off their books," he said.

This push, Roth said, is also about allaying fears, especially on the part of very small businesses, that a misstep in the forgiveness process could result in extreme punitive measures, a worry brought on by the public reaction to perceived abuses of the program early on.

"If you're an honest businessperson and not used to this world," he said, "you're terrified of making a mistake. The SBA is moving in the direction of borrowers now and trying to make this simpler."



CAROLINAS MID-WINTER ROOFING EXPO TENTATIVE CONFERENCE AGENDA

TWIN CITY QUARTER | BENTON CONVENTION CENTER
301 W. 5th Street | Winston-Salem, NC 27101

TUESDAY, APRIL 27, 2021

7:00 a.m.–4:00 p.m.
CRSMCA Master Installer
Certification Class

8:00 a.m.–5:00 p.m.
Exhibitor Setup

9:00 a.m.–11:00 a.m.
CRSMCA Associate Group
Liaisons Meeting

11:00 a.m.–6:30 p.m.
REGISTRATION DESK OPEN

11:30 a.m.–1:30 p.m.
CRSMCA Executive Committee Meeting

2:00–5:00 p.m.
CRSMCA Board of Directors &
Associate Liaisons Meeting

5:30 p.m.–6:30 p.m.
EXHIBITOR'S WELCOME RECEPTION
Open Play for Ping-Pong Tournament

WEDNESDAY, APRIL 28, 2021

7:30 a.m.–5:00 p.m.
REGISTRATION DESK OPEN

8:00 a.m.–4:00 p.m.
OSHA TRAINING

8:45–9:00 a.m.
Welcome Announcements from
Convention Expo Chairman &
CRSMCA Business Session

9:00–10:00 a.m.
EDUCATION SESSION: Grow Your
Business Through Liquid Applied Roofing
(Mule-Hide Products)

10:00–11:00 a.m.
COMMERCIAL EDUCATION SESSION 1

RESIDENTIAL EDUCATION SESSION
Steep-Slope Roofing: Ventilation
Solutions (GAF Materials Corporation)

11:00 a.m.–6:30 p.m.
EXHIBIT HALL OPEN

11:30 a.m.–1:00 p.m.
LUNCH IN ATRIUM

1:00–2:00 p.m.
COMMERCIAL EDUCATION SESSION 1

RESIDENTIAL EDUCATION SESSION:
Steep-Slope Roofing: Ventilation
Solutions (GAF Materials Corporation)

2:00–5:00 p.m.
CASH BAR OPEN |
PING-PONG TOURNAMENT

3:00–5:00 p.m.
Exhibitor Demonstrations

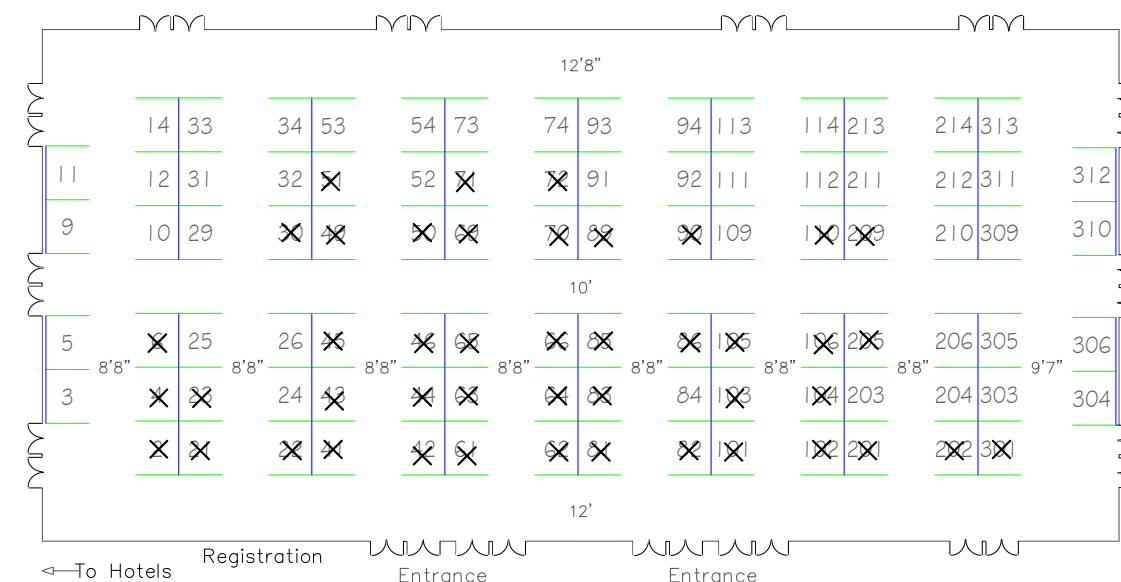
5:30–7:00 p.m.
NETWORKING RECEPTION

THURSDAY, APRIL 29, 2021

7:30–10:00 a.m.
REGISTRATION DESK OPEN

7:30 a.m.–12:00 p.m.
Exhibitor Dismantle/Move-Out

8:30–9:00 a.m.
CRSMCA Associate Group/
Exhibitors Pre-Selection Meeting



EXHIBITORS LIST

Organization	Booth Selection
ABC Supply Company, Inc.	42, 44, 46, 61, 63, 65
Dunn & Abee, Inc.	62, 64, 81, 83
Pro-Active Sales & Marketing	102, 201, 202, 301
R.K. Hydro-Vac, Inc.	50, 69
GAF Materials Corporation	22, 41
Premier Building Products, Inc.	43, 45
Beacon Roofing Supply	82, 101
d7/W.R. Walsh, Inc.	2, 4
Roofing Tools & Equipment	110, 209
Petersen Aluminum Corporation	104
A.C.T. Metal Deck Supply	90
Epilay	89
Roofers Supply of Greenville	6

Organization	Booth Selection
Mule-Hide Products Co., Inc.	66
NBHandy Company	103
AssuredPartners NL	70
Mid-States Asphalt	49
Construction Metal Products, Inc.	106, 205
HB Fuller Construction Adhesives (formerly Royal Adhesives)	72
APOC	51
Tropical Roofing Products	85
Sika - Sarnafil	21, 23
D.I. Roof Seamers	30
Verisco Roofing Systems	105
Aletheia Digital	86
Johns Manville	71

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CAROLINAS MID-WINTER ROOFING EXPO EXHIBITOR BOOTH & ATTENDANTS CONTRACT / REGISTRATION FORM

APRIL 27-29, 2021

TWIN CITY QUARTER | BENTON CONVENTION CENTER (301 W. 5th Street | Winston-Salem, NC 27101)

**For each booth purchased, exhibitors will receive two (2) complimentary contractor company passes for trade show entrance for customer/clients... confirmation and contractor passes will be emailed to the contact provided. Please be sure contact information is accurate!*

Company Name _____		Contact Name _____	
Company Address _____		City _____	State _____ Zip Code _____
Phone _____		*Email for confirmation _____	

SELECT MEMBER TYPE:

- CRSMCA Booth Price (1) \$900 Purchase includes 2 *COMPLIMENTARY* Booth Attendees
Each additional \$500 each *(no complimentary attendees included)*
- Non-Member Booth Price (1) \$1500 Purchase includes 2 *COMPLIMENTARY* Booth Attendees
Each Additional \$650 each *(no complimentary attendees included)*

PLEASE REVIEW THE RULES AND REGULATIONS, FORWARD YOUR ACKNOWLEDGMENT TO CRSMCA

BOOTH SELECTION(S): (1) _____ (2) _____ (3) _____

TOTAL BOOTH COST: _____

FIRST TIME EXHIBITOR **-\$50.00**

Please Register the Following Attendants:

1. _____ NAME (COMPLIMENTARY) CITY, ST	2. _____ NAME (COMPLIMENTARY) CITY, ST
3. _____ NAME (\$95.00) CITY, ST	4. _____ NAME (\$95.00) CITY, ST
5. _____ NAME (\$95.00) CITY, ST	6. _____ NAME (\$95.00) CITY, ST
7. _____ NAME (\$95.00) CITY, ST	8. _____ NAME (\$95.00) CITY, ST

TOTAL ATTENDANTS COST: _____

FINAL TOTAL: _____

PAYMENT INFORMATION: Check Enclosed MasterCard/VISA American Express

Credit Card Number _____	Expiration Date _____	CVV Code _____
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Name on Card _____	Signature _____
--------------------	-----------------

FOR OFFICE USE ONLY:

Date Received _____

Date Entered _____

Entered By _____

PLEASE RETURN FORM WITH REGISTRATION FEES TO:

CRSMCA
PO BOX 7643
CHARLOTTE, NC 28241-7643

EMAIL TO: csims@crsmca.org

CANCELLATIONS MUST BE SUBMITTED IN WRITING AND RECEIVED BY THE CRSMCA OFFICE BY APRIL 1, 2021. A 50% CANCELLATION FEE WILL BE APPLIED TO THE REFUND.

CRSMCA WILL **NOT** GRANT ANY REFUNDS AFTER APRIL 15, 2021.

CAROLINAS MID-WINTER ROOFING EXPO BOOTH DESCRIPTION / CERTIFICATE OF INSURANCE REQUEST / HOTEL

APRIL 27-29, 2021

TWIN CITY QUARTER | BENTON CONVENTION CENTER (301 W. 5th Street | Winston-Salem, NC 27101)

Winter Roofing Expo Program. Please limit your information to 50 words or less, of what your company will exhibit/display for the attendees of the Carolinas Mid-Winter Roofing Expo. **Please return this to CRSMCA by March 15, 2021 via mail OR email.**

It shall be the responsibility of each exhibitor to maintain **Commercial General Liability and Blanket Contractual Liability Insurance**. The limits for bodily injury and property damage combined shall be at least \$1,000,000. Certificates of Insurance stating such limits shall also provide that the policy may not be cancelled without 15 days advance written notice to the Carolinas Roofing and Sheet Metal Contractors Association, Inc. All property of the exhibitor is understood to remain in his custody and control, in transit to and from, the confines of the hall, subject to the rules and regulations of the exhibition. **Exhibiting companies must provide a Certificate of Insurance evidencing the required insurance coverage.** This coverage must be in effect January 19, 2021 through and including the final move-out date of January 21, 2021. Your company name must appear on the Certificate of Insurance as it is registered with the Association. Please forward this requirement to your insurance company.

You may forward Certificates of Insurance to the following address:

Carolinas Roofing and Sheet Metal Contractors Association, Inc.
PO Box 7643
Charlotte, NC 28241-7643

Host Hotels:

Group rates will be available until **April 5, 2021** or until the room block is sold out, be sure to book early!

BOOKING ONLINE: Visit CRSMCA website!

Use Group Code: Mid-Winter Roofing Expo

Marriott [425 N. Cherry Street, Winston-Salem, NC 27101]
Rate: \$184+tax per night Phone: 800.320.0934

Embassy Suites [460 N. Cherry Street, Winston-Salem, NC 27101]
Rate: \$194-\$204+tax per night Phone: 800.696.6107



CAROLINAS MID-WINTER ROOFING EXPO RULES & REGULATIONS

APRIL 27-29, 2021

TWIN CITY QUARTER | BENTON CONVENTION CENTER (301 W. 5th Street | Winston-Salem, NC 27101)

1. INSURANCE:

It shall be the responsibility of each exhibitor to maintain Commercial General Liability Insurance. The Limits for bodily injury and property damage combined shall be at least \$1,000,000. Certificates of Insurance stating such limits shall also provide that the policy may not be cancelled without 15 days advance written notice to CRSMCA and must be in effect starting with the first move-in day of the show through the last move-out day of the show. All property of the exhibitor is understood to remain under his/her custody and control, in transit to/and from the confines of the Benton Convention Center, subject to the rules and regulations of the exposition. **Certificate of Insurance must be sent to the CRSMCA office by March 15, 2021.**

2. EXHIBITORS MEETING:

There will be an Exhibitors Meeting for a lottery of the 2020 Booths on **Thursday, January 21, 2021**, time and location will be published in the program.

Exhibitors must be present to make selection.

3. LIABILITY:

The Exhibitor agrees to protect, save and keep the CRSMCA and the Benton Convention Center and their representatives, employees and agents forever harmless from any and all damages or charges imposed for violation of any law or ordinance, whether occasioned by the negligence of the Exhibitor or the representatives, agents or those persons acting under the express or implied authority of the Exhibitor. The Exhibitor assumes complete responsibility and liability for all loss, damage, or destruction of his/her property, employees, agents, and guests. The CRSMCA and Benton Convention Center, any officer, agent or employee thereof will not be liable for any loss, damage or destruction of Exhibitors property by accident or any other cause by the Exhibitor, its agents, representatives, or employees. The Exhibitor will indemnify and hold harmless the CRSMCA and the Benton Convention Center, their members, directors, officers, agents, representatives and employees against any and all liability whatsoever arising from any or all damage to property or personal injury or loss caused by the Exhibitor, its agents, representatives, employees, or any other such persons.

4. FIRE AND SAFETY REGULATIONS:

Fire regulations require that all display materials be fire retardant. Combustible materials are not permitted to be stored in or around exhibit spaces. Automobiles, trucks, tractors, machinery, and other vehicles that use sealed and battery cables shall be disconnected from the ignition system. Electrical signs and equipment must be wired to meet the specification of the local Code. Prefab exhibits shall have inspection access panels to inspect electrical wiring. Each exhibitor is charged with knowledge of all laws, ordinances, and regulations pertaining to health, fire protection, and public safety while participating in the exhibit. Compliance with such laws is mandatory for all exhibitors and the sole responsibility shall be that of the exhibitor.

5. BOOTH ASSIGNMENTS:

Booth assignments will be confirmed and advertised only when the deposit/full payment is received along with a signed contract. **Full payment is due by March 30, 2021.** Please note that membership dues & assessments **must be paid** before booth space is confirmed.

CRSMCA MEMBERSHIP DUES MUST BE CURRENT AND IN GOOD STANDING OR NONMEMBER RATES WILL APPLY!

Preferred booth location is granted when possible. The committee reserves the right to relocate a booth if necessary.

6. BOOTH RATE & CANCELLATION POLICY:

2021 Booth prices for CRSMCA members are \$900 for one booth and up to two attendees. An additional booth is \$500 each and an additional attendee is \$95 each. Non-Member booth price is \$1,500 each and an attendee is \$95 each. **No permanent space assignments will be made until DEPOSIT/FULL payment and signed contract is received by the CRSMCA office (full payment is due by March 30, 2021.)** Cancellations must be received in writing and received prior to April 1, 2021. A 50% cancellation fee will apply for booth(s) and/or attendee(s). **No** booth or attendee refunds will be issued after April 15, 2021.

CRSMCA makes no representation to any exhibitor on the quality or quantity of visitations that the company may expect at the Carolinas Mid-Winter Roofing Expo.

7. EXHIBIT HALL PASSES:

Exhibit Hall passes **will not** be available to Vendors. The Exhibit Hall passes will be for Contractor employees, Architects, Engineers, etc.

8. DRAYAGE & FREIGHT HANDLING:

Freight sheet information is to be supplied to exhibitors by Hollins Exposition & Event Services: 336.315.5225

9. BOOTH SPACE INCLUSIONS:

The 10' x 10' booth space will include 8' high back drapes and 3' high side drapes, one 2' x 8' skirted table, two chairs, one wastebasket, one 7" x 44" identification sign ("island booths" will receive a 22" x 28" sign on easel). All isles and booths will be carpeted at no charge to the exhibitor.

10. INSTALLATION OF EXHIBITS:

Installation of exhibits may begin at 8:00 a.m. on Tuesday, January 19, 2021, and must be completed no later than 5:00 p.m. that day. The Exhibitor may forfeit space not occupied by 5:00 p.m. on Tuesday, April 27, 2021, and this space may be resold, reassigned, or used by the Committee. **PLEASE NOTE THAT IF YOU ARRIVE AFTER 5:00 P.M. ON INSTALLATION DAY, YOUR BOOTH SPACE WILL NOT BE GUARANTEED.** Exhibits must be constructed so as not to obstruct the general view of adjoining booths. **AISLES CANNOT BE SPLIT.**

The use of sound devices, megaphones, loudspeakers or undignified methods of attracting attention is prohibited.

12. DISMANTLING AND REMOVAL OF DISPLAYS:

The dismantling period begins at 8:00 a.m. Thursday, April 29, 2021, and continues until 5:00 p.m. Thursday, April 29, 2021. The Exhibitor authorizes the Benton Convention Center to remove, at the Exhibitors expense, any material in the exhibit area belonging to said Exhibitor after 5:00 p.m. Thursday, April 29, 2021.

PLEASE CONTACT THE CRSMCA SHOULD YOU NEED TO DISMANTLE PRIOR TO :

8:00am, THURSDAY, APRIL 29, 2021!

13. SECURITY:

Security personnel will be on duty, but the presence of such personnel shall not be deemed to increase the liability of CRSMCA, its members, representatives or official service contractors, employees or the Benton Convention Center, its representatives and employees.

14. PROHIBITIONS:

Aisle space may **NOT** be used for exhibit purpose, displays or signs, solicitation or distribution of cards, circulars, samples or other promotional materials. Absolutely no alcoholic beverages will be served by the exhibitors at their booths.

15. EXHIBITORS AND PUBLIC POLICY:

Each exhibitor is charged with knowledge of all laws, ordinances and regulations pertaining to health, fire prevention, public safety, while participating in this exhibition. Compliance with such laws is mandatory for all exhibitors and is the sole responsibility of that exhibitor.

16. EXHIBITOR CONDUCT:

Distribution by the exhibitor of any printed matter, souvenirs, or other articles must be confined to the space assigned. If an exhibitor engages in on-location transactions, the exhibitor will be responsible for complying with all Federal, State, and local laws that may pertain to such sales.

17. AMENDMENT TO REGULATIONS:

All matters and questions not covered by these regulations are subject to the decision of the CRSMCA Mid-Winter Roofing Expo Committee who sole authority shall have to promulgate, interpret and enforce all rules and regulations, and to make any amendments necessary for the orderly conduct of the Carolinas Mid-Winter Roofing Expo.

FOR ADDITIONAL INFORMATION PLEASE CONTACT:

Phone: 704.556.1228

Carla Sims, CRSMCA Executive Director, ext 402
cbsims@crsmca.org

Karin Barahona, CRSMCA Assistant, ext 403
staff@crsmca.org

CAROLINAS MID-WINTER ROOFING EXPO ACKNOWLEDGEMENT OF RECEIPT & UNDERSTANDING

APRIL 27-29, 2021

TWIN CITY QUARTER | BENTON CONVENTION CENTER (301 W. 5th Street | Winston-Salem, NC 27101)

Please return with your signature for confirmation of booth purchase(s)

I understand and/or agree that:

- The statements contained in the CRSMCA Carolinas Mid-Winter Roofing Expo Rules and Regulations are intended to serve as general information concerning CRSMCA's Carolinas Mid-Winter Roofing Expo and the Benton Convention Center and its existing policies, procedures, and practices of the Carolinas Mid-Winter Roofing Expo.
- Nothing contained in the CRSMCA Carolinas Mid-Winter Roofing Expo Rules and Regulations is intended to create (nor shall be construed as creating) a contract (express or implied).
- From time to time CRSMCA may need to clarify, amend and/or supplement the information contained in the CRSMCA Carolinas Mid-Winter Roofing Expo Rules and Regulations and CRSMCA will provide its exhibitors with a revised CRSMCA Carolinas Mid-Winter Roofing Expo Rules and Regulations when changes occur.
- I have received a copy of the CRSMCA Carolinas Mid-Winter Roofing Expo Rules and Regulations, I have read and understand the information outlined in the Rules and Regulations, I understand that penalties may incur if not abided by, I have asked any questions I may have concerning its contents, and I will comply with all policies and procedures to the best of my ability.

Exhibitors Company

Exhibitors Contact

Exhibitors Signature

Date

THIS COPY OF THE ACKNOWLEDGEMENT SHOULD BE REMOVED AND GIVEN TO THE CRSMCA OFFICE FOR CONFIRMATION OF BOOTH PURCHASE(S).

MAIL TO: CRSMCA
PO Box 7643
Charlotte, NC 28241-7643

CAROLINAS MID-WINTER ROOFING EXPO SPONSORSHIP OPPORTUNITIES

APRIL 27-29, 2021

TWIN CITY QUARTER | BENTON CONVENTION CENTER (301 W. 5th Street | Winston-Salem, NC 27101)

CRSMCA would like to **thank you** for your consideration in becoming a sponsor.
All sponsorships are applied to the **advancement of education** to the CRSMCA membership.

\$5,000 CORPORATE*

Complimentary banner; ONE complimentary booth; complimentary ½ page ad in the *Carolinas Contacts Magazine*; signage at the Carolinas Mid-Winter Roofing Expo; listing in the *Carolinas Contacts Magazine* and on the CRSMCA website

\$3,000 PLATINUM

Opening Reception

ONE complimentary booth; complimentary ½ page ad in the *Carolinas Contacts Magazine*; signage at the Carolinas Mid-Winter Roofing Expo; listing in the *Carolinas Contacts Magazine* and on the CRSMCA website

\$2,000 DIAMOND

Wednesday Reception

Wednesday Lunch

TWO complimentary attendees; complimentary ½ page ad in the *Carolinas Contacts Magazine*; signage at the Carolinas Mid-Winter Roofing Expo; listing in the *Carolinas Contacts Magazine* and on the CRSMCA website

\$1,500 GOLD

Wednesday Breakfast

Lanyards

Complimentary ½ page ad in the *Carolinas Contacts Magazine*; signage at the Carolinas Mid-Winter Roofing Expo; listing in the *Carolinas Contacts Magazine* and on the CRSMCA website

\$1,000 SILVER

Badges

Audio/Visual

Complimentary ¼ page ad in the *Carolinas Contacts Magazine*; signage at the Carolinas Mid-Winter Roofing Expo; listing in the *Carolinas Contacts Magazine* and on the CRSMCA website

\$ 750 BRONZE

Complimentary business card ad in the *Carolinas Contacts Magazine*; signage at the Carolinas Mid-Winter Roofing Expo; listing in the *Carolinas Contacts Magazine* and on the CRSMCA website

\$ 300 CONTRACTOR GOODWILL

Listing in the *Carolinas Contacts Magazine* and on the CRSMCA website, free company admission

\$ 200 PAST PRESIDENT

Listing in the *Carolinas Contacts Magazine* and on the CRSMCA website (*for CRSMCA past presidents only*)

Method of Payment:

Amount Enclosed \$ _____ Check # _____

Amount to be charged \$ _____ American Express MasterCard Visa

Company Sponsoring _____ Contact Name _____

Name (as it appears on the card) _____

Card Number _____ Exp. Date _____ CVV _____

Signature _____ Date _____

Please send the form with payment information to the following address or email:

Carolinas Roofing and Sheet Metal Contractors Association, Inc.

P O Box 7643
Charlotte, NC 28241-7643

cbsims@crsmca.org

****Please return by March 15, 2021 to be listed in the Carolinas Contacts Magazine**

****PLEASE SUBMIT YOUR COMPANY LOGO VIA EMAIL TO CBSIMS@CRSMCA.ORG TO BE PRESENTED DURING GENERAL SESSIONS**



REPORT FINDS MORE WOMEN BUILDING CONSTRUCTION CAREERS

By Kim Slowey, Construction Dive,
Published on Oct. 2, 2020

DIVE BRIEF

Construction jobs were among the fastest-growing for women from 2015 through 2019, according to a new study from Smart Asset.

The number of women in the position of construction manager increased 101% from 49,400 to 99,400, making that the third fastest-growing job for women overall. Other construction jobs that drew a significant number of women were construction and maintenance painters (up 64% from 32,600 to 53,300) and construction laborers (up 50% from 47,800 to 71,800). The number of women who chose careers as civil engineers also increased by 46% from 45,400 to 66,000.

Although these types of jobs are still male-dominated, the change demonstrates that women are moving into careers traditionally held by men. However, since the statistics pre-date the COVID-19 pandemic, Smart Asset said that the number of women holding jobs in construction and other hard-hit industries could change.

DIVE INSIGHT

The Smart Asset study used data from the Bureau of Labor Statistics, which tracks information on jobs in all industries. Its most recent analysis shows that the construction jobs popular with women have a range of salaries, from about \$156,000 for the high end of a construction manager salary to a high end of about \$68,000 for laborers and painters.

The latest available data from the BLS is good news for women job seekers but doesn't come as a surprise to Hope Pollard, president and CEO of the Associated Builders and Contractors Maine Chapter.

Pollard told Construction Dive that she has seen the number of women significantly increase during the last 20 years in both management and craft positions.

"Construction is starting to change its image as a 'dirty job' and, instead, is seen as an industry that provides limitless career opportunities for people with all types of backgrounds, education levels and experiences," she said. "And with an earn-while-you-learn-education model and the need for a diverse set of skills, women are finding success in an industry that values hard work, drive and creativity."

But there is still work to be done in attracting women to the construction industry, according to Brian Turmail, vice president of public affairs and strategic initiatives at the Associated General Contractors of America.

While Turmail said it is encouraging to see the number of women in construction careers increase, which he maintained has much to do with the industry-wide push to recruit more women and the preservation of construction jobs as "essential" during the COVID-19 pandemic, the large growth rates are "easy to see when the overall percentage of women in the construction workforce is so low." The construction workforce, he said, is still only 9% women even though women make up a little more than 50% of the overall U.S. workforce.

"We clearly have much more work to do as an industry to recruit, hire and retain a more diverse population of workers, particularly women," Turmail said. "The good news is we are heading in the right direction. Moving forward, [the AGC is] committed to redoubling our efforts to attract an even more diverse construction workforce."

By Joe Bousquin & Kim Slowey, Construction Dive, Published on Nov. 7, 2020

After a contentious election week that includes the potential for continued lawsuit and recounts, major news outlets have declared that former Vice President Joe Biden will be the next president of the United States.

Looking forward to Inauguration Day and beyond, what does that mean for the U.S. construction industry?

In terms of infrastructure spending, contractors can look to what Biden outlined during his campaign. The presumptive president-elect said his administration will invest \$2 trillion into the economy, creating millions of jobs in infrastructure, housing, building construction and other projects.

“He’s looking for a multitrillion-dollar infrastructure bill that includes a broad definition of infrastructure, whether it’s surface transportation, aviation, waterfront, Army Corps, civil works, flood control mitigation projects, clean drinking water, renewable energy projects, K-12 public school construction or broadband,” said Jimmy Christianson, vice president of government relations at the Associated General Contractors of America. “There’s a lot in there.”

Another clue as to what the Biden administration could include can also likely be found in recent infrastructure proposals from Democrats, which currently enjoy a House majority. In July, the House passed the \$1.5 trillion **Moving Forward Act**, which includes billions for highways, bridges, schools and energy projects.

One thing that certainly won’t be included under Biden’s watch is continued funding for Trump’s border wall, which could leave the contractors currently **working on it in a lurch** if the funding plug is pulled. This summer, Biden said that his administration would not build “another foot of wall” along the U.S.-Mexico border if he was elected.

‘THE BIDEN CHALLENGE’

Observers also point out that while con-

WHAT’S IN STORE FOR CONTRACTORS UNDER A BIDEN PRESIDENCY?

From infrastructure spending and union support to immigration, taxes and regulations, the construction industry will face a new set of challenges and opportunities under a Biden administration.



tractors would certainly benefit from that infusion of funding for civil projects, they would be held to account for what it’s spent on and how they operate their own businesses. For instance, Biden has made a carbon tax and buying American part of his campaign platform and would likely emphasize inclusion programs for minorities.

“The Biden challenge for us is that you’re going to get more money, but then you’re going to have to measure your greenhouse gas emissions,” said Jay Hansen, executive vice president for advocacy at the National Asphalt Pavement Association, whose members include road builders. “Everyone will be challenged to buy American in terms of material. Disadvantage Business Enterprise [DBE] project labor agreements and those kind of programs will get tougher.”

From that perspective, Christianson said that while any funding would be good, Biden won’t be writing a blank check for contractors.

“The possibility of a large infusion of capital in the coming months would be welcomed,” said Christianson. “But again, the strings that are attached to that capital are going to be our biggest concerns.”

UNIONS, IMMIGRATION ON THE TABLE

One of the biggest issues to watch for contractors will be Biden’s stated intention to “strengthen worker organizing, collective bargaining and unions.”

The Democrats’ ability to move forward with pro-union legislation like the PRO

Continued on page 29



TO AVOIDING PANDEMIC-RELATED CONSTRUCTION SUITS

By Colby Balkenbush and Ryan Gormley, Law360, Published October 7, 2020

In the construction industry, the COVID-19 pandemic has impacted projects and project participants in an untold number of ways. While work stoppages or potential stoppages may be behind us, supply chain disruptions and material cost increases are becoming the norm, resulting in delays and increased costs. These circumstances and others like them often lead to one place: litigation.

When these circumstances arise and litigation looms, it is critical to identify the key issues and consider how they will ultimately present to a judge, jury or arbitrator. A dispute often turns into litigation because at least one party to the dispute fails to identify a key issue or to perform a rigorous evaluation of the issues.

To assist in this issue identification and evaluation process, below are three areas to carefully consider in any COVID-19-related dispute: (1) contractual compliance; (2) contemporaneous documentation; and (3) fair dealing. Consideration of these areas can help you avoid litigation, or if unavoidable, position you to prevail.

1. CONTRACTUAL COMPLIANCE

In construction disputes, the contract is usually king. Establishing contractual compliance can help deter litigation at the outset and is imperative for avoiding an unfavorable result later. Below is a brief discussion of five contractual clauses likely implicated by a COVID-19-related dispute concerning delay or product substitution and key questions to consider for each.

Force Majeure

A force majeure clause generally excuses a participant’s non-performance or delayed performance under a contract when an extraordinary event, otherwise known as a force majeure event, prevents a participant from satisfying its contractual obligations.

The clause lists specific events that qualify as a force majeure event, including war, natural disasters, acts of God and others.

Certain construction agreements, such as the **American Institute of Architects** standard form A201-2017 General Conditions, do not contain a force majeure clause per se, but have the same intent reflected in an excusable delay clause. Typically, force majeure clauses only allow for additional time, not additional money.

In evaluating the applicability of a force majeure clause to a COVID-19-related dispute, it is important to consider at least four issues.

First, does the COVID-19 event qualify as a force majeure event? Force majeure clauses are generally construed narrowly. Where the clause does not specifically include “pandemic” or “disease,” do not assume a COVID-19-related issue is covered.

Second, did the force majeure event actually cause the non-performance or delayed performance? At first glance, the answer to this question might seem obvious — of course the COVID-19-related work restrictions in a certain locality caused the supply shortage — but upon further investigation, this might be difficult to show.

Third, were sufficient efforts taken to mitigate the risk? Again, this can be more difficult to demonstrate than at first glance.

Fourth and finally, is performance impossible or, in some jurisdictions, impracticable? On this issue, it is important to note that generally, economic inadvisability does not excuse performance, even when the economic conditions are the product of a force majeure event.

Change in the Law

A change in the law clause is both narrower and broader than a force majeure clause. Narrower because the clause only concerns a change in the law that causes a participant’s non-performance or delayed performance under a contract. Broader because the clause typically allows for both additional time and money. The issues presented under such a clause are similar to those presented by a force majeure clause.

Time Extensions

Contracts generally contain clauses that set forth a procedure for obtaining an extension of time to complete the project, which generally include a notice requirement and the submittal of a change order.

Whether additional time and compensation can be obtained usually depends on whether the delay is caused by the participant seeking the additional time and compensation (inexcusable — no time or money), by a third party or force majeure event (excusable — time but no money), or by the owner or an event or circumstance for which the owner has assumed liability under the contract (compensable — time and money).

Whenever a delay arises, it is important to follow the correct procedures because failure to do so may not only preclude additional time or money in the near term, but it may also preclude a contractor from later being able to assert a concurrent delay defense to the imposition of liquidated damages — even where timely performance was impossible under the circumstances.

Continued on next page

No Damages for Delay

The name of this clause describes its purpose; it generally provides that a lower-tiered participant cannot receive any compensation for damages because of any delay in the work, whether avoidable or unavoidable. The key issues are the scope of the clause and its enforceability. Although these clauses are generally enforceable, many jurisdictions have limited such clauses either statutorily or through the common law.

Product Substitution

Contracts generally contain clauses that set forth a procedure for product substitution.

When substitution is warranted, the parties should closely examine the relevant contract documents, including the plans and specifications, the process for clarifying the plans and specifications, if necessary, and the process for submitting substitute products for review.

In looking at the specifications, it is important to determine whether they are prescriptive, meaning they delineate the exact product to be used; prescriptive with an “or equal” clause, meaning they delineate the exact product to be used and permit any equivalent product; or performance, meaning they set forth standards to be satisfied, and any product that meets these standards may be used.

2. CONTEMPORANEOUS DOCUMENTATION

After considering contractual compliance, it is important to evaluate the contemporaneous records. If a dispute arises and it is backward-facing, consider if you have adequate documentation to prevail, and if not, whether there are any steps you can take to remedy the deficiency.

If a dispute is forward-facing, keep meticulous records so that when the issue is presented to the finder of fact years later, the records reflect what actually occurred in sufficient detail. Remember, thorough contemporaneous documents may convince the other side to avoid litigation at the onset, or they may become your most valuable trial exhibits. Treat them accordingly.

For many projects, thorough contemporaneous documentation means supplying adequate detail in daily reports, inspection reports, schedule updates, requests for information, submittals, change orders, meeting minutes, payment records, correspondence, and photos and videos.

What constitutes an adequate description is fact dependent. But generally, a good rule of thumb is to question whether a layperson would understand the who, what, where, when, why and how of any decision or work based on the description.

In the context of COVID-19-related disputes, which will often relate to delays and product substitutions, adequate descriptions are all the more important.

In any delay dispute, the key issues — including whether the delay impacted the critical path, is excusable or nonexcusable, is compensable or noncompensable, or can be attributed to concurrent delay — will turn on contemporaneous documentation, particularly the daily reports, schedule updates, meeting minutes and correspondence.

When it comes to product substitutions, the parties should closely document the substitution, going above and beyond the contractual requirements if necessary. The participant seeking the substitution should be careful to note any deviations from the plans and specifications and to obtain approval of the same.

In submitting the substitute product for review, the participant should provide detailed information so that the approval or “no exception taken” designation is well informed. And to the extent any aspect of the specification is unclear, the participant should clarify the discrepancy through the formal process, whether through a request for information or otherwise.

3. FAIR DEALING

Finally, even if the contract and contemporaneous documentation favor your position, it is important to view the dispute with a fair and equitable mindset for several reasons.

First, consider how a finder of fact will

view your position in the future. Given the widespread impact of the COVID-19 pandemic, the finder of fact will likely sympathize with COVID-19-related hardships. To the extent that a project participant tries to gain a windfall from or strong-arm a participant suffering from such a hardship, the finder of fact will likely be disinclined to reward such behavior.

Second, if your position is inequitable, consider that a common law doctrine may have developed to defeat it. For instance, the doctrine of impossibility excuses a participant’s performance of a contract when an unanticipated event destroys the subject matter of the contract or the means of performance makes performance objectively impossible.

Likewise, the doctrine of impracticability excuses a participant’s performance where continued performance is not commercially practicable based on the occurrence of an event; the nonoccurrence of which was a basic assumption of the contract, and not agreed to be performed in spite of the impracticability.

Further, courts have entertained arguments that “no damages for delay clauses” are not enforceable because the length of the delay exceeded the parties’ expectations, or the participants effectively abandoned the contract through their actions.

Third, taking a more fair and equitable position from the onset of a dispute will more likely lead to an earlier resolution. Litigation is often used as a tool to move a party to a dispute from an unreasonable to a reasonable position. When both parties start with reasonable and realistic positions and assessments, the likelihood of protracted litigation is substantially lessened.

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Written by Zachary Phillips, Construction Dive, Published on Nov. 16, 2020

DIVE BRIEF

A new study points to how office design and construction will evolve as a result of the coronavirus pandemic.

The research from architecture firm **Leo A Daly** found that in coming months and years, more office tenants will require flexible workspaces.

The study said that the pandemic will cause companies to retrofit their office spaces to accommodate an increased reliance on decentralized work such as working from home.

DIVE INSIGHT

Even though companies have discovered how effective their employees can be working virtually, the office still holds value as a primary space for collaboration and socialization, the study found.

The coronavirus outbreak and increased emphasis on virtual work have transformed the way that employees use office spaces. Leo A Daly architects looked at the future of office construction and proposed the following strategies:

Flexible zoning. Using data analysis, Leo A Daly said it can identify parameters for office use and derive spatial organization. Knowledge of what tasks will be performed in the office can drive the design, and ultimately construction of the office space.

Dynamic zoning. Workspaces can be designed to adapt to the number of workers on any given day.

Flexible infrastructure. Lightweight, movable dividers will take the place of fixed cubicles.

HOW OFFICE CONSTRUCTION WILL CHANGE POST-PANDEMIC

Density monitoring. Visualizing how people move through the building will be a key part of the design process going forward, for optimal social distancing.

Outdoor workspaces. Although not feasible everywhere, an outdoor workspace could be an attractive part of office construction, as it provides a less crowded environment.

“As we consider buildings not as something static, but as something dynamic that can adapt and flex to a particular need, we can provide effective strategic responses, leading us to explore new materials, assemblies and technologies,” the study said.

An office building designed with the COVID-19 pandemic in mind opened this summer in Chicago. The **\$26 million Fulton East** is one of the first in the country to boast features designed to address COVID-19 safety concerns.

The 90,000-square-foot building has been engineered for maximum social distancing, touch-free operation and air and surface sanitization. Other health, safety and wellness enhancements include non-shared 9-by-27-foot private outdoor balconies on each floor, an 8,000-square-foot rooftop garden for individual use and small group meetings.

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POST-CORONAVIRUS CHANGES

7 CORONAVIRUS-RELATED CONSTRUCTION CHALLENGES THAT WILL CONTINUE IN 2021

The industry will start next year facing significant headwinds, economists and other experts predict.

By Shelley D. Hutchins, LEED-AP, Published Oct. 21, 2020

More than 10 months since the first coronavirus cases were reported in Wuhan, China, COVID-19's global spread continues to plague commercial construction.

Since the pandemic hit the U.S., contractors across the country have faced a range of obstacles including **layoffs, project shut-downs and increased construction costs.**

As 2020 comes to a close, economists and industry experts predict many of these issues will continue to challenge contractors. Here are the top seven factors to watch:

Labor shortage. Pre-pandemic, the industry faced a historic shortage of skilled labor and the issue isn't going away just because COVID-19 has shut down projects and slowed others. Although firms have been calling back workers who were laid off in the spring, some have refused to return to work, citing a preference for unemployment benefits, virus concerns or family responsibilities.

Looking ahead to once a recovery begins, labor gaps might get even larger, especially in states like California, Texas and New York, according to Daniel Pomfrett, vice president of Los Angeles-based project management and cost consulting firm Cumming Corp. Lack of worker migration — especially to expensive markets with greater job opportunities like California and New York — also aggravates the labor shortage, Pomfrett said.

Shrinking backlog. Associated Builders and Contractors' **Construction Backlog Indicator** fell to 7.5 months in September, a decline of 0.5 months from August's reading and 1.5 months lower than last year at this time. In addition, the association's Construction Confidence Index readings for sales and profit margins also decreased.

The months ahead don't look hopeful for contractors looking to add to their backlog of work, said **ABC Chief Economist Anirban Basu** in a release about the indicator.

"ABC's survey data indicate that we are in the early stages of a nonresidential construction spending downturn," he said. "With few exceptions, declines in backlog have begun to accelerate across all markets and regions."

Falling construction costs. A variety of pandemic-related forces have caused construction costs to decline slightly for the first time in a decade, which could lead contractors to feel a pinch in profits.

The Turner Building Cost Index, which measures costs in the U.S. nonresidential building construction market, fell to a value of 1171 in the third quarter of 2020, a 1.5% quarterly reduction from the beginning of the year. This year marked the first time the index from Turner Construction has reduced in value since 2010.

"Trade contractor competition has increased in many areas as they work to secure backlog due to uncertainty they have about future opportunities," said **Attilio Rivetti, the Turner vice president** responsible for compiling the Cost Index in a press statement.

Less work. Various sectors of commercial construction will continue to experience a decline even after the rest of the economy begins to recover from COVID-19, economists say. For instance, experts predict people will continue to work from home more often than they go into a central office, so construction of office buildings remains a gray area in terms of future growth.

The construction of new healthcare facilities also could drop significantly because of changes in lifestyles post-COVID-19, according to Ken Simonson, chief economist for the Associated General Contractors of America.

"Hospital use dropped off drastically in the spring and it's not certain if visits for elective surgery and other non-essential procedures will come back," Simonson said. "Or will we see growth of alternative medical care through urgent care or surgery centers?"

He also questioned if nursing home construction would fall because people might be more hesitant to check themselves or family members into the facilities.

Travel and hospitality sectors, along with sports or performance venues, also look grim according to Simonson. That's primarily because their revenue sources — sales taxes, convention income and tolls — are taking a big hit and aren't expected to get replenished anytime soon as the **pandemic begins a third wave of intensity.**

Price increases. This year has seen fluctuations in the prices of construction materials, most recently with the **skyrocketing cost of lumber.** Prices have been rising on most materials since May, **according to ABC.**

Its September look at prices found that among 11 subcategories, eight experienced monthly increases. As construction comes back online around the world, increasing demand for products could keep prices on the rise, Basu said.

"Despite the lingering pandemic, the global economy has been recovering, increasing demand for key commodities," he said. "Rapid viral spread, including in Europe and parts of North America, render materials shortages more likely during the winter months."

Some contractors are taking proactive steps to expand their supplier network as well as buying hedges on some materials to protect from upward price swings, **according to Joe Natarelli,** leader of the national construction industry practice at accounting firm Marcum.

Supply chain issues. "Production is getting back to where it was internationally," Pomfrett said, "but the strain on supply chains and how to get materials and equipment delivered remains."

Natarelli said his clients are building resiliency into their supply chains so that they're not beholden to a single supplier for any one material.

"The days of having one material supplier are gone," he said. "We're seeing clients setting up three separate suppliers, in different geographic locations, where in the past they may have had just one or two. Some are even getting as many as five in place."

Plus, the pandemic caused a decline in shipping as well as air travel, which means less air freight gets moved so even the reduction in moving materials across state lines has caused issues, he said.

Diminished state and local government revenues. Basu said this is one of the top challenges facing contractors right now. **A report from the Brookings Institution** projects that state and local government revenues will decline \$155 billion in 2020, \$167 billion in 2021 and \$145 billion in 2022 — about 5.5%, 5.7% and 4.7%, respectively — excluding the declines in fees to hospitals and higher education.

This means that state agencies such as departments of transportation have less money to fund infrastructure initiatives like roads, bridges and transit projects. Many will look to the federal government for additional revenue.

At the New York Metropolitan Transportation Authority, some upcoming projects are in limbo as the authority awaits word on whether it will receive federal funding in addition to the **\$3.8 billion** it received in April under the Coronavirus Aid, Relief and Economic Security Act. Industry estimates show that even with the CARE Act funds, the **MTA faces at least an \$8.5 billion shortfall** for 2020 and 2021.

"MTA's financial position has eroded dramatically" since the outbreak began, **Janno Lieber, MTA chief development officer** said this summer, noting that the authority is losing about \$800 million a month in revenue due to the crisis.

Biden, continued from page 24

(Protect the Right to Organize) Act will depend on whether the Senate retains its Republican majority. Senate Republicans thus far have failed to advance that legislation since the House passed it early this year.

Mike Bellaman, president and CEO of the Associated Builders and Contractors, argues that the PRO Act could potentially take away workers' choice to join a union or not.

"The first thing it does, which I don't think many people really understand, is it overrides 27 states that have been through a democratic process to decide that they want to be a right to work state," Bellaman said, referring to states that have banned compulsory union membership for workers. In those states, workers can still choose to join a union, but can't be forced to.

"It does a significant amount to the process of employee choice to determine do they want to work in an organized environment or not, or a non-union, non-organized environment."

On the other hand, a Biden administration would likely make it easier for workers who aren't U.S. citizens to be legally employed in the United States, which should help construction's perennial labor shortage.

"There are over 100,000 workers in the construction industry that are either in the DACA [Deferred Action for Childhood Arrivals] or TPS [Temporary Protected Status] program," Christianson said. "Under President Trump, we would expect for those programs to be dismantled. Under President Biden, that wouldn't be the case, and those programs would probably be enacted into statute or some sort of immigration package."

While construction and infrastructure aren't typically why people turn out at the polls, the results will impact contractors.

"The election is consequential," Hansen said. "With Biden, you might get a better, bigger program. But you know, who gets to spend the money and what the money can be spent on is really important."



UNENFORCED SAFETY RULES

A few years ago, an employee for a roofing and sheet metal contractor in North Carolina was installing a section of sheet metal roofing when he lost his balance and began to fall backwards. Instinctively he grabbed for anything that he could get his hands on. Unfortunately, what he grabbed was the very sheet metal that he was installing. The force with which he grabbed the sheet metal, combined with its razor-sharp edges resulted in his hand being sliced. Although his employer had a safety rule that required employees to wear cut-resistant gloves when handling sheet metal, the injured employee was not wearing those gloves at the time of the incident.

That same week, an employee of a different North Carolina roofing and sheet metal contractor was operating a power broom on a roof and was not wearing safety glasses even though the company had a rule that required the use of safety glasses when performing a task that generates debris (such as sanding, grinding, drilling, or using a power broom). He was injured when airborne debris flew

into his eye and scratched his cornea.

Because bad things always seem to come in groups of 3, before that week was over another roofing and sheet metal contractor in North Carolina had an employee injury. That employee was unloading a heavy piece of equipment off a truck by himself, even though the company had a safety rule that required employees to get help when handling heavy or cumbersome objects. That employee sustained a hernia.

DISCUSS WITH YOUR CREW

The common thread that ties all 3 of these incidents together is that each one involved an employee who disregarded a company safety rule and was injured as a result.

Without a doubt, each employee bears responsibility for knowing and following our company safety rules. But if employees are getting injured because they are not following our safety rules, the problem likely runs deeper. In some

companies the problem is that the employer does not effectively communicate its safety rules to employees. However, more often than not the root of the problem is that one or more supervisors do not consistently enforce safety rules; and when they do there are often no consequences for employees who repeatedly violate those safety rules. Lastly, when supervisors are weak in their enforcement of safety rules it creates a safety culture in which the entire crew places little value on following company safety rules. When that happens, employees are unlikely to say anything if their coworkers violate a safety rule. Before long, other employees not wanting to stand-out and be different begin to disregard safety rules themselves.

- How well do you know our company safety rules?
- What safety rules get enforced consistently?
- What safety rules could be enforced more consistently?



REGLAS DE SEGURIDAD NO APLICADAS

Hace unos años, un empleado de un contratista de techos y chapas metálicas en Carolina del Norte estaba instalando una sección de techos de chapa metálica cuando perdió el equilibrio y comenzó a caer hacia atrás. Instintivamente agarró por cualquier cosa que pudiera poner en sus manos. Desafortunadamente, lo que agarró fue la misma chapa que estaba instalando. La fuerza con la que agarró la chapa metálica, combinada con sus bordes afilados resultó en que su mano fuera cortada. Aunque su empleador tenía una regla de seguridad que requería que los empleados usaran guantes resistentes a cortes al manipular chapa metálica, el empleado lesionado no llevaba esos guantes en el momento del incidente.

Esa misma semana, un empleado de un contratista diferente de techos y chapas metálicas de Carolina del Norte estaba operando una escoba eléctrica en un techo y no llevaba gafas de seguridad a pesar de que la compañía tenía una regla que requería el uso de gafas de seguridad al realizar una tarea que genera escombros (como lijar, moler, taladrar o usar una escoba eléctrica). Fue herido cuando los escombros en el aire volaron

hacia su ojo y se rascó la córnea.

Porque las cosas malas siempre parecen venir en grupos de 3, antes de esa semana fue sobre el techo y contratista de chapa metálica en Carolina del Norte tenía una lesión de empleado. Ese empleado estaba descargando un equipo pesado de un camión por sí mismo, a pesar de que la empresa tenía una regla de seguridad que requería que los empleados buscaran ayuda al manipular objetos pesados o engorrosos. Ese empleado sostuvo una hernia.

HABLE CON SU TRIPULACIÓN

El hilo conductor que une los 3 incidentes es que cada uno involucró a un empleado que hizo caso omiso de una regla de seguridad de la empresa y resultó herido como resultado.

Sin duda, cada empleado tiene la responsabilidad de conocer y seguir las reglas de seguridad de nuestra empresa. Pero si los empleados se lesionan porque no están siguiendo nuestras reglas de seguridad, el problema probablemente es más profundo. En algunas empresas

el problema es que el empleador no comunica eficazmente sus normas de seguridad a los empleados. Sin embargo, más a menudo que no la raíz del problema es que uno o más supervisores no aplican consistentemente las normas de seguridad; y cuando lo hacen a menudo no hay consecuencias para los empleados que violan repetidamente esas reglas de seguridad. Por último, cuando los supervisores son débiles en su aplicación de las normas de seguridad, crea una cultura de seguridad en la que toda la tripulación pone poco valor en seguir las normas de seguridad de la empresa. Cuando eso sucede, es poco probable que los empleados digan algo si sus compañeros de trabajo violan una regla de seguridad. En poco tiempo, otros empleados que no quieren destacarse y ser diferentes comienzan a ignorar las propias reglas de seguridad.

- ¿Qué tan bien conoces las reglas de seguridad de nuestra empresa?
- ¿Qué reglas de seguridad se aplican de manera consistente?
- ¿Qué normas de seguridad podrían aplicarse de manera más coherente?

Carolinas Contacts Magazine Touches Hundreds within the Roofing Industry



The CRSMCA *Carolinas Contacts* Magazine is published every other month, six-times a year, and is placed in over 800 roofing industry professional email inboxes throughout the Carolinas, Georgia, Virginia and more located in the southeast region. The CRSMCA *Carolinas Contacts* Magazine is also displayed on the CRSMCA website page with archived issues.

The magazine provides valuable information from products to services and regulations that are important to the roofing industry businesses as well as news and events within the roofing industry.

2021 EDITORIAL SCHEDULE

January/February

2021 Carolinas Mid-Winter Roofing Expo event details; Updates & Reminders of Codes
Ads due: January 15

March/April

2021 Carolinas Mid-Winter Roofing Expo event details; Focus on Residential (Shingles); National Roofing Week; Ladder Safety Awareness
Ads due: March 15

May/June

2021 Carolinas Mid-Winter Roofing Expo photos; 78th Annual Meeting/Summer Convention event details; Focus on Safety & Heat
Ads due: May 15

July/August

78th Annual Meeting/Summer Convention photos & member recognitions; Roof Drainage & Tapered Insulation
Ads due: July 15

September/October:

Insulation & Coverboards; Fire Prevention Awareness; 2022 Carolinas Mid-Winter Roofing Expo event details
Ads due: September 15

November/December:

Perimeter Metals; 2022 Carolinas Mid-Winter Roofing Expo event details; Cold Weather Awareness
Ads due: November 15



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