



NCMCA MEMBER NEWSLETTER Holiday Edition 2022

DECEMBER

25 Christmas



JANUARY

10 NCMCA AEP Education (Virtual)
Killer Contract Clauses

13 NCMCA Kent T. Morrill Scholarship
Applications being accepted on-line

17-19 MCAA Safety Directors Conference
San Diego, CA

24 NCMCA AEP Education (Virtual)
Change Order & Claim Management
& Lien Laws/ Payment Bonds

25 NCMCA Safety Meeting (Virtual)

26 Board of Directors /General Meeting
Luncheon 12:00-2:00
Scott's Seafood, Oakland CA

FEBRUARY

8-11 ASC Student Competition, Sparks, NV

23 NCMCA AEP Education – J. Koontz
Location/Topics (TBD)

ATTACHED:

- UA Letter regarding Jurisdiction Disputes
- NCMCA 2023 Master Calendar
- UA Holiday Calendar
- 2023 NCMCA Member Safety Reimbursement Policy
- MSCA – Benchmark Survey Results

January 2023
Board of Directors
&

General Meeting
Scott's Seafood

Thursday, 1/26
12:00 – 2:00

If you would like to
attend, please email
Alex Hall at
Ahall@norcalmca.org

MCAA

FIELD LEADERS CONFERENCE IN SAN FRANCISCO AUGUST 2ND-4TH

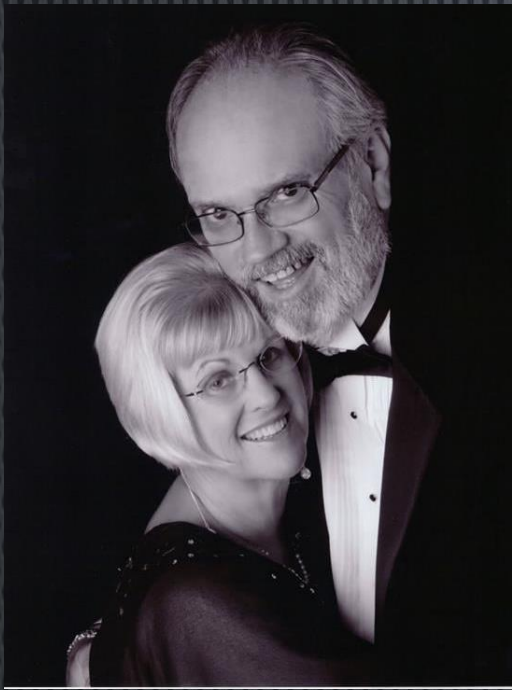
make your
moments
MCAA²³

REGISTER TODAY AT MCAA.ORG



IN LOVING MEMORY

William J. "Bill" Cawley Jr. 1946 - 2022



Bill Cawley, 76, longtime Benicia resident and owner of Benicia Plumbing Inc. since 1975 passed away Sunday following a long illness. He was born in San Francisco and lived in Benicia for the past 47 years.

Bill was very active in serving his community and the mechanical construction industry. He was President of both Benicia Chamber of Commerce and Kiwanis Club. And in addition to his duties with his company, Bill was chairman of the Local 343 Joint Apprenticeship Training Committee and Past-President of the Northern California Mechanical Contractors Association. But more than that, he was a devoted husband, father and friend. He was generous and loving and a hero to all of us.



Norman T. R. "Reed" Heathorn Jr. 1961-2022

Reed Heathorn, 61, resident of Danville, CA and owner of American Air Conditioning, Plumbing and Heating passed away in his home, surrounded by his family, on Saturday December 3, 2022 after a short but fierce battle with pancreatic cancer.

Reed owned and managed American Air Conditioning, Plumbing and Heating for over 30 years, and served on the Board of Directors of Northern California Mechanical Contractors Association.

He is survived by his wife Lisa, five kids and eight grandchildren,

all of whom loved and cherished him.

He will be greatly missed by his family, friends and the Mechanical Contracting community.



A Celebration of Life Service will be held at Community Presbyterian Church (CPC) in Danville, at 11:00 AM on Saturday December 17th. All are welcome.

**Northern California
MCA
Advanced Education
Program**
Is pleased to Kick-Off
the year with 2 Great
Events

BRINGING WORLD-CLASS EDUCATION TO YOUR LOCATION

NEI
national
education
initiative



Featuring NEI Instructor: Chip Mitchell

Killer Contract Clauses

Understanding the complex terms and conditions included in most construction contracts, and negotiating reasonable modifications to those terms and conditions, are central elements to the successful management of risks imposed on your company. This class will explore the most common clauses by which project owners and general contractors shift risk down to subcontractors, focusing on risks they create, recommended changes to make them more reasonable, and strategies to try to negotiate these changes. Specific topics include:

- Risk shifting clauses (e.g., no-damages-for-delay, pay-if-paid, differing site conditions)
- Process and procedure clauses (e.g., notice, submittals, payments, changes, disputes)
- Design responsibility clauses
- Clauses incorporated by reference
- Contract exhibits
- Bond forms
- Creating reasonable modifications
- Strategies to negotiate modifications

JANUARY 10TH
1:00 p.m. -5:00 p.m.
Via ZOOM

CHANGE ORDER & CLAIM MANAGEMENT

Change Order and Claim Management Every contractor will experience projects that have a high volume of disputed change orders and claims. This class will explore how to recognize, preserve, present, and prosecute claims for additional costs and the various disputes processes by which claims are resolved. Specific topics include:

- Identifying and understanding the relevant contract provisions
- Express changes vs. constructive changes
- Defective design
- Differing site conditions
- Equal products
- Delay, acceleration, and inefficiency
- Requests for equitable adjustment and claims
- Disputes processes
 - Binding and non-binding ADR (structured negotiation, mediation)
 - Arbitration & - Litigation
 - California Lien Laws & Payment Bonds

JANUARY 24th
1:00 p.m. -5:00 p.m.
Via ZOOM

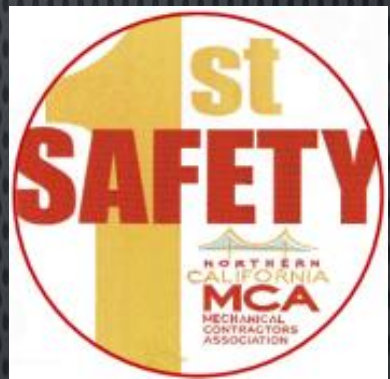
**MORE INFORMATION & ZOOM INSTRUCTIONS
WILL BE SENT OUT TO ALL MEMBERS
PRIOR TO THE BEGINNING OF THE YEAR**

MARK YOUR CALENDARS – YOU WON'T WANT TO MISS THESE



Thank you Chad!

Alex Hall presents Chad Johnston with his NCMCA "President's Plaque" for his service in 2021-22, as the Board of Directors and Past Presidents gathered this past November at Pelican Hill Resort, in Newport Beach. The group also Welcomed-In John Helm (Debella Mechanical), as the 2022-23 NCMCA President.



**Next Meeting
January 25th**

**Congratulations Rob Monaghan
For 23 Years of Service on the 467 JATC Board**



Related Santa Clara A Public Subsidy, Must Pay a Prevailing Wage – Open Link below for article

<https://www.svvoice.com/related-santa-clara-a-public-subsidy-must-pay-prevailing-wage/>

*Wishing you and all you know,
Happy Holidays and a
Fantastic New Year!*

