



# News leaks

## Upcoming Events



**November 12<sup>th</sup> - Membership Meeting**

**December 6<sup>th</sup> - Big Cheese, CSUS Alumni Center**

## In Memoriam of Sam K. Abdulaziz



It was with great sadness that we share the loss of a giant in our industry, Sam K. Abdulaziz. Sam was a senior partner of the Law offices of Abdulaziz, Grossbart & Rudman and oversaw the legal team that practices all facets of law in the construction industry.

Over the past four decades, Sam garnered a reputation as one of the nation's leading lecturers and writers in the field of construction law. He was one of the most respected and well known construction attorneys in California. He was especially recognized for all of his expertise in the area Mechanic's lien remedies and issues concerning contractors and the Contractors' license law.

Sam was a very dear friend of most construction associations in our state. He was the author of California Construction Law which every member has in their reference library; he was always available to us to present construction updates; Mechanic lien seminars; and represented and advised many, many members over the years. Sam also successfully testified at the state capitol whenever he was needed for his expertise in construction law and mechanic liens.

Services were held Monday October 14, 2013. Remembrances can be made in Sam Abdulaziz's name to the Alzheimer's Association.

*Truly a great man and like family to us all, he will be greatly missed, but never forgotten.*

*Sam Abdulaziz 1939 - 2013*

# Workplace Safety Training Classes



## Cal/OSHA and UC Berkeley offer workplace safety training for small businesses

**Oakland**—The Department of Industrial Relations (DIR) and Cal/OSHA have joined forces with the University of California, Berkeley’s Labor Occupational Health Program (LOHP) and partners in business, insurance and public health sectors to provide small businesses in California with training so that they can address workplace hazards and prevent injuries and illnesses.

California requires that all employers carry out effective injury and illness prevention activities on the job. The requirements include a written Injury and Illness Prevention Program (IIPP) with specific elements that include assessing hazards on the job, implementing control methods to prevent accidents and illnesses, maintaining safety records, and providing an effective training program for workers. IIPP-related violations continue to be among the most frequently cited by Cal/OSHA.

“Many small business owners do not know where to turn for help when they receive a citation for a deficient IIPP,” said DIR Director Christine Baker. “This program reaches out to small businesses to inform them of what can really work to protect their employees on the job. We are working with partners in workplace safety to keep prevention at the top of everyone’s agenda.”

The *Taking Action for Safety and Health* training course has already taken place in Pleasanton and Vacaville; upcoming November sessions will be held in Salinas on the 14<sup>th</sup>, Sacramento on the 18<sup>th</sup> and another is planned for February 2014 in Santa Ana. Since its initiation in December 2012, facilitators from LOHP have convened employers with 50 or fewer employees for the free, half-day program. Participants learn how promote a healthy workplace by identifying common safety problems and complete a template which serves as a model for writing their business’ unique IIPP. Cal/OSHA consultants are available during the training to explain technical aspects of Cal/OSHA requirements and answer questions. A day-long training program is also available from LOHP for larger businesses.

Julianne Sum, acting chief of Cal/OSHA, emphasized that one goal of a successful IIPP is to “engage workers in recognizing hazards and developing solutions as part of a living safety program.” The course provides small business owners and managers the opportunity to interact with experts in occupational safety as well as share industry-specific challenges and approaches to prevention with their peers.

For more information on the course, visit the Worker Occupational Safety and Health Training and Education Program [website](#); to sign up for a training session, email [driver@berkeley.edu](mailto:driver@berkeley.edu) or call (510) 643-8902.

Cal/OSHA, a division of DIR, also provides an **IIPP Online Tool** which includes a variety of resources for employers to improve and evaluate the effectiveness of their workplace Injury and Illness Prevention Plan.

## GREEN BUILDING

*By Kenneth S. Grossbart, Abdulaziz, Grossbart & Rudman*



People in the construction industry often use terms like "green" or "LEED" construction as though everyone knows what that means. We thought an overview may help our readers as the trend is for more "green" or "LEED" construction. Sustainability, otherwise known as "green" building, is the practice of designing, constructing, operating, maintaining, and removing buildings in ways that conserve natural resources and reduce their impact on climate change. In other words, reducing the environmental footprint with respect to that building.

Given the state of our environment, it makes sense that governments have enacted voluntary and mandatory green building standards. Federally, the Leadership in Energy and Environmental Design (LEED), which began in 1998, is a rating system for the design, construction and operation of high performance green buildings, homes and neighborhoods. Building under LEED guidelines can lower operating costs and increase asset value of the building, conserve energy, water and other valuable resources, be healthier for the occupants, and also qualify for money-saving incentives, like tax rebates and zoning allowances, not to mention be better for the environment all around.

Programs like LEED paved the way for the California Green Building Standards Code (CalGreen), which is the first statewide "green" building code in the United States. CalGreen started in 2008 as a voluntary program to encourage building practices to be more sustainable and environmentally friendly. As of January 1, 2011, many of the voluntary regulations became mandatory, placing limits on substances that could harm the environment, encouraging natural resources conservation and efficiently using materials and equipment. There are also two tiers of additional voluntary standards, which will most likely become future regulations. Many of the LEED and CalGreen requirements overlap, so it is easy to comply with CalGreen and still meet the LEED requirements as well.

The regulations imposed by CalGreen are to be enforced by local governments. However, the local governments may also enact more stringent requirements based on local climatic, geological or topographical conditions. Where that to apply to your project, make sure that you not only comply with the CalGreen regulations but that you abide by the local rules as well.

Since the California Building Standards Code is updated every three years, there should be new requirements for CalGreen that will be effective January 1, 2014. Although any permit that was obtained before January 1, 2014, will not have to comply with the new regulations, if you are not familiar with the new regulations, it is imperative that you familiarize yourself before the New Year. You can find additional information from your local building department, your construction trade association, or the California Building Standards Commission at [www.bsc.ca.gov](http://www.bsc.ca.gov). In addition to just obtaining the new regulations, there are many entities holding seminars and webinars to make sure that those in the construction industry are aware of the new regulations.

# NRCI Third Quarter 2013 Highlights



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for the CONSTRUCTION INDUSTRY

## **Overall Economy:**

At 72.0, the index score for the overall economy moved up slightly again this quarter, approaching the high of the second quarter of 2012 when it was 72.8. It is beginning to look like we have slow but sustainable growth in the economy.

## **Overall Economy where Panelists do business:**

The overall economy where NRCI Panelists do business improved 3.2 this quarter to 73.4.

**Panelists' Construction Business:** No leaps and bounds here but a continued solid improvement from 67.3 last quarter to 70.6 this quarter.

## **Nonresidential Building Construction Market Where Panelists do Business:**

At 71.6 this component made the most improvement of our general economic questions, a sign that there may be more work out there to help keep backlogs full.

## **Expected Change in Backlog:**

The median current backlog has been stuck at nine months for the past year, but that is better than being set at eight months as it was two years ago. However, the expected change in the backlog dropped to 63.9 from 66.4. This may be a statistical blip, but is likely an indicator that work hasn't started walking in the door yet.

## **Cost of Construction Materials and Labor:**

The rise in the cost and materials slowed somewhat this quarter, but the cost of labor increased. While these components add to the cost of construction—they hold back in the NRCI overall score. One can also take the view that the market is strong enough for materials producers and labor to seek increases.

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Excerpted from FMI 2013 Third Quarter Non  
Residential Construction Index Report Executive  
Summary.*

**Productivity:** Productivity improvement continues to weaken. At 50.5 this quarter, it is just barely remaining positive.

## **Immigration/ Labor Bill:**

The Majority of panelists believe that the proposed immigration/labor bill (S. 744, Border Security, Economic Opportunity and Immigration Modernization Act of 2013) should be passed (37% yes and 40% yes with some amendment). However, if not passed, 38% of panelists expect no appreciable change in the regions they working, and 24% said that they are not dependent on immigrant labor.

## **Residential Growth Impact on Nonresidential Construction:**

Headlines about the growth in residential housing sales and new construction can sometimes make one think all construction is improving; however, 40% of panelists have not seen any noticeable change in their markets at this point. Thirty percent of panelists think it is helping but not sure how much. Others (23%) think it is helping add 1% to 3% to nonresidential construction. Where once the connection between residential and nonresidential construction was accepted as closely linked, we seem to have a paradigm shift. Now, that link may be more indirect and tenuous, or at a minimum, less certain.

## **“Obamacare” Implementation Delay Impact:**

The recent announcement that the employer mandate portion of the ACA, “Obamacare,” law will be delayed is for many another sign that the law is irretrievably flawed. Fifty percent of Panelists do not expect the delayed mandate to accelerate hiring decisions and economic activity in the following year, compared with only 11% who think it will help. Many comments indicate that this is all political. Most agree, whether they support the law or not, that it is causing more market uncertainty than helping health care.



APMC OF SACRAMENTO

# Membership Meeting

Tuesday, November 12, 2013

Zinfandel Grille

2384 Fair Oaks Blvd., Sacramento

Member Social 5:45 p.m. • Dinner 6:30 p.m.  
Program to Follow

Kunal Merchant, Vice President of Strategic Initiatives at the Sacramento Kings, along with Clint Williams, Business Development Manager for Turner Construction will be joining us.



Fax completed registration form to (916) 475-1695

Or return via email to: [claired@sacvalleyassoc.net](mailto:claired@sacvalleyassoc.net)

By November 7, 2013

Company: \_\_\_\_\_

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