



NCMCA MEMBER NEWSLETTER

January 2023

JANUARY

- 10 NCMCA AEP Education (Virtual)
Killer Contract Clauses
- 16 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*
- 27-29 Cal Poly Net Zero Competition
San Luis Obispo, CA

FEBRUARY

- 8-11 ASC Student Competition, Sparks, NV
- 23 NCMCA AEP Education – J. Koontz
Location/Topics (TBD)

MARCH

- 8 *Deadline for Safety Awards*
- 13 *Deadline for Scholarship Applications*
- 15 *NCMCA Safety Meeting (Virtual)*
- 26-30 *MCAA Convention – Phoenix, AZ*

ATTACHED:

- NCMCA 2023 Master Calendar
- COVID Update 2023
- Cal Poly Event Member Invitation
- NCMCA Safety Awards Application

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**

Convention

make your
moments

MCAA²³

REGISTER FOR BOTH AT MCAA.ORG



**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

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

No Need to Register, you may join the Zoom at the below link
<https://us02web.zoom.us/j/85406988764?pwd=WIROaFJXMEMyVExpNko3dHNIMXg3dz09>

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

COMING

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



2023 COVID REGULATIONS SIGNIFICANTLY CHANGED (MEMO ATTACHED)

COVID regulations in California for 2023 are changed significantly. We have reviewed the various changes with attorneys and our legislative analyst to identify and clarify the most important changes. **The attached memo** provides basic information. The memo also includes documents and links that give details on the applicable information from Cal-OSHA, the California DIR, and the California Department of Public Health. This back-up information should be helpful in confirming the basic information and guiding changes to your COVID Protection Plans.

Please contact Heine Costello for more information or assistance with all the documents.

Email – hc@costellomanagement.com

*JOIN US FOR OUR FIRST 2023 SAFETY MEETING OF THE YEAR
JANUARY, 25TH*

*Featuring Special Guest, Justin Azbill from Milwaukee Tools
The ZOOM invite will be sent out a week prior to the meeting.*

NCMCA SAFETY AWARDS FOR 2022

Attached you will find the Safety Award
Application for 2022

The Deadline Date to return your application is
March 8th



Student Competition at Cal Poly
January 27-29th - Presentations on Sunday the 29th
Please See Attached Flyer.



Be on the Lookout Information on the 2023 Kent T. Morrill Scholarship will be coming out soon!

**** Free ****

2023 California Employment Law Webinar

Presented By



<p>Our Webinars provide up-to-date information on important California employment law issues for employers, owners, managers, accountants, attorneys, and human resource professionals.</p>	
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UPCOMING WEBINAR REMINDER!

Wednesday January 18, 2023, 12:00pm - 1:00pm

Marijuana and Drug Testing In The Workplace

For Free registration, visit our website at:

For free registration, visit our website at <https://hatmakerlaw.com/events/>

For more information, contact Karen Shubin at (559) 374-0077 or email: karen@hatmakerlaw.com