What Defines Your Company Culture?

Examining and strengthening your company’s culture is a vital part of a leadership position. Part of the strengthening process is to understand the fundamentals of great leadership and then to implement those behaviors within yourself. When your employees see how you behave, they will follow suit.

Begin with understanding your current company culture.

Before you can plot a trajectory for where your company is going and the kind of leader you want to be, you need to understand where you are. What is the current company culture? What kind of leader are you right now? Observe not only how your employees behave, but your own actions throughout the workday.

Unify your workforce and lead by example to create a healthier company culture.

At the end of the day, the CEO is the defining factor for your company culture. The CEO’s behavior is going to set the tone for all other employee actions from handling mistakes to interacting with clients. As CEO, your job is to show your company the right way to conduct yourself. For example, you should treat each mistake as a learning opportunity rather than a chance to punish. You should also challenge yourself to think outside the box and encourage your employees to do the same. A good leader not only takes responsibility for their own actions, they take responsibility for the action of their employees. They also listen to their team members and thank them for their work often.

Finally, you need to make sure that you are incorporating all of these qualities into your daily practices, rather than picking and choosing the ones that come easily to you.

Being a great leader is challenging, but it is necessary to provide a healthy company culture.

Ready for your AHA! Moment? Call Allan Hirsh Advisors today!

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Meet & Greet

Blackstone Construction Group is a Baltimore-based General Contracting firm. We provide service for commercial, multi-family, and federal government properties throughout Maryland, Washington, DC, and Virgina.

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Results Of The 2017 Maryland Construction Industry Survey

If you want to keep a finger on the pulse of Maryland’s construction industry, but find yourself strapped for time to do all the research on your own, we’ve got the answer for you.

On May 4 we will present the results of our 2017 Maryland Construction Industry Survey at a seminar with the Maryland Construction Network.

Attending the “Maryland’s Construction Industry Outlook: Top Trends, Challenges and Solutions for Success” seminar will be time well spent. It’s important to step away from the nitty gritty of running your business every now and then and then to understand the big picture of your industry.

In a little over an hour, you will get insights on:

- Best practices for recruiting and retaining key staff
- Owners’ top concerns for 2017 and experts’ recommendations for addressing them
- The number one technology challenge facing construction companies
- Statewide industry outlook and trends for 2017
- How local contractors are using digital marketing to find new business and employees

The results of the 2017 Maryland Construction Industry Survey will only be made available to those who took the survey and anyone who attends our joint seminar with MCN. We guarantee you’re not going to want to miss out on these exclusive insights.

When you attend the seminar you will receive the 2017 Maryland Construction Industry Survey results in an easy-to-understand written report, full of infographics and conversational insights and advice from construction industry experts.

Space will fill up, so register now to reserve your spot.

Bonus! The seminar will be followed by an MCN Direct Connect event, giving you the opportunity to network and enjoy some beer, jumbo crab cakes, blackened shrimp and deep fried carved turkey breast at The Greene Turtle.

Maryland’s Construction Industry Outlook: Top Trends, Challenges and Solutions for Success

May 4, 2017
Registration: 3:30-3:45pm
Seminar: 3:45-5:00pm
Direct Connect: 5:00-7:00pm
The Greene Turtle
Owings Mills, MD

Steve Ball, CPA, CVA, CCFIP, is director of Gross Mendelsohn’s Construction & Real Estate Group. He is passionate about working with contractors on every aspect of their business. Steve is known as someone who gives Maryland construction companies practical advice and strategies for being more profitable, retaining key employees, developing succession plans, and using technology more effectively. Contact Steve at 410.685.5512 or sball@gma-cpa.com.
Put Your BIG Priorities First!

Several years ago, after attending a time management workshop, I made a commitment to take charge of my construction company, put my priorities first, and focus on building a business that works. I committed to focus my time on activities that produce the biggest return, delegate as much as possible to my employees, spend 33 percent of my time with customers, and get home at a decent hour!

When Monday morning rolled around, I couldn't wait to get to the office. I prioritized my tasks into several categories: must do, should do, could do, and don't have to do. Then guess what happened at 7:30 a.m.? I started to get calls and urgent e-mails which put more immediate demands on my time. People were requesting I attend meetings, customers had issues, project superintendents were having problems with subcontractors and needed my help, one of our crews was sitting around waiting for the ready-mix concrete to be delivered, and one of our delivery trucks had broken down. So I did what I always did: I went out and tried to fix everyone else's problems for them.

When I finally got back to the office at 4:00 p.m., I realized I had missed lunch and my desk was piled with twenty-five new requests, notes, faxes, invoices, and demands—all requiring my prompt attention. So much for getting to my priorities! Then my best customer called and asked me to play golf with him at his exclusive private country club the next morning. He wanted to introduce me to his banker and talk about his next construction project. How could I play golf? There weren't enough hours in the day! I had to fix everyone's problems and put out all these fires in front of me. If you're like most business owners or managers, this has happened to you. You have good intentions and want to change the way you operate every day, but you just can't make it happen.

Successful BIZ-Owners put their BIG priorities first!

Ask yourself:

- What's my top priority?
- What's my #1 focus?
- What will make our company successful?

A successful profitable growing company can't be built with good intentions. It happens when the business owner or manager stays focused on what really matters to insure long term success, like finding new customers or making more money.

Harry is the successful owner of RPM Construction, a $40 million general contracting company. RPM is continually recognized for providing the best service, fastest schedules, and utmost quality workmanship in his city. Plus RPM makes lots of money, and Harry seems to have lots of time for his family, friends, and customers. He surrounds himself with a top management team. He makes loyal customers his top priority as his business is based on strong customer relationships.

Harry makes it a priority to play a round of golf every week with a foursome of customers, bankers, architects, real estate brokers, or potential clients. He hosts numerous customer “business” fishing trips to Alaska, big sporting events, and golf weekends. He is truly living his priorities. And his personal and business bottom-lines are doing very well as a result. When you put day to day details, other people's priorities and deadlines, construction project crises, and everyone else's problems first, you don't have time for the important things that make you the most money and give you the greatest return.

Continually ask yourself:

1. Is this the best use of my time and talent?
2. Is this activity helping me achieve my targets & goals?
3. Will this activity maximize our bottom-line profits?
4. Will this activity help get my business to work?
5. Am I doing what I should be doing?
6. Am I getting a return on energy?
7. Am I doing what I should do?

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Product Profile

EXPRESS MARKETING DESIGN
RUNKLES SIGN SERVICE
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Brand.
Town & City Branding
Logo Development
Publication Ad Design
Marketing Campaigns
Branding Campaigns
Online Branding
Expo Start-Up Consulting
Event Branding
Press Kit Development
Advertising Consulting
Graphic Design
Web Development
Hosting Packages
E-mail Marketing
Event Branding
Social Media Campaigns

Promote.
Trail Maps
Trail Brochures
Gift Shop Items
Online Media
Print Media
Promotional Products
Office Decor
Canvas Prints
Swag & Gifts
Mass Mailing Services
Promotional Signage
Embroidery Services
Screenprinting
Tents & Flags
Event Signage
Corporate Gifts

Identification.
Exterior & Interior Signage
Architectural Signage
Trail Signs
Wood, PVC, Metal Signs
Carved & Painted Signs
Tags & Labels
Exhibits & Trade Show Displays
Billboard & Transit Advertising
Banners & Flags
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Making Maryland Magnificent

Wagman Construction Builds Largest Independent Living Building for Active Adults in Frederick, MD

(Frederick, MD) Wagman Construction has completed construction of The Lodge at Willow Ponds, a new independent living building for active adults located just 10 minutes from historic downtown Frederick, Maryland. The Lodge is a new amenity-filled apartment building on the Willow Ponds campus.

The Lodge at Homewood at Willow Ponds is located across Willow Road from Homewood at Crumland Farms, a full-service care community providing independent, assisted living, and skilled levels of care. The site is owned by Homewood Retirement Centers of the United Church of Christ, Inc. Offering views of the scenic Catoctin Mountains and Willow Pond, and grained wood, two-story fireplace, rich coppery fabrics, and exquisite wrought iron finishings inside create an inviting interior reminiscent to that of a mountain lodge. The campus boasts nearby urban amenities while providing a 100+ acre tranquil setting with walking paths, and a “Beaux Arts” style boulevard running the full length of the site.

The $50 million project expands on Homewood at Crumland Farms in response to the growing number of senior residents in Frederick County. The independent living apartment building for active adults provides an integrated community center with a full range of amenities available to the campus residents: a wellness center complete with a salt water pool, fitness center, salon, convenience store, art room, great room, meditation room, café bistro, formal dining rooms and a bar. This four-story, 277,000-square-foot building includes a connecting two-story common area with state-of-the-art amenity space and an 89-space lower level parking garage. Accommodations include 55 two-bedroom, two-bathroom apartments and 30 two-bedroom plus den, two-bath apartments. Work also included more than 65 patio homes, with plans for a total of 200 additional homes.

Please contact Amy Young, Director of Client Services at Wagman Construction, for more information: 717.814.4909 or amyyoung@wagman.com.

Making Maryland Magnificent

From cutting-edge geotechnical solutions, to delivery of senior living, adaptive reuse, higher education and healthcare projects, Wagman serves as a partner to make the vision of your construction project a reality.

Wagman provided site geotechnical and construction services for this project at Homewood at Willow Ponds. How can our passion help you to achieve your goals?

wagman.com
In return he built a hugely successful company that enjoys some of the lowest turnover in the business. He saves himself money in turnover-related costs, sure, but there is a bigger gain from all of this. Since he is loyal to them, his workers are loyal to him. They show up when they need to, and they work hard. My client has developed a unique company culture which fuels his success, not by drilling down on the bottom line but by remembering the human aspect of business.

Ro Waldron is a commercial real estate broker and author with 28 years of experience in the Washington, D.C. area market. Through his vast experience in commercial real estate Ro adds value for his clients using his knowledge, connections and successful track record with many of the major players in this market. Ro's experiences in commercial real estate and as a player and coach on NCAA college football teams form the basis for his successful blog, “Ro's Words of Encouragement.”

To learn more about Ro, please visit www.rowaldron.com.

"Rightful liberty is unobstructed action according to our will within limits drawn around us by the equal rights of others. I do not add 'within the limits of the law' because law is often but the tyrant's will, and always so when it violates the rights of the individual."

~ Thomas Jefferson
Is Your Dashboard Tracking Your KPI’s?

O

K, what's a Dashboard? A Dashboard is a digest of critical information that keeps leaders and managers apprised of how the business and each of its areas are doing. The frequency and nature of the contents of the Dashboard vary with each type of business. The importance of the Dashboard lies in the abilities it creates to see trends and problems and enable leadership and managers to react properly before serious problems (or great opportunities) present themselves.

KPIs are Key Performance Indicators and are the sources of the information on the Dashboard. Dashboards and KPIs can be critical success factors especially if they are used at all levels of the company. You probably already know what your KPIs are. If not, ask your financial area, your trade association, your banker and your customers what they are.

The KPIs you track and report to your banker should be in the bank’s format and language. They are directly aligned with the covenants that govern your loan. Since the financial crisis of 2008, bank regulators have been very focused on reviewing customer KPIs to either bless the quality of the loan (in their terms) or classify it. Having your loan classified is not only upsetting to you but is can create all sorts of unpleasantness for the bank including a direct deduction from its earnings. But, before this upsets you realize that those KPIs and the willingness to manage by them often create a better run and therefore more valuable business.

Your finance area or accountant can provide the data for revenue, gross profit and cash flow and also the data for your bank. Your trade association may be able to provide industry data to which you can compare your company's performance to other company. If the trade association can show you data for companies in your size range, more’s the better. Comparing your business to others in your industry can be an eye-opening experience. You either find you are outperforming them or you are average or maybe not so good. The differences between you and them can provide strong clues to changes in your processes or opportunities on which to focus. We all want to know how we are doing against our plan and against prior years. Seeing how we are doing among our peers and acting on the information can push us up another rung or two on the ladder.

Some companies use a type of “horseback” company productivity KPI by tracking revenue, gross profit and cash flow per employee. Get to know the normal fluctuations in these numbers if your business has seasonality to it. Then you can be better able to plan for that seasonality or find products or services that smooth out the peaks and valleys.

And finally customers will tell you how well your business is meeting their expectations. And really, is there no more important group of people to find out how they think you are doing than your customers? Periodic feedback from them will help keep your business fresh, your internal processes in top shape and your goals met. Accept the praise from them with thanks but really appreciate the reasonable criticism they give you. It’s the only way to improve.

So-pardon the reference-drive your organization forward to where you want it to go with your “hands on the wheel.” The right level of control using KPI driven dashboards that support the ability to adapt to changing conditions is a hallmark of success.

Paul Riecks is a Principal at INSIGHT. At INSIGHT, we believe that every business has the opportunity and the potential to be as successful as its owners want it to be and deserves the chance to reach that potential. One of the best resources available to business owners and CEOs for help in reaching their company’s potential is the deep pool of knowledge shared with other business owners and CEOs. So what we do is form INSIGHT Groups-each with 10-15 owners and CEOs- and facilitate their monthly meetings where they advise each other, share ideas and experiences and gain the clarity they need to achieve the success they seek. www.gaininsight.net
So from an engineer’s perspective, I would like to suggest to the reader that we should practice more face time with each other. Building and construction cannot be a successful endeavor if contractor and engineer aren't communicating with each other. This communication starts with an idea. The concept is formed and engineering drawings provide a picture of what things should look like. The drawings turn into a bid spec. The bid spec receives a response, a proposal and then a contract. Then everyone works to the contract and among the pressures of budget and schedule, forget the reason they all got together in the first place – to complete a collaborative effort that is carefully planned and designed to achieve a particular goal.

Engineers work for the good of the client, but cannot bend the rules and mores of their professional certification that they trained, were tested on, and then have to apply to industry standards and regulations which we all commonly refer to as “code”. Contractors also work for the good of the client, and they have licenses and reputations which they also have worked hard to earn – respect for an honest day’s labor that should be amply rewarded.

We network so we can be fortunate enough to win an opportunity to work on a project. Once we have earned the bid and won the respect of those that will count on us for our best efforts, shouldn’t we ensure the success of that effort by continuing to network with the team? Let me suggest that we are all empowered for face-to-face communication. It works. It provides the opportunity to develop relationships first on familiarity, which then develop into trust and understanding. This is the confidence we need when working with each other on a project team, to ensure a project’s success.

And what did the “boss” do in that old TV ad? He went to visit the friend that fired them that morning. Written by Denny Woolley. Denny is a Project Manager with Alliance Engineering, with over 30 years' experience in design and construction of Food, Pharma and Biotech processes and installations.
Architect’s Corner

Improving Communities
Building Industry Expertise

While the spring bulbs are popping up, I am renewed with inspiration and hope for the future, and looking forward to working towards improved communities. Many companies in our building industry are committed to community service and leadership opportunities. Having just finished an incredible year with 49 Leadership Maryland classmates, I have been inspired by so many amazing organizations doing such important work.

Realizing there are so many individuals and organizations in need, though, I’d like to plant a suggestion that will ultimately benefit you and your coworkers, on a professional and personal level: Consider proactively getting involved in an organization that you are passionate about.

Our industry has so much talent and specialized expertise that is needed by so many organizations. Yes, we’d all love to be involved (contractually) in building projects, but many projects could not happen without our pro-bono commitments. Support is so appreciated at many levels of time and talent - from non-profit board commitments, to one day team building service projects. Don’t worry about finding the perfect organization; I have been blessed with such fulfilling opportunities throughout my career, but this is not a life commitment. If you are not personally fulfilled by your service, move on to another – but start.

Also, consider sending a candidate application from your business to Leadership Maryland. There may be many others, but in 2016, I was impressed that building industry leaders Whiting Turner and KCI supported annual candidates. Kudos!

Please bear with me as I try to briefly describe my Leadership Maryland experience. This may seem like a promotional piece (well, I guess it is), but the underlying message is to be inspired to serve others with our expertise:

I enjoyed traveling across my adopted State of Maryland throughout the year, learning so much about issues and leadership opportunities, and creating new friendships. In addition to Leadership Maryland Day in Annapolis, learning about the legislative process, we toured the Chesapeake Bay Oyster laboratory at the University of Maryland Center for Environmental Science (UMCES) and the DuPont House. Our class participated in monthly educational sessions, coordinated by Director Renee Winskey and facilitated by Eliot Pfhanstiehl, Strathmore CEO and one of The Daily Record’s 2017 most Influential Marylanders. Although I could go on and on about each visit, a few highlights from each session:

- The Southern Region, Educational session: Calvert Marine Museum and baby River Otter; Patuxent River Naval Station; Chesapeake Bay Field Laboratory with the infamous Captain Jack; Sotterley Plantation and Slaves Quarter (quite sobering); Forrest Career & Technology Center and private/public career partnerships.

The students at the Forrest Career and Technology Center were designing and building Tiny Homes. What an amazing experience for these young students - working on teams with actual clients and integrating sustainable materials and practices. These youths are becoming our industry’s leaders of tomorrow.

- The Central Region, Health and Human Services session: Center for Urban Families; Humanim; UMMS Neonatal ICU; Living Classrooms Foundation.

The Living Classrooms tour was so much more than I expected. Offering education, workforce training and employment opportunities for young adults (many referred by the Maryland Department of Juvenile Services), this organization inspires leadership and is making such positive impacts in communities. Similarly, Humanim’s mission is to support and empower individuals who face social or economic challenges — by building pathways to economic equity, opportunity, and independence. You may know that Humanim is located in the fabulously renovated American Brewery building, winner of many local and

Continued On Page 33
Wrap-up Insurance Programs For Construction Projects

Insuring all of the risks associated with large-scale construction projects can be a daunting task for the parties involved. The traditional insurance approach requires each party to procure and maintain separate coverage. Generally, the contractor and subcontractor then include the cost of insurance, plus a mark-up, in their project bids.

Typically, risk is then pushed downstream—from owners to general contractors, and from general contractors to subcontractors—through contractual indemnifications, contractually mandated minimum insurance requirements and additional insured provisions.

While this approach may be customary for the parties involved, it is not without complications. Due to the number of policies and insurers involved, the traditional approach creates the potential for unforeseen liability gaps to emerge. Some parties may have inadequate limits, gaps in coverage or no insurance at all. Furthermore, because there are various insurance companies covering one project, each claim has the potential to cause costly and time-consuming cross litigation.

As an alternative to having each party obtain separate liability policies, project owners and general contractors can turn to a wrap-up insurance program to manage their risks.

What is Wrap-up Liability Insurance?

Sometimes referred to as controlled insurance programs (CIP), wrap-up insurance programs are centralized insurance and loss control programs intended to protect the project owner, general contractor and subcontractors under a single insurance policy or set of policies for the construction project.

Insurers typically offer two types of wrap-up programs based on the party sponsoring the program:

1. Owner Controlled Insurance Program (OCIP): Under an OCIP, the project owner sponsors and controls the program. Accordingly, the project owner is the first named insured, and the general contractor, subcontractors and other participants are named insureds.

2. Contractor Controlled Insurance Program (CCIP): Under a CCIP, the general contractor sponsors and controls the program. The general contractor is the first named insured, and the subcontractors and other participants are named insureds. Depending on the program, the project owner is either an additional insured or named insured.

While wrap-up programs are most frequently used for large, single-site projects, a rolling wrap-up can be used to insure multiple projects under one program.

What Types of Coverage Do Wrap-up Programs Provide?

Although each wrap-up program is designed to meet the needs of the specific project, most programs insure employer’s liability, general liability and excess liability exposures for claims arising from the construction project at the construction site during the policy period.

In many instances, builder’s risk, environmental liability, contractor default and other types of insurance can be included under a wrap-up program. Professional liability coverage can also be added to insure architects, engineers and other design professionals working on the project.

Liability occurring away from the project site is generally excluded under wrap-up programs. Accordingly, subcontractors, suppliers and vendors conducting off-site manufacturing or the assembling of building components may be excluded from the program. Claims arising from goods or materials in transit are often also excluded, preventing haulers and truck drivers from being covered under the program.

Wrap-up programs typically do not insure specific operations such as blasting, demolition or other high-risk operations. However, each program is different, and it is critical for program sponsors to be familiar with exactly what is and is not covered.

Benefits of Wrap-up Programs

Continued On Page 30
Taking Your Project Managers To The Next Level

Yesterday’s construction project managers (PMs) had it so easy. They had one job: Get it done. That’s a bit of an oversimplification, of course. They also had to complete the job on time and, preferably, under budget.

Nonetheless, the occupation has evolved over the years. Today’s PMs have to get it done, too. But they also must monitor the financial impact of each job more closely, watch out for countless compliance issues and strive to enhance profitability as much as possible. There’s only one way to get your PMs to this next level — proper training.

Start at the end

Many contractors don’t provide much training for their PMs because they’re not sure where to begin. You could send them to a local community college for a “Construction Project Management 101” course. But they probably won’t learn much. In fact, they could end up teaching the course themselves!

No, to determine the right training for your PMs, you need to identify your targeted outcomes. What do you want them to do better? Most PMs rose to that level of the organizational chart by being good at planning, communicating, deploying people and assets, and monitoring job progress. But, as mentioned, doing these things alone doesn’t cut it anymore. Many PMs struggle in areas such as:

- Project accounting (budgets, cash flow, tax impact),
- Data entry and management,
- Impact and management of change orders,
- Revenue recognition,
- Materials purchasing and management, and
- Regulatory compliance issues.

And these are just a few examples. Truly top-level PMs also run each job in accordance with their companies’ strategic, customer service and branding goals. If every project is a chance to show the world what you can do, your PM is the one in charge of the presentation.

Consider the total cost

Once you identify the subject areas in which you want your PMs to improve, you’ll likely find many options for training them. This is where you’ll have to really pay attention to costs and look to maximize your return on investment.

For example, there are a variety of online training courses to consider. But will they go into enough detail and cover the specifics that pertain to your projects? There may be local colleges, universities or trade schools in which your PMs can enroll, but tuition can be pricey — especially if you’re sending multiple employees.

Another option is to engage specific consultants to provide one-on-one or group training. This may be expensive as well, though a carefully vetted consultant can usually customize training for best results.

When forecasting the expense of training, remember that the dollars involved go far beyond just course fees and the cost of learning materials. You’ll also need to put a dollar amount on the expense of traveling, the disruption to your PMs’ daily schedules and the loss of billable hours if training will keep them away from the jobsite.

Invest in leadership

Like virtually everything in business, there’s a cost vs. benefit relationship to consider in providing ongoing training to PMs. But when you invest in leadership, the payoff can be substantial in more smoothly run, less costly and more profitable construction projects.

Donald N. Hoffman, MS, CPA
Hertzbach & Company, P.A.
410.363.3200 - www.hertzbach.com

Donald Hoffman, MS, CPA, is a Partner at Hertzbach & Company, P.A. in Owings Mills, Maryland, Rockville, Maryland and Arlington, Virginia. Don can be reached at (410) 363-3200.
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Planning For A Special Needs Child

Taking care of a special needs child can be very challenging. After juggling medical appointments, educational plans, behavioral assessments, occupational, physical, or speech therapy, parents often have little time or energy to address the financial implications of raising a special needs child. However, the financial implications are huge. One study by the Department of Agriculture suggests that a middle-income family will spend approximately $234,000 to raise a child until age 18.\(^1\) That number increases dramatically when raising a special needs child. As the term “special needs” covers many conditions, ranging from mild learning disabilities to severe cognitive, physical or behavioral impairments, the additional costs vary widely and can be difficult to estimate. According to Autism Speaks, the average lifetime cost of caring for an autistic person is $1.4 million. If the person with autism also suffers from an intellectual disability (as 1 in 5 do), the cost balloons to $2.3 million.\(^2\)

So what are some financial planning areas that families with special needs children should be considering?

**Life Insurance**

For many families, life insurance is a temporary need that can be satisfied with low cost term insurance. Wage earners need life insurance to protect survivors who are dependent on their income and resources. But what if your child will always be dependent on you financially? In these cases, a permanent life insurance policy might be needed. A permanent life insurance policy covers your entire life and will provide a death benefit to ensure your special needs child will be financially taken care of after you are no longer here.

**Estate Planning**

If you have life insurance, your special needs child probably shouldn’t be listed as the beneficiary. This is true for any account with a beneficiary designation, such as 401(k) plans and IRA accounts. Millions of disabled individuals and their families depend on public programs like Supplemental Security Income (SSI) and Medicaid for income, health care and housing assistance. To qualify for these programs, a disabled person cannot own more than $2,000 in assets. If the special needs child receives any assets directly, either through beneficiary designations or through a Last Will and Testament, they risk losing their public benefits.

So how should one give assets or leave assets to a special needs child? A Special Needs Trust can be set up with the child as the beneficiary of the trust. The trust holds and manages the assets for the disabled individual. It allows the special needs child to use and enjoy the assets in the trust, without affecting eligibility for public benefits.

**ABLE Accounts**

Although they can be a great planning tool, Special Needs Trusts can be complicated and expensive to draft. In 2014, ABLE (Achieving a Better Life Experience) accounts were introduced. Like Special Needs Trusts, they allow for asset accumulation (up to $100,000) for a special needs individual without compromising eligibility for public programs.

ABLE accounts are tax-advantaged savings accounts for individuals with disabilities. The account works similarly to a 529 college savings plan. The account can be funded with up to $14,000 per year. There is not a federal income tax deduction for the contributions, although some states allow a state income tax deduction. The money grows tax-free if used for “qualified disability expenses”, including housing, transportation, special education services, tutoring, assistive technology, job training, health, financial management and legal fees. If withdrawn for expenses other than a qualified disability expense, the earnings are taxed and subject to a 10% penalty tax.

The account beneficiary must be an individual who became disabled before age 26. Anyone who qualifies for Social Security disability payments or Supplemental Security Income automatically qualifies. If you are not receiving either, but meet Social Security’s definition of significant functional limitations and submit a certification letter from a licensed physician, you can also qualify.

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**Donna Gestl, CFP®, AIF®**

**Senior Vice President**

**The Prosperity Consulting Group, LLC**

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Full Depth Reclamation (FDR) For In-Place Pavement Recycling

Pavement Recycling is a general term that involves the re-use of existing asphalt pavement sections for the rehabilitation of existing roadways and parking areas. Numerous techniques are employed for pavement recycling that can be as simple as milling and re-using recycled asphalt in new plant mix asphalt mixtures, to the complete pulverization of the existing pavement section to form a recycled in-place pavement structure. One of the more widely used forms of in-place pavement recycling is Full Depth Reclamation. Full Depth Reclamation (FDR) is an in-place pavement recycling technique in which the asphalt pavement section and the underlying materials (subbase aggregate, subgrade soils or both) are pulverized, blended, and stabilized in place. Depending on the subgrade soil types (if any) that will be part of the mixture, either cement or lime can be used as the additive for FDR. This “Lessons Learned” briefly discusses the various methods of in-place pavement recycling and specific construction practices for the commonly used method of FDR. ASTM specifications (ASTM C-136, D-558, and D-1633) and the AASHTO Pavement Design Guide are excellent references for further information.

Methods Of In-Place Pavement Recycling

The most commonly used methods of in-place pavement recycling are mechanical stabilization, chemical stabilization, and bituminous stabilization. Mechanical stabilization incorporates imported aggregate into the pulverized layer to create a stable base or subbase to overlay with asphalt. Bituminous stabilization includes adding an asphalt stabilization agent into the pulverized materials which could consist of an asphalt emulsion or foamed asphalt product. Chemical stabilization includes blending a chemical additive into the pulverized materials which could include Portland Cement, lime, fly ash, or some combination of the above listed items. Mechanical and chemical stabilization can also be combined, as necessary, when one of the listed methods does not provide the required strength for the recycled materials. FDR is a chemical stabilization technique that is used to create a new pavement base prior to the installation of new asphalt layers. Cement is typically the most common chemical additive, and the amount of cement is determined with laboratory testing prior to construction in order to develop the project-specific mix design. Typically, the specifying agency requires a design compressive strength at seven days for the newly stabilized base material and the specific amount (either percentage by weight or volume) of the chemical additive is determined based on attaining the required 7-day compressive strength.

Full Depth Reclamation (FDR) Construction Practices

There are several basic construction practices that should be considered to provide a successful Full Depth Reclamation (FDR) project to the owner:

- Field samples prior to construction should be taken with appropriate equipment that is capable of fully pulverizing the in-place pavement section (see picture inset above).
- Mix designs should be determined in the laboratory prior to construction. Depending on the composition of the existing pavement section, several mixtures should be produced in the lab. The mixtures should use variable percentages of the chemical additive, so that an optimal mixture of the materials can be achieved that meets the intent of the project specification for the most efficient cost. If the project design mix is not determined prior to construction, unnecessary delays and costs may be incurred.
- The contractor chosen to perform the field work for FDR should be well-qualified and capable of showing a history of successful FDR projects. The contractor should have the types of equipment that are necessary to fully and thoroughly mix and blend materials in a consistent manner. Inadequate

Continued On Page 32
6 Essential Elements Every Employee Handbook Must Contain

A good employee handbook can pay dividends for years to come because it helps employers and employees know the rules of their relationship and what to do when that relationship runs into trouble. A bad employee handbook – or worse, no employee handbook – can spell disaster from the get go. All employers, including those in the construction industry, should aim for a good employee handbook, as it will diffuse numerous conflicts before they even begin. Here are six elements that should always be in an employee handbook.

1 - Expectations

The employee handbook is the first and best place for an employer to set forth a comprehensive statement about what they expect from employees and for employees to know and understand their employer's obligations to them and their employer's policies. Expectations, of course, flow both ways and the employee handbook is an excellent, mostly neutral place to enunciate them and set the tone of the working relationship.

2 - Compensation and Benefits

Where many employment arrangements are at-will and have no individual employment contracts, the employee handbook steps in to fill the gap of knowledge regarding the scope of compensation and benefits available to employees. It is an excellent place to find information regarding how to access benefits, the terms under which benefits are given or withheld, and the company's policies regarding compensation, bonuses, and other forms of rewards.

3 - Standards of Conduct

In certain professions, there need to be standards of conduct included in the employee handbook covering topics ranging from dress to personal grooming to employee conduct. On the other side of this coin, an employee handbook can also openly declare the lack of standards of conduct or dress codes.

4 - Computers and Social Media Policies

Computers are a fact of life in almost all workplaces whether it be in an office setting or at a construction site. Thus, it is always advisable to have some sort of policy regarding computer usage at the office. In some areas, social media policies are also advisable. Possible guidelines can include restrictions on use of computers to certain sites only, prohibitions on using computers for personal matters, and the protocols employees should follow to keep information secure and private.

5 - Non-Discrimination Policy

A well-crafted non-discrimination policy protects employers and employees as it sets forth the rights of employees, the obligations of employers, and the applicable laws, such as the Americans with Disabilities Act. Of course, no handbook can possibly address every factual scenario that arises, but it is an excellent framework from which to start.

6 - The handbook May be Amended as Needed.

Handbooks are living documents that need to be updated from time-to-time to reflect changes in laws, policies, and technology. A good handbook should always include some mention of this fact and keep itself open to be reviewed, discussed, and amended when appropriate.

The first step in crafting an employee handbook or reviewing one as an employee is to consult with an attorney who understands employment law, and the myriad of issues that should be addressed in a handbook.

Continued On Page 34
The American Express® Corporate Card for Vendor Payments

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<td>Office Supplies</td>
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Diversified Construction Management

Diversity In The Workplace

With the Government requiring a certain number of goals to meet the diversity inclusion parameters, and economic theory proposing that slow-to-change organizations will become extinct, construction companies are scrambling to hire candidates. The business requirements for diversity have never been more prominent than they are now.

Diversity & Inclusion (D&I) has been consistently reported as one of the least important issues on leaders’ minds compared to other HR matters. In many construction companies, diversity and inclusion are approached with a top-down strategy. One major concern occurs when larger companies use MBEs only to satisfy their credit requirements for projects, rather than to create a mutually beneficial relationship with a company. Unethical companies exploit a loophole by assigning majority ownership of a business to women or minorities, and then give the work to non-disadvantaged companies. While many people tend to think diversity in the construction industry is all about the numbers (i.e.; headcounts and quotas), the truth is quantifying diversity involves more than simple math.

Encouraging and adjusting to diversity in the workplace, and in working with diverse joint venture partners, subcontractors and suppliers, shows good corporate practices. It also potentially gives the company a competitive advantage. Externally or internally, diversity is something that can be interlaced through the whole company.

Regardless of whether construction companies promote diversity or not, the construction workforce is rapidly becoming more diverse. It plays a key role of innovation in the workforce, and is a critical component of being successful on a global scale.

Construction Management

Construction Management (CM) is defined as a “professional service that utilizes specialized project management techniques to oversee the planning, design, and construction of a project from beginning to end.” Every construction project gives prominence to some amount of construction management.

The objective of any contractor is to construct a project both on time and within budget. As a contractor, to be both effective and productive, you need to have a complete understanding of the construction process. The ultimate responsibility of the contractor is managing their tasks as well as the undertakings of the construction parties under their supervision.

Successfully managing a construction project has four-steps. It requires that the parties establish a project plan, develop a project schedule, oversee the project schedule, and manage adjusted events.

1. Establish a Project Plan: Defining project goals and plans, to include; delineation of scope, budgeting, scheduling, setting performance standards and selecting project resources.

2. Develop a Project Schedule: Proper scheduling is the most critical phase of the construction management process. This is where all parties involved come to understand what tasks they are working on and when.

3. Oversee the Project Schedule: Executing various procedures through coordination & planning, design, estimating, contracting & construction of the entire process. Using time management to insure the project is on schedule.

4. Manage Adjusted Events: Resolving conflicts by developing effective communications & tools.

Each step is essential to a successful project outcome and requires perseverance and commitment from the team members.

Diversity In Construction Management

Here are four bullet points to improve your diverse talent pool in the construction industry and support the supply chain:

- Embed respect through the workplace, ensuring good management practices.
- Make information resources accessible for easier...
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Technology In Construction: From Cost Center To Strategic Partner

The realm of the traditional IT department and related staff used to be in a back corner of the office, emerging only when a business user ran into a problem, or the network or a critical server suddenly stopped working. In traditionally conservative industries like the Engineering and Construction space, this delegation of IT to the background who only becomes useful when something stops working is even more prevalent.

A report published in early 2016 by research firm JBKnowledge showed that the average IT expenditures across 19 diverse industries was 3.5% of revenues1. Taken as a whole, the construction industry spends on average 60% - 70% less on Information Technology projects than other industries.

This relatively low rate of IT expenditures is worrisome, given the ever decreasing costs when it comes to technology, especially physical hardware such as smart phones, tablets, laptops, and even servers and networking equipment. The conclusion is that the average Construction firm is likely continuing the trend of approaching IT as simply a reactionary cost center, without taking advantage of the strategic value they bring to the table.

What is this strategic value? Technology partners can work within an organization at every level:

- An accounting clerk can improve efficiency by having a second, larger monitor on their desk for the scanning and coding of incoming invoices
- A Payroll manager can improve efficiency, reduce human error, and even reduce staff by automating payroll functions, such as allow employees to enter time in the field on tablets or outsourcing document retention and employee delivery of pay stubs
- The CFO can improve cash flow by submitting invoices to clients and building owners electronically; and improve vendor and subcontractor relations by accepting and paying electronic invoices on the accounts payable side
- The Operations Manager can better manage labor and equipment across multiple construction sites utilizing an electronic dashboard system, improving efficiencies and both labor and equipment utilization
- The Legal Counsel can be better prepared to respond to business disputes with easily searchable and properly secured document and data retention systems

The examples noted above are just some of the various ways that a proactive approach to IT can add value to the business. Construction firms that leverage IT as a strategic partner tend to also implement Continuous Improvement Programs. All too often, when new software or hardware is purchased and integrated into the business, the product is simply put in place and then used without any thought for continual improvement. Getting the most return on investment in technology requires constant review and process improvement so that the business utilizes technology in the most efficient manner possible.

The expectations around conducting business in the 21st century have shifted. Employees want access to pay stubs and HR information electronically. Collaboration between owners, general contractors, engineers/architects, and subcontractors/vendors is moving to electronic platforms more and more. Without having that flexibility and framework in place, construction firms stand to lose out work to those that are leveraging technology to grow their backlog and increase their daily production.

In short, technology, when implemented correctly, can help a construction firm add to the bottom line. Much like adding equipment to a job site can reduce costs and improve the rate of work, IT expenditures can do the same for both the back office and field employees. Other industries, especially manufacturing and retail, have bought into this mindset with great success. It’s time for

1 Continued On Page 23
Successful petitions result in a court order instructing various entities, such as the arresting agency, parole and probation, the Criminal Justice Information Services (CJIS), and even the court system itself, to permanently destroy records generated from an arrest event. Each entity, having its own stand-alone database, then purges their respective records in a process that varies from one entity to another. Data brokers are constantly collecting and holding this information from all over the country before it disappears.

Data brokers are not affected by an expungement order. Information generated following an arrest event that has been collected by a data broker and offered to customers is not the legal record of an arrest event. Data brokers are, therefore, not obligated to destroy this information following a successful petition for expungement.

While Baltimore City, Montgomery County, and Prince Georges County have promulgated “ban the box” legislation, making it illegal for private employers to make criminal background inquiries prior to a conditional offer of employment, the trend has not been universally accepted in the state. For more information see, http://www.dcejc.org/wp-content/uploads/2016/06/MD-Ban-the-Box-Fact-Sheet.pdf.

The majority of employers in Maryland are still permitted to make inquiries about a job applicant's criminal record early in the application process. Prudent employers in the construction industry, who are coping with a revolving door of young employees, are wise to perform web-based criminal background checks, particularly since the cost of these services have dropped while their effectiveness have only risen.

Andrew K. O’Connell
Attorney
Thomas & Libowitz, P.A.
Office 410.752.2468  Fax 410.752.0979
Direct 443.927.2123  Mobile 410.591.7658

According to the U.S. Bureau of Labor and Statistics, seasonally adjusted, the construction industry employs nearly 6.5 million individuals. https://www.bls.gov/iag/tgs/iag23.htm. While the industry’s overall turnover rate trails the national average, yearly turnover for employees aged 25 and under has recently been as high as 38%, according to ADP Research Institute. Having so many faces from a younger demographic come and go in such a short period presents challenges to the industry.

While drug screening during the application process has become nearly universal in the construction industry, criminal background checks have not. An employer who hires employees to deal with the public is required to make reasonable inquiries or have an otherwise sufficient basis for reliance on the employee’s capability. Beyond this obligation, there is no requirement to inquire about an employee’s criminal record. Athas v. Hill, 300 Md. 133, 476 A.2d 710 (1984); Evans v. Morsell, 284 Md. 160, 395 A.2d 480 (1978). Nonetheless, employers in the construction industry should be aware of the wealth of inexpensive and readily accessible resources about past criminal indiscretions by job applicants, particularly for positions that will have access to vulnerable individuals such as children or the elderly where they have a heightened duty to inquire.

Gone are the days when job applicants could rely upon the fact that they were arrested in another state or that they had expunged their record in order to shield a criminal charge from discovery. The rise of data brokers, who make it their business to collect and hold public information, makes the world smaller and expungement process far less valuable to job seekers. One of the nation’s largest data brokers boasts of its repository of “over 600 million unique criminal records” compiled directly from “more than 1,200 different government municipalities at the county, state and federal levels across the United States[.]” Employers should understand the process in order to get the most out of their pre-employment screening.

Expungement is the procedure by which the legal record of a criminal offense is removed from court and law enforcement records. In Maryland, for example, after a formal expungement request is made to the court, a judge then determines whether the petition can be granted.
SavATree Consulting Helps The City Of Baltimore Reclaim, Reuse, & Revitalize

The data is remarkable: a few years ago, the U.S. Forest Service estimated that the amount of wood discarded in our nation’s cities annually was greater than the timber harvested from our U.S. National Forests during the same period.¹ That so-called “urban wood residue” comes from building construction and demolition, and from woody yard trimmings and storm debris. What happens to all that abandoned biomass? Much of it is burned, or put into a landfill, or chipped into mulch.

But for most of that wood waste, there are better things that can be made with it, and many people in the local community who could benefit from the “making.” Mike Galvin, Director of SavATree’s Consulting Group, is part of a team working to figure out how.

SavATree is one of a handful of partners – including state and municipal agencies, private companies, and non-profit organizations -- working with the U.S. Forest Service on its Baltimore Wood Project (BWP). The BWP is a multi-pronged effort to recover and repurpose Baltimore’s wood waste to decrease the wood sent to crowded landfills, increase supplies of green materials, and create new wood products… and in so doing, to create new companies and new jobs in Baltimore. As the project manager, Galvin identifies the experts who should be brought onto the project, makes the phone calls, convenes the stakeholders, reviews technical reports, and handles whatever else may be needed to, as he describes it, “keep the trains running on time.”

Connecting all the pieces is not only what Galvin does for the BWP, it’s the guiding mantra for the project itself. BWP’s rethinking of Baltimore’s wood waste is not just about recycling. Rather, explains Galvin, “our efforts extend along every step in the end-to-end supply chain,” namely:

- Assessing the volume of urban wood residue Baltimore produces annually and how much of that material can actually be turned into something useful;
- Devising efficient salvage systems to recognize and rescue the serviceable wood waste before it gets hauled off to landfills and burn piles;
- Identifying the potential markets -- and therefore, buyers -- for Baltimore’s reclaimed wood supply;
- Helping connect the wood processors at the beginning of the supply chain (such as kiln- and mill-owners) with the wood-product producers at the end of it (including builders, furniture-makers, artists, and biofuel companies.)

“The Baltimore Wood Project’s work on localized supply chains, job creation, and creative reuse is a perfect fit with SaveATree’s commitment to lean and sustainable practice,” says Galvin. And hopes are high that the project will bring much-needed economic, social, and environmental value to the city of Baltimore.

For more information on the Baltimore Wood Project, go to http://baltimorewoodproject.org/.


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the Construction, Engineering, and Architecture space to embrace the same ideals.


Chris Lounsbury is the Director of Professional Services with Business Information Group. He has been working on technology solutions to business problems and opportunities for the last 15 years, helping clients solve complex enterprise data and software problems across multiple industries and business sizes. In addition to his work providing high quality consulting services to his clients, Chris is an avid writer, motorsport fan, and car enthusiast.
The moment seems to unfold in slow motion. A bowl or glass slips through your fingers and crashes to the floor. Most of us, after a muttered (or not) curse, sweep up the debris, throw it out and move on. To do so, however, would be to miss an opportunity to practice the Japanese art of kintsugi, the art of joinery.

This is how Christopher Jobson describes Kintsugi:

From an almost impossibly young age, we are taught to hide imperfection and disguise weakness. In restaurants the world over, a multitude of mistakes are routinely covered by sauce. Nowhere is this lesson put into effect on a more regular basis than in business.

- Construction companies miss a line item in an estimate, but make up the difference on an auspiciously-timed change order.
- An angry customer is talked out of leaving with a discount and a well-worded apology, thereby putting the issue to bed.
- Management uses a generous severance package to head off an impending lawsuit by an

A ceramic bowl falls from soapy grasp and lies in multiple pieces on the floor.

A customer emails to say that she’s “going in a different direction” and will no longer be using your services.

A groom joyously shatters a linen-wrapped glass placed under foot by his best man to applause and shouts of Mazel Tov!

What is it about these and similar events, some rooted in antiquity and others by happenstance or inattention that forms the basis for the most vital of business lessons?

Let’s start by attending a wedding.

To an outsider, it is undoubtedly an odd moment. At the conclusion of a Jewish wedding ceremony, the bride and groom face the congregation, the best man places a wrapped glass on the floor behind the groom, the groom lifts his foot and dramatically (emphatically) shatters the glass. Unusual for a synagogue service, the room erupts in applause and congratulatory shouts.

The standard explanation is that the groom shatters the glass as a reminder of the destruction of the Temple in Jerusalem. I was taught, however, that there is a deeper meaning – more significant for the soul of people and organizations alike.

It is told that God splits each soul in two, one-part male and the other female. It is the mission of each half-souls, once born, to find and complete each other. At the time, such a division might seem tragic, but upon further examination, it is only apart that each has an opportunity to learn and grow…in other words, to become worthy of each other and strong enough to build a future.

So it is at the wedding, that we celebrate the division which, in and of itself, set each part of the pair on a course to become the instrument of each other’s completion.

Shards on the Floor

From an almost impossibly young age, we are taught to hide imperfection and disguise weakness. In restaurants the world over, a multitude of mistakes are routinely covered by sauce. Nowhere is this lesson put into effect on a more regular basis than in business.

- Construction companies miss a line item in an estimate, but make up the difference on an auspiciously-timed change order.
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- Management uses a generous severance package to head off an impending lawsuit by an

The Japanese method for repairing broken ceramics with a special lacquer mixed with gold, silver or platinum. The philosophy behind the technique is to recognize the history of the object and to visibly incorporate the repair into the new piece instead of disguising it. The process results in something more beautiful than the original.
Looking At Jobsite Risks

Construction jobsites have many unique exposures that create a variety of risks. Identifying and understanding these risks is crucial in preventing and mitigating claims.

There are several types of risks at a jobsite:

**Physical Risks:**

Geography – Where the jobsite is located, what is adjacent/nearby to the site, and how accessible the site is to others? A jobsite in downtown Baltimore has different risks than a jobsite in rural Carroll County. Understanding where the work is being done is the first step in evaluating the jobsite risk.

Type of Job – Is the work being done below grade, at grade level, or at elevation? Is it being done indoors or outdoors? Or is it a combination of each? Painting a new tenant space that is in a secured building presents a much different risk profile than hanging a sign 20 stories up on a heavily traveled street.

Security – How well is the site secured, monitored, and protected? A ground-up project that is fenced off and has a fulltime security guard has a different set of risks than an open space where grading and utility work is being performed.

**Risks to Third Parties:**

What are risks to bodily injury or property damage to a third party? Construction sites often create an attractive nuisance (look at You Tube videos of people with Go-Pro cameras going to the top of cranes). People want to access the site despite the danger.

You need to look at how you can prevent the general public from getting hurt at your site. You also prevent adjacent property from being damaged. Can a falling tool or piece of material hit a pedestrian or strike another building or someone's vehicle?

Developing and maintaining an access policy is important. Who can get on the site, when can they enter, and what are the requirements (personal protective equipment, etc.)? Are you recording who is coming and going?

**Risks to Your Employees:**

Is there a site safety plan in place? You are identifying the risks inherent with that job. A general safety plan is great but the unique characteristics of each job needs to be added. Is the site evaluated every day for change in risk?

Using a job site analysis is a great way to manage risk. Construction sites have ongoing changes and the risks change as well. A heavy rain might hide some potholes that an employee can step in or a vehicle or piece of equipment can be damaged in. The rain can also create slip and fall hazard which can require different safety protocol.

Another risk to your employees is from other contractors working at the site. How are subcontractors being managed? Does the site operate under a comprehensive safety program and who is overseeing this? If not, how are the various subcontractors working together to maintain a safe workplace.

**Risks to Your Property:**

What is being done to prevent theft or vandalism at the jobsite? Theft and vandalism are a huge problem for the construction industry. How are your materials, tools, and equipment secured at the end of the day? How are you protecting the installed materials and completed work?

How are you reconciling inventory delivery and use? Can you prevent small thefts that add up to a larger loss over an extended timeframe.

Loss prevention and mitigation is only possible when you understand the risks associated with the job site you are working on. A true safety program will evolve as the risks at the site change.

*Richard Shaw is a Senior Client Executive with RCM&D with over 25 years of experience working with clients to help them manage their risk. You can contact Richard at rshaw@rcmd.com.*
New Mechanics’ Lien Laws In PA.

At 7:30am, on any given weekday, you will find contractors and subcontractors traveling across the Mason-Dixon line on Route 83. For the Maryland contractors and subcontractors who travel into Pennsylvania, know that Pennsylvania’s amended mechanics’ lien law has been in effect since January 1, 2017. The amended law created an online “State Construction Notices Directory” that affects lien rights on certain projects.

The most important change in Pennsylvania law is that the subcontractor (or sub-subcontractor) must file a “Notice of Furnishing” within 45 days of first providing labor or materials to the site. If the Notice of Furnishing is not timely filed, then the laborer/supplier loses its lien rights.

There are other changes, too, including new language that must be included in eligible contract documents. Here are the details:

1. Private projects of at least $1.5 million may be registered to the online Directory at the Owner's choice.
2. The Owner (or an agent) will file a “Notice of Commencement” on the Directory.
3. The Directory is searchable by the public. Anyone can search it, and it includes information such as whether a payment bond is covering the project and the identities of the general contractor and record owner of the property.
4. The Owner must conspicuously post the Notice of Commencement at the project site.
5. Within 45 days of providing labor or materials to the Project, subcontractors and suppliers must file a “Notice of Furnishing” on the Directory.
6. Failure to file a timely Notice of Furnishing will result in the loss of mechanics' lien rights.
7. Any subcontractor or supplier who has not been paid on the Project may choose to file a “Notice of Nonpayment” on the Directory.
8. The Owner may choose to file a “Notice of Completion” to the Directory.
9. It is a criminal misdemeanor for an Owner, Contractor, or Subcontractor to suggest, request, encourage, or require an entity to not file a Notice of Furnishing.
10. Abusive filing of Notices without good faith may result in liability for damages up to $2,000.
11. The online Directory is run by the Pennsylvania Department of General Services and can be found at https://apps.pa.gov/Scnd/.

Additionally, all contracts for an eligible project must include a new paragraph of statutorily required language, notifying subcontractors that the failure to file a Notice of Furnishing may result in loss of lien rights. The Owner and the Contractor must also include the Notice of Commencement as part of the Contract Documents.

It is important to note that these new requirements are an additional wrinkle to the already existing Mechanics’ Lien Law. Lien waivers are still valid. And all previous requirements and timing deadlines must still be satisfied for filing a lien. Most notably, liens must be filed within 6 months of the last date of work provided. Further, for subcontractors and suppliers, a Notice of Intent to File Mechanics’ Lien must be provided to the Owner at least 30 days prior to filing the lien claim. The lien claim process also remains unchanged—it is still filed in the County Court of Common Pleas where the Project is located. When considering lien rights, it is imperative to act quickly and seek legal advice to ensure that all legal rights are preserved. Upon request, Bright Law Firm, PLLC can provide concise educational seminars on this topic.

The author, Jeffrey Bright, is an attorney licensed in both Maryland and Pennsylvania. He focuses his practice on construction law, commercial litigation, and related fields. He is the Owner of Bright Law Firm, PLLC, which is located in Lancaster, Pennsylvania and can be reached for comment at jbright@bright-lawfirm.com. The content of this article is not legal advice, as legal advice requires an analysis specific to the circumstances.
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*Reducing Cybersecurity Risks Discussion Panelists to be announced next. Stay tuned!

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As warmer weather slowly approaches we will begin a new cooling season with a rise in air temperature and relative humidity levels. Indoor relative humidity levels is a component along with temperature and pollutants that determine Indoor Air Quality (IAQ) within buildings. Poor indoor air quality is typically associated with Building Related Illness (BRI) and Sick Building Syndrome which can lead to performance losses of personnel. During the 1970’s, 1980’s and 1990’s significant changes in code requirements led to tighter building construction and use of different construction materials which can contribute to moisture buildup within the indoor environment. This moisture buildup or high indoor relative humidity conditions can have significant negative effects on the building and its occupants. Mold growth is a common concern as is the potential destructive nature of building components including within exterior walls that can't be easily inspected. There are many different reasons why high indoor relative humidity conditions exists however, three (3) primary sources include infiltration through the building envelope (roofs, walls, windows, doors, attics, basements, etc.), generation of moisture in the building and the buildings air conditioning system. A leaky building envelope or how the envelope was designed/constructed are often easily visualized, felt and or diagnosed. Moisture generated by occupants or activities such as cleaning are also known.

All too often the building’s air conditioning system is the reason for high indoor relative humidity levels.

As building codes require tighter building envelope construction, reducing air leakage and increasing insulation requirements, our buildings no longer breathe for the sake of reducing energy usage. These tighter more efficient buildings cause pollutants generated by occupants (e.g. carbon dioxide) to buildup. As a result of these findings, code required ventilation rates were increased. Ventilation essentially is outdoor air introduced into the building by the Heating, Ventilation, and Air Conditioning (HVAC) system to dilute these pollutants to provide indoor air quality that is acceptable to human occupants and that minimizes adverse health effects according to ASHRAE. Ventilation rates vary based on the floor area and use of the space (office, classroom, etc.). Occupant density (people per square foot) is also defined by code based on space function.

Atmospheric air used for ventilation air purposes is a combination of dry air and superheated steam (water vapor) in a low pressure condition (i.e. moisture).

Specific humidity is the mass of this water vapor present in a unit mass of dry air. Relative humidity expresses the amount of water vapor in the air relative to the amount of moisture it would hold if saturated at that temperature or the percent saturated.

Air is a compressible fluid. The volume of air increases with increased temperature and decreases on a reduction of temperature. As we move into warmer weather conditions warmer air can hold more moisture relative to its saturation point or 100% relative humidity (raining). This is why our buildings are dry during the heating season and wet during the cooling season. As Engineers, we can easily calculate these conditions using a psychrometric chart and equations.

Take for instance, on a 40°F day at 50% relative humidity outdoor air is introduced into a 70°F indoor space. The resulting indoor relative humidity is 15% as warmer air has more volume to hold molecules of moisture than the cooler outdoor air. During the summer however, outside air is warmer than the occupied space and if outside air is only cooled but not dehumidified the indoor relative humidity increases. As an example, when outdoor air is 85°F at 60% relative humidity is introduced into an occupied space that is air conditioned to 75°F the resulting indoor relative humidity is approximately 85%.

Dehumidification is typically a byproduct of air conditioning however, supply air needs to be cold enough leaving the cooling coil for dehumidification to

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Firms typically do not engage in strategic planning for a whole host of reasons—from not having the budget to hire a consultant, to being too busy, to being uncertain of the process—and, let’s face it, the process can be daunting.

So, what if you could set aside an hour or two to simplify the process and focus on building a strategic plan for one specific marketing initiative? The initiative could be small or large—revamping trade show materials, building a new website, extending a service line or entering a new market. Whatever the initiative, a simplified strategic marketing plan can provide the structure and framework to help your firm achieve its goals.

At Aria Environmental, a full three-day strategic planning retreat is logistically complicated for many reasons—our technical principals are in the field, we do a lot of emergency response work and we are often adjusting our schedules to meet the varying demands of our first, second and third-tier clients. Sound familiar? While we do steal time for full-firm strategic planning each year (usually at a family holiday or vacation) we have found that utilizing simplified strategic marketing planning in one to two-hour chunks has made an impactful difference in our growth each year.

How do you start? Choose an initiative that your firm has outlined in a strategic plan or an idea that has been kicked around for some time. Select the employees that will be assigned tasks under the strategic marketing plan. It’s also a good idea to assign a champion. This person is generally a person with decision-making authority who whole-heartedly supports the plan and who can also serve as a liaison with leadership.

Prior to meeting for the planning session, conduct a brief discussion to address why the initiative is important to the firm, what the expectations are for the group, when you are seeking to accomplish the initiative and, most importantly, who you plan on giving research assignments to within the group. Depending on your initiative, research could include a history of targeted clients, published budgets and capital improvement programs, incumbent firms, competition, the firm’s relevant experience and past experience with the client, potential teaming partners, vendor references, cost estimates, etc.

When it’s time for the session, the key is to keep planning simple and realistic. Let’s say one of the 2017 initiatives for your firm, BMore M/E/P Associates, is to win more primary and secondary school work in Baltimore-metropolitan area school districts. You would begin your strategic marketing planning session by defining your goal (or goals) and providing a clear description of that goal(s), identifying the objectives that you would like to meet, developing the strategy that you will use to meet your objectives and listing the tactics that you will employ to execute that strategy. You would close the session by assigning firm deadlines with milestones to track the progress of the plan and to hold those responsible for certain tactics accountable. The schedule should span no more than 12 months unless the initiative is complicated and large-scale, such as a CRM implementation that requires the merging of several departments.

Goals
A goal is the broad, primary outcome. It’s the main thing that you want to accomplish (there can be more than one identified). Choose no more than 3-5 goals for any one initiative. BMore M/E/P Associates example: Win a significant portion of the mechanical/electrical design work in the Baltimore City 21st Century Schools program over the next five years.

Objectives
An objective is a measurable step to take to achieve your goal. Your objectives should be clearly defined and measurable. BMore M/E/P Associates example: Win 2 of the 8 projects (25%) identified in FY 1 of the 21st Century Schools program.

Strategies
A strategy is the approach that you will take to meet the objective. BMore M/E/P Associates example: Identify,
Wrap-up programs can provide a number of benefits, including the following:

- **Potential cost savings:** Wrap-up programs are designed to reduce the overall cost of insurance by providing what amounts to volume discounts for the entire project.

- **Consolidated coverage:** Under the traditional approach by which parties procure their own insurance, the project owner and general contractor can set minimum insurance requirements for downstream participants. However, it can be difficult to determine whether contractors and subcontractors have obtained the correct limits and types of coverage. By contrast, under wrap-up programs, the controlling entity exerts greater control over the types, scope and limits of coverage.

- **Higher limits:** Most wrap-up programs have very high limits. If a major disaster occurs at a project and is not covered by a wrap-up program, the responsible contractors may not have adequate limits to cover the claim. Thus, the owner or general contractor may be on the line for the difference. However, if the project is covered by a wrap-up program, the limit should be sufficient to cover the incident.

- **Centralized safety and risk management:** Program sponsors, working in conjunction with their brokers, the insurer and safety professionals, can maintain centralized safety and risk management services. Doing so can reduce the frequency and severity of injury and property damage claims, thereby reducing insurance costs for the project.

- **Efficient claims processing:** Because a single insurer is the control point for managing claims, the process tends to be more efficient under wrap-up programs.

- **Reduced disputes among insured parties:** By covering all of the parties on a project under one policy, wrap-up programs reduce coverage disputes and subrogation issues between insureds and insurance carriers for covered claims that occur on the job site.

- **Access to projects:** For contractors and subcontractors, wrap-up programs can provide them with access to projects that they may not have otherwise been able to properly insure.

Potential Drawbacks Because wrap-up programs often offer a broad range of coverage for many entities, they can be expensive to obtain. However, program sponsors are typically able to reduce costs by selecting higher deductibles or by distributing premium costs to all parties covered under the policy.

Since wrap-up programs tend to encompass several types of coverage for a number of different organizations, program sponsors generally inherit administrative tasks. Beyond purchasing the wrap-up program, sponsors may be required to review and approve program documents, meet with underwriters and review claims. To address these issues, plan sponsors can designate or hire individuals to help administrate the programs, which can add to overall costs.

While wrap-up programs often result in cost savings, like any insurance policy, they are subject to market fluctuations. Accordingly, potential cost savings should be carefully considered.

Additional Information [There is no “one size fits all” model, and each program needs to be properly analyzed and tailored to meet a project's specific needs. Some of our sub contractors seem to be involved more in wrap ups due to the nature and size of jobs. In these cases, we prepare Excel spreadsheets that show insurance costs on either a rate per $100 (workers compensation) or $1000 (general liability) basis or a cost per man hour tied to payroll. They will often want to umbrella liability included which requires that the auto portion of the premium be deleted. It is important that these calculations be accurate so that the owner / GC does not over charge for the insurance provided under the wrap up.

Bruce Talbot
AGI/Sandy Spring Insurance Corp (SSIC)
www.advantagegroupinsurance.com
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btalbot@sandyspringbank.com

AGI specializes in construction bonding and insurance and is part of Sandy Spring Insurance Corp (SSIC), a Maryland corporation owned by Sandy Spring Bank (SASR). Sandy Spring Bank is listed by Forbes as one of America's 50 most trustworthy financial companies.
Why have employees?

Employees work for the boss. The boss doesn't work for employees. The sooner you realize the reason for having employees is to get them to do what you want them to do, allow you to grow your business, help you to make more money, and let you to work on your top priorities; the sooner you'll start getting your business to work. Accomplishing YOUR priorities will make your business successful. But if you never get to them, your business will continue to struggle and you'll have to keep doing all the important work yourself. The MORE you do for employees, the LESS employees do for you! The more things you do your employees should be doing, the MORE you DO and the LESS you'LL MAKE!

What are your top priorities?

What will make you the most money and give you the greatest long term return? Business owners make the most money when they spend 33% of their time building loyal customer relationships, spend 33% of their time leading their management team, and spend 33% of their time (or less) actually DOING work. If you put your long term priorities first and focus on what will give you the biggest return on energy, you'll have lots of time for the important things in your business and personal life. What will give you the greatest return - taking loyal customers to a baseball game or sitting at your computer and ordering all the materials needed to keep your employees working on the job? You can delegate ordering materials but you can't delegate building relationships.

Why is it so difficult to get to your priorities?

Roger owns Green Landscape Contractors, a landscape construction and maintenance company he has built up to one foreman and three crews over the last few years. He is now having trouble getting all of his jobs completed on schedule, finding more needed help, doing the required paperwork, paying the bills on-time, and finding time to take a few days off. His personal duties include sales, estimating, proposals, customer contacts, project management, scheduling crews, visiting every job to make sure the work is being done properly, performing extra work like tree trimming when requested by customers, and supervising all the special installation and custom projects. He works seventy to eighty hours every week, including Saturday and Sundays. He e-mailed to ask me to help him figure out what he can do to stop this insanity.

I asked Roger what he really wanted and what a perfect weekly schedule would be like for him. He said he wished he could get more organized, find a field superintendent who could run the field and take over his crew supervision duties, take the weekends off, and take at least two one-week vacations a year with his wife and family. I next asked what he would have to do to achieve his dream. He said he didn't know what to do first. He had tried to hire another foreman, but couldn't really find anyone he liked for a reasonable price. He thought he might be able to find a little more time to train his foreman to get the sprinklers and planting installed the way he wanted it done, make a checklist for the crews to follow, and hire a part time bookkeeper to help him with the paperwork.

Sounded simple! So why hadn't he done it yet? As the business owner, Roger decided he was the only person he trusted to talk to customers, or make field decisions. He also hadn't trusted his foremen to take on more responsibility and therefore didn't let them order any materials on their own. He was too busy to train crews, and didn't know how to hire a construction bookkeeper or what they could do for him. He had postponed doing what he needed to do. So he kept working harder and doing more, rather than get his act together and putting his priorities first.

What do you need to do to achieve your priorities?

Stop postponing your BIG priorities. It's time to look in the mirror and decide to change how you manage your time. Only you control your time and manage your day. Stop taking work away from employees and start making them accountable for results. Stop putting out fires for people and doing their jobs for them. And start delegating as much as you can by finding the right people, hiring, promoting, and doing what you need to do first. Make a list of your BIG priorities, what you will let go of, and what actions you need to take to get your day organized, focused on your priorities, and headed towards exactly what you want.

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As a professional construction BIZCOACH and popular industry speaker, George Hedley helps contractors increase profits, grow and get their companies to work! He is the best-selling author of “Get Your Construction Business To Always make A Profit!” available at his online bookstore at www.HardhatPresentations.com.

E-mail GH@HardhatPresentations.com to sign-up for his free e-newsletter, join a peer mastermind BIZGROUP, implement the BIZ-BUILDER BLUEPRINT, or get a discount for online courses at www.HardhatBizSchool.com.

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pulverizing and mixing equipment can result in an inconsistent mixture that will not pass the project Quality Control requirements.

- A Quality Control (QC) plan is required for most FDR projects and is considered to be an integral part of the FDR project's success. It outlines the types of inspection and testing required during construction, the intervals required for that testing, and who will be providing the testing.

- Field testing should only be performed by technicians that are familiar with the FDR process. Although no certification currently exists specifically for FDR testing, the technician providing the testing should have soils certifications from agencies such as VDOT, WACEL, and NICET, and specific FDR project experience.

W. Lloyd Ward is a Professional Engineer, Vice President, and the Branch Manager for the ECS Williamsburg, Virginia office. Mr. Ward earned a B.S. in Civil Engineering from Virginia Polytechnic Institute and State University (Virginia Tech). He's provided geotechnical engineering, Special Inspections and construction materials testing for notable projects throughout the Hampton Roads area for more than 17 years.
national Awards.

- The Western Region, Criminal Justice session: Adventurer Sports Center International’s whitewater course; Lakeside Creamery and Deep Creek Donuts (yum-worth a visit!); MD Correctional Institute – Hagerstown.

The beautiful historic stone building of the Hagerstown Correctional Institute was built as an impressive fortress, and imagining a life in one of the cramped cells was quite sobering. But equally impressive was learning of some positive opportunities for about a third of the inmates, who are working hard to overcome past mistakes and bad choices, and now involved in leadership programs. Mentoring, workforce training and furniture production, and even service dog training programs give an opportunity for these inmates to become inspiring heroes.

- The Eastern Region, Environmental session: Discussions about Agriculture Practices and Environmental Issues on the Nanticoke River; Rising Sun Acres Poultry Farm; Layton’s Chance Vineyard and Winery; Purdue Farms Salisbury Processing Facility; Salisbury University.

It was inspiring to hear about Salisbury University working so closely with the Town of Salisbury in a synergetic Town & Gown relationship, making positive community improvements. With the wealth of universities in Baltimore and Maryland, Salisbury is an inspiration for many of our urban communities focusing on revitalization.

- The Capital Region, Multi-Cultural and Diversity session - highlights included: Local Motors (3D Printed transportation!) and National Harbor Tour; Music Center Strathmore tour; Daryl Davis and his amazing relationship with the Ku Klux Klan; NASA’s Goddard Space Flight Center Tour and the almost completed James Webb Space Telescope.

This session was so impactful on many levels. A visit to Local Motors is a must - create a 3D printed item, watch it being made (take the family – kids can help build a model city). Meeting Daryl Davis was incredible and I am so excited to watch Accidental Courtesy, a documentary about Daryl Davis, Race and America (accidentalcourtesy.com). Also, I have already marked the expected launch of the James Webb Space Telescope in my calendar - October 2018 – what an experience to have seen it being constructed up close.

As you may have realized by now, this program opens up many opportunities – it was incredible to see passions sparked during the year. This (much too brief) program overview cannot begin to express the impact that this program had on my classmates and me, but please feel free to contact me about my experience, or check www.leadershipmd.org. Some of you may already be on my nomination list…;-)

Whether you are interested in Leadership Maryland, or not, I encourage you to reach out of your comfort zone and share your building industry services and expertise with your favorite non-profit or community organizations. I look forward to hearing your stories – Improving Communities, one volunteer at a time.

Laura Thul Penza, AIA
Principal
Penza Bailey Architects

“Wisdom & Wine”
A Business Enhancement Event With Networking

“Hot Legal Topics In The Construction Industry”
A Panel Discussion
Moderated By PK Law Attorney James R. Benjamin, Jr.

Wednesday, April 26th, 2017
Register NOW!
The Law Firm of J.W. Stafford, L.L.C. focuses on employment law and can assist your business. The Law Firm of J.W. Stafford, L.L.C. can be reached via e-mail at info@staffordtrialteam.com or via telephone at (301) 968-2384. Also, feel free to visit their website at http://www.staffordtrialteam.com.

Attorney Jamaal (“Jay”) W. Stafford focuses his practice on employment litigation, and he has extensive experience counseling and representing clients facing complex and challenging legal issues. He puts his experience to work with each client to help them get their desired results, no matter what legal situation they are facing. Each service that is offered is backed by his experience, education, professional training, and passion for employment law and litigation. You can learn more about Jay and The Law Firm of J.W. Stafford, L.L.C. by visiting their website here.

Disclaimer: The information contained in this article is intended to provide general information only and not legal advice.

Karen Hill is Assistant Manager for DeQuan's Construction, LLC. DeQuan's Construction has been in business for 17 years, and has certifications as a DBE/MBE/SBE/WBE. Our goal as a General Contractor is to help companies meet their diversity goals and objectives by offering management services to act as an intermediary. You can contact Karen at 410-727-2828, or email her at assistantmanager@dequans.com.

In order for more minorities to become involved, we need to encourage and raise awareness. Become more involved in local government, chambers and colleges. Research to find out what organizations and licensing might be available to you. Young, interested minorities should seek out mentors in these organizations. The most important part is finding groups that can help give the support you need.

At Allan Hirsh Advisors we believe in making a difference in the lives of CEOs and Business owners. We help you discover why you do what you do, understand your personal and professional visions. We ask questions, listen to you, give you feedback so you can make better decisions that align with your why and your visions and hold you accountable for your decisions. All this so you can improve your life and improve the lives of the people around you. If you are interesting in taking your business to the next level then contact Allan Hirsh Advisors to learn how we can Create AHA! Moments for you.

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aggrieved, now-former employee.

In each case, the temptation is to breathe a heavy sigh of relief and move on. And therein lies the problem. Resisting the temptation, both personally and professionally, to put it to bed (whatever “it” happens to be) as yet another problem solved can be the difference between success and failure, between being mired and breaking free, between aspiration and resignation, between joy and whatever lesser state can characterize one’s days.

Resisting temptation is never easy, especially when the sense of relief is so palpable. Even so, in my 30 years of working with entrepreneurs, I’ve noticed that the most successful people and organizations in the world look at mistakes a little differently. I’ve broken their approach, which I’ve consistently seen employed to great effect, into four principles:

1. **Elevate the Art of Communication.** Near-miss conversations are never easy, but they can be exceedingly productive...that is unless all the necessary parties are too busy covering their own rear ends. As a leader, it is your job to demonstrate, consistently, that the organization’s best interest lies not in a witch hunt but rather in the creation of a learning environment. Once people get used to the idea that mistakes aren’t about “what happened then” but rather about “what happens next” and that they are a valuable part of the “how can we avoid this in the future” conversation, any company becomes transformed into a learning company.

2. **Cultivate the Near-Miss Stories.** Train supervisory personnel in the art of nonfiction storytelling. Every department has those instances when things went wrong. A deadline was missed, a client was unhappy, violence was done to a budget. You can’t let the lessons learned from a near miss stay stuck only with the lead actors. It is a lost opportunity indeed if one PM thinks to herself “I’ll never do that again” while the other PMs remain ignorant of the landmine that may lay ahead of them.

3. **Hold a Failure Summit for Each Department.** Make it a focused, mandatory-attendance, off-site day. Tell the stories. Review the “aha” moments. Develop strategies for steering clear of landmines. Celebrate together the relief of bullets dodged.

4. **Incorporate the Lessons into Your DNA.** Take the lessons learned and stories told from your Failure Summit and emphasize them in the weekly meetings and personal touchpoints that took the place of your annual personnel reviews. Those stories – the good ones – should become the stuff of legend.

And so it is, perhaps, that this year your organization could think of something broken as the glass at a wedding or the opportunity for art, rather than as a tragedy to be forgotten. After all there is, as Ernest Hemmingway once observed, something eternal about having “strength in the broken places.”

**Eliot Wagonheim**
**Wagonheim Law**

*For more advice and tips, please visit our website at [www.wagonheim.com](http://www.wagonheim.com) or follow us on Twitter @Wagonheim*

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**MCN “Direct Connect” Networking & The 2017 Maryland Construction Industry Survey Results Presentation**

*Thursday, May 4th, 2017*

*Program: 3:45 – 5:00 p.m.*

*Networking: 5:00 – 7:00 p.m.*

**Register NOW!**
your outside air flow rate by using space carbon dioxide sensors in a code compliant manner. When there are less occupants in the building or space the amount of outdoor air can be reduced accordingly. Additionally, if a space just needs to be cooled but is not occupied, mechanical ventilation is not required. This is particularly true for assembly spaces and/or buildings not used continuously but still cooled (churches, schools). An occupancy sensor can be used to determine occupancy or occupancy can be scheduled through a time clock feature of your air conditioning unit controller.

High indoor relative humidity levels can be very problematic for the building and its occupants during the air conditioning season. Sometimes understanding why it occurs and ways to reduce it is not simply recognizable.

Alban Engineering is a Mechanical/Electrical/Plumbing Consulting Engineering firm specializing in LEED Certified and High Performance design for Public and Educational Facilities. Jeff Alban has won several Regional ASHRAE Technology Awards for innovative designs which incorporate ASHRAE standards.

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vet and build teaming partnerships with architectural firms that will be pursuing this work in FY 1.

**Tactics**

Tactics are the tools you use in pursuing a strategy associated with an objective. BMore M/E/P Associates examples: 1) Attend and gather conference sign-in sheets from 21st Century Schools informational meetings. 2) Look at current teaming partners who pursue K-12 work in Maryland. Expand geographic search to include firms in DC, DE, PA, and NY. 3) Identify firms currently working for Baltimore City Public Schools and other Baltimore-metropolitan school districts and build a target e-mail distribution list for e-mail blasts and teaming requests. 4) Refresh our firm’s K-12 experience and promote our expertise via social media, create a web page dedicated to the 21st Century Schools program on the firm’s website, blog about the new technologies that we employ to make our schools more energy efficient.

Whew! Once the plan is finalized, communicate the plan, its goals and its key objectives to the firm. Schedule e-mails (weekly or bi-monthly) and regular meetings (monthly or quarterly) to check-in with members of the group to keep the plan on track and to make adjustments as needed. Be sure to share the plan’s successes along the way with your firm. It is meant to be well-communicated and celebrated.

A strategic marketing plan does not have to be lengthy or complicated. It is a great tool for outlining all of the important pieces needed to successfully and consistently market your business. Most importantly, a strategic planning tool—in any form—eliminates “reactive” decision-making and helps to guide and keep employees focused on the firm’s goals.

As the Chief Marketing Officer for Aria Environmental, Inc., Mindy’s responsibilities include strategic planning and direction of the firm’s business development, corporate communications and marketing initiatives with her primary focus on developing teaming strategies and building partnerships with industry firms and clients. If you would like to know more about preparing a simplified Strategic Marketing Plan, please contact Mindy at mhinsley@ariaenviro.com or at 410-353-1988.

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**Coming Soon**

**April 26th – “Wisdom & Wine” – A Business Enhancement Event With Networking**

“Hot Legal Topics In The Construction Industry”

The Offices Of Pessin Katz Law – Towson

Host: PK Law

4:30 – 6:30 p.m.

**April 27th – The Blue Book Mid-Atlantic Showcase**

FedEx Field – Landover

2:00 – 6:00 p.m.

**May 4th – Direct Connect Networking & Pre Direct Connect Business-Building Seminar**

The Greene Turtle – Owings Mills

Seminars: "2017 Construction Industry Survey Results Presentation"

Host: Gross Mendelsohn, & Associates

3:45 – 7:00 p.m.

**May 11th – 2017 Construction Symposium**

Hayfields Country Club

Host: MCN & KatzAbosch

8:00 a.m. – 1:00 p.m.

**July 27th - Direct Connect Networking**

The Crazy Tuna

Details To Follow

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