Protecting Yourself And Your Business From Unnecessary Liabilities

Throughout the lifespan of a business, business owners have to make millions of decisions about how their businesses will be run. In some instances, making the wrong decision can expose the business owner to unnecessary liability that can be devastating to the business, and, in some instances, to the owner's personal assets. It may be impossible for a business owner to completely insulate him or herself from liability, especially before the business accumulates significant assets of its own. Banks, landlords, and other vendors may require small business owners to personally guarantee any contracts they have with the small business to ensure they are protected in the event the small business defaults on its obligations. However, there are ways that business owners can protect themselves. While not a comprehensive list of every potential risk a business owner might face, this article summarizes the most common pitfalls.

Making the right choices to protect yourself and your business starts at the beginning, when the business is formed. Most business owners are aware that they should be running their business through an entity (usually a limited liability company or a corporation) in order to keep their business's liabilities separate from their personal assets. If they do not do so, they may be personally responsible for their business's liabilities. It is important to note that if two or more individuals decide to co-own a business and share the business's profits, the business may be considered a partnership under Maryland law. If so, all partners in the business will be personally liable for the partnership's debts and obligations. If you decide to form a business with someone, seek out an attorney who has experience drafting documents for multi-member entities to avoid this situation. Once your entity is created, it is important to draft organizational documents that provide for your protection. You should ensure that your business's

Continued On Page 23
Bank On It: The Best Ways To Reduce Your Banking Fees

The first step in reducing your small business banking fees is to know what your fees are. That may mean taking out (or logging onto) your most recent statements from the past six months. Write down each type of fee and the amount. Make two columns next to your list and label them “Avoidable” and “Unavoidable.” Put a checkmark in one column or the other for each fee.

Next, take a look at how those “avoidable” fees were incurred? If they were from transactions at an out-of-network ATM, consider a bank with more no-cost ATMs in the areas where your business is located. Or if you visit the bank frequently to make deposits, ask your bank about remote deposit capture, which allows you to scan your checks and deposit them to your account through the Internet, thereby allowing you to avoid ATMs altogether.

However, if your charges were mostly overdraft fees was it a one-time occurrence? If so, talk to your banker about waiving the fee. But, if you find that overdraft fees are common for your business, consider applying for a line of credit that will give you the cash flow you need from month to month. Many of our customers are surprised that a line of credit can actually be less expensive than the overdraft fees they typically incur.

Still, are you racking up fees on accounts you no longer or seldom use? Dormant or inactive accounts can incur fees. Are your accounts linked? With linked accounts you may be able to maintain a higher balance that allows your bank to waive your fees. Both of these fees are avoidable with just a little attention to the account setup.

Now let’s look at those fees in the column “unavoidable,” and then change the name of the column to “negotiable.” As the president of a bank, I can tell you that banks, and even credit unions, do indeed need to charge fees because there are certain costs to providing a service. As interest rates have become so competitive and low, banks are looking for other ways to be able to generate revenue while providing a service. Some banks will charge the going rate, often set by large national banks.

As a community bank, Hamilton can take a hard look at the real cost to provide a service and lower our rates accordingly.

To negotiate the fees you are charged, ask your bank and a competing bank for a schedule of fees. Finding these fees listed online can be a challenge, so an in-person request, call or e-mail may be quickest. If you find your bank is charging you a good deal more than a competitor, ask for a reduction. It never hurts to keep the lines of communication open. In fact, it usually helps.

However, if they aren’t willing to make a change, then maybe it’s time to change your bank.

Connie Hess
Vice President of Sales & Cash Management
Hamilton Bank
chess@hamilton-bank.com
Direct Dial: 410-616-1982

Accountability to our customers is the hallmark of our approach. Whether it be as your trusted advisor, providing you the products necessary to help your business thrive and grow or assisting you with the functionality of our services; we are accountable to you as a resource and partner. Hamilton Bank Together we both grow! Member FDIC. Equal Housing Lender. Contact Connie for a no-cost bank fee comparison.
CALL US. MOVE IN. YOU’RE READY TO WORK.

When the building is just right, productivity is all you see. When you order space solutions from WillScot, you get much more than just the space. You get the building configuration, the furniture, the fixings and even the coffee maker. This total solution approach delivers an ease of doing business none of our competitors can match. We do what we do best, so you can concentrate on doing what you do best - working your project, being productive, meeting your goals.
Meet & Greet

The RCM&D Construction Practice manages your risk profile, so that you can focus on growth and profitability.

Customized Risk Management Solutions

» Insurance Coverages
» Surety
» Employee Benefits & Retirement
» Claim Administration
» Private Client
» Cyber Liability

RCM&D is ranked among the top independent insurance advisory firms in the United States. Our specialized teams provide strategic solutions and consulting for risk management, insurance and employee benefits. Leveraging more than 130 years of experience and strong local, national and global reach, we partner with you to meet all of your business objectives.

Talk to a trusted advisor
Stephen Mainello  |  smainello@rcmd.com
Richard Shaw    |  rshaw@rcmd.com

Visit rcmd.com to learn more
A Construction Contractor’s Guide To Recruiting Younger Employees

For the third consecutive year the #1 concern among contractors is recruiting and retaining employees, according to our 2018 Maryland Construction Industry Survey. Now that the economy has bounced back, the work is coming in but the competition for construction employees is fierce.

Given the industry’s aging workforce and an unprecedented number of retiring owners, contractors need to do everything possible to recruit young employees into the industry.

We polled local construction contractors to see what they think should be done to attract younger people to the profession. Here’s what they said …

- Offer in-house training programs that show young employees a clear career path in the company
- Construction companies should attend job fairs in high schools and trade schools
- Inform educators about opportunities other than just attending college
- Better promote vocational and technical schools
- Break the perception that all students should go to college for a four-year degree
- Integrate more current technology in the construction industry to get kids interested and engaged
- Create a more positive perception of the construction industry
- Help younger generations see that blue collar industries offer long-lasting career opportunities and good pay

Clearly, contractors aren’t feeling great about the future of the industry from a recruitment standpoint. In fact, nearly 60% of Maryland contractors say they aren’t satisfied with what’s being done to recruit younger generations to the construction industry.

Construction: an overlooked career path

The truth is, construction is often an overlooked career path. In recent years construction jobs have been looked at as a temporary source of income for college students, or as last resort jobs when nothing else is available.

These days almost all high school students are expected and encouraged to attend college. If you have a school age child, when is the last time you recall a teacher suggesting that he or she consider a career in construction? [Cue the crickets.]

Rob Bertazon, founder of the Maryland Construction Network says, “Businesses in the construction industry must take an active and vocal stance against our education system and their insistence that every

Continued On Page 24
Dead Aim On Deadbolts

According to Merriam-Webster, a deadbolt is defined as: “a lock bolt that is moved by turning a knob or key without action of a spring.” While most deadbolts (AKA deadlocks) are actually operated by a thumbturn rather than a knob, the important point is that the deadbolt is not spring-loaded and does not latch automatically. The bolt must be thrown or retracted manually and stays in that position until another manual operation is performed. There is often confusion surrounding the use of deadbolts on doors serving a means of egress. There are many considerations – from the life safety and egress requirements, to fire doors and doors on accessible routes. Hopefully, this article will clarify the requirements and address some of the misconceptions.

Deadbolts are not “bolt locks.”

Yes, really, and this is where interpretations often go awry. The International Building Code (IBC) includes a section called “Bolt Locks,” and states that “Manually operated flush bolts or surface bolts are not permitted,” with some exceptions. If someone is not familiar with hardware terminology, it’s easy to interpret this prohibition as applicable to deadbolts. But the IBC Commentary includes further information and diagrams which clarify that this section applies to the flush bolts and surface bolts installed on the inactive leaf of a pair of doors, which project into the frame head and into the floor or threshold. Flush bolts and surface bolts that are operated manually are prohibited on some egress doors because it may be difficult for building occupants to quickly identify and operate these bolts in an emergency. In addition to the locations where the model codes allow the use of manual flush bolts and surface bolts, automatic flush bolts are another option for the inactive leaf, as well as panic hardware. The IBC section called “Bolt Locks” does not address deadbolts.

Doors in a means of egress must unlatch with one releasing operation.

While there are limitations on the use of deadbolts in a means of egress, they are acceptable when all of the applicable criteria are met.

This is true – usually. Even doors serving small rooms such as single-occupancy restrooms and dressing rooms are required to unlatch with one releasing operation. NFPA 101 – The Life Safety Code does include an exception that allows two releasing operations for existing hardware on a door leaf serving an area with an occupant load of 3 people or less, as long as the two operations do not have to be performed simultaneously. BUT, this exception only applies to existing hardware (not new hardware on existing doors) on small rooms in buildings where NFPA 101 is the applicable code; the IBC does not include a similar exception.

There are exceptions in both the IBC and NFPA 101 that allow doors serving most multi-family residential dwelling units and sleeping units to have a deadbolt or other security device in addition to the latching hardware. These devices must be operable from the inside without the use of a key or tool and must require only one additional releasing operation (refer to NFPA 101 for exceptions addressing existing security devices). The IBC limits this second security device to dwelling units with an occupant load of 10 or less – typically units with an area of 2,000 square feet, maximum.

Note that these dwelling and sleeping units must be Group R or Residential occupancies. Some types of units may fall under Group I (Institutional) or Health Care, and this exception does not apply to those occupancy types. In addition, there are some state and local code requirements which mandate that locks on dwelling units and sleeping units must unlatch with one operation. In these jurisdictions, a separate deadbolt would not be allowed.

Deadbolts that are integral to a mortise lock or interconnected lock would be acceptable if both the latchbolt and deadbolt retract when the lever is turned. This type of lock would also be allowed for egress doors in other occupancy types. If panic hardware is required, a separate deadbolt should never be installed in addition to the panic hardware.

Deadbolts on fire doors must be labeled.

Many entrance doors to dwelling units and sleeping units are fire door assemblies. When deadbolts are
DPR Construction exists to build great things. It’s really that simple. We are a company of builders building great projects, great teams, great relationships, great value. Our purpose and core values are a starting point that help clearly define who we are and what we stand for as a company. They underlie the passion that drives us to be better and different; they allow us the freedoms of our entrepreneurial organization, where people can make a difference with their ideas and hard work.

integrity | enjoyment | uniqueness | ever forward

www.dpr.com
For nearly 50 years, Ward-Boland has been serving the Greater Maryland Area with innovative HVAC and mission critical solutions. We offer products from Liebert, Greenheck, Nortec, and other leading manufacturers, as well as part replacements and ongoing service and support. Ward-Boland offers a wide range of solutions for many different applications and can provide expert advice for any project.

- THERMAL MANAGEMENT
- POWER DISTRIBUTION
- AIR MOVEMENT
- SURGE PROTECTION
- MONITORING & CONTROL
- HYDRONICS
- UNINTERRUPTIBLE POWER
- DATA CENTER INFRASTRUCTURE
- HUMIDIFICATION & HEATING

410-363-1833
SALES@WARDBOLAND.COM
WWW.WARDBOLAND.COM

MAIN OFFICE | OWINGS MILLS, MD 21117
410-363-1833 | SALES@WARDBOLAND.COM

EASTERN SHORE OFFICE | LAUREL, DE 19956
800-945-7006 | EASTERNSHORE@WARDBOLAND.COM

WESTERN MARYLAND OFFICE | FREDERICK, MD 21704
800-791-0187 | WESTERNMD@WARDBOLAND.COM

NETWORKING IS ABOUT NUMBERS
MCN HAS ALL THE RIGHT ONES
MORE PEOPLE - MORE PLACES - MORE CHOICES
LESS EXPENSE!
What If Everything Went Right?

How often do you imagine a scenario in which everything goes horribly wrong? This week I think we should try something new: imaging everything going exactly right.

My wife is an irrepressible optimist. It’s not that she doesn’t live in the real world - she’s been through several major, life-threatening health scares. She understands that life isn’t always sunshine and balloons. But the amazing thing about her is that even in the darkest moment, she always has utter confidence that everything is going to turn out all right.

I greatly admire this quality in my wife, but unfortunately I don’t tend to think that way. I imagine many of you can relate. Most of us focus our thoughts in the opposite direction, on everything that can possibly go wrong in a given situation. We wear ourselves out preparing for all of the possible negative scenarios that could arise. Often times we give up without even trying, like the young man who wants to ask the pretty girl on a date but talks himself out of it because she’s “out of my league” and would never say yes.

As a broker, I can tell you this way of thinking affects me all the time. The deal is never truly over until the commission check clears, and any number of things could go wrong in the meantime. I have been in this business for more than 30 years, and in that time I have seen zombie deals that I swore would never happen somehow keep coming back until they got done, and I have seen absolutely certain deals collapse at the last possible second. Sometimes it gets hard not to expect the worst with every phone call.

But have you ever thought about trying the opposite approach and expecting and envisioning everything turning out right? I have been taking this approach more lately and have found it is very beneficial on a couple of fronts. First and most important, it pumps you up and gets you in a more positive, confident state. That alone can make you more likely to succeed. Second, it helps you calm down. My daughter told me she took this approach once when she was preparing for a choral audition. Full of panic about losing her place in the music or singing horribly off-key, she let herself envision a perfect performance and found that it relaxed her enough to let her give her best during the audition.

At the end of the day, the odds of everything going perfectly are low. Life’s not perfect, and things rarely turn out exactly as we want them to. But the odds of everything going terribly, terribly wrong? They’re also low, yet we act like failure is guaranteed. If both scenarios are possible, let’s at least give them equal weight in the time we spend considering them.

Try it today. Fight the urge to think negatively and allow yourself to imagine things going exactly as you hope. I think you’ll find it will dramatically shift your attitude in ways that will help bring about the results you want.

Have a great week,
Ro

Ro Waldron is a commercial real estate broker with 30 years of experience. Licensed in Maryland and Virginia, his area of expertise is the Washington, DC metro area commercial real estate market. Ro has experience brokering deals with the Montgomery County government and a wide range of local and national corporations, representing both tenants and landlords, and brokering both sales and leasing transactions. Contact Ro Waldron at Ronayne.Waldron@AVISonyoung.com.
Where Does The Time Go?

“Never put off till tomorrow what may be done the day after tomorrow just as well.”

~ Mark Twain

The 3rd Quarter of 2018 is over and 2019 will be here before we know it. Humans by nature are pain avoiding creatures-we like to take the “path of least resistance” But procrastination can bring on more pain upon ourselves.

Why do we do it?

In a blog by KCUR.org, Dr. Bruce Liese explores this question and gives some insight into some of the causes and effects of procrastination. He says that any kind of procrastination is essentially delaying and thus avoiding our obligations. However, many people “get away” with procrastination time and time again, causing a perpetual cycle that reinforces a lack of discipline.

Some Dangers of Procrastination:

- Negative Stress (Positive stress can be a good motivator)
- Anxiety
- Fatigue
- Career Setbacks

According to a study, published by the International Journal of Selection and Assessment, Procrastination comprises over a quarter of most people's working days, costing employers about $10,000 per employee per year” (D'Abate & Eddy, 2007; Steel, 2011)

Some tips on reducing/eliminating procrastination:

1. Tackle the most difficult task first. You’re probably thinking “Duh, I already knew that.”
2. Divide the task into smaller tasks. We tend to get overwhelmed when a giant project looms ahead of us. ... 
3. Set a mid-day alarm. ...
4. Dedicate yourself for a small period of time. ...
5. Schedule your tasks on the calendar.

...
The industry’s premier networking event—where relationships are built.

Tuesday, October 23, 2018 • 1:00-5:00pm • M & T Bank Stadium (Home of the Ravens)
1101 Russell Street, Baltimore, MD 21230

Share your story and get valuable face-face interaction with industry professionals

EXHIBIT
GC’s, Owners, Architects, or Facility & Property Managers

ATTEND
Subcontractors, Suppliers, or Manufacturers

SPONSOR
Booth and sponsorship options available

Participating Exhibitors

Register at TheWhosWho.build/Showcases/baltimore,md

Questions? Call The Blue Book Network® at 844-617-2435

Back To Table Of Contents
Tips To Avoid Graffiti Tagging

The fact that graffiti tagging is illegal seems to have no impact on those who deface buildings at will. In fact, graffiti is a huge public cost to the United States with an estimated annual cost of $12 billion as a result of clean up costs, lost revenue and declines in property value.

If you run a construction company, you know firsthand how frustrating graffiti can be. Having to clean up your jobsite after these criminals have been through adds to the cost of your projects and inevitably can lead to delayed timelines.

Types of Graffiti

Generally speaking, there are three main types of graffiti. They are gang graffiti from gangs marking their territory, conventional or tagger graffiti which can take the form of street art or just be rebellious youth and ideological graffiti displaying political or racially motivated messages. Recognizing the type of graffiti that is turning up at your construction site will help you choose the best plan of action to prevent it from happening again.

4 Ways to Protect Your Construction Site from Graffiti Tagging

1. Limit Access to Your Construction Site

This is a big deterrent for conventional and ideological graffiti taggers who are much less willing to risk getting caught by the police. Make sure the fences around your construction sites are well made and that the gates are locked every night to prevent would-be taggers from sneaking in under the cover of night. Additionally, prevent access to the roof or lamps by moving anything that people can scale away from the sides of the buildings.

2. Think Like a Graffiti Tagger

Especially for conventional and ideological graffiti taggers, they have a specific objective in mind. They want to find somewhere that is dark at night but will have a high level of visibility during the day.

Set up lighting and surveillance around any walls that fit this description. When the construction site is brightly lit, you have not only your onsite security personnel watching it but also passersby who will phone the police if they see something out of the ordinary. Motion-sensitive lights are particularly effective in these situations. They are startling and bright enough to be a deterrent, but then also turn off when there is a lack of movement.

3. Set up a Neighborhood Watch

This is another way to deter would-be casual criminals and more effective if your construction site is in local neighborhoods as opposed to in the city centre. If you’re working on an on-going project like a housing development, you can attend meetings and speak to people who live in the neighborhood about ways to keep the area safe and clean. People who live in the area will appreciate that the developers care enough to go to these meetings so you’ll be building a relationship with the neighborhood at the same time.

4. Speak to Your Local Authorities

Have you seen signs of gang activity like gang symbols being spray painted on the inside or outside of your construction site? Then, it’s time to raise the issue with the authorities. If the police are aware that some areas of the city are a potential location for gang violence, they’re more likely to keep a closer watch on the area.

Protect Your Construction Site From Vandalism

The best way to avoid graffiti tagging at your construction site is to be proactive about prevention from the start. If word gets around that your premise is under surveillance than the majority of would-be vandals are unwilling to take the risk of getting caught.

Shawn Scarlata
CEO, SMART Security Pros

SMART Security Pros through its Mobile Video Guard solution protects construction sites, equipment yards, scrap and recycling yards, utility infrastructure sites, among other types of locations. After 22 years in law enforcement and 8 years operating a large security guard firm, the founder Shawn Scarlata knew there had to be a better way. Shawn set out to develop a solution that provided higher levels of security at a fraction of the cost of guard services.
Most employers and upper level managers have a team of financial professionals to guide them – accountants, tax advisors, financial advisors, stock brokers -- looking out for their financial wellbeing. But what about the remainder of your employees, the backbone of your businesses?

Some may have access to a 401K plan or other retirement account, but do they even know what they are choosing when the plan administrators ask them in which funds they want to invest? The average American household has almost $16,000 in credit card debt. Most families do not have an emergency fund. Your employees work hard, help the business grow and are the key to a satisfied customer. It stands to reason if you take care of your employees, they will take care of your business.

It is estimated more than a third of workers suffer from stress due to problems with personal finances. Stress is one of the leading causes for the loss of employee productivity and is projected to cost employers $8,000 per employee per year.

Savvy employers can do something about it. Financial education is for everyone, not just the wealthy. Educating your workforce on simple concepts that can change their financial future forever is a benefit that can change their lives.

Financial wellness workshops can enhance employer/employee relationships, help with retention and loyalty and develop a bridge between management and employees. A well structured workshop will support an employer’s existing benefits program, not compete with it.

Another benefit employers can offer their workforce is a customized financial game plan or Financial Needs Analysis (FNA). An FNA can help bring a family’s current financial situation to light. It can show where their finances stand today and what they need to do to prepare for tomorrow.

An effective FNA should address the following topics.

**Debt Solutions**

Strategies for paying off credit cards and loans in the quickest, most efficient manner possible with little or no additional cash outlay.

**Saving for Retirement**

Scenarios to show you how much money is needed to set aside for retirement.

**Education Funding**

Projects actual cost for specific schools, then shows several strategies for funding children’s education expenses.

**Income Protection**

A variety of strategies to ensure a family’s financial future should an income producer die prematurely.

**Building A Financial Future**

This ties all information together by outlining specific steps to put the plan into action.

Every family deserves to be financially literate and enjoy an opportunity to build a strong financial future. These benefits can be provided to your employees at no cost to either you or your employees.

After 41 years in the building business, Dwight Griffith has moved on to a new phase in his life with a purpose and mission. Mr. Griffith is founding partner of the DTR Group, a team of professionals dedicated to providing a strong financial education to hardworking, middle class Americans, the backbone of our businesses and our country. He can be reached at dgriffith@dtrgroupus.com or 410-937-8320.
Stay Safe And Sound With Power Tool Safety

In this issue of “Networked & Connected” we’ll discuss the hazards and safety measures related to power tools on the jobsite. Paramount to power tool safety on a construction jobsite is to understand the safety measures to take on the jobsite, identifying the tool technologies that help minimize risk, potential dangers posed by dust and vibration, and the importance of tool tethering.

General Construction Site Safety; basic personal protective equipment should include head protection (hard hat), eye protection (safety glasses), hearing protection, respiratory protection (masks & respirators), hand protection (gloves), high visibility clothing (yellow/orange shirts, vests, & jackets), fall protection, and foot protection (steel toe boots). A good step in changing the attitude among this equipment as protection items is to change how we refer to this equipment. We do not simply wear gloves, glasses, and hard hats. They are hand protection, eye protection, and head protection.

Potential safety risks; cutting yourself, improper tool and cord handling, vibrating tools, dust inhalation. Safety features available to eliminate; tool lanyards, vibration control, dust extraction, technology for high torque and kickback.

According to OSHA, the following tips should be observed; handle cords carefully and gently, and keep them away from heat, oil, and sharp edges, disconnect tools when not in use or before servicing, don’t hold fingers on the switch button when carrying tools, use appropriate personal protective equipment, store electric tools in a secure dry place, avoid using electric tools in damp or wet areas, remove and tag damaged tools, and use double insulated tools.

OSHA – Double Insulated Tools; defined by OSHA as hand-held tools made with non-metallic cases, double insulated tools do not require grounding under the National Electric Code. However, they do not completely eliminate shock hazards.

OSHA – Portable Tool Use With Extension Cords; electrical cords can suffer a lot of wear and tear, and when cord insulation is damaged, serious electrical shock can result. Neither insulation nor grounding offers complete protection, so OSHA recommends using a GFCI.

Saw Safety; unplug saw when not in use, clean the saw including blade and blade guard after each use, periodically remove and inspect the blade, never lay down a hand held saw that is still running, let the saw reach full speed before actively cutting, and use the correct size blade.

Guards And Other Safety Measures; when power tools are designed to accommodate guards, the guards should always be used as recommended by the owner’s manual. Guards prevent: particles from flying at you, user contact with sharp edges, clothing getting caught in the tool.

Drill Safety; it’s important to choose the right drill for the job. Drills with hard torque handle tough drilling and driving tasks, drills with variable transmissions and multiple clutch settings handle precision jobs or those that require greater speed.

Kickback Control Technology In Drills; there is now drill and hammer/drill drivers incorporated with kick back control technology to improve overall safety. Integrated acceleration sensor detects sudden movements caused by binding, cuts power when a certain level of torque is detected, kick back control
Get A Head Start On A Successful 2019 Planning With The Right Business Resolutions

The new year is coming at us faster than you think. So, it is not too early to think about what you want your business to accomplish in 2019. So here are some “Business Resolutions” to commit to and keep to make next year a banner year:

Resolve to fine tune the staff. Are all your people in the right jobs, spending most of their time working in their highest and best use (HBU?) Do they have the right tools, equipment and training to perform at their peak? Do they have the ability and authority to make suggestions for improving how their work is done and how it dovetails with the work of others? Are they engaged in their work or just marking time?

Resolve to fine tune your job: Are you spending most of your time in your HBU to your business? If not, what and who do you need to be able to spend more time in that HBU? If your current percentage of time spent in your HBU is, say, 40%, what would the impact be on your business if you were able to raise the percentage to 50%, 60%, 70%? And would the resulting increase in revenue and profits be enough to hire the people you need to have around you to free you up for that time?

Resolve to spend more time talking with customers. Actually, this resolution applies to anyone with customer facing responsibilities. Require those customer facing people to ask customers what they like about how your company treats them. Also, ask them what they don’t like. Capture and analyze the answers they give to develop strategies to increase customer satisfaction. Ask customers what they see coming in 2019 and what your business can do to help them deal with it and, if possible, take advantage of.

Resolve to spend more time talking with vendors. Vendors are planning for next year too. Conversations with them could give you a heads up on price changes, new materials and tools coming to market and their own plans for growth and success. If you pay their bills on time, you are most likely a favorite customer and get special treatment. Trader Joe’s food stores always pays their bills in 20 days. Imagine how their vendors and suppliers treat them.

Resolve to spend more time with owners of other types of businesses who are “partners” in the projects on which your company works. Complicated construction projects that involve multiple disciplines often place strain on the relationships of the various companies involved. The stronger those relationships and the quality of communications between them are, the better they weather the problems that inevitably crop up in projects. Look at really successful companies in your industry and learn how they manage their relationships with the other types of companies with which they work.

Resolve to make sure everyone understands the Vision and Mission of your business. Most people like to know why they are asked to do the work that they do. They also want to know how their work is connected to the work of others and to the overall success of the company. Helping them be clear about where your company is going and how they are a part of that vision is a critical task of leadership. Sometimes the vision is information that must be repeated multiple times before it is “owned.” A key indicator that your people get it is when they can say it out loud. This is not psychobabble. If you have ever played on a successful sports team, you had a coach that was clear about the objectives and how various positions on the team had to work together to generate success. This clarity is not mutually exclusive of the hard work that has to be done but it can make the hard work more understandable and bearable.

So, make a chart of these resolutions on the white board in your office and measure the frequency and success of keeping them.

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
Lessons Learned: Trench Safety

Excavation and trenching are among the most hazardous construction operations. Cave-ins pose one the greatest risk and are more likely than other excavation related accidents to result in worker fatality. According to the Occupational Safety and Health Administration (OSHA), two workers are killed every month in trench collapses. Data collected by the U.S. Bureau of Labor Statistics (BLS) show that 488 workers died between 1992 and 2000, and another 493 fatalities occurred from 2001 to 2017 as a result of trenching or excavation cave-ins. Hundreds of additional injuries occur every year.

This Lessons Learned is intended to provide a brief overview of some of the issues involved with trench safety, but is not intended to be all inclusive or authoritative. Applicable standards should be consulted for regulatory requirements.

Hazards associated with trench work and excavations are recognizable and generally preventable. It is the responsibility of employers to provide a workplace free of recognized hazards that may cause serious injury or death. Employers must comply with OSHA’s trenching and excavation requirements set forth in 29 CFR 1926 Subpart P and/or comparable OSHA-approved state plan requirements. A number of the provisions require protective systems designed by a licensed professional engineer.

OSHA requires safe access and egress to all excavations, via ladders, steps, ramps, or other safe means of exit for trenches four feet or deeper. Trench access equipment must be accessible and be located within 25 feet of workers in the trench. Some of the protective systems for trenches include:

- Sloped sidewalls
- Creating stepped benched grades (OSHA Type A or B soil only)
- Support systems made with materials such as posts, beams, shores or planking, and prefabricated trench boxes.

The design of protective systems can be complex and consider factors such as: soil classification, depth of cut, water content of soil, seepage into the trench, changes caused by weather, and surcharge loads (e.g., spoils, other materials to be used in the trench) and other operations within the vicinity.

Other key elements of OSHA’s excavation standards include:

- Developing, implementing, and enforcing a comprehensive written safety program for workers that includes training in hazard recognition and avoidance of unsafe conditions
- Designating a competent person to conduct daily checks of excavations, adjacent areas, and protective systems, and taking appropriate measures necessary to protect workers
- Verifying that spoil piles and heavy equipment are kept away from the edge of the trench or excavation if workers must be present in the trench

Before excavating, the following hazards should be considered:

- Above Ground and Underground Utilities – Overhead and underground power lines, sewer, telephone, fuel, water, natural gas lines, etc. State-mandated utility clearing programs and utility companies must be contacted.
- Undermining Nearby Structures – Loss of support to nearby building foundations, walls, sidewalks, pavements, or other structures affected by the excavation.
- Materials and Equipment – Materials and equipment used for protective systems must be free of defects and maintained in accordance with the manufacturer’s recommendations.
- Installation and Removal of Support Systems – Systems must be installed and removed in such a way that protects workers from cave-ins, structural collapses, or being struck by components of the support system.

Continued On Page 28
Fire Protection Design – Smoke Detector Locations

The MEP/FP design engineer's task include a lot of territory. There are overlaps with mechanical HVAC & plumbing design such as condensate piping, but many times the mechanical engineer and the plumbing engineer are one in the same. There are also overlaps between mechanical and fire protection. The introduction of fire protection into the mix may not be as straightforward. Fire protection and life safety may involve the mechanical HVAC designer, the electrical designer and, on the team, a fire protection engineer. However, much of the private industry standards do not call for a registered fire protection engineer, and the design responsibility falls back to the MEP team. This article addresses a common pitfall regarding the location of duct mounted smoke detectors.

What Code Applies (NFPA or IMC)

The short answer is both NFPA (National Fire Protection Association) and IMC (International Mechanical Code) apply to the project design. In many ways IMC describes what is required and NFPA provides direction as to how to implement the design requirements. Either way, the design must be compliant to both NFPA and IMC.

Smoke Detectors – Where To Locate?

The key component to the fire alarm/fire suppression system is the smoke detector. Smoke is equally as dangerous as fire and must be detected to enable the HVAC system to shut down. So, when are smoke detectors required and where should they be located? The exact location of smoke detectors are described in both NFPA and IMC. The code wording is re-stated below.

Smoke Detector Location – NFPA

NFPA 90A Installation of Air-Conditioning Ventilation Systems, Section 6.4 Smoke Detection for Automatic Control, 6.4.2 Location reads as follows:

6.4.2.1 Smoke detectors listed for use in air distribution systems shall be located as follow:

(1) Downstream of the air filters and ahead of any branch connection in air supply systems having a capacity greater than 944 L/sec (2000 cfm).

(2) At each story prior to the connection to a common return and prior to any recirculation or fresh air inlet connection in the return air systems having a capacity greater than 7080 L/sec (15,000 cfm) and serving more than one story.

6.4.2.2 Return system smoke detectors shall not be required where the entire space served by the air distribution system is protection by a system of area smoke detectors.

Smoke Detector Location – IMC

IMC Section 606 Smoke Detection Systems Control, 606.2 Where required, Smoke detectors shall be installed where indicated in sections 606.2.1 through 606.2.3.

606.2.1 Return air systems

Smoke detectors shall be installed in return air systems with a design capacity greater than 2000 cfm (0.9 cu m/s), in the return air duct or plenum upstream of any filters, exhaust air connections, outdoor air connections, or decontamination equipment and appliances.

Exception: Smoke detectors are not required in the return air system where all portions of the building served by the air distribution system are protected by area smoke detectors connected to a fire alarm system in accordance with the International Fire Code. The area smoke detection system shall comply with section 606.4.

Smoke Detector Location - Code Conflict

Both codes require smoke detectors in system that have air flows greater than 2,000 cfm. However, the codes directly conflict when it comes to the location of the smoke detector

• NFPA – Smoke detector shall be “downstream of the air filters” (in the supply duct)
What To Do When Your Business Is Facing Litigation

Studies show that anywhere between 36-53% of small businesses are involved in litigation at any given time in a year, making litigation a serious reality for the majority of enterprises. Unfortunately, even the most cautious of businesses that put in place a variety of protections to mitigate the possibility of litigation may still find themselves involved in a lawsuit, and successful businesses will need to have procedures in place to handle this reality. Here, the business litigation attorneys at Adelberg Rudow detail best practices when facing a lawsuit as a small business owner.

Determine Whether the Dispute Can Be Handled Outside of Court

Litigation can be a costly, time-consuming and stressful endeavor, so it is often in the best interest of small businesses to see whether a dispute can be resolved outside of the courtroom. Your attorney can help you review the case and ensure that you understand all of the key elements. Once the lawsuit has been thoroughly reviewed and the nature of the case is understood, I always counsel my clients in finding ways to handle the dispute outside of the courtroom. Often, alternative dispute resolution is a more timely, reliable and cost-effective way to resolve a dispute.

Inform Your Insurance Provider That a Complaint Has Been Made

Small businesses may also purchase a variety of insurance plans that can cover the legal and potential judgement costs of many types of lawsuits, such as third-party injury claims, defamation, employee suits and more. A copy of the lawsuit should be promptly forwarded to the insurance company in order to preserve the insurance coverage. It is also prudent for business owners to speak with their insurance company directly to ensure that their policy will actually cover the lawsuit they are currently facing.

Allow Your Attorney to Respond to the Suit on Your Behalf

It is important for business owners to remember that anything they say regarding a lawsuit can be used against them in court, and so it is typically advisable for business owners to allow their attorneys to speak to the plaintiff on their behalf. This includes your response to the lawsuit, which should be made within 30 days and include responses to the plaintiff’s allegations, your defenses and counterclaims against the plaintiff or other defendants and whether you wish for a jury trial or an alternative resolution, such as an out-of-court settlement.

Enact a Litigation Hold and Save Electronically Stored Information (ESI)

Once a business owner is made aware that a lawsuit has been filed against them, it is their responsibility to ensure any pertinent physical or electronic information is preserved for the discovery process. This is known as a litigation hold. Complying with the litigation hold is key to preventing future discovery sanctions or other negative consequences. Your attorney should also send a litigation hold letter to the plaintiff and any other persons or entities that may have information relevant to the dispute. The plaintiff and others must take reasonable measures to preserve any ESI and physical documentation that may be relevant to the lawsuit.

Have a dispute? Feel free to contact Tracy at 410.986.0822 or tsteedman@adelberg.com for a free 30 minute consultation.

Tracy L. Steedman, a partner at Adelberg Rudow, specializes in construction and contract law. She partners with small and large construction and design firms in preparing risk mitigation strategies, claims avoidance and counseling, and pre-litigation alternative dispute resolution processes. A large portion of her practice is contract drafting and review, and as a litigator, she is familiar with how the courts interpret contracts.
How To Print Envelopes On Your Canon, Ricoh, Or Savin Printer

We are very often asked to explain how to print envelopes on Canon, Ricoh, and Savin printers. Those who have worked in an office for a while know how tricky this task used to be...in fact, we've updated this post to include the most accurate information so that we can better answer your questions about Canon, Ricoh, and Savin envelope printing. The good news? It's easier than ever!

[Click here for step by step instructions that detail how to print envelopes on a Canon, Ricoh, or Savin printer!]

Envelopes in the “copier” industry have historically been a bit of an uncomfortable subject. Some machines could handle them fairly well, while others couldn't reliably handle more than one at a time. Initially, digital copiers had issues with jamming or mis-feeding, and when envelopes did print successfully, they were usually wrinkled and curled. There was also a challenge with setting up the file to print in the correct orientation.

Nowadays, the landscape is a lot less hazy. Canon and Ricoh/Savin both offer the ability to copy or print envelopes through the side bypass tray. Some of their models have also developed an envelope feeding option, allowing Tray 2 to internally process envelopes. It provides greater convenience and reliability over using the side bypass tray – not to mention the ability to hold and print a large amount of envelopes at a time.

Canon, Ricoh, and Savin Envelope Printing: A Simple 3-Step Process

To begin printing your envelope, you must first setup your file to print under the right settings with your Ricoh, Savin, or Canon printer. To do so, open a new document within Microsoft Word and choose “File – Print”. Now, click “Printer Properties” and select the “Paper” tab.

Within Printer Properties, select the appropriate settings for “Document Size”, “Input Tray”, and “Type”. Your Document Size will coincide with the size of your envelopes (for more information on typical envelope sizes, click here). Choose whether you would like your envelopes to be printed from your Bypass Tray or from Tray 2. Lastly, set your Paper Type to “Envelope”. Select “OK” to save your settings. You can now return to your document to create your envelopes. Do not select “Print” at this time.

Activate the Envelopes and Labels Wizard by selecting the “Envelopes” option under the “Mailings” menu tab (please note that this function exists in Microsoft 2013 and 2016) and fill in your mailing and return addresses. Select the “Options” menu to adjust the Envelope size and print position. Under “Printing Options”, you can confirm how your envelopes will be fed from your specific printer.

By choosing “Options” you are able to change the look and style of your envelope. You may also designate your chosen envelope size and redirect your envelope to be

Continued On Page 30
Impact Of The New Revenue Recognition Standard On The Construction Industry

The Financial Accounting Standards Board (FASB) released a new standard (ASC 606) in 2014 that modifies the existing guidance related to revenue recognition. The new standard essentially removes all previous guidance on this topic and replaces it with a five-step model (with the exception of a few industries). Although the overall concept in which construction contractors currently recognize revenue (percentage-of-completion) is similar to guidance under the new standard, there will still be some significant impacts on this industry.

Effective Dates

ASC 606 is effective for entities with reporting periods beginning after Dec. 15, 2017 (calendar year 2018) for public companies and periods beginning after Dec. 15, 2018 (calendar year 2019) for private companies.

Options for Adoption

Full Retrospective: Company restates all periods presented as if it had accounted for the new standard originally (i.e. 2018 and 2019 both presented under the new standard on the 2019 financial statements)

Modified Retrospective: Company applies the standard starting in 2019 and presents a cumulative adjustment to opening retained earnings for the difference between the old and new standard for contracts that were in process as of Dec. 31, 2018 and disclosures explaining these differences.

Major Changes in the Five-Step Model Affecting the Construction Industry

Step 1: Identify the contract with a customer

Changes here include the ability of a contract to be verbal and the requirement that in order for a contract to exist, it must be probable (75-80 percent) that the contractor will collect what is expected in exchange for goods or services.

Step 2: Identify the performance obligations in the contract

The new standard requires that businesses determine promises within the contract and treat these separately, allowing revenue recognition as each obligation is satisfied, if these promises are distinct (the customer could benefit from the good/service on its own, and the promise is not integrated/interrelated with, highly dependent on, or significantly modifying other promises). If a series of goods/services are promised and they are substantially the same, these can be identified as one performance obligation. In the construction industry, when multiple promises within a contract exist, they likely do not meet the definition of distinct since one team and project manager is often assigned to complete the contract. The element of materiality (at a contract level, not financial statement level) should also be taken into account.

Step 3: Determine the transaction price

The largest changes here to the construction industry are variable consideration and significant financing or penalties, shared savings, claims and related revenues, etc. If these items exist in a contract, a constraint or estimate must be applied and added or subtracted from the transaction price and updated throughout the contract for any changes in likelihood or probability. If there is a significant difference in time between when goods or services are transferred and consideration is paid (greater than one year), the new standard requires the time value of money to be taken into account when determining the transaction price.

Step 4: Allocate the transaction price to the performance obligations in the contract

When multiple performance obligations are identified, the transaction price must be allocated to each performance obligation based on an estimate of the stand-alone selling prices.

Step 5: Recognize revenue when (or as) the entity satisfies a performance obligation

The new standard gives two options for the timing of revenue recognition: over time or at a point in time. A majority of construction contractors will fall

Continued On Page 31
levels of access to your network based off device classification, Apple iOS, Android, Windows, MAC OS, etc. This also uses the Level 7 fingerprint technology to autodetect the device classification and apply the appropriate settings.

How is the Meraki MX intrusion prevention (IPS) different? It has the best-in-class Sourcefire SNORT Engine, easy & error-free deployment, and real-time graphical reporting. The SNORT Engine performs by utilizing rulesets that are pushed out daily via the cloud to ensure protection against the latest vulnerabilities. Deployment has never been easier than this. With only two clicks of a button within the dashboard your IPS can be up and running. Enabling the IPS and setting the threat protection level, that’s it! Administrator's will be able to focus their time on more important tasks knowing that vulnerability updates are being done daily keeping your network free from exploits, viruses and rootkits to name a few. Reporting on vulnerability data has never been easier. With the easy to use dashboard, quick links, templates and drill down reports you will be able to provide management with a detailed security summary, keep track of your vulnerabilities, and leverage the information to make informed decisions about the traffic on your network.

Next let’s talk about VPN connections. The MX solutions provide you with Auto-provision IPsec VPN, Automatically Configured VPN Parameters, and flexible tunneling, topology, and security policies. Using IPsec, the MX connects your locations so seamlessly that its as if they are all connected locally on the same ethernet. Automatic configured VPN parameters makes this product line even easier to use. The real-time dashboard allows you to view VPN connections and health of your VPN at any point in time. Its unique products allow automatic connection between VPN Peers and routes across the WAN, while keeping the IP environments updated. Save even more time with single click split-tunneling and full-tunneling back to the concentrator. The built-in firewall allows you to customize traffic and security policies for your entire VPN network.

Cloud Managed Security
How Secure Is It?

Find out what security measures cloud-based hosting is taking.

Security is our number one focus area not only internally but for our clients as well. With the ever-growing number of threats, it should be every business's number one concern for all internal and external information that it holds, as security breach lawsuits have extremely high dollar values. Host and port based securities are becoming inadequate with the explosion of modern applications and mixed-use networks. They cannot keep up with the ever growing and changing needs for increased security like cloud-based solutions can. It’s amazing how quickly cloud managed IT solutions and desires have grown and continue to escalate. But how safe are these solutions and how well do they protect your data.

We reviewed Cisco Meraki’s MX cloud solution and are thoroughly impressed. Equipped with next-gen firewall, intrusion prevention, auto VPN, failover, datacenter high availability, content filtering, and 100% cloud centralized management; the Meraki MX eliminates the need for additional appliances allowing you to reduce your network infrastructure footprint.

What makes the Meraki MX next-gen (next generation) firewall so great? It has Layer 7 (DDoS attack) traffic classification and control, an intrusion detection engine, and identity-based and device-aware security; giving you control over all users, content, and applications on your network. The proprietary packet processing engine analyzes all network traffic, and can identify users, content and applications with its sophisticated fingerprinting intelligence. Having access to this Level 7 detail allows you to control evasive, encrypted and peer-to-peer applications that traditional firewalls cannot. It also features an integrated intrusion detection and prevention (IDS/IPS) engine that is based off Sourcefire’s SNORT®, the worlds most deployed intrusion detection and prevention technology, protecting you from malicious entities and treats. SNORT utilizes signature, protocol and anomaly-based inspections methods that insure ironclad security. Ensure your networks security with the Device-aware access controls. Allow different
Emerging Risk Report
Maryland Senate Bill 853

You own or operate a construction business. Inherent to owning or operating that business is the taking on of risks that you think about daily, for example: Are my employees safe? Is my equipment well-maintained? Are we adhering to our quality workmanship standards? Where can I find qualified, capable employees?

Often getting lost in the shuffle, however, are those risks that may not be as clearly identified until it’s too late. One such risk is the buzzer-beater Maryland Senate Bill 853, which makes construction general contractors liable for the failure of their subcontractors to pay their employees in compliance with Maryland wage and hour laws. The law, passed by the General Assembly late in the Maryland Legislative session in 2018, has just become effective on October 1st, 2018.

In essence, after two weeks have elapsed from the date on which any subcontractor in the construction chain is required to have paid the wages, the unpaid employee(s) will have a period of three (3) years to file a civil action against the general contractor to collect any and all unpaid “wages,” as this term is defined above, as well as the statutory treble damages, reasonable attorney’s fees and other costs that may be available if the subcontractor’s failure to pay was not “as a result of a bona fide dispute.”

Another key aspect of the new legislation is that it does not simply apply to the general contractor and their first-tier subcontractors. The general contractor may be liable for the wage and hour law violations committed by subcontractors reaching all the way down the construction chain. In its simplest form, the law has created an Employer-Employee relationship between a general contractor and employees over whom they have no control.

For parity, the law requires subcontractors to indemnify the general contractor for any wages, damages, interest, penalties or attorney’s fees owed as a result of the subcontractor’s violation. There are, however, two exceptions to the indemnification provision: 1. If indemnification is provided for in a contract between the general contractor and the subcontractor; or 2. When a violation arises due to the general contractor’s failure to make timely payments to the subcontractor.

The impact of the law to the subcontractor will be significant as general contractors will likely require subcontractors to obtain a surety bond for wage claims that could be brought by the subcontractor’s employees.

SB 853 Review

We encourage general contractors and subcontractors alike to engage in an SB 853 Risk Review process which includes analyzing the following areas in preparation of the impact that Senate Bill 853 will have on the construction industry:

1. Legal Review – Engage your attorney to do a thorough analysis of Maryland’s Wage and Hour laws and how your organization may be affected by the new legislation. There are various provisions of Maryland Surety law as it pertains to public and private work that could come into play as well.

2. Financial Review – Have your CPA conduct a thorough financial review. If your firm has an existing surety bond program, will it be enough to satisfy the General Contractors if there are increased requirements per job and in the aggregate? Will the surety contract provide financial guarantee for an alleged wage and hour violation as currently written? If you do not have an established bond program, will you be able to secure a surety bond if required by a general contractor? Are your financial statements internal only? Are financial statements audited, reviewed, or compiled? Are financial statements on a cash basis or accrual basis?

3. Contract/Risk Transfer Review – How is your subcontract agreement arranged and what risks are being transferred to another party? This is relevant whether you are positioned as a General Contractor or a Subcontractor that may also subcontract part of

Continued On Page 32
operating agreement (if you have a limited liability company) or articles of incorporation and bylaws (if you have a corporation) are properly drafted in a way that limits your liability and provides for your protection.

It is not enough to simply create an entity. An entity that is forfeited by the state does not provide its owners with any liability protection. It is extremely common for an entity to lose its good standing with the state because it has failed to file its annual returns and pay its annual property taxes. If the entity does not correct this mistake and restore its good standing, it may be forfeited by the state government. Once an entity is forfeited by the state, any person conducting business in the entity's name will be personally liable for the debts incurred during that time. It is also important to treat the entity's existence as something separate from its owners. Entities should have their own bank accounts and the business owners should not comingle their funds with that of the business. Especially for corporations it is also important to ensure that the requisite formalities (including annual meetings, properly electing officers and directors, and keeping corporate minutes) are taken. Contracts should always be signed in the name of the entity rather than the individual signing the contract to avoid any doubt as to who is liable for obligations under the contract.

Once the entity is formed, it is important that you have adequate insurance to protect your business and to comply with industry standards, as well as state laws and regulations. Exactly what kind of insurance is required depends on your business and its formation. Small businesses should consider getting general liability insurance, personal property insurance, commercial auto insurance, workers’ compensation insurance, and, in some cases, professional liability insurance, products liability insurance, data security insurance, and employer practices liability insurance. It is important to note that your existing homeowners or renter’s insurance policies will not cover you for liabilities incurred in the course of your business. Depending on the size of your business and your potential liability, you can contact your insurance agent to get a rider on your existing policy. In other instances, it may make more sense to get a comprehensive business owners policy, which is more comprehensive and can include different kinds of insurance under one policy.

As your business grows, it is important to keep up to date with the changing legal landscape. Certain court decisions and other changes in law can impact the best way to organize your business. This is especially important with respect to employment law. Many employment laws only apply to business of a certain size or have different requirements depending on the size of the business. Your employee handbooks and policies and procedures should all be reviewed by an attorney on a periodic basis to ensure you maintain compliance with changing laws and are following best practices when it comes to employment issues. For example, an attorney can review your sick leave policy and ensure that you are complying with all of the requirements under the new Paid Sick Leave Act. It is also important to ensure that your employees are properly categorized with respect to their status under the Fair Labor Standards Act and with respect to their status as employees or independent contractors. Improperly classifying employees can lead to, among other things, thousands of dollars in back pay, unpaid overtime, or benefits owed to those employees, and thousands of dollars in unpaid premiums with workers’ compensation insurance providers.

An experienced attorney can review the health of your business, including its entity status, organizational documents, contracts with vendors, handbooks and policies and procedures, and employee contracts. To the extent that any issues are discovered, the attorney will be able to help you rectify those issues and ensure you are protected going forward.

Diva Bole is an associate in PK Law’s Corporate and Real Estate Group. She focuses her practice area on business formation, mergers and acquisitions, joint ventures, commercial lending, financing and leasing, complex contracts, and corporate restructuring. Diva can be reached at 410-938-2645 or dbole@pklaw.com.
person needs a college degree. The biggest threat to construction recruiting comes from within the walls of our public school systems.”

If you're like most construction companies, you need to build up your workforce. Even if you have enough employees at the moment, think about your company's future leaders. Where will they come from?

**What’s important to young employees?**

We think it makes sense to tap into the millennial generation (people born between 1981 and 1996) seeing that they make up a quarter of the U.S. population.

But if you’re going to recruit millennials – and keep them happy in your company – you need to understand what makes them tick.

Let's take a look at what’s important to millennials. Hint: While salary and benefits are important to millennials, there's much more to the story.

1. **Opportunities for growth and advancement**

   Younger employees want to know about opportunities for advancement at your company. Lay out a career path for them. Even better, communicate clear objectives and time frames for taking specific steps toward growing within your company.

   **Give feedback to your employees.** A lot of feedback. Not only will it help you get better performance out of your employees from job to job and year to year, but giving frequent feedback will help your younger employees stay engaged and show them what they need to do to improve.

   More than a third of contractors aren’t giving annual reviews to their employees according to our 2018 Maryland Construction Industry Survey. While conducting reviews takes time, it's super important. Pro tip: using a short construction job employee evaluation form can make giving employee feedback less painful.

2. **Training and mentoring**

   Young employees want training, and not just technical training. They want training on soft skills like leadership.
communication, conflict resolution and team building.

Our survey found that only one out of ten construction companies say they are doing a “great job” when it comes to leadership development. This is unfortunate, considering that many owners of construction businesses are getting ready to retire and two-thirds (yikes!) of them haven’t yet identified their successor.

As you bring younger employees into your company, there is a goldmine of an opportunity to develop future leaders.

Groom future leaders by mentoring them. Have your best employees mentor younger employees to show them the ropes and demonstrate by example what it takes to succeed at your company.

3. Being part of something larger than a job

Millennials tend to be conscientious about social causes. While employees have a job to do, young employees in particular like to know they are making a difference.

You can accomplish this by giving them something to take ownership of within your business, like managing the company’s Facebook page, or training employees how to use a new timekeeping system.

Some companies make community service a part of their culture. We’ve done this at our own firm and have seen positive results in more ways than one. It’s turned into a nice leadership development program for our younger staff members, who take charge of organizing community service days and charitable initiatives at our firm. They are responsible for recruiting co-workers to participate and coordinating activities with local nonprofits.

4. Technology tools

Like it or not, millennials grew up with technology and it plays a huge role in how they live. It only makes sense that young people will look for companies that use and embrace technology.

They are tech-savvy and accustomed to having information available at their fingertips.

Bertazon, who has worked in Maryland’s construction industry for three decades, says “Younger people still wrongly perceive a career in construction means a lifetime of swinging a hammer or digging a ditch. We need to teach them it can also mean working with cutting edge technology.”

Young employees won’t want to fill out a paper timesheet by hand every day. They’ll expect to access emails and documents on a mobile device out in the field. They’ll want 24/7 access to what they need to do their job well.

There are tools every construction contractor should invest in. Ask yourself whether your company is using technology effectively, or better yet, ask a millennial.

How do you find young employees?

When we surveyed contractors, many indicated that there should be more of a push to change the perception of construction jobs. Several contractors told us more should be done to promote construction jobs to young school children.

We suggest working with your local construction trade associations to see if they have any school outreach programs. Consider attending job fairs and recruiting events to help educate kids, teachers and guidance counselors about careers in construction.

As you look to meet your immediate hiring needs, ask yourself whether you’re looking in the right place. When you’re ready to dive into online job searches, our Beginner’s Guide: How to Find New Construction Employees Online might be helpful. It covers where to post your job openings, how much it’ll cost, and how to write a good job online job description.

While we’re talking about looking for employees online, it’s a good time to consider your construction company’s online presence.

Some construction companies have unappealing websites, or worse, no website at all. This is unfortunate, because you can be guaranteed that anyone under the age of 40 who is considering applying for a job at your company will go online to check you out. They will look for a website and possibly a social media presence. If they see no online presence, or a website that looks like it’s from 2002, a young person will most likely get turned off and assume the company is either not successful or is antiquated. You don’t want that to be
installed on fire doors they must be labeled, which means that they have been successfully tested to UL 10C / NFPA 252 – the standards used to test and certify fire door assemblies and components. Components installed as part of a fire door assembly are required by NFPA 80 – Standard for Fire Doors and Other Opening Protectives, to be listed/labeled, so it is not permissible to install a deadbolt on a fire door if the deadbolt has not been labeled for this purpose. NFPA 80 also limits the job-site preparations and field modifications that may be performed on a fire door assembly. These limitations should be clearly understood before conducting any retrofit work on a fire door assembly.

Because the US codes and standards require fire door assemblies to have hardware with an active latchbolt, a labeled latchset or lockset would be required in addition to the labeled deadbolt. The deadbolt alone would not provide the positive latching function needed to keep the door in the closed and latched position if a fire occurred. It’s important to consider the requirements related to both fire and egress, as well as accessibility.

Double-cylinder deadbolts are acceptable in some locations.

Using a deadbolt that requires a key to unlock it from the inside seems like it would negatively impact egress, but in certain applications it is allowed by code. The locations where these locks are allowed by the IBC include: assembly occupancies with an occupant load of 300 people or less, business, factory, mercantile, and storage occupancies, and places of religious worship. In these buildings, the main door or doors may be equipped with locking devices that are operated by a key on the egress side (as well as a key on the exterior). The locking device must be readily distinguishable as locked, and there must be signage on or adjacent to the door on the egress side, stating “THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED.” The letters on the sign must be at least 1 inch high on a contrasting background. The use of the key-operated lock may be revoked by the code official for due cause.

Single-family and 2-family homes have different requirements for deadbolts.

The International Residential Code (IRC) has been adopted in most US states for the construction of 1- and 2-family homes; the IRC requires dwellings to have a code-compliant means of egress which opens directly into a public way or to a yard or court that opens to a public way. A dwelling unit must have at least one egress door that is side-hinged and has a clear width of at least 32 inches and a clear height of not less than 78 inches. Egress doors must be readily openable from inside of the dwelling without the use of a key or special knowledge or effort. While a deadbolt with a thumbturn is typically acceptable on these doors, a double-cylinder deadbolt does not meet the IRC’s requirements for a lock on an egress door.

Classroom function deadbolts are commonly used on multi-stall restrooms.

In Chapter 29 – Plumbing Systems, the IBC includes a paragraph which states: “Where a toilet room is provided for the use of multiple occupants, the egress door for the room shall not be lockable from the inside of the room. This section does not apply to family or assisted-use toilet rooms.” According to the IBC Commentary, the purpose of this requirement is to prevent multiple-occupant toilet rooms from becoming safe havens for illicit activities.

In many facilities, doors serving multi-stall restrooms are equipped with classroom function deadbolts so the doors can be locked in case of a plumbing problem or for whatever reason access to the room needs to be limited. The function that is typically specified is a classroom function deadbolt, but there is sometimes confusion about how these locks are intended to operate.

A classroom function deadbolt can be locked and unlocked from the outside with a key. When locked (bolt projected), the inside thumbturn can be used to retract the bolt, in case someone is inadvertently locked inside. The inside thumbturn will not project the bolt (it will only retract it), so this type of lock meets the IBC’s prohibition on lockable doors serving multi-stall restrooms.

Note that the emergency plans for some schools and other buildings include the use of restrooms as lockdown areas where building occupants can go if they need to find a safe haven. To avoid uncontrolled lockdown of these rooms, one option could be a deadbolt function
that would allow a teacher with a key to lock the door from the inside, but would also incorporate a thumbturn to allow free egress.

In most cases, deadbolts are required to meet the accessibility standards.

Operable parts of locksets, latchsets, and deadbolts must be within the allowable mounting height range, including keypads and other access control devices.

Door hardware must be operable with no tight grasping, pinching, or twisting of the wrist. That means that the thumbturn must be long enough to be operated with the side of someone’s palm, or the tip of a pencil, and within the operable force limitations of the applicable standard. Operable parts – including thumbturns, keypads, and access control readers – must be mounted between 34 inches and 48 inches above the floor or ground, or as required by state or local codes. Note that the allowable mounting height in California is more restrictive – 34 inches to 44 inches above the floor or ground. While there may be exceptions for existing deadbolts mounted in the bottom rail of a glass door, protruding hardware in that location can create a conflict with the requirement for a flush and smooth area in the bottom 10 inches on the push side of manually-operated doors.

One question that has come up recently is whether a deadbolt impacts the maneuvering clearance for a door opening. For a front approach on the push side of the opening, the accessibility standards require additional maneuvering clearance on the latch side if the door has both a door closer and a latch. The standards do not clarify whether the additional clearance would be required if the door has a door closer and a deadbolt instead of a latch. When I discussed this with International Code Council (ICC) staff, we agreed that because the deadbolt is held retracted and is not self-latching, the additional maneuvering clearance should not be required if the door is equipped with a door closer and deadbolt, with no positive-latching hardware.

Here’s the bottom line on deadbolts.

- Doors in a means of egress are required to unlatch with one operation – with a few exceptions.
- In most jurisdictions, residential dwelling units and sleeping units are allowed to have a deadbolt in addition to the latching hardware.
- If installed on a fire door, the deadbolt has to be labeled for that purpose, and alterations to existing fire doors must be made in accordance with NFPA 80 and the manufacturer’s listings.
- Double-cylinder deadbolts are allowed under certain circumstances if the required criteria are met.
- Thumbturns and other operable hardware must operate with no tight grasping, pinching, or twisting of the wrist.
- Releasing devices must be mounted between 34 inches and 48 inches above the floor, or as required by state/local codes.
- Refer to the applicable codes and standards for additional information.

Lori Greene, AHC/CDC, CCPR, FDAI, FDHI, is the manager of codes and resources for Allegion. She has worked in the door and hardware industry for more than 30 years, and in her current role she provides education and support on code requirements pertaining to door openings. Her website, iDigHardware.com, is a daily blog that also includes technical articles, videos, on-demand training, and a downloadable code reference guide. She can be contacted by emailing lori.greene@allegion.com.

DIRECT CONNECT

Plus:
Ending The Software Puzzle: “Using Dashboards to Create One Central View for Job Profitability, Scheduling and Documentation”

The Columbus Center
October 24th, 2018
4:00 – 7:00 p.m.

REGISTER NOW!
Continued From Page 25

your company’s image, particularly not if you are trying to recruit younger employees to your business.

Focus on the next generation

Young employees are out there. It’s time to start recruiting them. Once you have them on board, use these seven common sense employee retention strategies for construction contractors to keep them with your company for the long haul.

If you have questions about how to recruit and retain employees in your construction business, talk with Steve Ball, CPA, CVA, CCFIP, director of Gross Mendelsohn’s Construction & Real Estate Group. He is passionate about helping contractors succeed in all facets of business. Steve provides audit, accounting, tax, business valuation, succession planning and consulting services for contractors. Contact Steve at 410.685.5512 or sball@gma- cpa.com.

Continued From Page 16

- Shield Systems – Designed to restrict lateral or other hazardous movement, and resist soil and surcharge loads.
- Seepage and Water Accumulation – Can cause destabilization of trenches. Water removal equipment must be monitored by a competent person, as defined by OSHA.
- Hazardous Atmospheres and Confined Spaces – Workers must not work in hazardous and/or toxic atmospheres as defined by OSHA with concentrations that exceed the Threshold Limit Values for Airborne Contaminants established by the American Conference of Governmental Industrial Hygienists (ACGIH).

For additional information, please visit OSHA’s Safety and Health Topics webpage on trenching and excavation at www.osha.gov/SLTC/trenchingexcavation/index.html, or contact your nearby ECS office. We hope this Lessons Learned has increased your understanding of the considerations and requirements associated with trench safety.

Ronald Newman
An employee-owned firm whose principal owners are engineers and scientists, parent company Engineering Consulting Services specializes in geotechnical engineering, environmental consulting, construction materials testing, and facilities engineering services. The firm has 60 locations across the Mid-Atlantic, Southeastern, Southwestern and Midwestern states and employs more than 1,700 personnel. The firm is ranked 75 in Engineering News Record’s (ENR) Top 500 Design Firms, and 163 in ENR's Top 200 Environmental Firms.

2019 Direct Connect® Sponsorships Are Available!
Get Yours Before They Are Gone.
Contact Verna Today!
reduces the hazard of sudden tool reactions in binding conditions such as wrist fractures and being thrown from a ladder.

**Auger Bit Vs. Spade Bit:** auger bits can be ideal for truly deep holes, very rigid compared to spade bits, and are designed to clear away shavings quickly. Spade bits are intended for shallow hole applications and are more flexible. Construction workers, electricians and plumbers may all use auger bits for a range of applications. In every instance, workers should use a side-assist handle and ensure stable, balanced footing before drilling.

**Vibration Control:** hand-arm vibration (HAV) occurs when you use hand-held power tools and may cause a range of health issues: white finger, carpal tunnel syndrome, sensory nerve, muscle and joint damage, and may be permanently disabling.

**Respirable Crystalline Silica (RCS) Dust Control:** Crystalline silica exists in many common construction materials, and RCS enters the air through cutting, sawing, drilling and other daily tasks. As you work, you can create dust – and potential hazards – on the jobsite. Repeated exposure to RCS poses a threat to worker safety and has been known to cause a range of health problems, including lung scarring, impaired breathing, silicosis, lung cancer, tuberculosis, and COPD.

Reduce the amount of silica dust on the job site with wet saws, vacuum systems, ventilators, vacuum-assisted power tools with HEPA filters.

**Tool Tethering:** according to the Bureau of Labor Statistics, in the U.S., 10% of construction industry deaths are caused by victims being struck by an object. Overall safety can be enhanced by properly securing tools and objects that would fall from heights. Tethering; ensure tools are tethered to worker or secure anchor point using tool lanyards. Topping; properly top bags, buckets and pouches with closure systems to prevent equipment from falling out. Tagging; label tool lanyard and other height safety products with weight capacity. Always follow safe tethering practices, never tether a tool weighing more than 5 pounds to a person, clip into the built-in or retrofitted connection points, use energy-absorbing lanyards, when passing tools, connect to tool before other worker disconnects, attend training sessions on how to use tethered tools.

**Summary: Always Use The Right Tool For The Job:** Proper power tool training, usage and adherence to safety and operating procedures can mean the difference between a safe work site and a potentially dangerous one.

Please contact me with any questions regarding the information presented above. I am available for testing and training **Free of Charge** such as toolbox talks, site visits, and pre-construction meetings on subjects such as power tool safety, respirable crystalline silica, respiratory fit testing, tool tethering, powder actuated tool certification, ladder safety, scaffold safety, lockout/tagout, fall protection, many subjects related to personal protective equipment, firestop installers certification, mechanical & adhesive anchor safety training, mechanical & adhesive anchor tension & shear load testing, and much more. The only thing that is required is to have an established account with Capitol Building Supply. **Follow this link to get started!**

Gary Engleman  
**Capitol Building Supply, Inc.**  
Technical Representative  
**Personal Protective Equipment/Tools**  
Firestop/Fasteners/Concrete Anchors  
Access Doors/CFS Clips  
Mobile: (410) 800-9939  
Email: gengleman@cbsi.net  
[Connect with Me on Linkedin](https://www.linkedin.com/in/gary-engleman)  
Web: [www.cbsi.net](http://www.cbsi.net)

CBSI is the leading distributor for construction materials and a full service supplier of tools and personal protective equipment with 13 locations throughout, Maryland, Washington DC, and Northern Virginia.

---

**Advertising in Networked & Connected is Easy, Affordable & Effective.**  
**MCN will even help design your ad.**  
MORE EXPOSURE - LITTLE COST  
Learn More!
• IMC - Smoke detector shall be “upstream of any filters” (in the return duct)

The designer must comply to both building codes, but they clearly conflict. How does the designer proceed?

Reasoning Behind The Code

It is good practice to take a step back and understand the reasoning behind the code requirements. The basic idea is to detector smoke in the ducted air stream and shut off the fan to prevent the smoke from being distributed throughout the building. Both code location descriptions accomplish this task.

The supply location is more effective in addressing the detection of smoke in the event the source of the smoke is originating from the unit itself. NFPA detects downstream of the fan. However, the return air location may be more effective as it is prior to the filters. IMC detects prior to the filters.

Conclusion

The best practice and to meet all code requirements, the design shall include smoke detectors in both the supply air and return air locations. If there is a desire to value-engineer project and eliminate the redundancy of detectors, the AHJ (authority having jurisdiction) must agree & provide a waiver to the code requirement.

Steve C. Trageser, PE, LEED AP, CPD, CxA, DQC, MBA
Principal | Mechanical Engineer
Design Solutions LLC – Consulting Engineers
info@ds-engrs.com | www.ds-engrs.com
Steve provides Business Development, Mechanical-Plumbing Design, Design Quality Control Management, Commissioning & Building Assessment services for Design Solutions LLC

On my tombstone just write, ‘The sorest loser that ever lived.’
~ Earl Weaver

Direct Connect & Pre-Networking Presentation
Where’s the Work in Montgomery County?
Developer | Builder | GC Forum
Manor Country Club
November 14th, 2018
3:30 PM - 7:00 PM

REGISTER NOW!
into the “over time” criteria, which is similar to the current percentage-of-completion guidance. However, the new standard also clarifies that wasted resources (materials and labor) and uninstalled materials should not contribute to progress in satisfying a performance obligation. Items are considered uninstalled materials when they are not distinct (as defined above), the customer expects to obtain control of the material significantly before receiving benefits, the cost is significant compared to overall expected costs and the materials are procured from a third party and the contractor is not significantly involved with designing or manufacturing the materials.

Other Considerations

The new standard also affects how contractors account for certain costs incurred prior to the on-site start date of a job or project:

- Costs to obtain a contract: If recovery is expected, these can be capitalized and amortized over the life of the contract if they are deemed material, and can be expensed when incurred if the amortization period is one year or less.
- Costs to fulfill a contract: If recovery is expected, these must be capitalized and amortized over the life of the contract if they are deemed material. They cannot be expensed when incurred, even if amortization period is one year or less.

Although the standard will not be effective until 2019 for private companies, there are reporting requirements for 2018 year-ends therefore, we encourage you to be proactive and start getting educated on the changes and how they will impact your contracts.

"Be proactive and get educated on the changes and how they will impact your contracts."

Michael Kirby is a Partner with UHY LLP, one of the largest public accounting and advisory firms in the US with offices in Columbia and Frederick, Md. Mike specializes in providing services to clients in various industries with an emphasis in construction. He works closely with business owners and their finance personnel to provide timely and important tax and financial advisory services. Mike can be reached at 410.720.4816 or mkirby@uhv-us.com.

Protect your employees from inappropriate and harmful content by utilizing the MX's Content filtering. Identity-based filtering policies, scalable database, and automatic signature updates are just a few more key ingredients to the MX's powerful deliverance. Create unique identity filtering policies directly in the dashboard, without the need for Active Directory setup or agents. SafeSearch improves your workflow and efficiencies by providing an easier filtering workflow. With over 80 website categories you can easily block content for everyone or specific users. Filtering signatures are updated automatically, ensuring security and freeing up even more of your time.

Who hasn't heard of Malware. The question is what are you doing to protect yourself, your employees and your business from it? Cisco's Advanced Malware Protection (AMP) has you covered. It provides complete security before, during and after an attack. The dashboard integration makes things even easier configure and monitor any threats and threat detections.

Finally, Meraki MX's failover and datacenter high availability benefits. All MX Security Appliances support a dual WAN uplink with automatic failover to protect against ISP connection outages. If there should be an outage the MX's traffic prioritizing engine directs traffic flow based on application prioritization needs, keeping your network running smooth. The warm spare failover ensures the MX's services are at the appliance level regardless of deployment. Should your MX fail, another will automatically kick in and take its place ensuring your connectivity and keeping your organization safe. The MX Security appliances also support secure tunneling between locations.

So, is cloud managed security for you? Find out more information by reaching out to us (salesandmarketing@businessinformationgroup.com) or by visiting Cisco Meraki's MX webpage.

Michelle Reinhold
Marketing Support Supervisor
Business Information Group

Michelle has worked in the construction industry for 10 years supporting internal and external customers across multiple technologies.
4. Insurance Coverage Review – Although traditional insurance coverage for this type of wage and hour circumstance may not be readily available in the insurance marketplace, it is always prudent to analyze your business insurance policies to confirm that they keep in step with your company’s growth, changing operations, and the known and unknown risks associated with business ownership.

Even though the full effects of the new legislation remain to be felt, experts are projecting increased costs of construction projects in Maryland as well as an increasingly difficult construction environment for smaller and newer construction companies. With a few simple steps, you can be in control of an otherwise unknown outcome and be well-prepared to write your company’s next chapter.

Josh H. Marvel, CIC, AAI, CAWC pcez
Commercial Risk Advisor
Consolidated Insurance + Risk Management

Consolidated Insurance + Risk Management is an independent insurance agency based in Owings Mills, Maryland providing solutions for Commercial Insurance and Risk Management, Employee Benefits, and Personal Insurance and Risk Management. Josh specializes in Business, Strategic, and Hazard risk identification and planning, as well as Experience Mod. Rating management, reputation management, and insurance contract reviews.

DISCLAIMER: Because of the generality of this writing, the information provided herein may not be applicable in all situations and should not be acted upon without specific legal advice based on particular situations.

Perseverance is not a long race; it is many short races one after the other.

~ Walter Elliot

Coming Soon

October 17th – Timonium Fairgrounds
10th Annual “Meet The Primes”
Host: Baltimore County Public Schools
8:00 a.m. - Noon

October 23rd – M&T Bank Stadium
The Blue Book Showcase
Host: The Blue Book
1:00 – 5:00 p.m.

October 24th – The Columbus Center
MCN “Direct Connect Networking” & Pre Networking Presentation
Host: Gross, Mendelsohn & Associates
3:30 – 7:00 p.m.

November 14th – Manor Country Club
MCN Developer Builder | General Contractor “Where’s The Work” Forum & “Direct Connect Networking” Extravaganza
Host: RCM&D
Premier Sponsor: Belfast Valley Contractors
3:30 – 7:00 p.m.

January 24th – The Grand Masonic Lodge
MCN “Direct Connect Networking” & Pre Networking Presentation
Host: The Prosperity Group
Details TBA

“Networked and Connected” is a publication of Maryland Construction Network, LLC.® © 2018 All Rights Reserved

The statements made and opinions expressed in Maryland Construction Network’s (MCN) electronic newsletter, “Networked & Connected”, via advertisers and/or authors, do not represent the statements and opinions of MCN. MCN does not assume any responsibility or legal liability for usefulness, completeness, or accuracy of any information concerning products and/or services advertised or promoted with “Networked & Connected” nor does MCN endorse any of the products and/or services advertised. Maryland Construction Network® (MCN) does very much appreciate all contributions to the publication.