



# THE SUBtext

ASA SAN ANTONIO | 13333 Blanco Rd. Ste 306, San Antonio, TX 78216 | 210.349.2105

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*Dedicated Landscape Solutions*

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*Chamberlin Roofing & Waterproofing*

**Jan Meuth**

*You Name It Specialties*

**Marvin Ohlenbusch**

*Alamo Crane Service*

## CHAPTER ATTORNEYS

**Bethany Beck**

*The Gardner Law Firm*

**Tom Walthall**

*The Gardner Law Firm*

## CHAPTER HISTORIAN

**Greg Kanning**

*Dumas Hardware*

## PRESIDENT's message

Happy New Year ASA!!

It is a new year and a new start for everyone. We here at ASA- San Antonio look forward to seeing you all at our events throughout 2019.

The January General Membership Meeting is going to be one you don't want to miss. We will have Keith Colvin from TCA there talking about our upcoming Walk on the Capitol. Please sign up to attend our trip to meet with our local representatives and legislators about the issues that matter to our industry the most.

Your ASA representatives will also be reaching out to you to update you on upcoming meetings and events. We have an amazing chapter and we look to continue to grow our membership.

If you have any questions or comments, please feel free to contact our office or any other Board of Directors Member.

I look forward to seeing you at our upcoming events and hopefully I will see you at the end of January and our Walk on the Capitol.

*"Big John" Leifester  
Chapter President*



Committee involvement is one of the BEST ways to gain value from your ASA Membership! Please consider serving on an ASA Committee & contact the ASA office or the Committee Chair listed below to find out how you can get involved!

## **ASA COMMITTEE CHAIRS**

### **Membership**

Nick Metcalf

[Nick@gobizdoc.com](mailto:Nick@gobizdoc.com)

### **Safety Committee**

Ted Dunnam

[tdunnam@escsafety.com](mailto:tdunnam@escsafety.com)

### **Government Advocacy**

Paul Brennan

[pbrennan@napcosa.com](mailto:pbrennan@napcosa.com)

### **Nominating Committee**

Debbie Hannasch

[debbie@facssa.com](mailto:debbie@facssa.com)

### **Rodeo BBQ**

John Leifester

[john@dedicatedls.com](mailto:john@dedicatedls.com)

### **Golf Tournament**

Adam Hudec & Adam Matthys

[adam.hudec@rsmus.com](mailto:adam.hudec@rsmus.com)

[amatthys@chamberlinltd.com](mailto:amatthys@chamberlinltd.com)

### **Subfest & BBQ Cook-Off**

Mike McGinnis

[mikem@lumberhardware.com](mailto:mikem@lumberhardware.com)

### **Fishing Tournament**

Greg Kanning

[greg@dumashardware.com](mailto:greg@dumashardware.com)

### **Clay Shoot**

Chris Christians & Ted Dunnam

[cbciv@lynwoodsa.com](mailto:cbciv@lynwoodsa.com)

[tdunnam@escsafety.com](mailto:tdunnam@escsafety.com)

### **Pour-Off Committee**

Dustin Michalak

[dmichalak@ridoutbarrett.com](mailto:dmichalak@ridoutbarrett.com)

### **Tailgate Mixer**

Mike McGinnis

[mikem@lumberhardware.com](mailto:mikem@lumberhardware.com)

# **SUBExcel**

## **March 6-9, 2019**

## **Nashville, TN**



*The premier education and networking event for subcontractors, specialty trade contractors, and suppliers*

SUBExcel is the annual national convention of the American Subcontractors Association, a trade association representing construction subcontractors, specialty trade contractors and suppliers. There are many perks of attending SUBExcel:

1. Get proven business tips from acclaimed speakers that will transform your company and your bottom line to succeed in today's construction markets.
2. Learn about the latest productivity-enhancing products and services provided by ASA exhibitors.
3. Enjoy the luxury hotel accommodations.
4. Enjoy special events, including the ASA President's Welcome Reception and the Final Reception & Banquet.
5. Take a deeper look at your industry, your chapter, and your association and be part of mapping our industry's path forward in ASA's task force, committee and council meetings.
6. And much more!

Whether you have been working in construction for a long time and are cautious about technology, or you are a tech-savvy millennial who is quick to see the benefits of technology, one thing is certain: technology in construction is here to stay. Two-thirds of general and specialty trade contractors report significant improvements to the flow of project information after incorporating mobile technologies for project teams; three-fourths of these find they have better collaboration among team

members; and more than two-thirds of these report improved productivity, according to McGraw Hill Construction. More and more owners will only demand that quality work be done faster and technology will allow you to make that happen. In keeping with this idea, the theme of SUBExcel 2019 will be "Technology—for Millennials to Dinosaurs." Several education workshops will focus on technology. Visit the National website for more info: [www.asaonline.com](http://www.asaonline.com)

*Our Chapter has been nominated for **THREE** awards to be announced at SubExcel!*

**Did You Know**

## **It's for the Kids**

*Thank you to each of you who participated in the annual Construct A Kids Christmas Gala this year! With your generosity and support, we were able to raise over \$100,000 in donations and toys! A check was already presented to Friends of Bexar County & a second check will be written to the Child Advocates of San Antonio (CASA). Thank you again for bringing the spirit of Christmas to deserving children in our community!*





# MEMBERSHIP Corner

by Nick Metcalf, BizDoc

The members of ASA are our best voice in spreading the accolades of ASA. One of the preferred methods I use is having an "elevator speech", about my experience with ASA. Whether you are in ASA for training & education, advocacy or networking, there is probably one of these pillars that stands out to you.....if not all. Networking is the biggest benefit for me when it comes to ASA. Fellow ASA members see myself and my company at the various events and slowly start to get to know me. As I meet with non-ASA members, I talk about how my business has grown from being a member of ASA. Our goal for membership is 200 members by 2020! Whether it is 200 by 1/15/2020 or 200 by 12/15/2020, we believe this is a very attainable goal. How will we get there? By you telling a client about your experience with ASA. By you inviting a prospect to an ASA event. By staying active and participating with ASA. Have a great 2019 and look forward to seeing you at an event soon!

## Welcome to our newest members

Please take the time to meet the newest members of ASA of San Antonio, and let's start building a better future together!

### A&B Automatic Doors of TX

Amy Ronek  
PO Box 697  
Floresville, TX 78114  
210.480.3667  
Trade: Doors full height  
turnstiles, optical, sliding,  
swinging, folding, revolvers, etc

### ARCPoint Labs of SA

Laura Broome  
20079 Stone Oak Pkwy  
#1105-103  
San Antonio, TX 78258  
210.340.9992  
www.arcpointlabs.com  
Trade: Drug & Alcohol Testing;  
Background Checks

### The Brandt Companies

Gina Scott  
1728 Briercroft Court  
Carrollton, TX 75006  
972.395.6676  
www.brandt.us

### The Bank of SA Insurance Group

Darrell Vann  
1900 NW Loop 410  
San Antonio, TX 78213  
210.822.1571  
www.thebankofsa.com  
Trade: insurance & bonds

### Devers Consulting

Michael Devers  
1659 State Hwy 46 W Ste 433  
New Braunfels, TX 78132  
830.217.3901  
www.deversconsulting.com  
Trade: Business consulting  
specializing in construction

### Stonewater Wealth Management

Ryan Canales  
18911 Hardy Oak Blvd #185  
San Antonio, TX 78258  
210.686.0869  
www.stonewaterwealth.com  
Trade: Financial Services

## SPONSORSHIP

You asked, and we delivered! This year we rolled out a special option for companies to become Annual Sponsors with ASA for the best value & premium advertising. Contact the ASA office for more information on the optional packages, or reach out to Jennifer to inquire about a customized package that's right for you!

A graphic titled "ASA SAN ANTONIO SPONSORS 2019-2020" featuring a central list of sponsors. At the top left is a blue ribbon banner for "INDUSTRY CHAMPIONS". To the right is the ASA logo. Below the ribbon are logos for ESC SAFETY CONSULTANTS, GARDNER LAW, KCM CABINETS, INC., SOUTHERN AMERICAN INSURANCE AGENCY, and RSM. A blue banner below these reads "ASA INDUSTRY LEADERS", followed by logos for BARTLETT COCKE and BIG CITY ACCESS. Below that is a logo for CHAMBERLIN and a blue box for MEMCO. Another blue banner reads "ASA INDUSTRY SUPPORTERS", followed by the Trade MANAGEMENT logo. A final blue banner reads "ASA INDUSTRY PARTNERS", followed by logos for MIDDLEMAN, STRUCTURA, and SUNDT. At the bottom, the text "ASA SAN ANTONIO SPONSORS 2019-2020" is repeated in a stylized font.

# WHY Walk?

by Paul Brennan  
NAPCO Precast

Why do we Walk on the Capital? Engagement with our elected officials is the best way to effect legislation. Few people do it, so those of us who do have that much more of an impact. Making changes that effect our industry thru the legislative process takes time. This is not a sprint, it's not even a marathon, it's a journey. As a member of ASA you are also a member of TCA (Texas Construction Association). TCA is our lobbying arm. They lay the groundwork for construction industry friendly legislation to get passed. They cannot do it alone and that is where you come into play. We need you to join us in Austin Wednesday 1/30 to walk the halls of the capital and meet with legislators and their staff and discuss the various bills we hope to pass this legislative session. ASA will coordinate the visits, schedule the bus to and from San Antonio, we will take care of the details. You will be with a group of people and will have the opportunity to discuss the issues with our legislators or simply attend the meeting as a show of support. You will be assigned to a team, and the team leader will be a seasoned advocacy committee member and will take the lead in the meetings. By attending the meeting you help show the legislators and their staff how committed we are to making change. YOU are what helps get legislation passed. So join us for "Butts on the Bus" and let's get some things done. If you ever have any questions about advocacy or wish to join the committee please contact the chair.



Let Your Voice Be Heard!  
Join the industry as we travel  
in style on a  
luxury bus to visit our  
legislators in Austin  
**Breakfast / Snacks /  
Beverages for the Ride Home**  
**\*\*FREE EVENT\*\***

Register online at [www.asasanantonio.org/walkoncap2019.html](http://www.asasanantonio.org/walkoncap2019.html)  
or email [jennifer@asasanantonio.org](mailto:jennifer@asasanantonio.org)

## TCA 2019 Legislative Issues

**Lien Law** - MODERNIZE the Texas construction lien laws. Replace the current confusing system with a simpler one of sending one notice at the beginning of a project, one fund-trapping notice when pay requests go unpaid, and provide an Internet website for project information and a place to post notices.

**Local Employment Mandates**  
The State should preempt local ordinances that attempt to regulate employer/employee relationships by mandating things like paid time off.

**Defective Plans and Specifications**  
- Remove the liability from the construction team for defects in construction design documents provided by the owner.

2019  
Walk on the  
Capitol

**When:**

Wednesday, Jan 30, 2019

**Depart:**

8am SHARP!

**Return:**

Approx 6pm

**Where:**

Walmart Parking Lot  
IH-35 & FM 3009  
(take Natural Bridge  
Caverns Exit)

### **Notice and Right to Repair**

A statute that provides for fair notice and time to repair will greatly reduce unnecessary lawsuits, but not prevent a lawsuit when a dispute over a construction defect cannot be otherwise resolved.

### **Securing Retainage**

A construction team's retainage is essentially an unsecured loan to the project owner. This retainage loan should be protected so it will survive a foreclosure by the owner's bank.

**Statute of Repose** - Reducing the period of liability from 10 to 5 years will lower litigation and insurance costs, yet allow for a reasonable period of time for construction defects to be found.



# LEGAL *Update*

Construction defect litigation typically is a result of the owner filing a suit or arbitration claim against a general contractor alleging certain things are wrong with the building. The general contractor, in turn, can sue all of their subcontractors, either in court or in arbitration. Sometimes the owner has experienced problems and seeks out an attorney for this purpose. Sometimes, lawyers who take on these types of cases seek out owners and help them discover defects. The owner and their lawyers typically invest large sums of money in hiring expert witnesses to inspect the buildings and prepare reports prior to a suit/arbitration being filed. By the time it is filed, it is unlikely they will resolve it without recovering substantial payment. These types of cases tend to be more common in Southern Texas, and sometimes Eastern Texas, where juries tend to be more likely to give high verdicts. These types of cases tend to be more common where the project was a school, condo, or medical facility.

The Owner's goal is to recover money, usually substantial sums of money. What drives these types of claims is the insurance money and coverage. There is no such thing as a perfect construction project. In addition, owners sometimes value engineer projects or otherwise want to "pay for a Chevy, but actually get a Cadillac" – Which is to say any owner, on any project, who looks hard enough will be able to find something wrong, especially 5-7 years after completion.

Often insurance companies step in to defend their subcontractors and pay claims, so there should be minimal out of pocket expenses for subcontractors, however: If the insurance company declines coverage, the subcontractor will have to pay for attorneys and settlement proceeds out of pocket, OR If the insurance company defends and settles the suit, the subcontractors insurance rates usually go up in the future.

ASA has had representatives from its board and/or its chapter counsel at various meetings with other industry players to participate in discussions about the best courses of action to prevent this type of litigation in the future. Additionally, ASA in conjunction with TCA (Texas Construction Association) is involved in supporting legislative bills that resolve this issue at a statewide level.

## BASH AT THE BBQ

Jan 25-26

Join us at the San Antonio Rodeo BBQ Cook-Off & Meet up with fellow industry folks on "Construction Row!"

Sponsors receive EXCLUSIVE VIP tickets for our private event Friday night - includes steak dinner, beverages, and performance by the band "Two for the Road."

Our Chapter is nominated for the ASA National "Innovation Award" for this event. Sponsor today and come see what all the fuss is about!

## Thank You to Our 2019 Bash at the BBQ Sponsors

**BEXAR**  
Excavating & Hauling LLC

**CFC**  
ENGINEERING, LLC

**SOUTHERN  
AMERICAN  
INSURANCE  
AGENCY**

**JACOB | WHITE**  
CONSTRUCTION

**TOMAN  
BROTHERS**

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**FACSSA**  
FIRE ALARM CONTROL SYSTEMS, Inc. • SAN ANTONIO

  
**BROADWAY  
BANK**  
We're here for good.

  
**BOY SCOUTS  
OF AMERICA**  
ALAMO AREA COUNCIL

 **KCM CABINETS, INC.**

 **peopleready**  
A TRUEBLUE COMPANY

 **NAPCO  
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**SAFETY**  **SUPPLY**

**Trade  
MANAGEMENT**

 **TRAUGOTT INC.**  
Painting and Decorating

 **Wilborn Steel Co., Ltd.**  
Established 1900

**Make Your Mark**  
**YNIS**  
You Name It Specialties



# 24th ANNUAL EXCELLENCE IN CONSTRUCTION *Awards*

**THURSDAY  
FEB 28, 2019**

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**COCKTAILS 6PM  
DINNER 7PM & PROGRAM 8PM**

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**PEARL STABLE  
307 PEARL PARKWAY  
SAN ANTONIO, TX**

**\$100 PER GUEST  
\$950 PER TABLE OF 10  
SPONSORSHIP OPPORTUNITIES AVAILABLE**

**FOR MORE INFORMATION  
CALL 210.349.2105 OR EMAIL [JENNIFER@ASASANANTONIO.ORG](mailto:JENNIFER@ASASANANTONIO.ORG)**

**COAT & TIE REQUESTED**

## **CONGRATULATIONS TO THE NOMINEES...**

### **Nominated Projects Under \$2.5 Million**

Home & Patio / FETZER COMPANIES  
Global Luxury Coldwell Banker D'Ann Harper Class A Office / G.W. MITCHELL  
St. Ann Religious Education Building / J.C. STODDARD  
Go Rio Cruises Retail Outlet River Center Mall / PUGH CONSTRUCTORS  
QVC Arena's 3 & 4 / STRUCTURE TONE

### **Nominated Projects Between \$2.5 - \$5 Million**

SA Produce Terminal Market / KELLER-MARTIN CONSTRUCTION  
Animal Control Facility / THE KOEHLER COMPANY  
Autism Treatment Center Phase 2 / MALITZ CONSTRUCTION  
Parkview Plaza Flex Office Space / MIDDLEMAN CONSTRUCTION  
San Antonio Wrench A Part / STRUCTURA

### **Nominated Projects Between \$5 - \$10 Million**

Northside ISD Boone Elementary Upgrades / CENTRAL BUILDERS, INC.  
Methodist Healthcare Ministries - Dixon Clinic / KELLER-MARTIN CONSTRUCTION  
North East ISD Sports Park Improvements - Baseball Facilities / MARKSMEN GENERAL CONTRACTORS  
SOBO Medical Office Building / RC PAGE CONSTRUCTION  
USAA One Riverwalk Renovation of 5th, 6th, 7th, and 12th Floors - Office / WHITING-TURNER CONSTRUCTION

### **Nominated Projects Between \$10 - \$20 Million**

Clark High School HVAC Renovation / BARTLETT COCKE GENERAL CONTRACTORS  
CentroMed Health & Wellness Center / F.A. NUNNELLY  
Bexar County Public Works Headquarters / JOERIS GENERAL CONTRACTORS  
Mercedes Benz of SA Garage & Showroom Expansion / KOPFLOW CONSTRUCTION  
Port Authority of SA Project Tech Bldg 1 / SPAWGLASS  
Ruby City Museum - Entertainment / WHITING-TURNER

### **Nominated Projects Over \$20 Million**

Van Raub Elementary School / BARTLETT COCKE GENERAL CONTRACTORS  
Randolph Brooks FCU ASC III / JOERIS GENERAL CONTRACTORS  
Audi Dominion New Dealership / MALITZ CONSTRUCTION  
Cyrus One Building 3 - DH1 Upfit / ROGERS-O'BRIEN CONSTRUCTION  
Texas A&M University - SA Science & Technology Bldg / SPAWGLASS  
San Pedro Creek Culture Park / SUNDT / DAVILA JV

### **Nominees for Project Manager of the Year**

Brandon Bates / BARTLETT COCKE  
Gault Robinson / JOERIS GENERAL CONTRACTORS  
Ryland "Reb" Brem, Jr. / KELLER-MARTIN CONSTRUCTION  
Reid Loehman / MALITZ CONSTRUCTION  
Dave Charest / SPAWGLASS  
Dale Dmitrzac / STRUCTURE TONE

### **Nominees for Project Superintendent of the Year**

Jimmy Worswick / BARTLETT COCKE  
Hubert McBride / JOERIS GENERAL CONTRACTORS  
Stacy Kruse / KELLER-MARTIN CONSTRUCTION  
Jeremy Walter / MARKSMEN GENERAL CONTRACTORS  
Bobby Miller / SPAWGLASS

### **Nominees for General Contractor of the Year**

Bartlett Cocke General Contractors  
Joeris General Contractors  
Keller-Martin Construction  
Malitz General Contractors  
SpawGlass  
Whiting-Turner



# SUBS ON ICE

FRI. FEB 1, 2019  
7:30pm AT&T Center

Chill out after the holidays & experience hockey up close and personal with ASA in the **Exclusive "Caliente Zone" Ice Side Suite** including a private bar for our group!

**Space is limited  
so sign up today!**

**\$55 ASA Members  
& Partners  
\$65 Non-Members**

## ASafety Tip

### Keep the Sniffles Away

*courtesy of WebMD*

Here are seven tips to help you avoid the cold & flu this season:

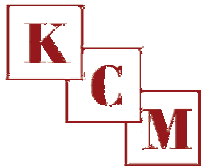
1. Get a flu shot.  
It's the Number 1 thing you can do to prevent the flu.



2. Wash your hands -- a lot. It sounds so simple, but soap and water are the constant companions of doctors and nurses. To completely get rid of viruses from your skin, you need to scrub hard for 20 seconds or more. A good way to time yourself is to sing "Happy Birthday" twice while scrubbing the backs of your hands, between your fingers, and under your nails. It doesn't matter if the water's hot or cold -- the very act of scrubbing will physically remove the germs.
3. Use alcohol-based hand sanitizer. If you can't get to soap and water, sanitizer can kill cold and flu germs.
4. Avoid getting close to people who are sick. For example, don't shake hands. Just explain, 'To keep transmission of colds and flu down, I'm not shaking hands. But hello! Nice to meet you!' They will understand.
5. Keep your surroundings clean. Remember to sanitize commonly used doorknobs and light switches, and avoid shared candy dishes.
6. Start your day by cleaning your workspace with virus & germ-killing soaps.
7. Keep up a healthy lifestyle. Get adequate rest, get good nutrition, don't smoke, and keep your allergies controlled, because if they're out of control, then your upper respiratory tree is already inflamed, which sets it up to more easily acquire a virus.



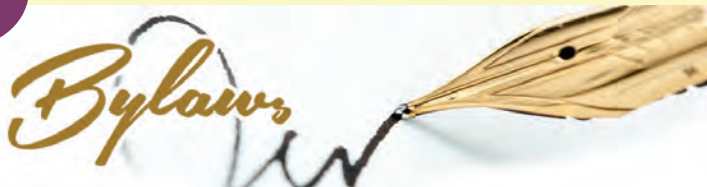
**Thank You to our  
SUBS ON ICE  
Sponsors**



**CABINETS, INC.**



#### NOTICE



**Check the Web:** Your chapter board has been hard at work updating the bylaws. Please review them & contact a board member with questions. Voting will take place next month.



*Thank you to the board members, officers, committee chairs, and volunteers for an INCREDIBLE year! Your dedication, sacrifice, hard work, and diligence gave us a RECORD-BREAKING 2018! You are the reason for our success! Thank you for giving 100% in everything you do.*





## TOURNAMENT SPONSOR

**SpawGlass**

## BEVERAGE SPONSORS



**BUYERS**  
EST. BARRICADES 1994

**CBI**  
CENTRAL BUILDERS, INC.



**KCM** **CABINETS, INC.**

**RSM**



**URBAN**  
HEATING & AIR CONDITIONING



**RUSSELL BOOTHE**  
CONSTRUCTION COMPANY

## AWARD SPONSORS



**JACOB | WHITE**  
CONSTRUCTION



## CONGRATULATIONS TO THE WINNERS

1st Place Net – Buyers Barricades

2nd Place Net – Chamberlin Roofing & Waterproofing

3rd Place Net – Lone Star Materials

1st Place Gross – United Rentals

2nd Place Gross – Martin Marietta

3rd Place Gross – Texas First Rentals

Ladies Longest Drive – Melodye Tomsu,  
SpawGlass Contractors

Men's Longest Drive – Jeremy Doege, Structura

Closest to the Pin – Adam Matthys, Chamberlin  
Roofing & Waterproofing

*Oct 23rd*





# Congratulations to the ASA 2018 Fall Golf Tournament Winners





# UPCOMING EVENTS

## JANUARY

Jan 16 – Safety Committee  
 Jan 22 - General Meeting  
 Jan 25 & 26 – Rodeo BBQ Bash  
 Jan 29 – TCA Board Meeting  
 Jan 30 – Walk on the Capitol

## FEBRUARY

Feb 1 – Hockey Night  
 Feb 20 – Safety Committee  
 Feb 26 - Lunch & Learn: Certified Payroll & Ex Order 13706  
 Feb 28 – Excellence in Const. Awards

## MARCH

Mar 6 – SubExcel  
 Mar 20 – Golf Tournament  
 Mar 26 - General Meeting: Succession Planning

## February Lunch & Learn



Tuesday, Feb 26, 2019  
 11:30am Lunch & Networking  
 11:45am Presentation

The Petroleum Club of San Antonio  
 8620 N New Braunfels Ave # 700

## **“Certified Payroll & Executive Order 13706”**

### Guest Speakers

Cynthia Ramos  
 District Director  
 Dept. of Labor



**ASA SAN ANTONIO**  
**13333 Blanco Rd. Ste 306**  
**San Antonio, TX 78216**

**SPONSOR  
 FUTURE  
 ISSUES OF THE  
 ASA SUBtext!**

**Contact the  
 ASA office for  
 pricing &  
 opportunities**

Let's *get* Social



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[www.asasanantonio.org](http://www.asasanantonio.org)