



PUNCH LIST

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DFW AIRPORT ON TRACK FOR RECORD TRAVELER NUMBERS

Dallas-Fort Worth International Airport is on pace to hit 80 million visitors in 2023 after surpassing pre-pandemic traveler levels multiple times over the summer.

DFW airport — the second-busiest commercial airport in the world — is forecast to experience record growth over the next decade as businesses and developers bring new opportunities and investment to the North Texas region.

"DFW Airport is an incredible asset driving the economic activity for our entire metro area, which is the fourth largest and fastest growing in the country. Since I became mayor, DFW has become the second-busiest airport in the world, supporting over 634,000 jobs across our region," Dallas Mayor Eric Johnson said in a statement.

"I look forward to working with the other members of the Board of Directors and the Airport's leadership to further position DFW for continued growth and success."

To accommodate the growing number of travelers who pass through the airport each year, DFW Airport CEO Sean Donohue said it must expand apace with the region. To accomplish this, the airport is working with American Airlines on a nearly \$5 billion airport expansion that includes the construction of Terminal F and enhancements to Terminal C, as previously reported by *The Dallas Express*.

The expansion is expected to kick off in 2024, with construction on Terminal C projected to start early next year, followed by the construction of Terminal F toward the end of the year.

"Increasing population requires infrastructure to accommodate the needs of both current residents and prospective newcomers," Donohue said October 2 during a 2023 State of the Airport address, per *The Dallas Morning News*.

"This project not only reflects our dedication to meeting the evolving needs of our passengers but

also signifies our commitment to remaining at the forefront of the aviation industry," he said, reported the Fort Worth Report.

During Monday's address, Donohue provided an update on the airport's economic impact study, which was conducted by the Perryman Group and last updated in 2015, per a DFW Airport news release.

According to the study, visitor spending since 2015 has increased 24.7% (\$19.2 billion to \$23.96 billion), while the number of jobs the airport supports grew 25% (508,272 to 634,789).

Additionally, estimates by the Perryman Group show that annual tax receipts generated via airport operations and passenger spending led to roughly \$7.1 billion in federal taxes, \$3.1 billion in state taxes, and nearly \$2 billion in local taxes.

Fort Worth Mayor Mattie Parker attributes much of her city's growth to the traffic coming through DFW airport, and with the upcoming terminal expansions, she anticipates even more growth for the region.

"Airports are not just gateways to the world, they are gateways for our community's prosperity and progress," Parker said in the news release. "DFW's success as a job creator and economic engine is connecting our region to global audiences and enhancing economic opportunities for our businesses and residents alike."

As part of the State of the Airport event, DFW unveiled new video renderings of Terminal C and the forthcoming Terminal F.

By Andrew Terrell - Staff Writer, Dallas Express
Oct 4, 2023





6th ANNUAL CLAY SHOOT

Thursday, October 19

Dallas Gun Club

3601 S. Stemmons Freeway | Lewisville, TX

Registration & Lunch - 11:00 a.m. | Safety Meeting - 12:00 p.m.

Shooting Immediately Follows

Appetizers & Beverages

Raffle for Items, Cash, and Over Under Pistol

Awards Ceremony


Individual Shooter \$250.00 | 4-Shooter Team \$1,000.00



**Thank you to our
Sponsors!**



UPCOMING EVENTS



Breaking Down GC Pay Applications

Tuesday, October 24
11:30 - 1:00 p.m.

NACM Southwest
751 Plaza Blvd.
Coppell


Boxed Lunch Included



WWW.SAM-DFW.ORG

director@sam-dfw.org

817.266.1909

Register



THE GC-SUBCONTRACTOR RELATIONSHIP:

A presentation on creating an efficient GC and Subcontractor Team


Join Becca Neu with Neuco & Associates and Maria Jarden with HITT Contracting as they discuss the attributes of a perfect team.

Sponsored by HITT Contracting

Tuesday, November 14
4:30 - 6:00 p.m.

NACM Southwest
751 Plaza Blvd.
Coppell, TX

REGISTER



www.sam-dfw.org



LIEN & BOND CLAIM SEMINAR

NOVEMBER 2, 2023
11:00 AM - 4:00 PM

Park Central 7
First Floor Education Room
12750 Merit Drive
Dallas, TX 75251

Sponsored by:


CUTLER & SMITH ATTORNEYS

PCL CONTRACT BONDING AGENCY

Unity Insurance Partners



REGISTER



Spike Cutler

www.sam-dfw.org

Celebrate the holiday season with SAM

THURSDAY, DECEMBER 7
6:00 - 8:00 p.m.

Maggiano's
6001 W. Park Blvd.
Plano, TX

Dinner & Cocktails
Details for Donation Drive Coming Soon

Register Here: 



JOIN US TO CELEBRATE 25 YEARS OF THE TEXAS CONSTRUCTION ASSOCIATION

SAN ANTONIO San Antonio Zoo October 17, 2023 6:00 PM - 9:00 PM	DALLAS Community Beer Co. November 1, 2023 6:00 PM - 9:00 PM
HOUSTON St. Arnold's Brewery October 26, 2023 6:00 PM - 9:00 PM	AUSTIN SXSW Rooftop Terrace November 7, 2023 6:00 PM - 9:00 PM

RSVP
<https://shorturl.at/cptJT>

The TCA 25th Anniversary Celebration is open to SAM Members Only.

Join SAM to participate and take advantage of the Texas Mutual Discount Program, Office Depot Discount Program, Collective Retirement Plan, and many more TCA Membership Benefits.

PREPARE FOR OSHA - PLAN AND PRACTICE SAFETY!

Just four simple letters – OSHA – strike fear into the hearts of contractors everywhere. But, should they?

OSHA, the Occupational Safety And Health Administration, was formed in April, 1971, to promote the cause of worker safety and private employment in the United States.

OSHA performs research, gathers information, and promulgates and enforces safety standards across virtually all categories of private employment the United States, but they consistently find their greatest challenges in the construction industry, and for good cause. Construction sites are transitory - they come and they go, and every day they're different. Lots of different kinds of work being performed by lots of different kinds of contractors, and they all have to be coordinated in a safe way, while still allowing the work to go forward.

Trade contractors often pay little attention to OSHA until they get a Citation, or worse, have a jobsite accident that produces injury or death (and more Citations), but waiting for one of these events is the wrong approach!

There was a time when OSHA citations could be taken fairly lightly - the cash penalties were often modest, and citations were frequently easy to contest, because many OSHA inspectors were poorly – trained, didn't truly understand the standards they were implementing, and had difficulty documenting the violations they were citing. Those days are gone - and that is not really a bad thing.

Reasonable planning and good policies are your best defense against damaging OSHA action. Here are some of the things we have, over decades of representation of trade contractors in OSHA matters, found are important to demonstrate when OSHA comes to the jobsite, and when you and your counsel are negotiating with OSHA following issuance of the citation.

SAFETY POLICIES

Every contractor should have a comprehensive Safety Policies, tailored both to their trade and to their operation. Some masonry contractors focus on scaffold-use policies, and that's understandable – tripping, falling and dropping from scaffolds is a very common source of OSHA enforcement actions. A proper safety policy, however, should address the entire "life cycle" of both a contractor's employment practices and its project administration. It should include how employees – project management, field management, skilled craft workers and laborers – are trained. Also critical, are inspection and use policies, discipline, enforcement and record-keeping. Tool management – how you make sure tools are safe, what happens when they are not, and keeping track of tools and consumables (like blades, bits and the like) are critical as well.

TRAINING RECORDS

Maintain current and complete records of all safety training - every employee should have training appropriate to the job description before first going to a jobsite, and you should have records that the training was administered, signed by the employee. Advanced and specialized training should be fully-documented, as well, including certifications for specific equipment (scaffolds,

forklifts, etc.) with refresher training as reasonably required and the certification of training should be carried by trained employees.

Recurrent training must take place, including regular "toolbox talks" at the jobsite, to remind employees of their important role in maintaining safety.

INSPECTIONS AND AUTHORITY

Whether you rely on third-party safety consultants, or have in-house, full-time Safety Director personnel, inspect your own jobsites regularly, and without prior announcement, so you can catch unsafe practices and trends before they turn into injuries or citations. Don't rely on general contractors' safety personnel – they are looking out for themselves first. Your company's safety representatives should have full authority to take appropriate action on unsafe conditions, and management, from the top on down, must make clear to every employee that the safety representative's authority is genuinely supported by management. If your Safety Director observes unsafe operations, he should have the authority to immediately order a stand-down, and to take all action necessary to correct unsafe conditions.

BREACH AND DISCIPLINE

Employees should understand that they are all responsible for safe operations, and if they work unsafely, they are subject to discipline. When your management (at whatever level) observe unsafe operations, the unsafe employees should be immediately counseled, and appropriately disciplined in accordance with the safety policy and Employee Manual, this discipline must be documented in writing in the employee's file, and these employment policies must be consistently applied across the company. Bottom-line: employees cannot be allowed to expect unsafe operations to be tolerated.

PULLING IT ALL TOGETHER

As an inherently-dangerous business, construction will inevitably generate some accidents, and sometimes the best employees will slip up. When you receive a Citation, the odds are that today's OSHA field investigators who prepare Citations (1) are well-trained to recognize the conditions they are citing, and (2) have documented the conditions thoroughly, including photographs, video and on occasion, employee interviews.

With all this in mind, discussing the issue with OSHA is critical, if you hope to get penalties and (more importantly) severity reduced. Our experience in representing trade contractors before OSHA has shown us that if, at the informal stage, you can demonstrate to the satisfaction of your OSHA Area Director that the occurrence or condition for which the Citation was issued is well and truly an exception to the norm, and that your company can, through policy, training and actions, demonstrate a compelling and consistent commitment to safe practices, you'll have a much better chance of earning some consideration and possible reductions in penalty and severity.

If, despite your best efforts, an agreed compromise as to enforcement and/or penalties cannot be reached informally, well-crafted policies and records will improve your chances in challenging Citations before the Administrative Law Judge who will hear your case.

(continued on Page 6)

SAM'S LIEN INFORMATION

SAM collects and compiles the information on Mechanics Liens filed in Tarrant and Dallas Counties on an ongoing basis. This information is available in a searchable spreadsheet on our website for our members. We are able to observe some trends and common owner issues. During our regular meetings, we invite our attendees to share their work experience with General Contractors, Engineers, and Architects as a way to help others when evaluating contracts and projects. Our members find these two features the most valuable aspect of their membership in SAM.

NEW! Find the complete Top 10 Lists for the tables below in tabs in the Lien Spreadsheet.

Contact Carrie Buckley today for more information - 817.266.1909 or director@sam-dfw.org.

MOST LIENED PROJECT ADDRESSES (BY TOTAL \$)

Company Name	City	# of Liens	Total Liens
2600 E. Meadows Blvd.	Mesquite	12	\$2,858,727.33
150 W. Main St.	Richardson	18	\$2,760,691.82
1102 N. Shiloh Rd.	Garland	15	\$2,510,435.67
8030 Park Ln. Ste. 150	Dallas	10	\$2,416,004.60
800 N. Harwood St.	Dallas	8	\$1,963,676.42

MOST LIENED COMPANIES (BY NUMBER OF LIENS)

Company Name	# of Project Addresses	# of Liens	Total Liens
Landmark at Meadows 139 LLC	3 (Meadows Blvd.)	27	\$3,964,563.18
Richardson Gateway LLC	1 (150 W. Main St.)	17	\$2,511,241.14
Hartman Income Reit or Hartman Spe LLC	9	16	\$289,676.29
Reserve at Shiloh LLC	1 (1102 N. Shiloh Road)	15	\$2,510,435.67
Mm Jackson Parking B LLC	3	11	\$3,670,888.27
Baylor Health Care System	2	11	\$616,183.17

****Many varieties of a multi-family construction company called "Tides on..." and "Tides at..." are making frequent appearances on our 2023 Lien Spreadsheet. There is a total of \$3,234,845.83 in liens across 11 Project Addresses this year through September 30.**

CREDIT INFORMATION WITH NACM

SAM and NACM (the National Association of Credit Managers) formed a partnership at the beginning of the year. During our monthly meetings, a representative with NACM will answer credit questions about general contractors. SAM Members may request credit reports outside of our monthly meetings for a nominal fee.

NACM offers collection services as well. They will not file liens on your behalf, but they will collect on those accounts that you would not file a lien for.

Contact Tony Clark with NACM or Carrie Buckley for more information about this **NEW** Membership Benefit.

Tony Clark - tony@nacmsw.com



DEPARTMENT OF LABOR'S NEW SILICA INITIATIVE

WASHINGTON – The U.S. Department of Labor announced that its Occupational Safety and Health Administration today launched a new initiative focused on enhancing enforcement and providing compliance assistance to protect workers in the engineered stone fabrication and installation industries.

"Many workers in the engineering stone industry are experiencing illnesses so severe that they're unable to breathe - much less work a full shift - because of their exposure to silica dust," explained Assistant Secretary for Occupational Safety and Health Doug Parker. "Among them is a 27-year-old worker in California who went to an emergency room with shortness of breath in 2022 and whose lung biopsy later revealed he had silicosis. Since then, he has been on an oxygen tank and unable to support his wife and three young children financially."

Supplementing OSHA's current National Emphasis Program for Respirable Crystalline Silica, this initiative will focus enforcement efforts on industry employers to make sure they're following required safety standards and providing workers with the protections required to keep them healthy. It establishes procedures for prioritizing federal OSHA inspections to identify and ensure prompt abatement of hazards in covered industries where workers face exposure to high levels of silica dust.

OSHA and the National Institute for Occupational Safety and Health identify silica dust exposure as a health hazard for workers involved in manufacturing, finishing and installing natural and manufactured stone, which includes the man-made, engineered artificial or cultured types.

When inhaled, very small crystalline silica particles expose

workers to the risk of silicosis, an incurable, progressively disabling and sometimes fatal lung disease. Unsafe silica dust exposure can also lead to chronic obstructive pulmonary disease or kidney disease.

Industries subject to the prioritized programmed inspections include those engaged in Cut Stone and Stone Product Manufacturing as well as Brick, Stone and Related Construction Material Merchant Wholesalers. Outreach efforts will continue to include additional industries that may work with engineered stone.

A July 2023 study released by the American Medical Association underscores the dangers for workers in these industries. The "Silicosis Among Immigrant Engineered Stone Countertop Fabrication Workers in California" study cited 52 male patients diagnosed with silicosis caused by occupational exposure to respirable silica dust from engineered stone. Of these patients, 20 suffered progressive massive fibrosis, 11 needed lung transplants and 10 died due to their exposures.

As part of the initiative, OSHA is sending affected employers and stakeholders information on the initiative, including fact sheets on dust control methods and safer work practices for engineered stone manufacturing, finishing and installation operations.

Learn more about crystalline silica.

Media Contacts:

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Victoria Godinez, 202-693-4667, godinez.victoria.c@dol.gov

Release Number: 23-2066-NAT

WORKPLACE SAFETY EVENTS AND TRAINING

The Texas Department of Insurance offers Workplace Safety Training across the state for free or at an affordable rate (seriously affordable!). See below for upcoming dates in our area:

October 10-11 - OSHA 10-Hour Construction Training (Spanish)
- Fort Worth - FREE

October 12-13 - OSHA 10-Hour Construction Class (English) -
Fort Worth - FREE

October 24 - Part One - Essentials for New Safety Professionals
- Online - FREE

October 26 - Part One - Essentials for New Safety Professionals
- Online - FREE

October 30-31 - OSHA 10-Hour Construction Training (Spanish)
- Fort Worth - FREE

Find more information on the TDI's
website at www.tdi.texas.gov.



PREPARE FOR OSHA (CONT'D)

If, on the other hand, you approach OSHA with weak excuses and finger-pointing, you're unlikely to be well-received, at both the informal stage and at hearing.

THE PAYOFF

The best reason by far to create and maintain comprehensive safety policies and procedures is that, in so doing, you will absolutely improve the safety of your operations, and protect the well-being of your valued employees. The overwhelming majority of masonry contractor owners have, themselves, put in years "on the wall," and keenly understand the risks their workers face every day. Plan for safety, and the chance of OSHA citations is reduced, and the likelihood of a successful outcome when citations are issued is improved. All of these things are good for the industry, and good for your workers. A collateral benefit, as well, is that workers who see that you value their safety are more likely to stick around for the long term.

Sewell "Spike" Cutler
214.215.0900
scutler@cutler-smith.com





MEMBERSHIP BENEFITS

Get the most out of your Membership!

ANNOUNCING TCA'S RETIREMENT COLLECTIVE

We're excited to announce the Texas Construction Association (TCA) Retirement Collective, which is a group 401(k) Plan program, known as a Multiple Employer Program. It's exclusively designed for TCA member to provide 401(k) Plans to their employees.

The goal of the TCA Retirement Collective is to provide customized 401(k) Plans with lower fees, while reducing Employer administrative & Fiduciary responsibilities. The TCA Retirement Collective reduces Members' 401(k) Plan Fiduciary liability by **95%**!

The TCA Retirement Collective is built around the 5 Issues Employers want to resolve in their 401(k) Plans:

- Ease of Administration
- Protection from Fiduciary Liability
- Compliant
- Pay Reasonable Costs
- Serviced by experienced National Providers

The TCA Retirement Collective provides lower Plan fees because it's a 401(k) Plan "cooperative" with many Adopting Employers. The TCA Retirement Collective provides volume pricing & passes those lower fees to each Member that becomes an Adopting Employer & their employees. Each TCA

Member has a customized 401(k) Plan design that's based on each Member's unique needs & goals.

The TCA Retirement Collective provides a three-layer Fiduciary "protective shield" for each Adopting Employer by including the services of:

1. The Retirement Advantage serves as the ERISA 3(16) Administrative Fiduciary & Administrator.
2. Raymond James Financial serves as the ERISA 3(38) Investment Fiduciary.
3. Ameritas Retirement Plans as the Recordkeeper & Investment Provider.

In addition, for Members who have 100 or more employees, the TCA Retirement Collective has an agreement with a National CPA firm, to provide annual Plan audits at a deeply discounted rate.

The TCA Retirement Collective functions as your Company's 401(k) Plan support team so you & your staff do not have to act as 401(k) Plan experts.

Learn how to provide a better 401(k) Plan option for your Company & Employees that is more cost-effective & easier for your business.

To learn more, contact Abb Cauthorn at (979) 774-6555 or email robert.cauthorn@raymondjames.com.

CYBER SECURITY AWARENESS MONTH

Technology, am I right?! We live in a world where we can't live without it, but we are extremely vulnerable by living with it.

The Construction Industry has been a favored market for cyber attacks in recent years. Think about it - we are out there building the world, and we only wrestle with the technology because we have to. Cyber Security is probably not in the Top 10 Priority List on any given day for any of us.

I know of 3 SAM Members who fell victim to cyber attacks in recent years. In the event of an attack, the administrative side of your business is essentially paralyzed. Recovery is costly - both in time and monetarily.

This is why BlackBelt Consulting is offering a FREE Cyber Security & Network Analysis to **SAM Members** in recognition of Cyber Security Awareness Month. This is a wonderful company, and it is well worth your time to take advantage of this offer. Contact them this month to find your cyber vulnerabilities.

BLACK BELT CONSULTING
BLACKBELTSECURE.COM

Cyber Security Awareness Month

Blackbelt Consulting wants to make sure you are protected!

FREE Cyber Security & Network Analysis (\$1,299 Value)

No Strings Attached!

Complete Analysis Report Included

Email audit@blackbeltsecure.com to begin

The entire process can be completed remotely.

FEDS HAND OUT FIRST SPACE JUNK FINE

A U.S. federal agency ushered in a stricter era of space junk enforcement after it handed out its first-ever fine.

The Federal Communications Commission (FCC) announced on Monday that its investigators had concluded that Dish Network, a Colorado-based television provider, failed to deorbit its EchoStar-7 satellite correctly. The satellite has been in space for two decades.

A settlement was reportedly reached in which Dish Network would admit liability, pay a penalty of \$150,000, and adhere to a plan for the satellite's removal. Currently, the satellite is in a disposal orbit approximately 110 miles adrift from where it should have been decommissioned.

Space junk puts future satellite launches and missions at risk. "Right now there are thousands of metric tons of orbital debris in the air above — and it is going to grow," explained FCC Chair Jessica Rosenworcel in a statement to The Guardian. "We need to address it. Because if we don't, this space junk could constrain new opportunities."

Although the FCC adopted a rule last year requiring satellite operators to dispose of their satellites within five years of mission completion, the recent fine put on Dish Network is a landmark penalty that suggests a new era of enforcement has begun.

"This is a breakthrough settlement, making very clear the FCC has strong enforcement authority and capability to enforce its vitally important space debris rules," explained Loyaan Egal, the

FCC's enforcement bureau chief, in the announcement.

The Department of Defense's Space Surveillance Network is currently tracking upwards of 27,000 pieces of space debris traveling at extremely high speeds of roughly 15,700 miles per hour.

Such debris poses a significant threat to spaceflight, which has picked up in frequency in light of the new space race in the private sector, as covered by *The Dallas Express*.

A piece of space junk delayed the launch of four astronauts to the International Space Station in late August, and NASA recently launched a competition to help find creative ways to track and clear space junk.

By Michele Greer - Junior Editor, Dallas Express

Oct 3, 2023



ENCOURAGE OTHER SUBCONTRACTORS TO JOIN SAM!

***We want to grow to 100 Members, but we need your help.
Do you like what you are seeing in SAM?! Share your experience with other Subs.
Or you may simply share contact information with Carrie Buckley.***

OUR ASSOCIATION LEADERSHIP

Eric Hernandez - USI Southwest
President

Membership Committee Chair

Bryan Kindopp - Staley Steel
Vice President

Debbie Parker - King of Texas Roofing
Secretary
Safety Committee Chair

George McGraw - PlainsCapital Bank
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Becca Neu - Neuco & Associates
SAM University Committee Chair

Josue Garay - Garay's Concrete Work
Director

Matthew Singel - Anderson Paving
Director

Robert Petitti - INSURICA
Director

Spike Cutler - Cutler-Smith, P.C.
Legal Counsel
scutler@cutler-smith.com

How Can You Help SAM?

We need committee members to help brainstorm and execute new ideas that the committees decide to implement in SAM.

This Association was created for YOU, the subcontractors in Dallas-Fort Worth. Your involvement is the key to your getting what you want from SAM!

Contact Carrie to sign up as a committee member.

Subcontractors Association of the Metroplex

Carrie Buckley, Executive Director

P.O. Box 210261 | Bedford, Texas 76095

817.266.1909

