



AGC of Alaska

NEWSLETTER

Volume 19, Issue 01

February 1, 2016

Upcoming AGC Events

✓ Lunch & Learn – Presentations

Anchorage & Fairbanks AGC Event

February 11, 2016 from 11:45 am to 1:15 pm. **Revegetation and Erosion Control - Phil Czapla & Casey Dinkel with the Alaska DNR Division of Agriculture, Plant Materials Center.**

RSVP to Kimberley@agcak.org to attend in Anchorage and Trish@agcak.org to attend in Fairbanks (via Video Conferencing).

✓ Legal Bites and Bagels

Anchorage & Fairbanks AGC Event

February 17, 2016 from 7:30 to 8:30 am "Frenemies—Your Computer and You" with Traeger Machetanz, Davis Wright Tremaine LLP. This session will focus on the benefits and detriments to construction and computers in the electronic age. **RSVP**

Kimberley@agcak.org to attend in Anchorage and Trish@agcak.org to attend in Fairbanks (via Video Conferencing).

✓ AGC Dinner & Casino Night

Anchorage AGC Event

February 19, 2016 – starting at 6:00 pm
Anchorage AGC office

[Click here to download the registration & Sponsorship Flyer.](#)

✓ AGC Spring Train Ride

Anchorage Area AGC Event

April 9, 2016 from 11:30

Yes, it's time once again for the AGC Spring Train Ride! If you weren't on the train last year, you'll want to make sure you aren't left behind when it pulls out of the station this year! **All members, prospects, and guests are welcome!**

For more information contact Kimberley@agcak.org.



Mackinnon, John MacKinnon; we're having a Dinner and Casino night at the AGC offices that's not to be missed.

I've handpicked the dealers, bringing in special guests for your entertainment pleasure, have my team cooking up some great food and we're providing the beverages. All the elements for a great event.

Some of our confirmed dealers include:

Mike Shaw of Roger Hickel Contracting,

Kelly Layman of Marsh & McLennan Agency

Jenith Flynn of Davis Constructors & Engineers, Inc.

Xavier Schlee of Alaska Basic Industries

Tom Spitzer of Klebs Mechanical, Inc.

David Shahnazarian of American Marine International

Steve Rowe of Cornerstone General Contracting, Inc.

Jeevan Pokharel of Cruz Construction, Inc.

Robby Capps of F & W Construction Co., Inc.

Derek Betts of Granite Construction Company

Dave Cruz of Cruz Construction, Inc.

Kevin Rogina of Safway Services, LLC

Dan Hall of Knik Construction Co, Inc.

Marleanna Hall the Executive Director of the RDC

Can't make it to Vegas this February? Why not plan to join us for some Vegas fun right here in Alaska. [Click here for more information, to register for the event or to become an event sponsor.](#)

Current Sponsors Include:

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February Legal Tip

Don't Bank On It

By Bryan A. Kelley, Esq. of [Oles Morrison Rinker & Baker LLP](#)

In *Construction Contractors' Survival Guide*, Tom Schleifer bluntly advised: "You're not a bank." But trying to collect often proves more difficult than performing the work. Consider as fair warning the Alaska Supreme Court's recent decision in *GeoTek Alaska*, 354 P.3d 368 (2015).

There, a second-tier subcontractor (GeoTek) contracted with a subcontractor (DSI) on a federal project. DSI had bonding difficulties (which apparently GeoTek knew), resulting in the general contractor (Jacobs) waiving DSI's payment bond requirement in lieu of a plan to require sub-tier releases and withhold increased retainage. Contracts were signed and work started. Ultimately, Jacobs paid DSI without requiring sub-tier releases or withholding retainage. GeoTek performed but went unpaid.

GeoTek filed for arbitration against DSI and Jacobs. Jacobs refused to participate, arguing it did not have a contract with GeoTek and, even so, could choose to reject arbitration under its contract with DSI. At arbitration, DSI settled out and assigned its rights against Jacobs to GeoTek. The arbitrator issued an award in GeoTek's favor against the not-participating Jacobs. GeoTek then tried to confirm the arbitration award in court for purposes of collection, which Jacobs successfully defeated.

GeoTek appealed to the Alaska Supreme Court, which agreed with Jacobs. The Court held that Jacobs could reject arbitration. It added that Jacobs owed GeoTek no duty to require DSI to provide a payment bond, warn GeoTek that a bond was not provided, or follow its releases and retention plan with DSI.

By not obtaining the normal protections before work started, GeoTek unwittingly became "a bank." It is a cruel reminder that trouble tends to flow downhill on construction projects. Contractors, particularly sub-tiers, must always watch the money and preserve ways to collect.

Member Updates & News

NAWIC's the 2016 Constructive Women's Award

The Alaska Chapter of NAWIC is accepting nominations for the 2016 Constructive Women's Award and we would like to hear from you. We know that there are many outstanding women in the Alaska construction industry who go above and beyond in mentoring and encouraging women in the construction industry and promoting the value of the construction industry as a whole. Please take the time to nominate a valuable women in the Alaska Construction for this award. [Click here to download the application.](#) The deadline for submission is EOD February 21st, 2016 to nawic197@gmail.com. Thank you for supporting NAWIC and women in the construction industry.

Septic System Installation Classes

Did you know only a certified installer, registered engineer, or approved homeowners may install a septic system in the State of Alaska? To help you become certified or approved, the Alaska Department of Environmental Conservation is providing training through the Mining and Petroleum Training Services Program at the University of Alaska. Scheduled one day courses will begin mid-February through April in Kenai, Fairbanks, Wasilla, and Anchorage. You must register in advance. Courses are \$100 for certified installers and \$80 for homeowners. For days, locations, and more information, call 907-262-2788. [Click here for more information.](#)
~~ This message brought to you by the Alaska Department of Environmental Conservation.

A \$5 State of Alaska – OSHA 10 Class?

That's Right! Join us on February 25 & 26 at the AGC Anchorage offices for a 10 hour OSHA course, offered by the State of Alaska. **Cost is only \$5.00** (payable at the event) and bring a lunch on Thursday the 25th. To register or for more information, contact Bekka@agcak.org. Space is limited and will be on a first come first serve basis.

Satori Group Training Opportunities in Fairbanks

Monday, February 22nd - Satori Group- **Asbestos Refresher**
8AM - 5PM - To Register for Class - Please Call: (907) 332-0456

Tuesday, February 23rd - Satori Group- **Building Inspector**
8AM-12PM - To Register for Class - Please Call: (907) 332-0456

Wednesday, February 24th - Satori Group - **Project Design**
8AM - 5PM - To Register for Class - Please Call: (907) 332-0456

NEW MEMBERS

SPECIALTY

Merkes Builders, LLC

Dennis Merkes - President

P.O. Box 404 Soldotna, AK 99669

Ph. 907-262-6031 | Fax. 907-262-6031

d.merkes@alaska.net

*Excavation, Project Management, Civil, Pit Sales,
Commercial & Industrial Buildings*

ASSOCIATE

Alaska Law Offices, Inc.

Clayton Walker – President

240 E. Tudor Road, Suite 230 Anchorage, AK 99503

Ph. 907-375-9246 | Fax. 907-375-9228

www.aloinc.com

chwalker@aloinc.com

Contract & Construction Law

Upcoming LUNCH & LEARN events

Thursday, February 11th: Revegetation and Erosion Control - Phil Czaplá & Casey Dinkel with the Alaska DNR Division of Agriculture, Plant Materials Center. This Presentation will include an overview of the revegetation approach and processes starting with baseline data collection and progressing to species selection, plant materials, revegetation options, field implementation, weed free forage & gravel products and monitoring. Discussion of erosion control including its impacts, regulatory requirements and BMPs for erosion control and sediment control will also be included.

So mark your calendar and join us, network with your fellow AGC members, and have lunch on us. Please RSVP early (*so we also know how much to make*) to kimberley@agcak.org. Both sessions are available in the Fairbanks office via Video Conferencing. Please RSVP with Trish@agcak.org.

Wednesday, March 30th: [ProComm Alaska Lunch & Learn](#). EATON Wrightline Control Room Applications. What is Containment and why is it an important application to reduce operating costs in the dispatch, data center or process control room. RSVP to Andrea.

Wednesday, April 13th: Liens & Getting Paid with Craig Rusk & Michael Geraghty of [Oles Morrison Rinker and Baker](#).

Member Updates & News - Continued

Fairbanks 40 Hazwoper Class

Tuesday, February 23rd - Friday, February 26th - American Health & Safety - 40 hour Hazwoper - Email kelly@americanhealthandsafety.us for more information.

Upcoming Fairbanks SBDC Workshops

Tuesday, February 16th - Living Within Your Means
5:30 PM - 7:30 PM - This workshop will help you evaluate your income vs your outgo and how to live within that reality. Instructor: Kelly Ward, CPA. Please register here: (https://epay.alaska.edu/C21563_ustores/web/product_detail.jsp?PRODUCTID=1382) Contact: Russell Talvi, Fairbanks Director russell.talvi@akscbdc.org 907-456-7232.

Tuesday, February 23rd - Payroll for Small Businesses
5:30PM - 7:30PM - This workshop will help work through the challenges and avoid the pitfalls of managing your payroll as a small business. Instructor: Kelly Ward, CPA. Please register here: https://epay.alaska.edu/C21563_ustores/web/product_detail.jsp?PRODUCTID=1382) Contact: Russell Talvi, Fairbanks Director russell.talvi@akscbdc.org 907-456-7232.

Special thanks to all who attended, sponsored and volunteered at the 19th Annual Bowl-A-Thon in Fairbanks this past Saturday.

Congratulations to our Winners:

1. [Chevrolet, Buick, GMC of Fairbanks](#)
2. [First National Bank Alaska](#)
3. [American Fast Freight](#)

And our Best Dressed:

1. Span Alaska
2. [GHEMM Company, Inc.](#)
3. [Everts Air Cargo](#)

AGC of AK Tech Tip

Want articles & news on your areas of interest right at your fingertips? Check out the app Flipboard.

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ANNIVERSARIES

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GBC, INC. - 19
MOWAT CONSTRUCTION COMPANY - 13
MOONLIGHTING CONSTRUCTION, INC. - 11
TWIN PEAKS CONSTRUCTION, INC. - 11
BENCHMARK CONSTRUCTION - 9
GOLDEN HEART CONSTRUCTION, INC. - 7
CCI SOLUTIONS, LLC - 5
DENALI GENERAL CONTRACTORS, INC. - 4
WOLVERINE SUPPLY, INC. - 4
AHTNA ENGINEERING SERVICES, LLC - 2

SPECIALTY

DENALI DRILLING, INC. - 38
WORLD EQUIPMENT, INC. - 36
ALTROL, INC. - 31
DYNAMIC PAINTING, INC. - 31
ALASKA ROAD BORING COMPANY - 29
RICHARD STANTON CONSTRUCTION, INC. dba
STANTON CONSTRUCTION CO. - 29
AAA FENCE, INC. - 28
K. J. ENTERPRISES - 28
VERTEX INSULATION, INC. - 27
SEWARD PLUMBING & HEATING, INC. - 22
BARABARA CONSTRUCTION COMPANY - 21
TROST CONSTRUCTION, INC. - 18
ALASKA SCRAP & RECYCLING LLC - 17
GRIFFARD STEEL, INC. - 14
G F BACK, INC. - 14
PNW ENTERPRISES - 8
ADAMS FAMILY PAINTING - 7
RAY ELECTIC, INC. - 5
CHEMTRACK ALASKA INC. - 5
ANCHORAGE PROTECTIVE COATINGS, INC. - 5
ARCTIC SPRAY FOAM, LLC - 2
ALASKA CONSTRUCTION SURVEYS - 1
METALIZING, INC. - 1

ASSOCIATE

WELLS FARGO BANK, NA - 51
ALLIED BUILDING PRODUCTS, CORP. - 50
ALASKA WINTER, INC. - 44
LIBERTY MUTUAL SURETY - 44
THOMAS, HEAD & GREISEN, A.P.C - 38
ALASKA FABRICS, INC. DBA ALASKA
TENT & TARP, INC. - 36
URESCO CONSTRUCTION MATERIALS, INC. - 35
PND ENGINEERS, INC. - 31
SAMSON TRUE VALUE HARDWARE - 28
ALASKA TRAFFIC COMPANY - 22
CARLILE TRANSPORTATION SYSTEMS, INC. - 22
AAA VALLEY GRAVEL, INC. - 21
LYNDEN TRANSPORT, INC. - 18

ASSOCIATES CONTINUED

PLASTERERS & CEMENT MASONS LOCAL #867 - 16
ALASKA DISTRICT COUNCIL OF LABORERS - 16
OPERATING ENGINEERS LOCAL 302 - 16
ARCTIC OFFICE PRODUCTS - 13
MIDSTATE EQUIPMENT, INC. - 13
DELTA CONCRETE PRODUCTS, INC. - 12
ALASKA CONCRETE ALLIANCE - 9
SDC & ASSOCIATES, INC. - 8
CASCADIA REGION GREEN BUILDING COUNCIL (CGBC) - 8
CENTRAL RECYCLING SERVICES, INC. - 5
DIGITAL BLUEPRINT, INC. - 5
KLONDIKE SALES - 5
EROSION CONTROL OF ALASKA - 4
JOHNSON CONTROLS, INC. - 3
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MEURLOTT CONSULTING, INC. - 1
MAGIC METALS, INC. - 1
NATIONAL PIPE AND PILING, INC. - 1
CROUSE ENVIRONMENTAL COMPLIANCE - 1
WASTE MANAGEMENT NATIONAL SERVICES, INC. - 1

TRAINING & EDUCATION



The Associated General Contractors of Alaska, Inc. (AGC of Alaska) & Construction Education Foundation, Inc. (CEF) scholarship application is now available online. [For more information, click here.](#)

CQM Class Update

Please note that the CQM class set for Feb 4-5 has been moved to March 10-11. Please call or email Bekka@agcak.org with any questions.