



THE BASESHEET

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VOLUME 13, NUMBER 3 | THIRD QUARTER, 2012

GREETINGS FELLOW ARCA MEMBERS:

We are quickly approaching mid-year and I want to let you know that the ARCA Board and staff are working hard on your behalf. As a trade association ARCA faces the same issues that all of us as business owners, managers and entrepreneurs experience everyday -- how to do more with less. We are in the fourth year of a down economy which has had an effect on the entire roofing industry as well as our association. As it became apparent that the economic downturn was not temporary the Board proactively implemented cost containment measures to ensure the financial health of ARCA. We reduced staff and performed an analysis of expenditures. We made internal changes that to the members may not have been apparent but saved thousands of dollars as we reduced postage, printing, insurance and other expenses. We changed processes and rely more heavily on electronic communication with ARCA's membership and most recently we invested in revamping the web site to allow for continued process improvements that will allow members to sign up for events and pay directly on line. All of this is happening at a time when government regulation is increasing and demand and expenditures for safety training has doubled in the last couple of years.

I am proud to report that ARCA is in sound financial shape for 2012. In order to be proactive in the future we have chosen to implement additional budget refinements that will either cut expenses or increase revenue. The Budget & Finance Committee, under the leadership of Russ Hyman, has made numerous recommendations that we will be implementing in the near future. While we will continue to offer safety training free to all members, we will institute a nominal charge per day to cover the beverages and food provided to attendees. Numerous members have requested event sponsorship opportunities to showcase their companies which we previously have not done (tee signs at golf events, dinner meeting sponsorship, and advertisements in ARCA publications, etc.). In the future we are going to actively pursue these and other like ideas that offer members more visibility.

While change can be uncomfortable, I ask for your continued support as we move ahead. Since the economic downturn, many trade associations have ceased operations while ARCA has continued to maintain all the services and events that we have come to take for granted. The changes that are being undertaken will ensure the financial health of the organization for years to come.

ARCA remains strong and will continue to be the voice of advocacy on construction-related issues at the AZ Legislature and other government agencies. We will continue offering a wide variety of safety-related training to keep our workforce safe and we are developing a skill training curriculum to ensure worker professionalism and adherence to workmanship standards. Economic conditions will improve and the Board is dedicated to making sure that ARCA members will be prepared to seize every opportunity afforded them.

Sincerely,

Sal Flores

Sal Flores, President

Arizona Roofing Contractors Association



NRCA



WSRCA

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If you would like more information on workplace safety please contact your Association Coordinator Tod Dennis.

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Protect Yourself, Others Locking Out, Tagging Are Keys To Preventing Hazardous Energy Injuries

SCF Arizona, Your Work Comp Specialist | Provided by Tod Dennis, Association Coordinator

Energy sources - including electrical, mechanical, hydraulic, pneumatic, chemical, thermal or other sources - in machines and equipment can be deadly. It is why locking out and tagging the machines and equipment is necessary to keep employees safe.

Workers servicing or maintaining machines or equipment where the energy source is enabled could be shocked, burned, crushed, cut, amputated or killed.

For example:

- A closed steam valve that automatically turns on while workers are repairing it, can burn the employees severely
- A jammed conveyor system that an individual working to unjam it is freed of the obstruction and results in crushing him
- Internal wiring on a piece of factory equipment electrically shorts shocking the employee who is repairing the equipment

At greatest risk from hazardous energy are the estimated 3 million electricians, machine operators and laborers, who service equipment routinely. Failure to control hazardous energy accounts for nearly 10 percent of all the serious accidents in many industries, according to the Occupational Safety and Health Administration.

OSHA also reports that workers who suffer injuries from hazardous energy average 24 days off work to recuperate. But by complying to the standard - Title 29 CFR Part 1910.147 - OSHA estimates 120 fewer people will be killed and more than 50,000 workers will escape hazardous energy-related injuries each year.

So what should employers do to reduce the risk? Foremost is to ensure proper lockout/tagout practices and procedures are observed. Here are OSHA's recommendations:

- Develop, implement and enforce an energy control program and procedures
- Use lockout devices for equipment that can be locked out when they are begin repaired or maintained

- Develop, implement and enforce an effective tagout program if machines or equipment are not capable of being locked out

- If lockout devices are not available, use tags to alert employees when equipment or machinery is being repaired or maintained

- Ensure that new or overhauled equipment is capable of being locked out

- Only use the lockout/tagout devices that are authorized for the specific equipment or machinery and make sure the lockout devices are durable, standardized and substantial, or the tags are clear

- Be sure all lockout/tagout devices identify the individual who has applied it

- Establish a policy that permits only the employee who applied a lockout/tagout device to remove it

- Inspect energy control procedures annually

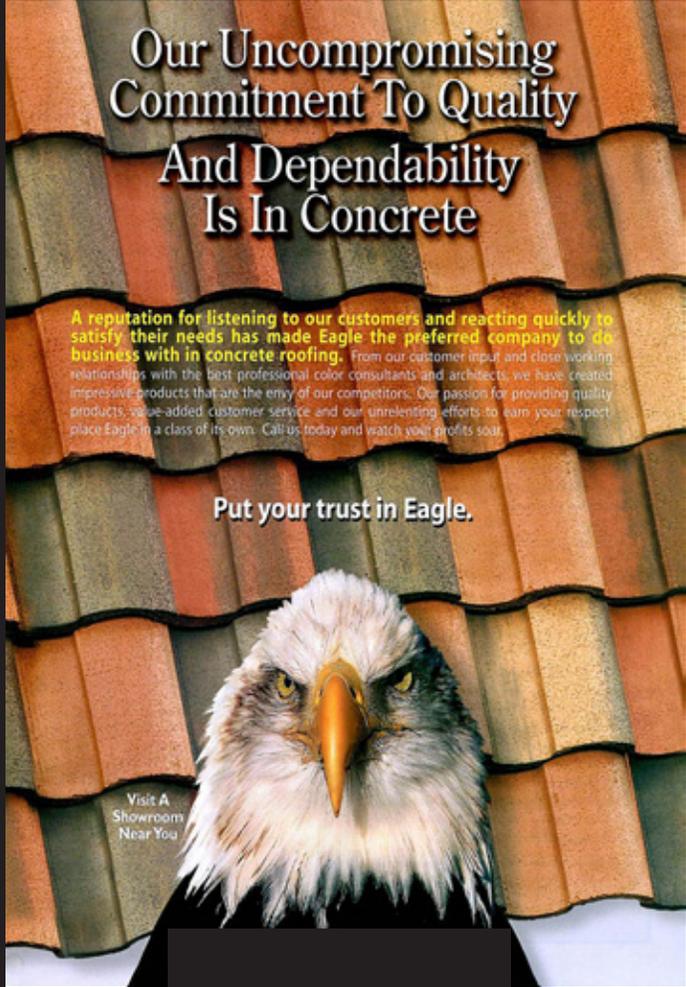
*Provide effective training to all employees working in around equipment or machinery that could release hazardous energy, and be sure your lockout/tagout procedures are covered

Employee training should cover:

- The employer's energy control program
- Elements of the energy control program that are relevant to the employee's duties or assignment
- Various requirements of the OSHA standards related to lockout/tagout

SCF Arizona's Loss Control Consultants can help you identify sources of hazardous energy, and they can collaborate with you to ensure you comply with the OSHA standard to protect their workers.

Or, you can order SCF's "Lockout/Tagout" safety insert card by visiting the website, scfaz.com.

The advertisement features a bald eagle with a white head and neck, a yellow beak, and dark feathers on its body, perched on a roof of multi-colored tiles (orange, brown, and grey). The eagle is looking directly at the camera. The background is a close-up of the roof tiles.

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SCF Arizona Board Approves \$3.5 Million Dividend

SCF Arizona announced it will pay out safety dividends totaling \$3.5 million for 2011 to qualified policyholders. It is the 41st consecutive year the company's Board of Directors approved a dividend payment.

The state's largest provider of workers' compensation insurance began paying safety dividends in 1969, and since that time has returned more than \$1.5 billion to qualified policyholders who maintain safe workplaces.

"Despite the continued slow economic recovery, SCF Arizona is pleased that we were able to once again return \$3.5 million to qualified policyholders, who are our partners in keeping workers safe. We know that in paying these dividends, the money will be well spent in our customers' local communities, further aiding Arizona's economic recovery," said SCF Board Chair Judith Patrick.

The amount paid to each qualified policyholder will depend on its annual premium and record of workplace injury claims.

SCF Arizona President & CEO Don Smith noted that policyholders in three of SCF Arizona subsidiaries - SCF Premier Insurance Co., SCF American Insurance Co., and SCF Western Insurance Co. - receive upfront savings on their premiums rather than a dividend payment at the back end.

"Dividends are never guaranteed," Smith said. "The Board bases its decision on SCF's financial performance for the year and the conditions in the marketplace.

"In approving this dividend payout for 2011, the Board's action reflects SCF Arizona's commitment to support local businesses and allows us to reward our safest customers," Smith added. "We could not provide this dividend without the efforts of our employees and our Board to emphasize the importance of workplace safety and quality claims management.

"But mostly, the customers who have earned a safety dividend have done so by their continuous efforts to keep their employees safe, and that in turn helps us to keep Arizona premiums among the lowest in the nation," Smith said.

Directory Listings on ARCA Website

In lieu of mailing out static membership directory listings via book or disc, this year we are pointing you to the new ARCA website, where up-to-date ARCA Member information can be viewed or printed at any time.

Visit www.azroofing.org and click on "Member Listings."

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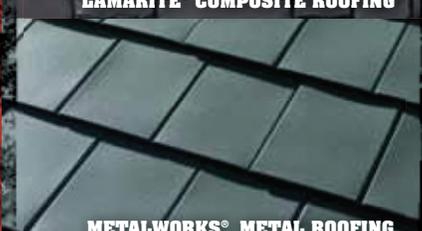
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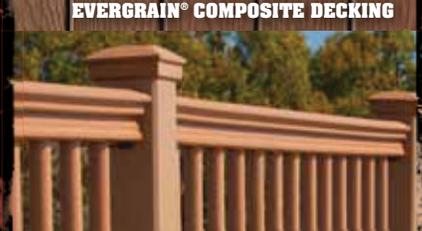
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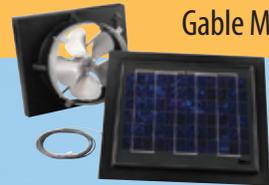
Surface Mount



Curb Mount



Remote Mount



Gable Mount



A 20-watt solar panel ventilates up to 1,600 sq. ft.,* operating from dawn to dusk without having to prop up the panel toward the sun. The unit is made with tough tempered glass.

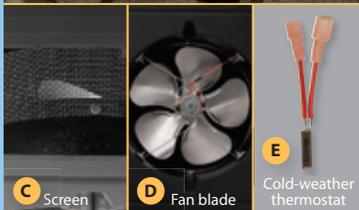
B High-performance housing molded with UV-stabilized ABS color-dyed plastic to prevent damage from sunlight and provide stability. May be painted to match roof color.

Heavy-duty motor whisper-quiet direct-current variable-voltage 1-36 VDC hardened stainless steel shaft and zinc-plated steel motor housing, dynamically balanced for excellent performance.

C Screen 1/8" heavy-gauge stainless steel screen provides protection from insects and animals without impeding airflow.

D Fan blade 12"-diameter one-piece aluminum 5-blade fan operates with no harmonic noise.

E Optional cold-weather thermostat automatically disengages the fan when the temperature falls below 50°F. This is particularly useful in regions that experience a significant amount of cold dry air.



Mount	Color	Model #
Surface	Black	31001286
Surface	Brown	31001287
Surface	Weathered Wood	31001288
Curb	Black	31001281
Curb	Brown	31001282
Remote	Black	31001284
Remote	Brown	31001285
Gable	Black	31001283
Thermostat	N/A	31001280

All housing material is UV-enhanced ABS plastic and may be painted to match roof color. All models available with optional cold-weather thermostat.

*1,600 sq. ft. based on 3/12 roof slope with open attic space. For larger areas, multiple ventilators will be necessary. The number of ventilators required will vary depending on roof slope, attic configuration and sq. ft. of open air inlets. For the ventilation requirements of your building, please contact an architect or building professional.

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Legislative Update



State of Arizona:

Elections and ballot issues will dominate the news, airwaves and street corners for the next several months. Acceptance of the Obama administration leadership and mandates will have either a positive or negative effect on Democratic aspirants for federal and state office due to the preponderance of party line voting. With more folks casting their ballots via mail weeks before the actual election date in November the bombardment of media spots is already ramping up.

Federal:

Health Care Law

The Supreme Court upheld the 2010 “Affordable Care Act” on tenuous grounds in a highly controversial 5-4 decision. In the wake of the high court’s controversial decision, House Republicans held a symbolic vote July 11 on legislation to fully repeal the law, which was approved on a vote of 244-185. Several House Committees will also review various aspects of the Supreme Court decision and what it portends for implementation of the law. Although much is uncertain, it is clear the court decision has once again thrust health care into the thick of the upcoming November elections. The court ruling that the law’s individual mandate to purchase health insurance is a tax (rather than a penalty) strengthens the case that major components of the law could be repealed in 2013 under “reconciliation” rules in the Senate that require only 51 votes for passage. If Gov. Mitt Romney (R-Mass.) is elected president, Republicans pick up at least three Senate seats and maintain a majority in the House, they will be in a position to repeal the core tax and budget-related components of the law. **Small Business Administration**

Supreme Court Decision on Immigration

On June 25, the Supreme Court issued a mixed decision on Arizona’s controversial immigration enforcement law (SB 1070). The court affirmed the requirement, as consistent with federal law, that state and local law enforcement officials must ascertain a person’s immigration status if “reasonable suspicion” exists that the person is in the country illegally. While this portion of the decision received most of the national press coverage, it should be noted the court also invalidated other portions of SB 1070 on the grounds they are preempted by federal immigration law. This is a positive development for employers who may be affected adversely by having to deal with new and different immigration enforcement efforts by state and local governments. In the wake of this Supreme Court decision, new state laws will have to adhere closely to federal law or risk being struck down in the courts. Additionally, this decision to limit state

immigration enforcement efforts may provide greater incentive for Congress to pursue bipartisan federal immigration reforms at some point in the future.

Tax Rates

The House is expected to pass a one-year extension of existing income tax rates, which are currently scheduled to expire at the end of 2012, in late July. Though the Senate is unlikely to take up the House-passed legislation before the November elections, the House vote is expected to set the stage for a hotly contested tax and spending debate during a post-election “lame-duck” session. House leaders have also indicated they hope to pursue comprehensive tax reform that will lower rates while eliminating deductions and credits in 2013. The extension of pro-business tax rates and spending reforms are critical to facilitating economic recovery and providing roofing industry businesses with the certainty needed to grow and create jobs.

Commercial Roof Depreciation Reform

There are several bills which would establish that commercial roof depreciation be set at a maximum of 20 years—rather than the 39 years currently assigned—to facilitate the creation of an estimated 40,000 jobs among contractors and manufacturers in the roofing industry. Since the introduction of House and Senate bills (H.R. 2962/S. 1575) to provide 20-year depreciation for energy-efficient commercial roofs last fall, a coalition of organizations including NRCA, the United Union of Roofers, Waterproofers and Allied Workers and other groups are working to broaden support for depreciation reform. To date, H.R. 2962 has garnered the support of 70 members of Congress—nearly double the number of co-sponsors in previous Congresses.

Residential Energy-Efficiency Tax Credit

Before it expired (along with 70 other tax credits) at the end of 2011, the Residential Energy-Efficiency Tax Credit was only applicable to certain asphalt and metal roofing products. Other products were not eligible even if they are qualified for ENERGY STAR® status. On June 20, Sen. Kay Bailey Hutchison (R-Texas) called on Congress to make all roofing products that qualify for ENERGY STAR eligible for the tax credit retroactively to the beginning of 2011 as part of any end-of-year tax legislation.

EPA Lead Paint Regulations

The House Small Business Committee, held a hearing on the effects of EPA regulations on small business and addressed concerns that EPA may expand the regulation to include commercial buildings. EPA’s Advance Notice of Proposed Rulemaking was overly broad in scope and mandated burdensome and costly work practices. 🏠



In a surprise move, the U.S. Green Building Council (USGBC) announced today that it is postponing plans to ballot the next version of LEED until as late as June 2013. With this announcement, USGBC promises to keep LEED 2009 available for a full three years from now, although it intends to gradually ramp up incentives for teams to move to the new version of LEED during that time.

The move came in response to a growing outcry from architects and other building industry professionals—including many who have been core supporters of LEED since its inception—who had three related concerns:

- The proposed changes in the rating system were too much, too fast, especially in a weak real estate market.
- Some of the changes needed more refinement, especially in the Materials & Resources category, where whole new approaches to material selection had been introduced and had changed significantly with each public comment draft.
- Tools and resources needed to achieve the credits would not be widely available by the time the new system was slated to launch in November 2012.

Compounding these concerns were doubts about the ability of USGBC's sister organization, the Green Building Certification Institute (GBCI) to develop an effective certification process in such a short timeframe—fears that linger after the release of LEED 2009, which was marked by an ill-fated attempt to outsource the certification process to third-party certification bodies and glitches that marred the usability of LEED Online.

LEED users conveyed their concerns directly to USGBC staff and board members, expressed them in formal comments on the various drafts, and debated them on the LEEDuser forums, where Robert Watson of EcoTech International, founding chair of the LEED Steering Committee, argued vehemently for a more measured approach to changes in LEED.

No longer tied to a particular year, USGBC is also

reverting to a version naming system for the rating system, so the new version will be called “LEED v4” instead of “LEED 2012.”

Even as it frustrated the many volunteers on the LEED committees who have labored for years on many credits in the proposed draft and are anxious to see them introduced to the market, the new announcement was celebrated by many practitioners in the industry.

“It is gratifying to see that an organization that is nearly twenty years old with 15,000 member organizations still can as be nimble and responsive as the start-up we remember,” noted Russell Perry, FAIA, vice president and office director at SmithGroupJJR. “The Council heard many of its members when we said that we were going to need some time to test out the new ideas and make sure they worked in our markets.”

The committees have been anticipating these changes for a long time, after the decision with LEED 2009 to minimize technical changes and focus on the reorganization and weighting of the credit structure. As a result, the credit requirement changes in the proposed LEED v4 rating system are the most extensive in LEED's twelve-year history.

The new announcement comes just a few weeks after USGBC had tried, with limited success, to allay these concerns by postponing the planned ballot from May 2012 to August and by promising to keep LEED 2009 available to project teams for at least six months after the introduction of LEED v4. At that time, USGBC had also announced plans for a “beta test” of the new rating system, but critics had questioned how such a test would be useful if the changes it purported to test were already locked in by member ballot.

The new plan gives time for that beta test to proceed while allowing for its results to inform a fifth public comment draft, which is scheduled to run from October 2 to December 10, 2012. That timeframe encompasses the annual Greenbuild Conference and Expo, allowing for in-person interaction among USGBC members and other stakeholders about the proposed changes.

USGBC asserts that language in LEED supporting the highest standards of forest certification and pushing for transparency and avoidance of chemicals of concern will not be watered down during this extended process, despite unprecedented attacks from the chemical industry, which recently joined the mainstream forest products industry in seeking to undermine LEED by pushing Congress to prohibit the federal government from using it. 🏠

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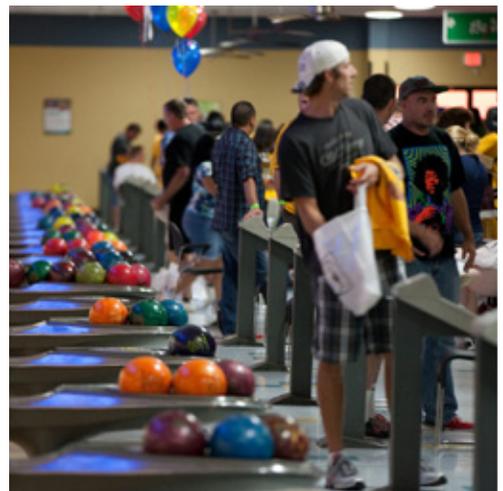
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14th Annual Phoenix Charity Bowling Tournament



The AZ Roofing Industry Foundation (ARIF) and ARCA hosted the 15th Annual Charity Bowling Tournament and silent auction benefiting Youth at Risk on June 9th. Over 40 teams participated in a day filled with fun and prizes. This year's theme was - in honor of Arizona's 100th year of statehood - Wild West, and participants got all decked out in their best cowboy (and girl) attire. Star Roofing (pictured, above) took home the Best Costume Award. (Thankfully, with their button-down backsides, there were no wardrobe malfunctions.)

Many thanks to all the sponsors and lane purchasers and contributors of prizes and silent auction items. The Youth at Risk organization will receive over \$23,000 from ARIF this year. Event committee chair Jeff DeWeese (Allied) and the whole YAR committee are to be commended on a super event and a job well done.



20-Day Notice and the Importance of Price Estimates

A bond claim by a material supplier on a public project provides an important reminder to subcontractors and suppliers about how to calculate the amount included in supplemental preliminary 20-day notices

By Kevin Estevez

In March 2010, the City of Phoenix contracted with Norquay Construction to build a park-and-ride facility near I-17 and Happy Valley Road. In connection with the project, Norquay obtained a payment bond from Hartford Casualty Insurance Co.

Norquay subcontracted with Heavy Duty Contracting to perform the grubbing, demolition, sub-grade, paving, asphalt and concrete portions of the project. Heavy Duty, in turn, contracted with Calmat Co. to supply materials.

Between May and September of 2010, Calmat sent Norquay four preliminary 20-day lien notices, each containing an estimate of the value of the material provided, preceded by the following statutory language: “[a]n estimate of the total price of the labor, professional services, materials, machinery, fixtures or tools furnished or to be furnished is ...” [Emphasis added]. Each of Calmat’s first three notices included a cost estimate of \$75,000, and the fourth notice was for \$65,000.

Despite the fact that Norquay paid Heavy Duty and its suppliers (including Calmat) more than the amount of the parties’ subcontract, Calmat sued Norquay and Hartford on the payment bond. Calmat claimed that it had not been paid for about \$170,000 in materials delivered to the site. Calmat based its claim on the sum of its four “piecemeal” preliminary 20-day notices, arguing that the final three notices supplemented the first notice.

In response, Norquay argued that the cost estimates in Calmat’s four preliminary 20-day notices could not be added together to give Calmat a bond claim of at least \$170,000. Given that the amount set forth in each notice was represented as an estimate of the “total price” of materials “furnished or to be furnished,” Norquay argued that the second, third and fourth notices did not supplement the first notice. It was Norquay’s position that Calmat’s bond claim would be limited by law to 120% of the amount (\$75,000) stated in Calmat’s first preliminary 20-day notice.

The Court found that the applicable statutes (A.R.S. §§ 33-992.01 and 34-223) clearly require that all notices and supplements are to state a running total of the work performed or to be performed. In other words, if Calmat intended its last three preliminary

20-day notices as supplements, they should have been for the amount of the prior notices plus any additional amounts not previously covered.

In the end, Calmat was found to have a bond claim for 120% of the amount of its first notice only (\$75,000 x 120% = \$90,000). But Norquay and Hartford were still not subject to liability, as the Court also ruled that Calmat’s \$90,000 claim was extinguished by \$208,000 that Calmat had been paid by Norquay. Calmat’s claim against Norquay and Hartford was dismissed.

The moral of the story for subcontractors and suppliers: Piecemeal 20-day notices undermine the right to payment that you sought to preserve in issuing the notice. The correct practice, per A.R.S. §§ 33-992.01 and 34-223, is to include in any supplemental notices a running total of all labor, materials and services furnished or to be furnished to the project.

Kevin Estevez is a construction attorney at Lang Baker & Klain, PLC, in Scottsdale. This article is reprinted from the March 2012 issue of Lang Baker & Klain’s “Construction Advisor” newsletter. For more construction law articles, or to subscribe to the Construction Advisor, visit www.lang-baker.com. 

The End Of Qualified Dividends For Small Business Owners

With the looming “fiscal cliff” at the end of 2012, a wide range of tax increases are scheduled to occur at the start of 2013. One of the most dramatic is the treatment of dividends, which will nearly triple from a current maximum rate of 15% to a top rate of 43.4% (or higher when accounting for high-income phaseouts). In the case of small business owners with closely-held C corporations, this presents a unique planning opportunity, because the owner can actually control the timing of dividends, choosing to extract cash and profits from the business by the end of 2012 instead of waiting for 2013 and beyond. Given the magnitude of the scheduled tax increase, it may well make sense to do so. While some owners may at least adopt a wait-and-see approach until the election and potential end-of-year tax legislation, the reality is that it’s prudent to at least begin planning now - because getting this “wrong” for a business with \$1,000,000 of accumulated profits could cost the business owner a whopping \$284,000 in lost taxes. Consult your tax professional now! 



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9th Annual Tucson Charity Bowling Tournament

The AZ Roofing Industry Foundation (ARIF) and ARCA hosted the 9th annual Youth on Their Own bowling tournament on July 14th at Golden Pin Lanes in Tucson. There were over 30 teams from the Old Pueblo vying for cash, fantastic raffle prizes and silent auction items. Co-chairs Martin Headlee (Headlee Roofing) and Sam Brush (Stewart Roofing and Building Supply) led a dedicated team that started meeting in January to bring everything together for a successful event. Rudy Berumen (APOC) was the Master of Ceremonies and kept the crowd of 250 on pace and informed all day and everything worked well from start to finish. The Youth on Their Own organization will receive over \$14,000 from ARIF for their education and other programs that help runaway and homeless youth.



Alliance TruTrus v. Carlson Real Estate Company, et al.

By Mike Thal

In 2007, Carlson Real Estate Company started a commercial construction project. One of the subcontractors on the project set up an open account with Alliance TruTrus to supply trusses and related materials.

On September 10, 2008, holding more than \$31,000 in unpaid invoices, Alliance recorded a mechanics' and materialmen's lien on the real property. On February 17, 2009, Carlson executed a Discharge of Mechanic's Lien by posting a discharge bond in the amount of \$49,926. The discharge bond was served on Alliance three days later.

(A mechanic's lien discharge bond comes into play when the one of the parties wants to keep the property free of liens. Bonding a mechanic's lien does not extinguish the lien; rather, the lien is removed from the property and attaches to the discharge bond.)

On May 1, 2009, Alliance sued Carlson for payment on the discharge bond. The trial court granted Alliance summary judgment, finding that Alliance timely filed its lawsuit pursuant to A.R.S. § 33-1004. The trial court held that if a "claimant is served with the discharge bond less than ninety days before the expiration of the six-month period prescribed by A.R.S. § 33-998, the claimant has ninety days from the date of service of the discharge bond to commence suit against the surety and its principals."

Carlson appealed, arguing that the trial court misinterpreted A.R.S. § 33-1004(D). The Arizona Court of Appeals found that Alliance's lawsuit failed to meet the deadlines set forth in the statute. The Court ruled in favor of Carlson and dismissed Alliance's suit.

About the Court's Ruling

After a lien is recorded, a lien claimant has six months to file suit, per A.R.S. § 33-998(A).

The lien-discharge statute, A.R.S. § 33-1004, allows property owners to discharge a lien against their property by securing a surety bond in an amount equal to 150% of the lien claim (which Carlson did). The bond can be recorded either before or after the claimant files suit to foreclose on the lien. Once the bond is recorded, the lien is discharged, and the claimant must pursue the bond (not foreclosure on the property) for the lien payment.

Alliance recorded its lien on September 10, 2008, but did not file suit until May 1, 2009 - almost two months after the statutory six-month allowance.

At trial, Alliance had argued (and the trial court agreed) that Alliance's limitation period was extended by A.R.S. § 33-1004(D)(2) in its provision that:

If the bond is served upon the claimant within less than ninety days from the date claimant would be required to commence his action pursuant to section 33-998, the claimant shall have ninety days from the date he receives a copy of such bond to add the principal and the sureties as parties to the lien foreclosure suit. (Emphasis added.)

This is where the Court of Appeals took issue with the trial court's ruling for Alliance. The Court of Appeals found that the statute "does not grant a claimant an additional ninety days to file its lawsuit, but allows an additional ninety days to amend any complaint to add the principal and sureties." (Emphasis added.)

In other words, starting from September 10, Alliance had six months to file its lawsuit - period - and it failed to meet that deadline.

The Court ruled that the "extension" to which Alliance had pinned its hopes simply allowed time for a claimant to "add the principal and parties" to an existing lawsuit that had been timely filed.

(Quick question? Call Mike at 480-947-1911 at no charge.)

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The Registrar of Contractors (ROC) is joining contracting boards in Oregon, California and Nevada, as well as the National Association of State Contractors Licensing Agencies (NASCLA) in issuing a nationwide consumer alert about a plethora of illegal and deceptive ads placed every day on the popular craigslist website (www.craigslist.org) and other similar online bulletin boards. The Registrar of Contractors routinely investigates unlicensed contracting by checking newspapers, magazines, tradeshows and online bulletin boards such as craigslist. Craigslist is a valuable tool and is used by many licensed contractors to advertise. Unfortunately, many unlicensed contractors also use craigslist to post illegal and deceptive advertisements.

In Arizona a person commits a Class 1 Misdemeanor by (1) advertising to perform services that require a contractor's license, and/or (2) acting in the capacity of a contractor without a license.

The Arizona sting led to 15 unlicensed contractor investigations. The ROC routinely refers unlicensed contracting cases to the Maricopa County Attorney's office for prosecution.

Arizona Registrar Bill Mundell said, "Joining with three other western states in conducting this unlicensed contractor sting was a historic event. This combined effort demonstrates our shared commitment to protecting honest people from the harm caused by unlicensed contractors. In order to protect Arizonans we have and will vigorously enforce the unlicensed contractor laws."

The NASCLA goal of the national sting operation was to bring the western states together through a united partnership to combat illegal construction activities and bring consumer awareness to the forefront. Along

with showing the positive impact that the contractor state licensing boards are displaying and the efforts they are taking to protect the public.

NASCLA President, Craig Smith, stated that "Non-licensed contractors are a danger to consumers and give the construction industry a black eye. NASCLA congratulates the fine work of the state investigators that participated in this enforcement effort."

The Arizona Registrar of Contractors advises homeowners to protect themselves by:

- Consulting the Arizona Registrar of Contractors, www.azroc.gov, to ensure the contractor is licensed.

- Asking for written estimates from at least three contractors.

- Requesting a list of references, and checking them before agreeing to hire anyone.

- Making sure the scope of the project, the price, the responsibility to obtain building permits, and any other relevant terms are spelled out in a written contract.

- Never paying in cash, and not allowing payments to get ahead of the work.

- Avoiding contractors who require large upfront payments.

- Never making a hurried decision. No reputable contractor will pressure you into a quick hiring decision.

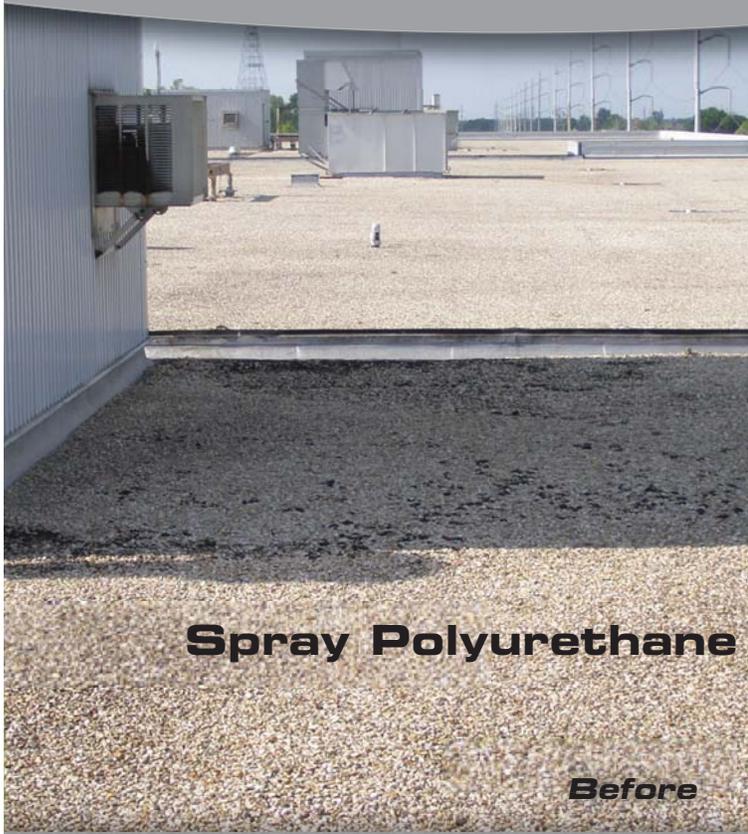
- Other tips about hiring qualified contractors can be found at www.azroc.gov.



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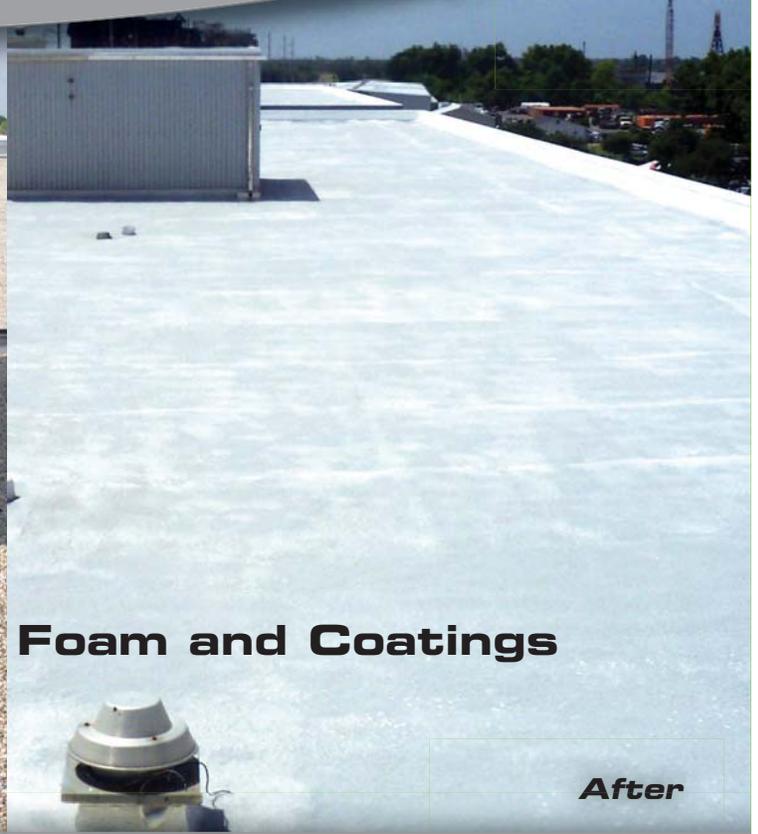
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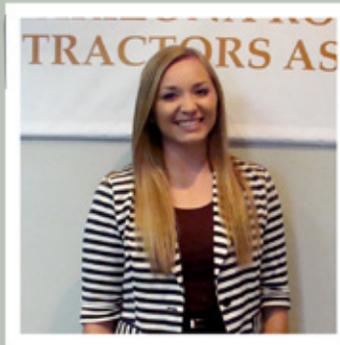
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2012 ARIF Scholarship Award Winners

The Arizona Roofing Industry Foundation (ARIF), the non-profit affiliate of ARCA that carries out charitable and education related activities, has awarded four scholarships for 2012. Each scholarship recipient will receive \$2,500.00 that can be used to cover any student related expense associated with the pursuit of their chosen degree. Competition was intense this year with fifteen very qualified applicants. The ARIF selection committee conducted eight final interviews before making the awards.



Jordan Benesh will be a junior at Arizona State University in Tempe this year. He is in the Barrett Honors College and has maintained a 4.0 GPA in pursuit of his business degree with an accounting major. He is the son of Virgil Benesh (Tecta America Arizona). After his selection to receive the ARIF scholarship Jordan was also awarded a \$4,000.00 scholarship by the Davis Memorial Foundation at Western States Roofing Contractors Association.



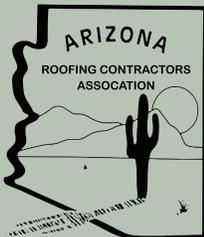
Amanda Baldwin is a 2012 graduate from Queen Creek High School in Queen Creek where she maintained a 3.97 GPA and graduated second out of 336 seniors. She is the daughter of Tom Baldwin (Progressive Roofing). Amanda will be attending Brigham Young University in Provo where she plans on pursuing a nursing degree.



Jessica Mergener will be a sophomore at the University of Arizona in Tucson. She maintained a 3.7 GPA for her freshman year pursuing a degree in biomedical engineering. She is a repeat winner, having previously been awarded the ARIF scholarship in 2011. Jessica is the daughter of Mike Mergener (KM Coatings) and Deanna Mergener (Touchdown Sports).



Rebecca Kehoe will be a sophomore at Arizona State University / Downtown Phoenix campus where she is pursuing a degree in kinesiology and has maintained a 3.5 GPA during her first year at that institution. Rebecca is the daughter of Shawn Kehoe (Star Roofing). She was also a recipient of the ARIF scholarship in 2011.



All recipients were selected based on their academic records; potential to succeed; leadership and participation in school and community activities; honors; work experience and the ARIF Board interview evaluation. To be eligible to apply for an ARIF scholarship the applicant must be a full time employee of an ARCA roofing contractor or an associate member companies or their dependent children or spouse. In addition, applicants must be high school seniors or graduates who plan to enroll or students who are already enrolled in a full time undergraduate course of study at an accredited two or four year college, university or vocational technical school. The next scholarship applications will be released in April of 2013. For more information, visit the ARCA website at www.azroofing.org and click on the About / Charities tab.



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World demand for roofing materials is forecast to grow 3.8% annually through 2016, a substantial acceleration from the lethargic performance of the market during the 2006 to 2011 period, according to a study released by The Freedonia Group, a Cleveland-based industry market research firm.

Gains in demand will be fueled by a major uptick in residential building construction activity as construction industries in major developed nations, such as the U.S., rebound from their recent weakness, the study said. Further growth will be supported by continued gains in developing markets, particularly in Asia.

Two countries, the U.S. and China, will jointly account for nearly 60% of global gains in roofing demand through 2016. China, the world's largest market for roofing products in 2011, will continue its trend of strong growth and account for more than 30% of world market gains. The U.S, which experienced a collapse in new housing construction beginning in 2006, will rebound significantly, but in 2016 the U.S. roofing market will still be slightly below 2006 levels. Strong growth is also expected in a number of smaller roofing markets, including those in India, Indonesia, and South Africa. Although some developed countries will see fast, rebound-fueled growth similar to the U.S., market gains will typically be slower than in developing areas. Western Europe will be the slowest growing regional roofing market through 2016.

The mix of roofing materials used tends to vary from country to country, but bituminous (asphalt) and tile (clay and concrete) products dominated the global

market in 2011, together accounting for 70% of demand in area terms.

Bituminous products will post the fastest growth through 2016, primarily due to the heavy usage of asphalt shingles in the rebounding U.S. market. The U.S., which uses shingles far more intensively than most other nations, will account for almost 80% of worldwide growth in demand for these products, thanks to a major recovery in new single-family housing construction. Demand for concrete roofing tiles will also show strong growth, particularly in the developing Asia/Pacific region, where concrete tiles account for the largest share of roofing demand. 🏠

Welcome New ARCA Members

ARCA extends a warm welcome to our newest Members who recently joined the association:

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Committee Opening

The Training and Career Promotion committee is currently open and in need of a volunteer chairperson. The main responsibility of this committee is to make preparations for ARCA's booth at the Arizona Construction Career Day, in which high school students are introduced to various construction industries and career opportunities within them.

If you are interested in volunteering or finding out more, please contact the ARCA office at 602 335-0133.



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FREELITE – SKYLIGHTS

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INCA ROOFING

JIM BROWN & SONS ROOFING

JOHNS MANVILLE

MIDWAY CHEVROLET

OMG, INC.

OWENS CORNING

PERFORMANCE ROOF SYSTEMS

PIONEER ROOFING

POLYGLASS, USA

ROOFING CONSULTANTS OF AZ

STARKWEATHER ROOFING

UNITED COATINGS

WESTERN COLLOID

GOLD SPONSORS

CLASSIC ROOFING

GORMAN SERVICES

LYONS ROOFING

MALARKEY ROOFING PRODUCTS

PRO-TECH PRODUCTS

STAR ROOFING

TECTA AMERICA ARIZONA, LLC

BRONZE SPONSORS

ALAN BRADLEY ROOFING

BITEC. INC.

COLDWATER ROOFING

DAS PRODUCTS

DIVISION SEVEN SYSTEMS

FIRESTONE BUILDING PRODUCTS

GRYPHON ROOFING & CONSTRUCTION

HEALTHY STRUCTURES

HUNTER PANELS

IMAGE ROOFING

JEV ROOFING

KY-KO ROOFING SYSTEMS

MAC ARTHUR COMPANY

METAL PRODUCTS

NATIONAL COATINGS

NEW LIFE ROOFING

O'HAGIN'S

PACIFIC SUPPLY

QUAIL RUN BUILDING MATERIALS

ROCK ROOFING

ROOFING SOUTHWEST

SECTION 7 MARKETING

SUNRISE HAULING SERVICES, LLC

VERDE INDUSTRIES