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Building Excellence



AGC

NEBRASKA BUILDING CHAPTER
THE CONSTRUCTION ASSOCIATION

President's Message

In construction, business development isn't about slick pitches or fancy buzzwords. It's about relationships, reputation, and being willing to roll up your sleeves and get the work done.

Winning work comes from showing up, solving problems, and delivering quality projects—again and again. Many of the best opportunities start with a simple conversation and grow from there, whether you're working with a longtime client or stepping into a new market.

Growing a construction business today takes more planning than it used to. Costs are higher, labor is tight, and the rules seem to change constantly. That makes staying connected and involved more important than ever. The Building Chapter gives us a place to learn from one another, share what's working, and speak up when decisions affect how we build and how we grow.

What I appreciate most about this industry is the people. Contractors are practical, straightforward, and committed to doing the job right. When we work together—building relationships, supporting workforce development, and advocating for smart policies—we all benefit.

I'm honored to serve as your 2026 President. With a strong board of directors and Sheila as our Executive Director, I'm confident we will continue to be a leading voice for the construction industry.

That success isn't possible without you. Your involvement, your professionalism, and the work you do every day on behalf of your companies—and this association—make a real difference.

Thank you for what you do. I'm looking forward to the year ahead and to continuing to build strong businesses and a strong industry together.

Roger Bullington

Chief Construction



*Roger Bullington,
Chief Construction
2026 AGC Nebraska Building
Chapter President*

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NEBRASKA BUILDING CHAPTER
THE CONSTRUCTION ASSOCIATION

Our Mission:

The Nebraska Building Chapter is dedicated to:

- Represent the best interest of members in the commercial construction industry and the greater business environment;
- Support and encourage the advancement of skill, integrity, and responsibility within member firms; and
- Stimulate and promote progress, innovation, and safety in the industry.

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Executive Director’s Message

Construction has never been an easy business—and right now, it’s anything but quiet.

Across Nebraska, contractors are managing tight schedules, rising costs, workforce challenges, and a steady stream of new rules and requirements. And yet, every day, work keeps moving forward. Projects get built, businesses take shape, and communities continue to grow. That doesn’t happen by chance—it happens because of the people in the construction industry show up, solve problems, and get the job done.



That’s where the value of this association comes into focus. Membership means having a seat at the table and a voice in the conversations that affect how you do business. Through advocacy at the state and local level, we work to ensure lawmakers understand the real impacts of their decisions on project costs, timelines, workforce availability, and jobsite safety.

Membership also provides practical tools and connections. From safety training and workforce development programs to leadership opportunities and networking with fellow contractors and industry partners, the Building Chapter helps you strengthen your team, grow your business, and stay competitive.

Members also benefit from timely information and resources—whether it’s updates on legislative activity, regulatory changes, or industry trends—so you can make informed decisions and plan ahead instead of reacting after the fact.

Most importantly, membership means community. Construction is a relationship-driven industry, and this association brings together contractors and service providers who understand the challenges you face. When members are engaged, share knowledge, and work together, the entire industry is stronger.

This issue highlights the people, projects, and priorities shaping construction in Nebraska today. I hope you’ll take some time to dig in and see how your membership is working for you.

Thank you for the work you do every day and for your continued investment in this association and our industry.

Sheila O’Connor
Executive Director



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Calendar of Events

A few events to put on your calendar now!

Visit agcnebuilders.com/events for a full list of
upcoming events.

April 2 **Spring GC & SC Roundtable** 1:50-4:10pm
Round the Bend-Ballroom | Ashland

May 18 **SAVE THE DATE – Annual Golf Outing**
The Players Club | Omaha
Registration Opens April 1!

Looking Back . . .

We had a great turnout at January's **Construction Industry Economic Outlook**, featuring insights from Marcina Wilkins, Senior Research Analyst with AGC of America, and Dr. Eric Thompson, Department Chair, K.H. Nelson College Professor of Economics, and Director of the Bureau of Business Research at the University of Nebraska–Lincoln.



Thank you to our event partners—CSI Nebraska Chapter, DBIA Nebraska Chapter, and MCA Omaha—for helping make this early-morning program a success. It was especially encouraging to see students from the UNO Durham School in attendance and engaged in the conversation.



We also enjoyed a fun and informal gathering with members of the **Associated General Contractors–UNL Student Chapter**, Kingery Construction, and Stephens & Smith Construction. Connecting with students and future industry leaders is always a highlight and an important part of building the next generation of construction professionals.



Supervisory Training Program (STP) – 2026

In 2026, we offered three Supervisory Training Program (STP) courses: Leadership and Motivation, Communication, and Contract Documents. STP is a construction-specific training curriculum developed, updated, field-tested, and taught by experienced construction professionals.

Designed for all levels of management, STP offers a flexible, blended learning experience that allows participants to build skills without leaving the jobsite. The program combines reading assignments, podcasts, and online coursework with a live weekly video conference, making it practical, interactive, and easy to fit into busy schedules.

In addition to STP, we offer a variety of training opportunities throughout the year—both in person and online—to support workforce development at every level.

To learn more, visit our [website](#) or contact the office for details. Have an idea for a training topic or a specific need within your company? Let us know—we're always looking for ways to better serve our members.





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Financial Statements: What do Banks & Bonding Companies Really Want to See?

By *Mike Tichenor, Lutz*

Running a construction company means juggling a lot more than job schedules and project deadlines. Behind every successful build is the financial structure that keeps the business moving. Banks and bonding companies rely on that structure to understand where your company stands and how well it can handle upcoming work. Clear, well organized financial statements help paint that picture.

Core Financial Statements

A complete financial package typically includes five key components:

1. Balance Sheet
2. Income Statement
3. Statement of Stockholder's Equity
4. Statement of Cash Flows
5. Footnotes

While these reports are expected, what differentiates strong financial packages is how well they reflect operational discipline, cash management, and performance consistency. That's where banks place their focus.

What Banks Focus On

1. Working Capital Management

Working capital indicates whether you can manage day to day operations and support new or ongoing projects. Banks look closely at receivables, payables, and cash flow timing to understand liquidity and overall financial management.

2. Debt Service Coverage

Banks want assurance that your company can comfortably meet loan obligations. Strong, steady operating income gives lenders confidence that

you can manage existing debt and take on future financing if needed.

3. Historical Performance Trends

Lenders look for stable, predictable performance, not dramatic swings. Steady margins, controlled overhead, and consistent growth suggest disciplined management and lower risk.

4. Quality of Receivables

Aging schedules provide insight into how well you manage collections and the reliability of your customer base. Slow moving or highly concentrated receivables may raise questions about cash flow reliability.

What Bonding Companies Want to See

1. Summary of Earnings

Shows how closely actual results align with estimates. Gaps help bonding companies assess estimating accuracy, cost control, and project management strength.

2. Schedule of Contracts in Progress

Offers a snapshot of active jobs and whether billing and performance match expectations. Underbillings may indicate overstated profit or unapproved change orders; overbillings can reflect strong cash management if future cash needs are planned appropriately.

3. Backlog Analysis

Indicates future workload and operational stability. A healthy backlog demonstrates the company's ability to secure work and maintain steady performance.

Presenting clear, consistent financial information helps banks and bonding companies gain confidence in your operations and, ultimately, strengthens your ability to pursue and win future work.

Commonwealth Electric Company of the Midwest Announces Formation of Confluence Technology Group

Commonwealth Electric Company of the Midwest proudly announces the formation of **Confluence Technology Group**, a new subsidiary dedicated to advancing low-voltage and technology solutions. This strategic move reflects Commonwealth's commitment to innovation, expanded capabilities, and delivering integrated solutions for customers across diverse markets.

Confluence Technology Group represents more than a new name, it's a new identity built on the strong foundation of Commonwealth's legacy of integrity, collaboration, and technical excellence. Confluence Technology Group will focus on enhancing technology engineering and design, system integration services, and global account support, ensuring customers receive cutting-edge solutions without compromising the trusted service they know.

"Today marks a bold new chapter in our journey, one built on trust, teamwork, and technical excellence. The creation of Confluence Technology Group allows us to grow and innovate while retaining the culture and values that define us. We're not starting from scratch; we're building on decades of success. I'm excited about what lies ahead!" said T Michael Price, president and CEO of Commonwealth Electric Company of the Midwest.

Confluence Technology Group is a leading specialty contractor focused on low-voltage and technology solutions. Confluence delivers innovative services across multiple construction markets, including commercial, mission-critical, and institutional sectors. Our capabilities span voice/data systems, access control, intrusion detection, video surveillance, fire alarm systems, wireless networks, intercom systems, fiber optics, and outside plant installations.

In 2025, Roger Hamilton was introduced as the Vice President of Operations – Low Voltage for Commonwealth, with the formation of Confluence Technology Group we are pleased to introduce Roger Hamilton as its president. With a proven track record in leading technology-driven teams, Roger brings a dynamic vision and extensive industry experience to guide Confluence's growth and innovation. His



leadership will further strengthen the company's commitment to delivering integrated solutions and exceptional services to clients across all markets.

"I couldn't be more excited to lead Confluence Technology Group into this next phase for Commonwealth. Our strength lies in our people, their expertise, pride in their work, and commitment to our customers. This transition is about growth and opportunity, without losing what makes us who we are. Together, we're shaping the future of low-voltage technology," said Roger Hamilton, president of Confluence Technology Group.

With locations across the Midwest and Southwest, including Nebraska, Iowa, Arizona, and Utah, Confluence Technology Group combines decades of electrical contracting expertise with cutting-edge technology integration. We provide value engineering, design input, material procurement, life-cycle cost analysis, and cost-saving installation alternatives, ensuring customers receive tailored solutions that meet their unique needs.

At Confluence, we believe in connecting technology with vision. Our commitment to integrity, collaboration, and technical excellence drives us to help customers succeed by solving complex challenges through innovative solutions.

An advertisement for the Construction Coalition. It features a background image of stacked rebar. The text "CONSTRUCTION COALITION" is in large, bold, white letters. Below it, "AGC Nebraska Building Chapter" is written in smaller white text. A white box at the bottom right contains text about curbing losses in construction and reducing the risk of theft, with a contact email address: vicki@agcnebuilders.com.

CONSTRUCTION COALITION
AGC Nebraska Building Chapter

Continuing the conversation on how to curb losses in construction. Local law enforcement and industry professionals look at when, where and how jobsite thefts are occurring. By understanding these trends, companies can take proper preventative measures to protect valuable equipment and materials, reducing the risk of theft.
Contact Vicki for more information, vicki@agcnebuilders.com

Ask Anything

Ask Anything segment, where we dedicate space to answering questions submitted by our members. Whether it's about safety, legislative issues, education, training or industry updates, we're here to provide the answers you need. Please email sheila@agcnebuilders.com with any questions you may have.

I heard The Building Chapter is using MC Trade by Personify, what does that mean for me?

The Nebraska Building Chapter is excited to introduce MC Trade by Personify, our new customer relationship management (CRM) platform designed to make it easier for members to connect, stay informed, and do business within the construction community.

At its core, MC Trade by Personify is about **better connections**. The platform creates a more accurate, up-to-date member directory that helps contractors, subcontractors, and industry partners find each other, build relationships, and identify new opportunities. Whether you're looking for a specialty subcontractor, a service provider, or a new industry contact, MC Trade by Personify makes those connections faster and easier.

MC Trade by Personify also improves how we **share information**. Members will receive more targeted, relevant communications, meaning fewer generic emails and more updates that actually matter to your role, interests, and areas of work. From legislative

updates and safety resources to events and training opportunities, MC Trade by Personify helps ensure members get the right information at the right time.

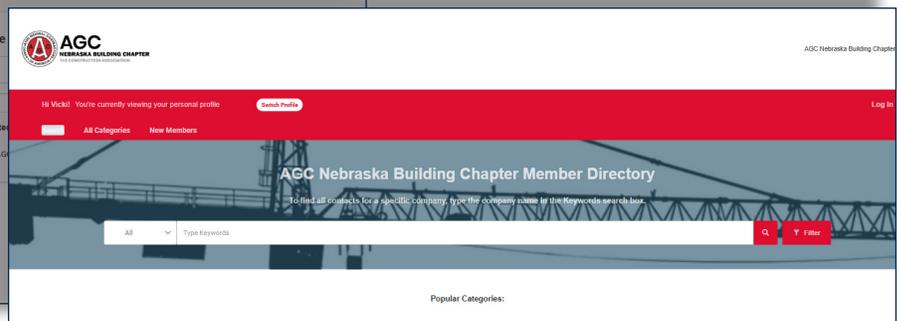
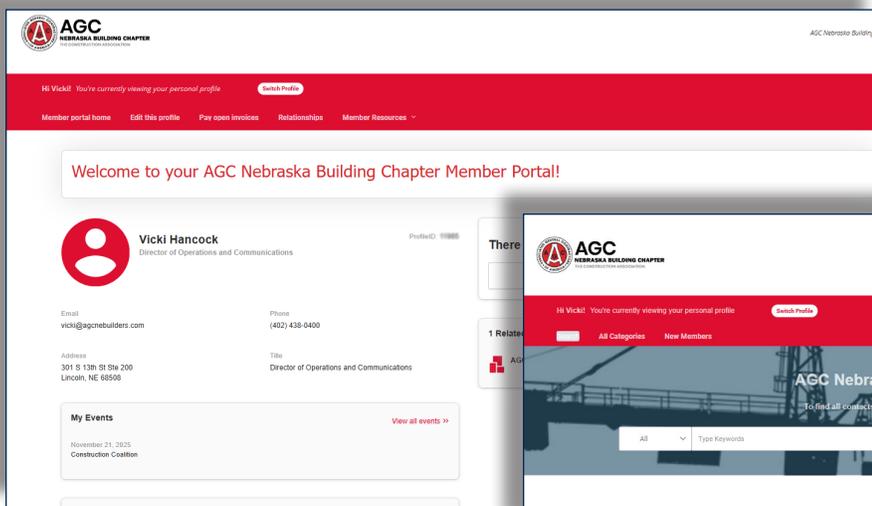
Another key benefit is **efficiency**. MC Trade by Personify streamlines membership records, event registration, committee involvement, and engagement tracking. That means less administrative friction for members and better support from the Chapter. Over time, this allows the team to focus more on advocacy, programming, and member value—and less on manual data management.

The platform also supports **stronger engagement and growth**. By better understanding how members interact with the Chapter, MC Trade by Personify helps us tailor programs, identify gaps, and respond more effectively to member needs. It also supports recruitment efforts by making it easier to invite peers, subcontractors, and partners into the Chapter—and help them see the value of getting involved.

Most importantly, MC Trade by Personify strengthens the Chapter's ability to be **member driven**. Accurate data and better tools mean clearer insight into what matters most to our members, allowing the Chapter to advocate more effectively, communicate more clearly, and build a stronger, more connected construction community.

MC Trade by Personify isn't just a new system—it's an investment in how we serve our members. As we continue rolling out the platform, we encourage members to explore their profiles, keep information up to date, and take advantage of the tools designed

to help you get more value from your Building Chapter membership. Reach out to **Vicki** if you have questions or comments.



Your Year-End Numbers & Your Surety Program

By *Tom King, Gene Lilly Surety Bonds*

Why it matters:

February is when year-end financials start circulating. How those numbers are prepared – and shared – can impact your surety capacity for the year ahead.

The big idea:

Surety companies don't just read financials, they interpret them.

1) Internal numbers vs. CPA statements

Many contractors run strong internally, then results look weaker on paper once CPA adjustments hit.

- This can be due to multiple factors, but most commonly is depreciation not being allocated throughout the year. This is a non-cash expense that may greatly swing the presented net-income on the year.

Why it matters:

If depreciation or other true costs only appear at the CPA level, business decisions throughout the year may be made with a different viewpoint than your surety has. For a deeper discussion on depreciation (and why it's likely understated), give us a call.

2) Owner Distributions: the surprise factor

A lot of times a distribution is not as big of an issue as the surprise of it. Surety companies are not big fans of surprises.

Common things that drive an "owners draw" entry:

- Cash withdrawals, for taxes, standard of living, or other needs.
- Asset transfers to related entities or other year end planning.
- Tax payments – these are necessary and explainable.

Best practice:

If you're planning distributions or asset shifts, looping in your surety team can greatly generate favor with your surety company.

3) Work-in-Progress: where the (accounting) rubber meets the (construction of a) road

WIP is the clearest accounting window into how a contractor is actually performing.

Be careful with the following:

- Not producing a WIP can undercut a high performing construction company.
- Pre-purchasing materials can distort a balance sheet. Don't let this hurt your surety program.
- The difference between percentage of completion and cash basis accounting can tell wildly different stories of your success. Don't let accounting tell a story that doesn't reflect reality.

Key takeaway:

Tax planning is important – but uncommunicated distortion can unintentionally weaken your surety profile.

A simple February checklist

Before year-end numbers are finalized:

- Reconcile internal vs. CPA financials
- Understand how depreciation impacts earnings
- Review distributions and balance sheet changes
- Walk through WIP with a surety lens, not only a tax lens

Bottom line:

Strong surety programs aren't built through surprise. They're built by clarity, timing, and communication – especially at year-end.

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Preventing Slips, Trips & Falls at Construction Sites

By *Megan Hatch, CPCU, CWCA, CRIS, Vice President, and Risk Consultant, & Ezra Schlecht, CSHO, SSH, CRIS, Safety and Loss Control Consultant*

Slips, trips, and falls continue to be one of the most common, and preventable, causes of injuries on construction sites. While much of the industry focuses on fall protection at heights, incidents frequently begin at ground level or on everyday walking-working surfaces. Muddy paths, cluttered decks, slick ladder rungs and uneven temporary flooring contribute to injuries that disrupt projects and send workers home hurt.

The plus side? Most of these hazards are visible and correctable when we stay disciplined in our inspections.

Walking-working surfaces include concrete decks, steel beams, temporary walkways, ramps, and access paths. These surfaces change constantly as work progresses, creating new hazards quickly.

Common issues include:

- Debris accumulation
- Mud, ice or moisture buildup
- Unprotected floor openings
- Uneven transitions between surfaces
- Temporary plywood that shifts or deteriorates

Maintaining solid footing starts with recognizing that housekeeping is not just for looks, it's safety control everyone can manage. Clean, stable walking paths reduce hesitation and missteps, especially during busy construction phases.

Ladders are frequently utilized yet often treated as background equipment. Dirty, damaged or improperly positioned ladders can turn routine tasks into injuries.

Simple practices that make a difference:

- Keep ladder rungs dry and free of water, mud, grease or concrete slurry
- Inspect runs and side rails for damage before use
- Ensure ladders are secured and extend the required distance
- Remove damaged ladders from service and don't "make it work"

A ladder doesn't need to fail catastrophically to cause injury. A single slick rung can produce bad outcomes.

Regular site inspections prevent slips and falls when done intentionally. A fresh perspective often reveals hazards that crews have adapted to.

Effective inspections focus on:

- Access routes
- Changes in elevation
- Temporary stairs and planforms
- Weather impacts on walking surfaces
- Areas shared by multiple trades

The goal isn't paperwork. It's awareness. Encouraging everyone to identify and correct hazards in real time builds ownership and reinforces that safety is part of how work gets done, not an extra task.

Many serious injuries start with a simple misstep. By maintaining adequate walking surfaces, keeping ladders serviceable, and actively inspecting sites, we protect the people who build our projects every day. If your team needs support keeping your job site safe, [contact UNICO Group](#) for expert guidance and assistance.



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CONSTRUCTION SAFETY WEEK

Construction Safety Week 2026 and the Power of “Recognize, Respond, Respect”

As the construction industry prepares for [Construction Safety Week 2026 \(May 4–8\)](#), let's dig into why this industry-wide initiative continues to play a vital role in improving jobsite safety and strengthening a culture of care.

Why Construction Safety Week Matters

Founded in 2014, [Construction Safety Week](#) unites the industry around one shared goal: ensuring every worker returns home safely each day. While recordable incident rates have declined, construction continues to experience persistently high fatality rates and elevated mental health risks.

Because of this, Safety Week serves as a powerful rallying point. Each year, more than 1,300 companies, members, sponsors, and advocates come together to focus attention on the industry's most critical safety challenges.

2026 Theme: Recognize. Respond. Respect.

This year's theme—**Recognize, Respond, Respect**—centers on preventing serious injuries and fatalities by addressing high-energy, high-hazard work.

First, teams must **recognize** hazards early by using a shared framework. Next, they must **respond** by putting effective controls in place. Finally, they must **respect** the plan at every phase of the project, and pause to reassess when conditions change.

Importantly, the theme reflects direct feedback from skilled craft professionals. Their input highlighted the need for clearer communication, stronger planning, and greater consistency across jobsites.

What's New for Safety Week 2026

- Daily focus topics aligned with the Recognize, Respond, Respect pillars
- The [National Safety Stand-Down to Prevent Falls](#), in partnership with OSHA
- New technical bulletins, toolbox talks, and planning resources
- Interactive tools designed to strengthen hazard recognition and engagement

Get Involved

Construction Safety Week takes place **May 4–8, 2026**. Companies of all sizes can participate, access free resources, and support the initiative.

Learn more and register your company at www.constructionsafetyweek.com.

Let us know what your organization is doing during Construction Safety Week and use our hashtag, [#agcnebuilders](#) on your social media posts.



Overtime Premiums Likely Increase with Performance-Based Incentive Bonuses

By Addison C. McCauley, Attorney, Woods Aitken LLP



The Department of Labor's Wage and Hour Division has clarified in Opinion Letter FLSA2026-2 that most performance-based bonuses must be included in an employee's regular rate of pay when calculating overtime.

In plain terms, if guaranteed additional pay is triggered by specific performance criteria—like safety, attendance, productivity, or jobsite conduct—it is a non-discretionary bonus and must be factored into overtime premiums. For contractors and subcontractors who commonly use safety or performance incentives to drive results, the takeaway is straightforward: build these bonuses into your overtime calculations or risk back pay, penalties, and attorneys' fees.

A bonus is "discretionary" only if the employer decides both whether to pay it and how much to pay at or near the end of the period, without any prior promise or formula. Once you set criteria—which, if satisfied, triggers entitlement to additional pay—you have effectively abandoned discretion. That turns the additional pay into part of the employee's regular rate throughout the period in which the additional pay was earned. This is especially relevant for construction incentives such as incident-free days, PPE compliance, near-perfect attendance, quality scores, or production milestones.

The practical effect is a required "look back" when a non-discretionary bonus is earned. You must allocate

the bonus to the workweeks in the bonus period, recalculate the regular rate for each week, and pay an additional half-time premium for any overtime hours in those weeks. For example, if an employee works 50 hours at a base rate of \$12.00/hour and earns a \$2.00/hour production bonus for all hours worked that week, the regular rate includes both amounts (\$14.00), and the overtime premium is one-half of that regular rate (\$7.00) multiplied by the 10 overtime hours.

“ A bonus is “discretionary” only if the employer decides both whether to pay it and how much to pay at or near the end of the period, without any prior promise or formula.”

The Opinion Letter also flags two compliance traps. First, mislabeling a bonus as discretionary will not protect you if eligibility or amounts are set by a plan. Second, deductions for business costs, such as equipment or property damage, cannot push wages below minimum wage or reduce overtime premiums. Employers may rely on official DOL opinion letters as a good-faith defense, but only if their facts and practices align with the guidance.

Construction employers should review bonus plans, payroll system capabilities, and communications to employees. If you need help auditing your plans or recalibrating calculations, please give us a call at (402) 898-7400. Learn more about Woods Aitken's [Labor & Employment Practice Group](#) and [subscribe](#) to our E-Briefs for the latest news, tips, and updates.



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Nuclear Verdicts: What Business Owners Need to Know (And How to Protect Your Business)

By **Andy Bassett**, CEO, Ellerbrock-Norris



Nuclear verdicts – any jury award that exceeds \$10 million – are becoming increasingly common, and they’re reshaping the environment contractors and trades businesses operate in.

You see the effects everywhere – rising insurance costs, tighter underwriting, and growing

expectations around documentation and safety. And when a serious incident does happen, these verdicts can turn a routine claim into something far more severe. But here’s the encouraging part: you’re not powerless in this landscape.

In 2023, [juries issued 89 nuclear verdicts – a 15-year high totaling \\$14.5 billion across nearly 50 industries.](#)

Many stemmed from everyday risks like vehicle incidents, product liability claims and allegations of negligence.

In other words, this isn’t a rare event anymore – it’s a trend.

How to Reduce Your Exposure

Here’s the part many business owners don’t realize: The same consistent, well-documented processes that reduce your nuclear verdict exposure also strengthen your overall resiliency as a business. When you get proactive and shore up operational risks, you’re not just preventing a claim from escalating – you’re shaping culture, insurance costs, compliance, credibility and more.

When your business reflects clear standards, dependable follow-through and proactive leadership, it

becomes much harder for a claim to spiral into nuclear territory or for an underwriter to view you as a high-risk account.

Here are some of the areas that matter most:

- **A Strong Safety Culture:** A safety program that’s written down, reinforced and actually lived out doesn’t just protect people. It demonstrates that your organization values its workers.
- **Fleet Safety:** Driver policies, telematics, dashcams and regular maintenance aren’t just operational tasks – they’re tangible proof that your company takes safety seriously.
- **Stronger Contracts:** Contracts quietly shape where liability lands. When scopes of work are vague or subcontractor insurance requirements aren’t enforced, you can inherit risks you never intended to take on.
- **Compliance and Documentation:** OSHA, DOT, HR and wage-and-hour requirements aren’t just regulatory hurdles. Inconsistent documentation or missed steps in these areas can be used in court to paint a narrative of carelessness.
- **Thorough Insurance Audits:** Most companies don’t give a second thought to their umbrella policies. Are they large enough cover your biggest exposures?

Nuclear verdicts are reshaping how contractors build resiliency within their businesses. If you haven’t done a comprehensive benchmarking to see where you’re exposed (beyond insurance), now’s the time to take action.

There are a few free tools out there, including a [short assessment](#) we put together that you can take and get a free resiliency report to see where you stack up.



Legislative Update

As the 2026 session of the Nebraska Legislature continues, lawmakers are advancing proposals that could directly affect the construction industry. From workforce policy and taxes to public project delivery and jobsite safety, these issues influence how construction work is planned, priced, and delivered across Nebraska.

Cost and project delivery remain key areas of focus. Legislation affecting taxes, bonding, procurement practices, and public contracting could impact project timelines and overall construction costs. Even small policy changes can create ripple effects in bidding, scheduling, and contractors' ability to deliver projects on time and on budget.

Workforce challenges are also front and center, including **LB1165***. Ongoing labor shortages continue to impact contractors statewide, making workforce development, training, and credentialing legislation especially important. The Building Chapter is advocating for policies that strengthen career pathways, expand hands-on training opportunities, and support a reliable pipeline of skilled workers for the construction industry.

The Legislature is also addressing jobsite safety and theft, including **LB1079***, which targets repeat theft offenders. Theft at construction sites disrupts projects, delays schedules, and increases costs for contractors, owners, and taxpayers. We are actively engaged in efforts to improve accountability and protect jobsites.

Throughout the session, the Building Chapter is advocating for practical, real-world solutions. We are sharing contractor perspectives with lawmakers, monitoring legislation as it moves through committees and floor debate and working with industry partners to support policies that strengthen construction while opposing measures that add unnecessary cost, risk, or delay.

We encourage members to stay informed and engaged. Decisions made this session will shape Nebraska's construction environment

for years to come, and your voice matters. Updates will continue as the session progresses. If you have questions or comments, please contact Sheila at 402 430 5167.

Building Chapter Legislative Principles

- Support policies that promote economic growth, investment, and construction activity statewide.
- Encourage public and private project delivery methods that provide flexibility and value.
- Advocate for workforce development, career and technical education, and training for both new and existing workers.
- Support reasonable, achievable regulations that protect safety without imposing unnecessary costs.
- Promote legal reforms that reduce frivolous litigation and stabilize insurance costs.
- Oppose tax increases, added administrative burdens, and expanded liability beyond contractors' control.
- Oppose government-mandated labor agreements and preference-based bidding on public projects.

***LB1165** by Senator von Gillern is his priority bill.

***LB1079** by Senator von Gillern was heard in the Judiciary Committee with no action taken at press time.

SAVE THE DATE

Wednesday, April 22, 2026
10:00 am - 2:00 pm

Construction Career Day!

"Build Your Future, Build Our Nebraska"

Hosted by:  **HBAL**
Home Builders
Association of Lincoln
CONSTRUCTION EXCELLENCE

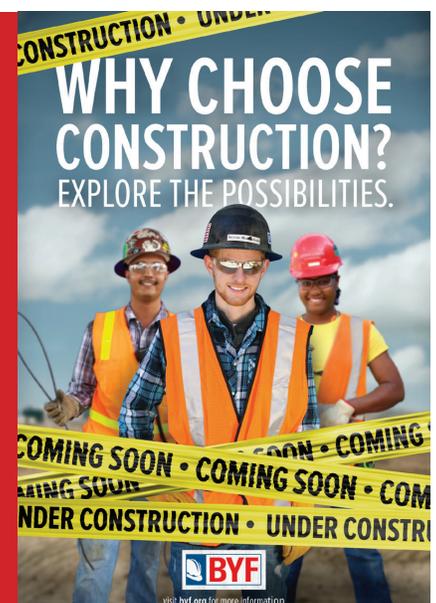
In cooperation with: BuildOurNebraska.com

- Hands-on Activities
- Construction Demonstrations
- Construction Career Booths

Haymarket Park

Lot 19 (south parking lot), 403 Line Drive Circle

Questions: Contact Jereme at 402-525-5535
or Ben at bklein@lincolnlaminating.com



Staying Ahead of the Curve: Legal Risk Management for Contractors in 2026

By Michael King and Patrick Tefft, Partners, Dvorak Law Group

As we begin 2026, contractors will be well served to proactively address legal risks to ensure compliance and maintain a competitive edge. A focused legal risk management review can help mitigate potential issues and position your business for success.

Here are some areas to consider:

- **Contract Updates:** Review your form agreements, such as your prime contracts and subcontractor agreements, and consider the need for addressing matters such as supply chain disruptions, price volatility, the effect of tariffs, force majeure clauses and other current project pitfalls. Consider the interplay of liquidated damages, change orders, pay-if-paid, pay-when-paid and other contract clauses in assessing project risk. It is important to ensure that all such forms are up-to-date with state law and address any recurring issues you may have encountered with past projects.
- **Workforce Management:** When it comes to your employees, assure that your employee handbook is up-to-date and you have a proprietary matters agreement in place. Employee handbooks should reflect current legal standards and address current employment legal trends, including with respect to potential AI use policies, social media guidelines, among others.

- **Safety Protocols:** Make sure that your safety manuals and procedures are all current. Regular reviews and safety protocols can ensure compliance with OSHA and other regulations and help to reduce job site hazards and the risk of injuries.
- **Entity Structure:** Confirm that appropriate governing documents and corporate records are in place for your company and accurately reflect any ownership or equity transfers which may have taken place.
- **Succession Planning:** As a business owner, consider whether you have addressed your personal and business succession planning. It is important to have a succession plan in place for seamless and tax-efficient ownership and management transitions, whether due to an owner's exit or unexpected circumstances.

Staying ahead of potential legal risks through a thorough legal risk assessment can mitigate costly issues, avoid legal entanglements and help your business thrive in 2026.

For assistance with legal risk management or other matters, contact David Mayer at dmayer@ddlawgroup.com or Patrick Tefft at ptefft@ddlawgroup.com. Our team is ready to help you navigate the evolving legal landscape.

Thinking of selling your business? Call us today!

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A Look at SBA Loan Eligibility and Benefits

By Jason Herlitzke, Vice President – SBA Administrator at Union Bank & Trust

SBA loans are business loans issued by participating lenders, typically banks, and partially guaranteed by the Small Business Administration. These loans offer flexible terms, low down payment requirements, and competitive interest rates, making them valuable for new or growing businesses. In this article, you'll find a few handy guidelines and FAQs to help you determine whether your business is eligible for an SBA loan – and why you might want one.

Who's eligible? Does your business count as a small business?

Banks adhere to industry size standards established by the U.S. Small Business Administration, which are based on the NAICS codes that best describe your business. Chances are, you will likely fit their criteria for eligibility if you have fewer than 500 employees, less than \$7.5 million in annual gross revenue, and less than \$5 million in average annual after-tax profits.

Why use an SBA loan? What do you gain?

- The U.S. Government provides up to an 85% guarantee on your loan, providing additional collateral support
- Significantly lower down payment or equity requirements (as low as 10%) than traditional commercial loans
- Quicker approval and closing for loan amounts less than \$350,000 due to streamlined SBA programs

- Different types of loans are available for different needs, whether you're starting a business from the ground up, expanding an existing business, purchasing equipment, restructuring debt, or have other needs.

What to look for in an SBA lender

- Look for a lender with extensive, proven knowledge of SBA programs.
- It's a good idea to work with a bank that has earned "Preferred Lender" status from the SBA. They'll be able to make quicker decisions in-house rather than going through a bureaucratic chain of command.
- Choose a bank that will service your loan locally. You'll get more responsive service, plus the advantages of the SBA. Now that's a win-win!

For more information about the SBA loan program, eligibility requirements, and the various types of loans available, visit sba.gov. And if you'd like to talk to an SBA Preferred Lender about your options, visit ubt.com/SBA to learn more and connect with an expert.

“ These loans offer flexible terms, low down payment requirements, and competitive interest rates, making them valuable for new or growing businesses.”

Bond Ready in 2026: What Contractors Need Now

By *Dustin Cooper, Sr. Vice President, FNIC*



As we enter into 2026, I have been hearing a similar theme from contractors across Nebraska: work is still out there, but it feels harder to secure, harder to staff, and harder to price with confidence. In a market like this, I often describe

bond readiness as a contractor's license to compete. When the bidding environment tightens, bonding capacity can become the difference between pursuing the next opportunity or watching it go to someone else.

Backlog Matters More in 2026

In a softer market, fewer bidding opportunities often mean smaller backlogs. From a surety's perspective, backlog is more than a number. It is a forward looking indicator of revenue stability and the ability to cover overhead. When the pipeline thins, underwriters naturally ask more questions about job selection, margin strength, and whether cash flow can stay consistent even with fewer projects in motion.

“ The contractors who stay bond ready in a softer cycle are usually not chasing volume. They are protecting profitability.”

What Sureties Watch Closely

When the economy feels unpredictable, surety underwriting shifts from supporting growth to protecting stability. In my experience, four areas rise to the top quickly: workforce continuity, exposure to material volatility, balance sheet strength, and

the complexity of the job mix. Labor shortages and tariff driven price uncertainty can turn a well planned project into a margin squeeze, so underwriters want to see disciplined estimating and contract risk

“ In a softer market, fewer bidding opportunities often mean smaller backlogs.”

management. They also look closely at liquidity, working capital, and debt levels because strong cash reserves help contractors absorb surprises without disrupting performance.

How to Protect Bonding Capacity

The contractors who stay bond ready in a softer cycle are usually not chasing volume. They are protecting profitability. That often means tighter job selection, clean and current WIP reporting, and clear communication with the surety before challenges become emergencies. I have seen many contractors preserve capacity simply by improving how they present their story, not just their numbers.

Final Takeaway

A softer market does not automatically reduce bond capacity, but it does demand stronger fundamentals and better communication. FNIC is here to help you stay prepared and competitive as 2026 unfolds.

If you would like to review your bonding program, financial presentation, or growth plans for the year, I would welcome the conversation. Contact me at dustin.cooper@fnicgroup.com to take the next step or visit fnicgroup.com to learn about FNIC.

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The Value of Membership in the Nebraska Building Chapter

Being part of the Building Chapter is about more than a logo on your website or a line on a résumé. It's a practical investment in your company, your people, and the future of construction in Nebraska.

Safety comes first. The Building Chapter places a strong emphasis on jobsite safety, giving members access to training, resources, and peer-to-peer conversations that help reduce incidents, protect workers, and manage risk. By sharing best practices and staying engaged on safety-related policy, the Chapter helps members build safer jobsites and a stronger safety culture.

Membership means community. The Building Chapter connects contractors, subcontractors, suppliers, and industry partners who face the same challenges every day. Through meetings, events, and committees, members build real relationships that lead to collaboration, problem-solving, and new opportunities. In a relationship-driven industry, those connections matter.

Workforce development and leadership growth are core to the Chapter's mission. The Chapter supports career and technical education, promotes construction career pathways, and offers training and leadership development that help members attract, develop, and retain talented people. In today's tight labor market, that support makes a real difference.

Advocacy is where membership truly pays off. The Chapter actively monitors legislative and regulatory issues, works directly with policymakers, and partners with industry allies to advance practical, common-sense solutions. Not every contractor can be at the Capitol—but together, members have a stronger voice and greater influence.

The **Membership Team** is here to support you. Our Membership Team works directly with members to help them get the most value from their involvement—connecting firms to resources, opportunities, committees, and peers that align with their goals. They are also your first point of contact for introducing new companies to the Chapter and helping them get engaged quickly.

Membership sends a message. Being part of the Building Chapter signals to owners, partners, and policymakers that your firm is committed to quality,

integrity, leadership, and safety—and invested in the long-term health of the construction industry.

We need your referrals. The Chapter is only as strong as its members—and that includes the companies you work with every day. If you know a contractor, subcontractor, supplier, or industry partner who would benefit from being part of this community, please connect them with Sheila or our Membership Team. Your referrals help strengthen the construction industry, expand our reach, and amplify our collective voice.

Most importantly, the Building Chapter is member-driven. Priorities are set by members, for members. There are no outside mandates—just industry professionals working together to support one another, improve safety, and move construction in Nebraska forward.

Your membership—and your help bringing others into the Chapter—strengthens your business, your teams, the Building Chapter, and the future of construction across the state.



THE VALUE OF MEMBERSHIP

Welcome to AGC!

Your company's membership at the **Nebraska Building Chapter** automatically enrolls the entire firm (including all employees) as members of AGC of America. Apart from the perks offered by the **Nebraska Building Chapter**, you also have access to a wide range of benefits from AGC of America. Any company employee may create an account to begin enjoying benefits, exclusive discounts, and specialized resources.



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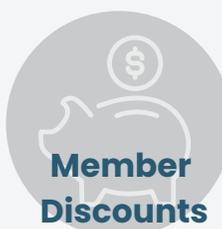


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Staying informed about industry priorities, trends, and economic data is crucial to your company's strategic planning. Members receive updates on construction employment, material price fluctuations and spending, and topic focused resources through dedicated reports, fact sheets, toolbox talks, sample documents, and more.



AGC partners with various companies to offer members discounts on a variety of products and services. Members saved over \$15 million last year by taking advantage of these programs.



Supporting the industry by influencing legislation to protect your interests. Get involved by:

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- Responding to action alerts and interacting with lawmakers
- Supporting financially by donating to the PAC and the Construction Advocacy Fund.

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