

# CONCRETE IQ

Concrete IQ is the official newsletter of Master Concreters Australia

ISSUE 2, 2018

## EXCELLENCE IN INDUSTRY AWARDS 2018



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CONCRETERS**

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**MASTER  
CONCRETERS**

## MCA HOTLINE

Our highly experienced members can provide advice on various issues affecting concrete contractors through our MCA Hotline.

Members may contact our Hotline representatives or if it is more convenient, call the office on 1300 884 544 and they will start the ball rolling.

**Chris Jones** 0418 871 380  
E: [chris@qrc.com.au](mailto:chris@qrc.com.au)

**Greg Bess** 0411 416 146  
E: [greg@bessconcrete.com](mailto:greg@bessconcrete.com)

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# INDUSTRY AWARDS SHOWCASES HIGH STANDARDS

Welcome to our slightly delayed mid-year edition of the Association's newsletter. As is the case for this time of the year our major industry event the 'Excellence in Industry Awards' was held recently in Brisbane. Thank you to all those who took time out of their busy schedules to join us for the night. This year saw Wayne Bennett, an icon of Queensland rugby league, join us as our Awards Ambassador.

On the training front the association continues to deliver courses for its members and our first group of students from Victoria recently attended the Leading Hand Course, which was well received.

A reminder to members in relation to our partnership with MiBT who deliver formal training and skills assessments. The training landscape can be a difficult one to understand and the association can assist in getting the ball rolling for the

various training requirements, whether they be formally approved national courses or association designed courses to upskill your workforce.

On a wider industry front, solid building activity continues to be reported over most sectors from the Eastern States, with the exception of apartment building in Brisbane, which has reduced considerably and has been reported widely over mainstream news sources.

Security of Payment continues to be a major focus for the construction industry with the Federal Government (through the ABCC) launching a campaign to educate code covered contractors (those that tender for Commonwealth funded building work) on their responsibilities to pay their subcontractors on time and if there are payment disputes, to sort these out quickly and reasonably.

David Lingard  
CEO, Master Concreters Australia



## DIRECTOR'S PROFILE

### TOM GLASBY

Wagners Earth Friendly Concrete Pty Ltd

Tom Glasby has replaced long serving Warwick Dingle as Wagners representative on the MCA board after Warwick's well earned retirement. Tom manages the Earth Friendly Concrete (EFC) business for Wagners who are now an ASX listed company after their IPO raising in December 2017. Wagners are a highly diversified Australian construction materials company with business operations in cement, quarrying, precast concrete, premixed concrete, reinforcing steel, composite fibre technology and bulk haulage and transport.

EFC is a highly innovative addition to the concrete industry being a low carbon emission and high performance totally cement free concrete based on geopolymer technology. Wagners have successfully brought this technology

from infancy to a commercial product that has both Australian and international application.

Tom is an Australian civil engineer and manager with over 30 years experience covering building products, engineering design, construction and project management. In his role with Wagners Tom has authored and presented many technical papers on the topic of commercial geopolymer concrete to conferences in Australia, Middle East, New Zealand and Singapore.

Tom has been involved with industry associations throughout his career and is looking forward to being an active board member and advocate for MCA that he sees is instrumental in creating a vibrant and professional Australian concrete placement industry.



## EXCELLENCE IN INDUSTRY AWARDS 2018

Members and representatives from the building and construction industry gathered in Brisbane for the 8th Annual Master Concreters Australia Excellence in Industry Awards. The event once again brought together Master Concreters contractors to vie for the various award categories and the Supreme Award. Congratulations to General Beton who took out this year's 'Supreme Award' and to our other worthy winners and finalists who submitted outstanding projects into the various category awards. The Training Excellence Award was presented to Christopher Greene from Bess Concrete and our Supplier Representative Award recipient was Laurie Gifford (Liberty-Onesteel Reinforcing). This year's event also

kept up with our rugby league theme with our Awards Ambassador Wayne Bennett providing an entertaining half time team talk. Special thanks to Wayne for being so engaging with our guests who certainly weren't shy in seeking him out whether to ask that important rugby league question or to participate in a group photo. Thank you to everyone who joined with the Association from far and wide for what was another great night for the concreting industry. We continue to receive great feedback from those who join with us each year and our industry stakeholders who support our contractor members in many ways.

We look forward to seeing everyone at our 2019 gala event.



## THE NEILSEN GROUP BEST DECORATIVE COMMERCIAL AWARD

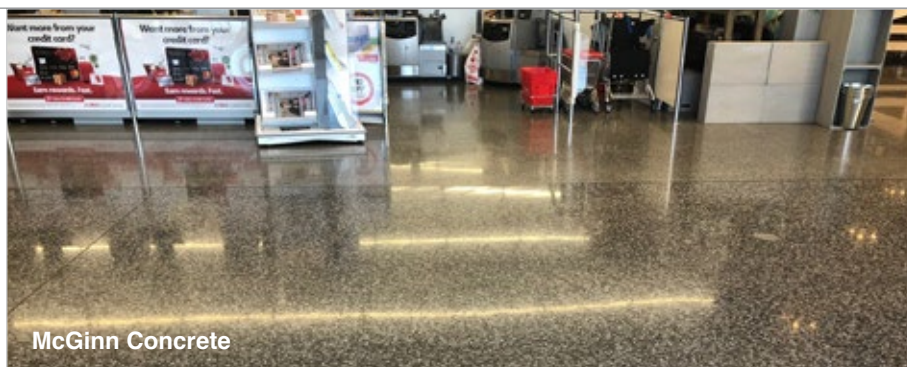
### FINALISTS

**Landcon** - Regis Chelmer

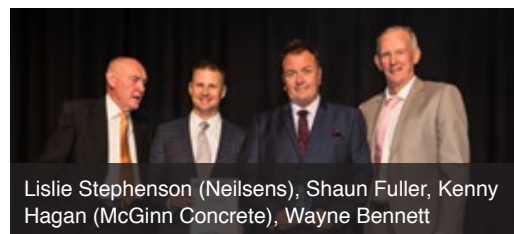
**McGinn Concrete** - YOU! Headquarters

### WINNER

**McGinn Concrete** - Coles Upper Coomera



McGinn Concrete



Lislie Stephenson (Neilsens), Shaun Fuller, Kenny Hagan (McGinn Concrete), Wayne Bennett



Landcon



McGinn Concrete

## BUSSQ BEST COMMERCIAL PROJECT UNDER \$20M

### FINALISTS

**Bess Concrete** - Logos Property

**General Beton** - Vida Mascot

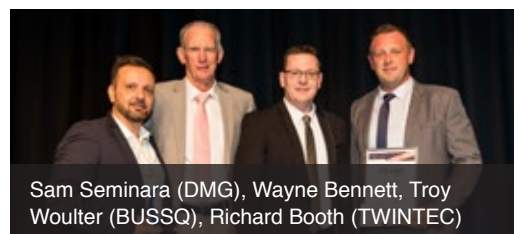
### WINNER

**TWINTEC/De Martin & Gasparini** -

XLAM Australia



TWINTEC/De Martin & Gasparini



Sam Seminara (DMG), Wayne Bennett, Troy Woulter (BUSSQ), Richard Booth (TWINTEC)



Bess Concrete



General Beton

## LIBERTY-ONESTEEL REINFORCING BEST COMMERCIAL PROJECT OVER \$20M

### FINALIST

**De Martin & Gasparini** - DUO – Central Park

### HIGHLY COMMENDED

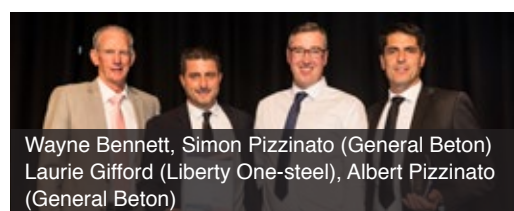
**Bess Concrete** - Goodman

### WINNER

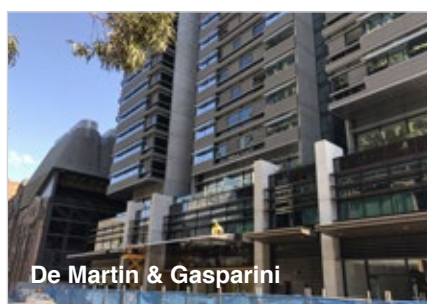
**General Beton** - Tailors Walk



General Beton



Wayne Bennett, Simon Pizzinato (General Beton) Laurie Gifford (Liberty One-steel), Albert Pizzinato (General Beton)



De Martin & Gasparini



Bess Concrete

## CBUS SAFETY, INNOVATION AND SUSTAINABILITY

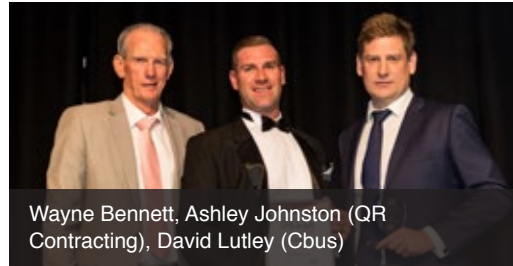
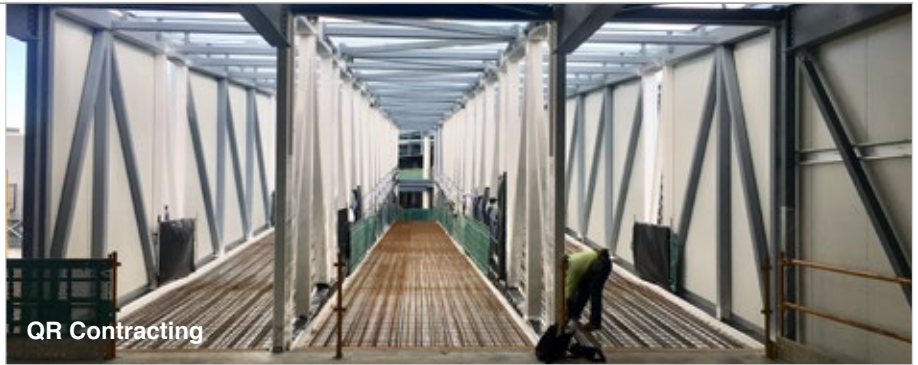
### FINALISTS

**Azzurri Concrete** - Symbion Facility

**General Beton** - Vida Mascot

### WINNER

**QR Contracting** - ITB Northern Concourse Expansion



## WAGNERS SUPREME AWARD WINNER

### WINNER

**General Beton** - Tailors Walk



## MCA TRAINING EXCELLENCE AWARD

### WINNER

**Mr Christopher Green**

BELOW: Wayne Bennett, Christopher Green (Bess Concrete), Alan Janicijevic (MIBT)



## WARWICK DINGLE SUPPLIER REPRESENTATIVE AWARD

### WINNER

**Mr Laurie Gifford**

BELOW: Wayne Bennett, Laurie Gifford (Liberty One-steel), Warwick Dingle





# 9 THINGS TO CONSIDER BEFORE IMPLEMENTING JOB MANAGEMENT SOFTWARE

Many trade businesses think that implementing a job management software program will be the answer to their chaos. The reality is, unless the business is ready to automate each aspect of their business, the software will only add to the confusion.

The following is a list of nine things to consider before implementing a job management software program.

## 1. PRIORITISE YOUR REQUIREMENTS

From experience, there isn't one job management software solution that will do everything you require for your business operation. I suggest that you compile a list of all the necessities that you would like a software program to help you with, then prioritise what matters most. If you can tick off 80% of your list in order of priority, you will have found a pretty good solution.

Some tasks that you may like to consider:

- Storing customer details for future communications/marketing
- Marketing communications such as email and SMS
- Job details/scope - in as much detail as required
- Job scheduling (and the ease of which this can be managed, particularly when there are schedule changes.

For example, project work which may include communication and timing with other trade/contractors. How easy is this to manage/change?)

- Timesheets and ability to log hours for jobs
- Inventory - in particular, what is held or stored in a van or truck
- Job costing/estimating. Do you require the software to hold pricing of parts and materials?
- Integration with your invoicing/accounting software. How easy is it to create invoices post job completion?
- Job completion checklists and quality assurance. Do you require employees to complete checklists and ensure that jobs are completed at the right quality before being invoiced?
- Workplace health and safety. What compliance and safe work method statements are required to be completed and can the software hold this for you?

## 2. INCLUDE YOUR TEAM

It is important that you engage your team from the beginning, prior to selecting a software program. Fear and concerns will arise and this is displayed as resistance to change. Often, it may simply be a lack of technological skills and additional

training may be required, rather than outright rejection of the new system. As a leader, it is important to paint a picture of the future of your company and how embracing technology will help streamline and simplify aspects of your business in the long-term. Communicate how these changes will help you innovate, serve your customers better and allow your company to deliver a better quality job more efficiently and with less hassles along the way. Asking your employees what matters most to them in managing their job and what hassles they would like to reduce and eliminate will help with the engagement of your team once a solution is selected. You may wish to include some of your senior team in the selection process and asking for their feedback will help them feel that they contributing to the business as well. Understand that resistance to change happens with all of us in some areas of our lives, yet for your business to thrive moving forward it will require everyone to be on the same page.

## 3. ARE YOUR SYSTEMS AND PROCEDURES READY?

A software program will not write the procedures for you. A software program will only be as beneficial for your business as the procedures and systems you already have. It may help automate or

streamline some of these procedures however, if there is nothing there in the first place, it may just make things messier. For example, if you do not have a job commencement checklist or job completion checklist, the software program will not do this for you. It may help you execute the checklist, however you will need to create it in the first place.

#### 4. WHAT TYPE OF BUSINESS DO YOU PRIMARILY OFFER?

In trade and construction businesses there are generally two different types of models - the project/construction model, where the profitability is measured per job, and secondly, the service/maintenance model where profitability is measured per vehicle/maintenance unit. When selecting a software program think about your business model and which one it primarily uses. If your business is a mix of both, this will limit your options as far as software goes as most software programs tend to specialise in one or the other.

#### 5. VIEW IT IN OPERATION

When you have created a shortlist of a few great options, it is important that you see the program being used in someone else's business. This allows you to ask questions and also see whether it fits your business. Think of some other people in your industry who are using the software and arrange a time to meet up with them at their office or on-site to view it in operation. If you do not know another trade like yours who is using the software that you are considering, then ask the software provider for permission to contact some of their clients and ask for their details. The software provider should be able to give you the names of at least 2 to 3 trades like yours who are doing similar type of work that you can connect with. It will be best that they are in a different geographical area, or not direct competitors with you and your business.

#### 6. TRAINING

It is strongly recommended to invest time and money in proper implementation of the program. Many of the software companies offer training and implementation assistance. Many business owners are time poor already and to obtain the best outcome from the software you'll be required to invest time to set it up effectively. Getting the expertise of the company to assist, even though it will cost you financially in the short term, the speed and effectiveness of the implementation will save you in the future.

#### 7. PLAY 100% FULL OUT

When shortlisting your software options, invest time in a free trial period to allow you to investigate all the other options and create a test /dummy client and job to see how you feel about the program. Once you have made a decision, it is important that you play 100% full out with the implementation. If you tentatively move forward and only use the software without fully being a participant, you will never get the benefits. Implement with 100% enthusiasm and give yourself six months to get it up to full working capacity. Remember, you get out of the system what you put into it. It requires quality information and quality implementation to get the benefits back.

#### 8. MANAGE YOUR EXPECTATIONS

When implementing a software program, from experience it is hard to start off with, really messy in the middle with the implementation and change, and then fantastic at the end. It often takes twice as long, and twice as challenging as most people expect. Manage your expectations on how quickly the software will help you optimise and automate your business. Think with a long-term game plan and set manageable tasks and timeframes with which to make the changes.

#### 9. IT IS NOT A MAGIC BULLET

Software is not a 'magic solution' or quick fix. It may be beneficial to hold off for 3 to 6 months before implementation until you have your systems and procedures documented, even in a simple checklist format. This will allow for easier implementation and integration once you have made your choice.

All the best with finding the best software for your business. If you would like to learn more on how to systemise and automate your trade business, contact the team at PROTRADE United on 1300 767 774.

Written by Jon Mailer  
CEO of PROTRADE United  
[www.protradeunited.com.au](http://www.protradeunited.com.au)



## SUSTAINING MEMBERS





## IPSO FACTO INSOLVENCY REFORMS

On 1 July 2018 the *Corporations Act 2001* (Cth) was amended to include the new ipso facto regime which will affect construction contracts entered into on or after 1 July 2018. As of 1 July 2018, principals and head contractors entering into new contracts with lower tier contractors or subcontractors will be unable to rely on clauses enabling them to terminate contracts in the event that the counterparty becomes insolvent (in cases of voluntary administration, certain receiverships and creditors' schemes of arrangement).

This article provides an overview of the reasons for the reform, how the new laws will affect construction contracts and how principals and head contractors can continue to protect their ipso facto rights through comprehensive drafting.

### IPSO FACTO CLAUSES

Ipsa facto is a Latin phrase which translates to 'by the fact itself'. Ipsa facto clauses are commonly used in contracts to allow one party the right to terminate or modify the operation of the contract upon the occurrence of a specified insolvency related event. This typically includes when a company:

- enters into voluntary administration;
- has a receiver or managing controller appointed over its assets; or
- has taken steps to propose a scheme of arrangement to avoid winding up.

In a construction context, ipso facto clauses allow the principal to terminate the contract, take work out of the contractor's hands or have recourse

to a bank guarantee, cash retention or other security if the contractor enters into voluntary administration or becomes insolvent regardless of whether the contractor continues to perform work under the contract. Having recourse to these rights mean that principals are in a position to protect themselves and minimise the risk of delay or interruption to a project when it becomes doubtful that a contractor will be in a position to fulfil its obligations under a contract.

From a contractor's point of view, it is considerably difficult if not impossible to trade out of financial difficulty where contracts are automatically terminated.

### THE IPSO FACTO REFORMS IN BRIEF

From 1 July 2018, certain ipso facto rights under a contract will be stayed or unenforceable. The stay on enforcement applies when:

- an administrator is appointed;
- a managing controller (usually a receiver) is appointed over the company's assets; or
- steps are taken to propose a scheme of arrangement to avoid winding up.

Despite the above, a principal is nevertheless able to exercise contractual rights (including termination) on the basis of another default, for example for non-performance. It is important to note that these reforms only affect ipso facto rights arising out of contracts entered into **after** 1 July 2018. Contracts entered into before 1 July 2018 and contracts that are varied post-July 2018 but have their original contract date entered before 1 July 2018 will remain unaffected.

The ipso facto stay is intended to assist businesses to continue to trade while they restructure their businesses with a view to possibly trade out of the insolvency event. This will allow the business, property and affairs of an insolvent company to be administered in a way that maximises the chance of the company, or as much as possible of its business, continuing in existence. Whether the reforms are effective in achieving this purpose only time will tell.

### CONTRACTS AND RIGHTS THAT ARE EXEMPTED FROM THE IPSO FACTO REGIME

The release of the *Corporations Amendment (Stay on Enforcing Certain Rights) Regulations 2018* outlines a comprehensive list of contracts that are exempted or deferred from the ipso facto regime. The Federal Government also published Declarations that exempt certain kind of rights from the ipso facto regime.

### IMPACT ON CONSTRUCTION CONTRACTS

The reforms are generally good news for contractors and subcontractors. The new laws will effectively lock the contractual counterparties together and prevent a principal from terminating a contract if a contractor becomes insolvent. Locking in the parties during an insolvency event will assist in maintaining business as usual conditions for the contractor trading during the insolvency process. The hope is that this will help prevent the unnecessary destruction of viable businesses, including businesses further down the contractual chain.

Although the right to enforce ipso facto clauses will be restricted, ipso facto clauses will likely remain in construction contracts on the basis that they will operate to the full extent permitted by law – for example, for other non-performance of a contractual obligation such as a payment obligation. Further, the Courts retain discretion to lift the stay and allow the right to be enforced if doing so would be in the interest of justice.

As the reforms do not operate retrospectively, it is possible to avoid the stay regime by varying or extending existing contracts entered into before 1 July 2018. It will be interesting to see whether this motivates parties to vary or extend existing contracts rather than entering into new ones.

Principals will need to carefully consider contractual clauses that deal with termination and insolvency to ensure that their interests are protected to the extent permissible under the new legislation. Failing to review current termination clauses could put principals and head contractors at risk of repudiating the contract in the event that they seek to enforce an ipso facto right that is in breach of the new legislation.

#### CONCLUSION

These reforms will have a significant impact on construction contracts entered into after 1 July 2018. Ensuring your contracts are carefully drafted and compliant with the new reforms is the best way to protect your company's interest

against undue economic pressure in the event the counterparty enters voluntary administration.

**THOMSON GEER**  
LAWYERS




If you have any questions in relation to this article or for any other legal issues, feel free to contact the Thomson Geer Help Desk to discuss.

**P:** +61 2 8248 5810

**E:** legalhelpdesk@tglaw.com.au



## Employer obligations

-  Register your business with QLearn
-  Complete your worker return by 31 July
-  Claim back long service leave you paid your worker



1300 QLEAVE • [www.qllearn.qld.gov.au](http://www.qllearn.qld.gov.au)



# CCAA SMART CONCRETING APP

MCA members should note that Cement Concrete & Aggregates Australia (CCAA) have released the 'Smart Concreting App'.

The app utilises local weather and atmospheric data to calculate evaporation rates. This provides simple guidelines on concrete cracking conditions to site personnel on construction projects to help prevent defects and encourage best practice.

Drawing on multiple data sources it provides:

- real time weather guidance on the potential for plastic shrinkage cracking
- weather information allowing construction decisions to be made up to a week in advance
- background information on critical factors affecting concrete cracking including temperature, wind speed and relative humidity
- knowledge on how to prevent costly mistakes and remedial work
- easy access to valuable and relevant CCAA information on best practice guidelines for concrete placement
- knowledge about concrete, how it behaves and industry best practice

The app can be downloaded FREE from the iTunes and Google Play stores on your smart phone by searching for smart concreting or CCAA.



## MEETING CONSUMER DEMAND FOR ELECTRONIC PAYMENT

Fumbling for the right change in your wallet used to be painful. For years it had the potential to be a major source of frustration at supermarket checkouts, coffee shop counters and train stations all over Australia.

Thanks to technology, these moments have become less common – with the rise of electronic payment methods, and our trusty cards and phones always by our side. Who would've ever thought that we'd be able to pay for things with just a swipe of our phone? As a nation, we're no longer as reliant on cash to get through the day.

Plenty has been said about a cashless future. Most conversations question the legitimacy of this move – what will be the deadline for phasing out cash and what does this mean for those who prefer to use bank notes? And yet for many consumers, this cashless society is already here.

Australian Tax Office research shows more than 75% of all consumer transactions are now electronic. On average, we're carrying less than \$50 at any time. We prefer to use our cards for any purchase over \$10. Thanks to initiatives such as the New Payments Platform (NPP) and PayID, which make it easier to transfer money in real time, this trend is likely to only continue.

It used to be a status symbol if you could walk into a dealership and pay cash for a new car. Today, most Australians aren't even prepared to count out spare change for their morning coffees. They prefer to pay electronically, even for traditional cash

transactions such as buying the groceries (75%) or paying a tradesperson (66%).

The cultural shift towards cashless payments is being driven by consumers. They live in a digital world where e-payments are quick, convenient and secure. They don't want to carry large sums of cash or go digging around for paper receipts when things go wrong.

The research found 90% of businesses already use electronic payments, with 74% saying small businesses that only accept cash will alienate some customers. It also found that generally, the younger you are, the less likely you are to carry cash. Millennials said they hardly carry any cash at all, and expect to use electronic payments for all transactions.

For businesses, it's about being prepared for this increasingly cashless society – or risk turning customers away.

There are lots of advantages when it comes to using electronic record keeping and payment systems, and they can help you adapt to an increasingly cashless society. By investing in an electronic payment facility, you'll be able to make it quicker and easier for your business and your customers.

You can find out more about electronic payment systems at [ato.gov.au/electronicpayments](http://ato.gov.au/electronicpayments)

For more information on tools and services to support your business, visit [ato.gov.au/SBsupport](http://ato.gov.au/SBsupport)

# MCA BRISBANE GOLF DAY

Monday 10th September 2018

Venue - Wynnum Golf Club

Shotgun start 8.30am

Arrive 7.30am for registration, pre-round snacks and briefing

Treat your staff and industry contacts to a morning of golf on this industry RDO

- \$100 + GST per player
- Teams of four



**INCLUDES:** Golf carts, on course drinks and post round BBQ

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CONCRETERS**

Average return  
over 33 years\*  
**9.85%**

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BUSSQ MEMBER

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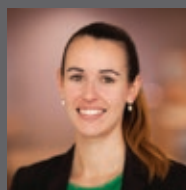
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Cbus' Trustee: United Super Pty Ltd ABN 46 006 261 623 AFSL 233792 Cbus ABN 75 493 363 262.



# GIVE YOUR BUSINESS THAT **COMPETITIVE EDGE**

Master Concreters Australia provides a range of services and support specifically for concrete contractors. Give your company that professional edge by joining your trade association.

- Access to technical information
- Industry helpline for concrete contractors
- Discounted training for members
- Business mentoring service
- Newsletters, industry news and information
- Networking opportunities with other contractors

To join Master Concreters Australia complete the application form below.

3/242 New Cleveland Road  
Tingalpa QLD 4173

**P:** (07) 3162 9490

**E:** [info@mca.net.au](mailto:info@mca.net.au)

[www.mca.net.au](http://www.mca.net.au)

Master Concreters Australia is the industry trade association working for and supporting concrete contractors.



# APPLICATION FORM

## COMPANY DETAILS

Company name: \_\_\_\_\_

Contact name:

Postal address:

Telephone: \_\_\_\_\_

Email: \_\_\_\_\_

Signature: \_\_\_\_\_

**Send your completed application for to:**

Master Concreters Australia, 3/242 New Cleveland Rd, Tingalpa Q 4173

Or scan and email to [info@mca.net.au](mailto:info@mca.net.au)

## MEMBERSHIP DETAILS

MEMBERSHIP CATEGORY (Please tick main area)

- ☐ Contractor Domestic  
\$500 +GST per annum
- ☐ Contractor Commercial  
\$900 +GST per annum

## PAYMENT DETAILS (Please tick)

MEMBERSHIP CATEGORY (Please tick main area)

- ☐ Credit card number and expiry date
- \_\_\_\_\_
- Expiry date: \_\_\_\_ / \_\_\_\_
- ☐ Master Concreters Australia to contact me for a payment via EFT or Direct Debit.

\*Members must hold appropriate license for scope of works.