

Report on the

Licensing Board for General Contractors

Montgomery, Alabama



Department of Examiners of Public Accounts

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July 20, 2022

Representative Howard Sanderford
Chairman, Sunset Committee
Alabama State House
Montgomery, AL 36130

Dear Representative Sanderford,

This report was prepared to provide information for use by the Sunset Committee in conducting its review and evaluation of the operations of the Licensing Board for General Contractors in accordance with the *Code of Alabama 1975*, Section 41-20-9.

The report contains unaudited information obtained from the management, staff, and records of the Licensing Board for General Contractors, in addition to information obtained from other sources.

Please contact me if you have any questions concerning this report.

Sincerely,

A handwritten signature in black ink that reads "Rachel Laurie Riddle". The signature is written in a cursive style.

Rachel Laurie Riddle
Chief Examiner

Examiner
Christine Kilpatrick

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PROFILE

Purpose/Authority

The Alabama Licensing Board for General Contractors was established in 1935 to license and regulate the practice of contracting for commercial and industrial construction costing more than \$50,000 as well as the construction, repair, or renovation of any swimming pool, in the State of Alabama, costing more than \$5,000. The Board operates under the authority of the *Code of Alabama 1975*, Section 34-8-1 through 34-8-10 and 34-8-20 through 34-8-28.

<u>Characteristics</u>	
Members and Selection	Five members appointed by the Governor. <i>Code of Alabama 1975</i> , Section 34-8-20
Term	Five-year, staggered terms expiring December 31. <i>Code of Alabama 1975</i> , Section 34-8-20
Qualifications	<ul style="list-style-type: none">• Resident of Alabama.• Ten years' experience in the field as a contractor.• At least one member shall have as a larger part of his or her business the construction of highways.• At least one member shall have as a larger part of his or her business the construction of public utilities.• At least one member shall have as a larger part of his or her business the construction of buildings.• At least one member shall have as a larger part of his or her business the performance of construction work as a subcontractor. <i>Code of Alabama 1975</i> , Section 34-8-20
Consumer Representation	No statutory requirement.
Racial Representation	No statutory requirement. One minority member serving.
Geographical Representation	No statutory requirement.

Other Representation	In appointing members to the Board, the Governor shall select those persons whose appointments, to the extent possible, ensure that the membership of the Board is inclusive and reflects the racial, gender, geographic, urban/rural, and economic diversity of the state. <i>Code of Alabama 1975</i> , Section 34-8-20
Compensation	Members receive \$200 per day for attending sessions of the Board or its committees, and for time spent in necessary travel in attending meetings of the Board or its committees. Members are reimbursed necessary travel expenses at the same rates provided for state employees. <i>Code of Alabama 1975</i> , Section 34-8-22
Attended Board Member Training	Six Board members Five staff members
<u>Operations</u>	
Administrator	Tiffany Loveless, Executive Director. Unclassified Merit System Employee. Appointed and salary set by the Board. Annual salary - \$86,037.60.
Location	445 Dexter Avenue, Suite 3060 Montgomery, AL 36104 Office hours: Monday – Friday 8 am – 5 pm
Employees	Fourteen
Legal Counsel	Mary Goldthwaite, Assistant Attorney General, employee of the Attorney General’s Office, provides legal services to the Board.
Subpoena Power	None, except as provided by the Administrative Procedure Act, <i>Code of Alabama 1975</i> , Section 41-22-11 for hearings and contested cases.

Internet Presence	https://genconbd.alabama.gov Home page listing the following <ul style="list-style-type: none"> • How to Apply • Renewal Info • Reciprocity • Forms • Testing • License Roster • Law • Rules & Regulations • FAQs • Related Links • Consumer Information • Calendar • Board Information • Contact Information • Board Actions
<u>Financial</u>	
Source of Funds	Licensing fees and fines.
State Treasury	Yes – Special Revenue Fund 0368. <i>Code of Alabama 1975</i> , Section 34-8-25
Required Distributions	Any remaining funds at the end of the fiscal year in excess of 33% of the Board’s previous fiscal year budget must be transferred to the General Fund. <i>Code of Alabama 1975</i> , Section 34-8-25 The Board distributes a portion of application and renewal fees (\$100 for general contractors and \$50 for subcontractors), less 5% for administrative expenses, at the end of each fiscal year to all accredited Alabama public institutions of higher education offering qualified engineering or building science curriculum. <i>Code of Alabama 1975</i> , Section 34-8-28
Unused Funds	The Board retains unused balances after required distributions.

<u>Licensure</u>	
Licensees	As of February 23, 2022 - 9,411 <i>Source:</i> Executive Director
Licensure Qualifications	<p>Prime Contractor Qualifications include:</p> <ul style="list-style-type: none"> • Citizen of the United States or legally present • Completed application and fee • Proof of liability insurance • Current financial statements • Exam(s) <p>Subcontractor Qualifications include:</p> <ul style="list-style-type: none"> • Citizen of the United States or legally present • Completed application and fee • Statement of financial condition • Three references <p><i>Code of Alabama 1975</i>, Section 34-8-2 and 34-8-7(c)</p>
Examinations	<p>Examination of contractors is, by law, at the discretion of the Board. All applicants for a general contractor's license are required to successfully complete an examination before a license is issued.</p> <p>There are various types of examinations depending on the nature of the contracting work for which a license is sought.</p> <p>Examinations are computerized and are administered and scored by PSI Examination Services. Each applicant is charged an examination fee per examination which is paid directly to the examination provider. Payment of the fee allows applicants a one-year window in which to schedule an examination. Applicants are allowed unlimited testing attempts within the one-year window.</p> <p>Examinations are given in Huntsville, Birmingham, Montgomery, and Mobile.</p> <p>The Board does not have access to examination pass/fail rates based on educational institutions attended.</p> <p><i>Code of Alabama 1975</i>, Section 34-8-3 <i>Administrative Rules</i> 230-X-1.34 and 230-X-1-.35</p>

	<p>Subcontractors are not required to take an examination.</p> <p><i>Code of Alabama 1975</i>, Section 34-8-7(c)(7)</p> <p>Pass/fail information based on type of examination are included in the appendix.</p> <p><i>Source:</i> Executive Director</p>
<p>Reciprocity</p>	<p>The Board has no specific statutory requirement to provide reciprocal licenses; however, it does have reciprocal license agreements with Arkansas, Louisiana, Mississippi, and Tennessee. The Board also has a reciprocal license agreement with the North Carolina State Board of Electrical Contractors. If an applicant has been licensed in good standing for a year or more, the trade-related portion of the examination may be waived upon written certification from that state in which the applicant is licensed. Reciprocal states may require a separate business law portion of the examination to be taken.</p> <p><i>Administrative Rule</i> 230-X-1-.34(10)(a) <i>Administrative Rule</i> 230-X-1-.40</p> <p><i>Source:</i> Executive Director</p>
<p>Renewals</p>	<p>Licenses are renewed annually, prime contractors and subcontractors by December 31 each year, and companies based upon a monthly schedule determined by the first letter of the company name.</p> <p>All renewal applications are due thirty days prior to expiration of the license.</p> <p>If a licensee fails to renew his or her license within 90 days following expiration of the license, a late penalty of \$50 is due upon renewal, in addition to the regular renewal fee.</p> <p>Online renewals are not available.</p> <p><i>Code of Alabama 1975</i>, Section 34-8-2 <i>Administrative Rule</i> 230-X-1-.38 and 230-X-1-.39</p> <p><i>Source:</i> Executive Director</p>

Licensee Demographics	Data is not collected by the Board. <i>Source:</i> Executive Director
Continuing Education	No requirement.

SIGNIFICANT ISSUES

Significant Issue 2022-01 - Ten of the seventeen general contractor licensees and four of the ten subcontractor licensees responding to our survey stated that the rising costs of fuel and materials are the most significant issues facing their profession. Five general contractors and three subcontractors mentioned a workforce shortage. Economic forces caused an increase in labor, fuel, and material costs. According to the Association of General Contractors of America, material prices soared twenty percent between January 2021 and January 2022.

Board's Response - The Board is aware of labor shortages and cost increases due to the global pandemic and current economy which affects all Alabamians. The Board continues to disburse one third of all application fees and one half of all renewal fees to qualified universities of higher education providing programs in building science and civil engineering in an effort to support the growth of the construction industry.

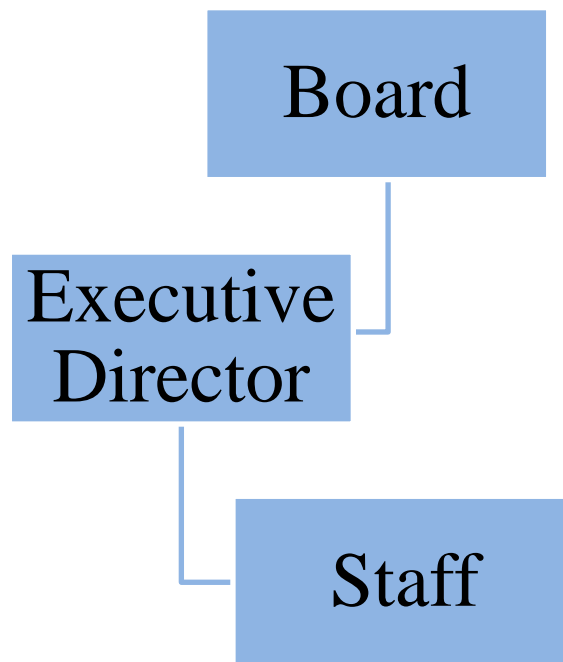
Significant Issue 2022-02 - Five of the eleven complainants responding to our survey stated that they were not informed of the resolution of their complaint. The Board does not communicate the results of the complaints with the complainants. According to the Board's complaint process, complainants are not specifically notified of the results of their complaints. The resolution of the complaint is provided upon request.

Board's Response - A directive has been issued to agency investigators and a procedure has been implemented to ensure all complainants who provide contact information are contacted with the results of the investigation and board meeting dates.

STATUS OF PRIOR FINDINGS/SIGNIFICANT ISSUES

All prior findings/significant issues have been resolved.

ORGANIZATION



PERSONNEL

Schedule of Employees By Merit System Classification / Race / Gender						
Classification	#	W/M	B/F	W/F	Salary	Vehicle Assigned
Executive Director	1			1	\$ 86,037.60	3*
Special Investigator Chief	1	1			\$ 77,892.00	1
Special Investigators	2	2			\$ 60,746.40	2
IT Operations Technician	1		1		\$ 41,092.80	
ASA II	7		1	6	\$ 27,004.80- 39,100.80	
ASA III	2			2	\$ 41,092.80- 43,135.20	
Total employees	14	3	2	9		

W/M=white male; B/F=black female; W/F=white female

* One for Executive Director's use; two are motor pool vehicles

Legal Counsel

Mary Goldthwaite, Assistant Attorney General, an employee of the Attorney General's Office provides legal services to the Board.

PERFORMANCE CHARACTERISTICS

Number of Licensees per Employee (As of February 23, 2022) – 672

Number of Licensees for the Past Four Fiscal Years

Type of License	FISCAL YEARS			
	FY 2018	FY 2019	FY 2020	FY 2021
General Contractors	5,974	5,955	6,012	6,116
Subcontractors	2,919	2,858	2,949	2,813
Total	8,893	8,813	8,961	8,929

Operating Disbursements per Licensee (FY 2021) - \$156.19

Fines/Penalties as a Percentage of Operating Receipts

	FY 2021	FY 2020	FY 2019	FY 2018
Operating Receipts	\$ 1,418,436.42	\$ 1,262,851.79	\$ 1,535,838.03	\$ 1,367,885.54
Fines	376,750.00	262,750.00	586,000.00	413,000.00
Percentage	26.56%	20.81%	38.16%	30.19%

Notification of Board decisions to Amend Administrative Rules

The Board complied with notification procedures prescribed in the Administrative Procedure Act, which includes publication of proposed rules in the Administrative Monthly, and public hearings on proposed rules. Licensees are not specifically notified of proposed changes.

COMPLAINT HANDLING

The *Code of Alabama 1975*, Section 34-8-4 authorizes the Board to enforce the laws of Alabama general contracting.

Initial Contact/Documentation	<p>Complaints are accepted by telephone, mail, email, or fax. Complaints can be brought by anyone. The Board has an official complaint form on its website; but accepts complaints submitted in any form if there is sufficient information to proceed.</p> <p>If a complaint concerning fraud, deceit, negligence, or misconduct is received, the complaint must be written and sworn to by the complainant before submission to the Board. (<i>Code of Alabama 1975</i>, Section 34-8-4(b)) The investigator, upon receipt of the complaint, notifies</p>
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	the complainant by telephone that the complaint was received.
Anonymous Complaints Accepted	Yes
Investigative Process / Probable Cause Determination	<p>The complaint is given to an investigator, who obtains statements and documents to determine if the complaint is founded or unfounded.</p> <p>If determined to be founded, the complaint, along with the report is presented to the Board at a regular scheduled meeting.</p> <p>In the case of alleged fraud, deceit, negligence, or misconduct, the investigator submits a report to the Investigative Committee, which consists of the investigator, the Executive Director, and a Board member. The Investigative Committee reviews the report and determines whether there is cause to move forward on the complaint.</p> <p>Any Board member involved in the investigation is recused from any other involvement of that complaint.</p>
Negotiated Settlements	Yes
Notification of Resolution to the Complainant	The complainant is not notified at the conclusion/resolution of the complaint unless specifically requested.

Source: Executive Director

Schedule of Complaints Resolved Calendar Years 2018 through 2022*						
Year/Number Received	Year/Number Resolved					Pending
	2018	2019	2020	2021	2022	
2018/#147	127	20	-	-	-	-
2019/#156		141	15	-	-	-
2020/#116			98	18	-	-
2021/#136				127	8	1
2022/#20*					16	4

*As of February 22, 2022

Average Time to Resolve Complaints – 22 business days

Disposition of Resolved Complaints

Number of Actions	Resolution
312	Fined
207	Warning
43	No Action Taken
7	No Violation
1	Valid Explanation

REGULATION IN CONJUNCTION WITH OTHER ENTITIES

The following State entities may also regulate the practice of licensed contractors: Alabama Department of Environmental Management, Alabama Onsite Wastewater Board, Alabama Department of Labor (Elevator Safety Board and Boilers and Pressure Vessels Board), Alabama Department of Agriculture and Industries, Alabama Department of Transportation, Alabama Homebuilders Licensure Board, Alabama Plumbers and Gas Fitters Examining Board, Alabama Electrical Contractors Board, Alabama Department of Insurance (State Fire Marshal's Office), Alabama Electronic Security Board, Alabama Manufactured Housing Commission, and Alabama Board of Heating, Air Conditioning, and Refrigeration Contractors.

FINANCIAL INFORMATION

Source of Funds – Licensing fees and fines

Fund - The Board operates through Special Revenue Fund 0368 in the State Treasury, authorized by the *Code of Alabama 1975*, Section 34-8-25.

Required Distributions

General Fund Required Distribution – The *Code of Alabama 1975*, Section 34-8-25 requires that any funds remaining in the State Treasury to the credit of the State Licensing Board for General Contractors in excess of 33% of the Board's budget for the previous fiscal year must be transferred to the General Fund. (See financial schedule for transfers to the General Fund).

Institutions of Higher Education Distributions – The *Code of Alabama 1975*, Section 34-8-28(a) requires that one hundred dollars from the fees required for application and renewal for certification and registration of general contractors and fifty dollars from the fees required for application and renewal of the license of subcontractors be distributed by the State Licensing Board for General Contractors at the end of each fiscal year to the following:

- 1) All accredited public institutions of higher education offering American Council for Construction Education courses in building science.
- 2) All accredited public institutions of higher education offering courses in building science which are in the candidate status of the American Council for Construction Education.

- 3) Institutions of higher education offering courses leading to a bachelor of civil engineering degree which offers courses in highway engineering and construction at the undergraduate and graduate levels and whose civil engineering program is accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology (ABET).

The *Code of Alabama 1975*, Section 34-8-28(b) and 34-8-28(c) provides that contractors may choose to support either building science (general construction) or civil engineering (highway engineering or construction, or both) programs. If contractors do not specifically designate which program to support, the additional fees will be distributed between the programs defined in subsection (a) in a pro-rata manner based on the number of full-time equivalent students enrolled in each program at each institution.

The *Code of Alabama 1975*, Section 34-8-28(g) provides that the Board shall retain five percent of the amount to be distributed as a fee for administrative expenses associated with the collection and distribution of funds.

The Board transferred the following amounts to public institutions of higher education that met the criteria stated in the *Code of Alabama 1975*, Section 34-8-28(a):

Schedule of Distributions to Institutions of Higher Education
Fiscal Year 2018 through Fiscal Year 2021

College/University	FY 2018	FY 2019	FY 2020	FY 2021
Jefferson State Community College	\$ 28,019.93	\$ 40,041.52	\$ 24,147.22	\$ 22,106.87
Auburn University	496,410.80	480,937.25	491,393.10	514,987.87
U of A Birmingham	41,973.21	43,952.76	43,400.06	44,033.70
U of A Huntsville	24,705.94	27,718.45	28,445.82	27,274.96
U of A Tuscaloosa	143,745.26	136,437.00	138,475.13	147,702.73
University of South Alabama	64,560.52	48,428.62	38,317.04	35,428.95
Alabama A&M University	14,141.54	16,983.17	17,545.76	17,813.62
Total	\$ 813,557.20	\$ 794,498.77	\$ 781,724.13	\$ 809,348.70

The schedules of distributions to institutions of higher education based on designation of licensees for the fiscal years can be found in the Appendix of the report.

Schedule of Fees

Fee	Statutory Authority	Administrative Rule	Amount Authorized	Amount Collected
Initial Licensure				
General Contractor	34-8-2(a)	N/A	\$ 300.00	\$ 300.00
Subcontractor	34-8-7(c)(1)	N/A	\$ 150.00 ¹	\$ 150.00
Renewal Fees				
General Contractor	34-8-2(2)(a)	230-X-1-.38(12)	\$ 200.00	\$ 200.00
Subcontractor	34-8-7(c)(1)	230-X-1-.39(12)	\$ 100.00 ¹	\$ 100.00
General Contractor – Inactive Status	34-8-2(b)	230-X-1-.42(2)	\$ 200.00	\$ 200.00
Late Fee	34-8-2(a)	230-X-1-.01(3)	\$ 50.00	\$ 50.00
Other Fees				
Increase Bid Limit	34-8-2(b)	230-X-1-.43(1)	≤ \$ 75.00	\$ 50.00
Verify Out of State License	34-8-2(b)	230-X-1-.43(2)	≤ \$ 75.00	\$ 50.00
Change / Add Classification	34-8-2(b)	230-X-1-.43(3)	≤ \$ 75.00	\$ 75.00 Initial \$ 50.00 Additional
Fines/Penalties				
Administrative Fine	34-8-4(a)	N/A	\$ 500.00- 5,000.00	Varies
Suit for an Injunction	34-8-6(c)	N/A	≤ \$ 5,000.00 ²	Varies

¹One-half the fees as required for general contractors.

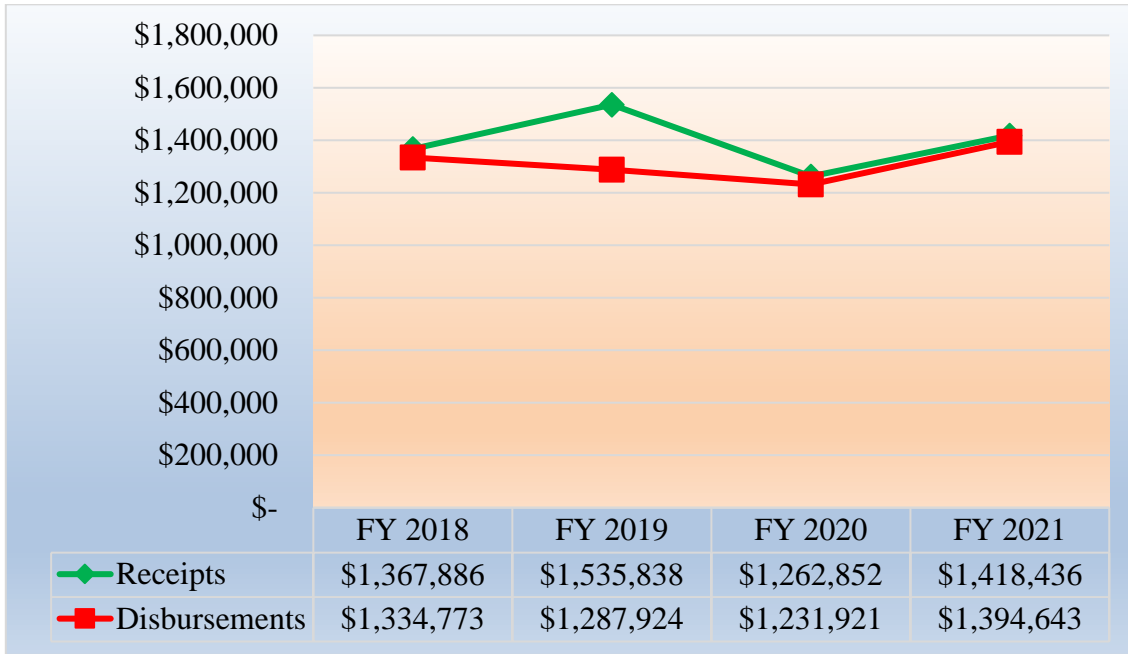
²Plus costs and attorney fees for each offense.

Schedule of Receipts, Disbursements and Balances

October 1, 2017 through September 30, 2021

	<u>2020-2021</u>	<u>2019-2020</u>	<u>2018-2019</u>	<u>2017-2018</u>
<u>Receipts</u>				
License / Permit Fee	\$ 1,028,176.42	\$ 996,601.09	\$ 949,838.03	\$ 954,885.54
Additional Fees - Higher Education	880,166.50	851,946.00	822,867.50	836,314.50
Professional Occupation Penalty	376,750.00	262,750.00	586,000.00	413,000.00
Salvage Equipment Sales	13,510.00	3,500.70	-	-
Total	<u>2,298,602.92</u>	<u>2,114,797.79</u>	<u>2,358,705.53</u>	<u>2,204,200.04</u>
<u>Disbursements</u>				
Personnel Costs	648,806.13	615,284.30	661,085.56	698,365.81
Employee Benefits	300,699.27	300,016.99	306,950.99	318,339.58
Travel In-State	9,250.16	11,556.51	19,845.57	13,779.37
Travel Out-of-State	558.08	2,125.70	1,133.00	-
Repairs & Maintenance	1,797.90	879.04	791.96	896.26
Rentals and Leases	103,530.02	81,918.26	86,609.64	86,609.64
Utilities & Communication	45,574.18	47,785.55	43,723.42	53,483.89
Professional Services	59,970.19	85,429.77	79,474.40	68,855.56
Supplies, Materials & Operating Expense	84,778.31	71,636.24	71,878.84	72,369.77
Transportation Equipment Operations	12,249.50	12,383.21	12,331.22	11,827.84
Transportation Equipment Purchases	100,317.30	-	-	-
Other Equipment Purchases	27,112.32	2,904.99	4,099.54	10,245.32
Transfer to General Fund	5,292.48	274,210.96	97,482.80	194,574.99
Higher Education Institution	809,348.70	781,724.13	794,498.77	813,557.20
Total	<u>2,209,284.54</u>	<u>2,287,855.65</u>	<u>2,179,905.71</u>	<u>2,342,905.23</u>
Excess (Deficiency) of Receipts over Disbursements	89,318.38	(173,057.86)	178,799.82	(138,705.19)
Cash Balance at Beginning of Year	<u>1,736,241.28</u>	<u>1,909,299.14</u>	<u>1,730,499.32</u>	<u>1,869,204.51</u>
Cash Balances at End of Year	1,825,559.66	1,736,241.28	1,909,299.14	1,730,499.32
Less Reserved for:				
Unpaid Obligations	(27,552.02)	(77,424.79)	(38,730.34)	(31,091.57)
Transfer to Higher Education	(836,158.18)	(809,348.70)	(781,724.13)	(794,498.77)
Transfer to General Fund	(104,779.40)	(5,292.48)	(274,210.96)	(97,482.80)
Unobligated Cash Balance Year End	<u>\$ 857,070.06</u>	<u>\$ 844,175.31</u>	<u>\$ 814,633.71</u>	<u>\$ 807,426.18</u>

Operating Receipts vs. Operating Disbursements (Chart)

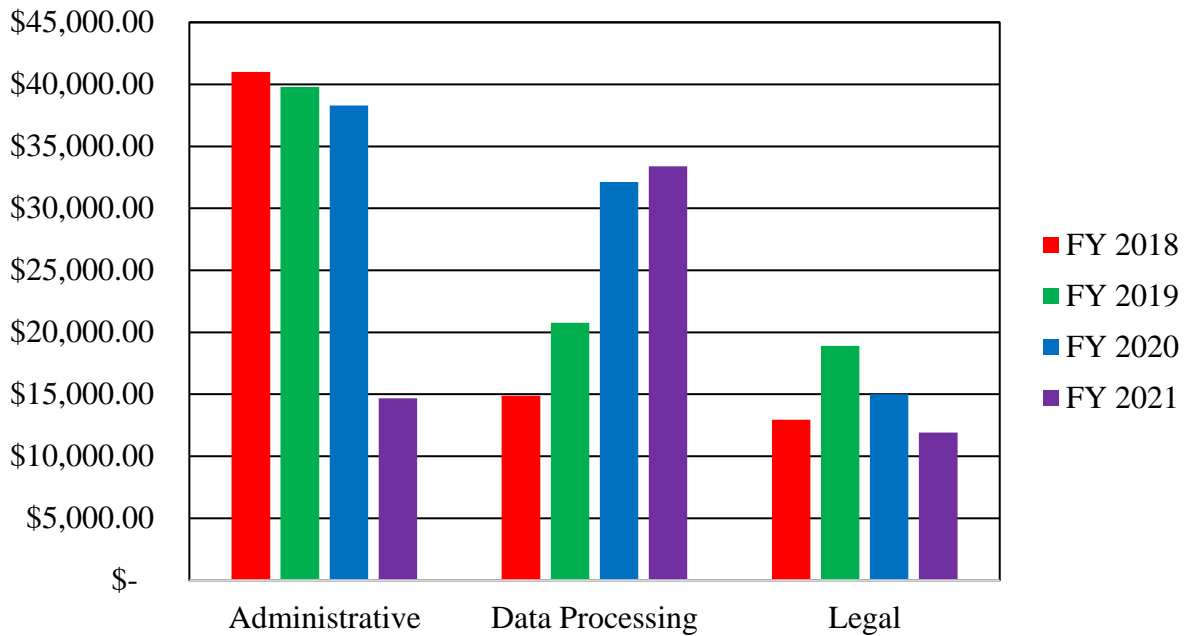


The chart does not include amounts collected as additional fees or the distributions thereof to Alabama Public Institutions of Higher Education and amounts transferred to the General Fund.

SUMMARY SCHEDULE OF PROFESSIONAL SERVICE DISBURSEMENTS*				
As of September 30th				
Type of Service	FY 2018	FY 2019	FY 2020	FY 2021
Administrative	\$ 41,005.22	\$ 39,785.89	\$ 38,300.34	\$ 14,664.92
Data Processing	14,890.34	20,773.51	32,114.31	33,395.27
Legal	12,960.00	18,915.00	15,015.12	11,910.00
Total	\$ 68,855.56	\$ 79,474.40	\$ 85,429.77	\$ 59,970.19

*Detailed information presented in the appendix

Professional Service Disbursement Chart



QUESTIONNAIRES

Board Member Questionnaire

A letter was sent to all five members of the Licensing Board for General Contractors requesting participation in our survey. Five participated in our survey. The percentages, where shown, are based on the number who responded to the question.

1. What are the most significant issues currently facing the Licensing Board for General Contractors and how is the Board addressing these issues?

Board Member #1 – “Lack of enforcement mechanism for fines and citations.”

Board Member #2 – “No significant issues at this time.”

Board Member #3 – “The general business of the board appears to be running smoothly. Our staff has managed the challenges of the virus well.”

Board Member #4 – “As construction has increased in Alabama, we have more contractors coming in from out of state that don’t always have the licensing requirements for Alabama. We have three investigators that cover the entire state. The investigators do a good job, but some still fall through the cracks.”

Board Member #5 – “The only issue that I have is that we have no ability to [do] anything but levee a fine, once we fine the company, we have no way to collect the money other than withhold the license.”

2. What, if any, changes to the Board’s laws are needed?

Board Member #1 – “N/A.”

Board Member #2 – “No changes at this time.”

Board Member #3 – “None.”

Board Member #4 – “Some language needs to be revised to make clearer. Our Board can issue fines but has little leverage to collect.”

Board Member #5 – “No.”

3. Is the Board adequately funded?

Yes	5	100%
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4. Is the Board adequately staffed?

Yes	5	100%
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5. Does the Board receive regular reports on the operations from the Executive Director?

Yes	5	100%
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Board Member Questionnaire

6. Has the Board experienced any significant changes to its operations?

Yes	1	20%
No	4	80%

7. Does the Board plan any significant changes in its operations?

Yes	5	100%
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8. Do you have any other comments you would like to make?

Board Member #1 – “I think it is beneficial to have all areas of the state represented on the Board.”

Board Member #2 – “Not at this time.”

Board Member #3 – “There is an aspect of the potential penalty for operating without license, which was developed in case law, that often operates more dramatically than the circumstances justify. By case law, if a general contractor or subcontractor is working without a license or has an expired license, the party with whom they have a contract can use the lack of a license to refuse payment for any work performed. Some small contractors or subcontractors will find themselves in this predicament inadvertently (the work exceeds \$50,000 unexpectedly, their license expires, they don’t know they needed a license beyond the local business license or trade certification), and the penalty of non-payment is overly sever. I would like to see this issue addressed legislatively to avoid this unintended consequence of operating without a license.”

Board Member #4 – “The Board office relocated in February to a downtown location. Our Executive Director is doing a good job of managing the operation and the office staff.”

Board Member #5 – “No.”

General Contractor Licensee Questionnaire

A letter was sent to one hundred licensees requesting participation in our survey. Seventeen participated in the survey. The percentages, where shown, are based on the number who responded to the question.

1. What do you think is the most significant issue(s) currently facing your profession in Alabama?

Respondent #1 – “Skyrocketing fuel costs.”

Respondent #2 – “Lack of work and lack of good, hard-working, experienced help.”

Respondent #3 – “Too many unlicensed/improperly licensed contractors – Labor shortages – material demand and pricing issues.”

Respondent #4 – “Workforce.”

Respondent #5 – “None at this time.”

Respondent #6 – “Price increases, lack of inventory, unstable labor force, excessive governmental regulations.”

Respondent #7 – “Manufacturer delays which create schedule/progress delays for projects.”

Respondent #8 – “Rising prices of material.”

Respondent #9 – “Labor, material, interest rates.”

Respondent #10 – “Regulation Uncertainty.”

Respondent #11 – “Over Regulation of contracting categories.”

Respondent #12 – “Material availability and costs.”

Respondent #13 – “Slowdown in work authorizations and review of reports in a timely manner. Partly due to work at home and COVID. Keeping and retaining trained staff members, who jump from job to job. Request from clients to adjust our rates downward. Alabama locking in rates we can charge on certain programs. Does not adjust fast enough during the current economy. Delays in payments for certain programs that flow payments over 120 days. Concern for national budget deficit and effect on retirement and future tax rates. Now the big concern is the cost of fuel and passing cost on to clients.”

Respondent #14 – “Hiring Employees and the Inflation causing our cost on existing jobs to be over budget.”

Respondent #15 – “Cost of fuel and availability of material.”

Respondent #16 – “The cost of insurance and the cost of doing general business during the pandemic.”

Respondent #17 – “Fuel/petroleum cost.”

2. Do you think regulation of your profession by the Licensing Board for General Contractors is necessary to protect the public welfare?

Yes	11	65%
No	4	23%
No Opinion	2	12%

General Contractor Licensee Questionnaire

3. Do you think any of the Board’s laws, rules, or policies are an unnecessary restriction on the practice of your profession?

Yes	4	23.5%
No	9	53.0%
No Opinion	4	23.5%

4. Are you adequately informed by the Board of changes to and interpretations of the Board’s positions, policies, rules, and laws?

Yes	10	59.0%
No	4	23.5%
No Opinion	3	17.5%

5. Does the Board respond to your inquiries in a timely manner?

Yes	11	64%
Unknown	3	18%
No Opinion	3	18%

6. Has the Board performed your licensing and renewal in a timely manner?

Yes	16	94%
Unknown	1	6%

7. Do you have any other comments you would like to make?

Respondent #1 – “No.”

Respondent #2 – “No.”

Respondent #3 – “1. Flexible renewal dates would be a nice change. Financials are required to renew licenses but for those of us with early renewal months (before tax deadline) it is impractical to complete full renewal so extensions must be filed and then renewed when financials completed. 2. The BCU4 classification and the rules about joint venturing need to be reviewed. If contractor X has a BC license, but their joint venture partner has a BCU4, they cannot joint venture on jobs over 4 stories. Often the reasoning is that BCU4 contractors shouldn’t be building over 4 stories but if one half of the JV has the BC then it shouldn’t matter. 3. The rules and regulations to upgrade your license from BCU4 to BC are silly. We are a BCUR4 and routinely do work 40+ feet in the air but we cannot upgrade to BC because the rules indicate you have to have someone with experience building multi-story. The “multi-story” experience needs to be waived. There are lots of BC generals who were grandfathered in as BC and have no skills in building vertical, yet they can regardless of experience, and we cannot. 4. Too many unlicensed Primes and Subs are performing work. Not nearly enough enforcement especially nonpublic work. We recognize it’s a staffing issue and works on complaint system but more needs to be done. 5. Rules for doing work over thresholds as sub then prime are not clear. You can essentially fabricate

General Contractor Licensee Questionnaire

experience letters and get sub classifications and eventually be a General without a lot of test taking. Those of us who took the tests lose out to folks who work the system. 6. Owners acting as generals need to be more rigorously enforced just because does not mean they are qualified to act as GC/CM and then hire a bunch [of] subs while buying materials directly to stay under licensing requirements happens way too much!”

Respondent #4 – “No.”

Respondent #5 – “No additional comments.”

Respondent #6 – “When does enough become enough? Why do we continue to build on regulations? By increasing regulations, are we protecting the system or serving the public?”

Respondent #7 – “N/A.”

Respondent #8 – “N/A.”

Respondent #9 – “The market forces you to stay knowledgeable to be competitive, we do not need continuing education...it already happens every day.”

Respondent #10 – “None.”

Respondent #11 – “Over regulation of contracting may increase tax revenue but reduces competition and increases cost to the consumer.”

Respondent #12 – “No further comments.”

Respondent #13 – “State to allocation more work to small businesses ventures. Minimize paperwork and response faster in review of our reports.”

Respondent #14 – “No.”

Respondent #15 – “N/a.”

Respondent #16 – “No.”

Respondent #17 – “No.”

Sub-Contractor Licensee Questionnaire

A letter was sent to one hundred licensees requesting participation in our survey. Ten participated in the survey. The percentages, where shown, are based on the number who responded to the question.

1. What do you think is the most significant issue(s) currently facing your profession in Alabama?

Respondent #1 – “Lack of workforce.”

Respondent #2 – “The costs of operating the business with increasing fuel costs, increasing materials costs, as well as supply chain issues while having to be competitive enough when bidding against others in order to receive the opportunity to do the job.”

Respondent #3 – “Cost of Goods and having to pay higher wages.”

Respondent #4 – “Supply train issues.”

Respondent #5 – “Increased raw material costs and labor costs.”

Respondent #6 – “We are just starting to work in Alabama. So far, we have not run into any serious issues.”

Respondent #7 – “Website improvement and knowledge of becoming licensed.”

Respondent #8 – “Not enough qualified tradesmen.”

Respondent #9 – “Cost of materials and labor, availability of materials.”

Respondent #10 – “Labor shortage.”

2. Do you think regulation of your profession by the Licensing Board for General Contractors is necessary to protect the public welfare?

Yes	5	50%
No	2	20%
No Opinion	3	30%

3. Do you think any of the Board’s laws, rules, or policies are an unnecessary restriction on the practice of your profession?

Yes	1	10%
No	6	60%
No Opinion	3	30%

4. Are you adequately informed by the Board of changes to and interpretations of the Board’s positions, policies, rules, and laws?

Yes	5	50%
No	3	30%
Unknown	2	20%

Sub-Contractor Licensee Questionnaire

5. Does the Board respond to your inquiries in a timely manner?

Yes	6	60%
No	1	10%
Unknown	1	10%
No Opinion	2	20%

6. Has the Board performed your licensing and renewal in a timely manner?

Yes	10	100%
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7. Do you have any other comments you would like to make?

Respondent #1 – “No.”

Respondent #2 – “COVID has had a significant impact on my business of more than 20 years. It will take some time to recover to a more comfortable level financially within the business.”

Respondent #3 – “None at this time.”

Respondent #4 – “No.”

Respondent #5 – “No.”

Respondent #6 – “It is hard to say rather continuing education is necessary. Some contractors are in need of it, and some are not. When I was applying for the license, the lady I worked with was wonderful. Extremely helpful and very knowledgeable.”

Respondent #7 – “Overall, the board has been good and remains to take care of all needs or guide in right directions.”

Respondent #8 – “No.”

Respondent #9 – “No additional comment.”

Respondent #10 – “None.”

Complaint Questionnaire

A letter was sent to forty-five complainants requesting participation in our survey. Eleven participated in the survey. The percentages, where shown, are based on the number who responded to the question.

1. Was receipt of your complaint acknowledged?

Yes	9	82%
No	2	18%

2. Approximately how long after filing your complaint did the Licensing Board for General Contractors contact you?

Within 15 days	6	55%
Within 30 days	1	9%
Unknown	4	36%

3. Did the Board communicate the results of the investigation of your complaint to you?

Yes	2	18%
No	5	46%
Unknown	4	36%

4. Do you think the Board did everything it could to resolve your complaint?

Yes	4	36%
No	2	18%
Unknown	5	46%

5. Do you have any additional comments you would like to make?

Respondent #1 – “No.”

Respondent #2 – “Still waiting for answers.”

Respondent #3 – “I really don’t have a complaint. I had a question about a contractor’s license maximum dollar amount allowed per project. I called the investigator, and he answered my question. As to any results as it pertains to the contractor, I don’t know what the end result may have been.”

Respondent #4 – “I still am unsure of the outcome and if [REDACTED] [REDACTED] will be prosecuted and liable for any monetary damages that were caused. I would love to have phone call with updates.”

Respondent #5 – “The board has allowed a woman by the name of [REDACTED] [REDACTED] a.k.a. [REDACTED] [REDACTED], to get away with THOUSANDS of dollars!! NOTHING other than a slap on the wrist and some fines (WHICH SHE WILL NEVER PAY) has taken place. They did nothing to help us and we had to pay thousands of dollars to track her down with a PI, court costs, and a judgement of \$20,000 that we will NEVER SEE. We even gave the

Complainant Questionnaire

District Attorney's Office that is investigating her, her address, but she is a con artist and has moved from her apartment in [REDACTED], [REDACTED]. They had 6 months to serve her and didn't! She is on parole in [REDACTED], [REDACTED], [REDACTED] for the same thing, but is able to check in virtually. Her parole officer will not give the DA her new address because the State of Alabama sees all of her crimes as civil. I am absolutely disgusted that Alabama has no laws to help people with acquiring judgments in court and that there are no laws for those that refuse to pay and run. Tennessee acted immediately to charges against her there and it was resolved quickly. Us on the other hand, have been fighting this battle since June of 2020!!!! There are many others here in Alabama that have been scammed by her and [REDACTED] [REDACTED] has all the files! I would appreciate it if AL would take cases like these more seriously and not just say its civil. Fraud and Theft is not civil! She knew exactly what she was doing and her husband, [REDACTED] [REDACTED], is also 100% involved! If you would like to talk more about this matter, please call me at [REDACTED]-[REDACTED]-[REDACTED] or email me at [REDACTED]. I know plenty of other people here in [REDACTED] [REDACTED] that would be happy to talk to you too. Also, if you would like to see the news on this case, just look up [REDACTED] [REDACTED] Swimming Pool from June 24, 2021! The phone interview lady is [REDACTED] acting as someone else."

Respondent #6 – "Very prompt and thorough response."

Respondent #7 – "I was extremely pleased with the timely and helpful response by the Licensing Board and their staff. Our church had received bids from several companies for a sound system renovation. After narrowing the bids down to two companies with the help of the Board it was determined that neither of the companies was licensed to do business in the State of Alabama. I was the Stewardship Chairman at the time at [REDACTED] Church. The Board was a great help. Special thanks to [REDACTED] [REDACTED]. Please call me at [REDACTED]-[REDACTED]-[REDACTED] if you have questions. [REDACTED] [REDACTED]"

Respondent #8 – "I call the Board and/or [REDACTED] [REDACTED] (investigator for my area) regularly with questions and other items regarding SGC license. Todd and Board staff are always great to work with – helpful, friendly, knowledgeable, and professional. This survey does not indicate what it relates to – I'm guessing an email sent to [REDACTED] [REDACTED] Feb. 15th – but I don't know."

Respondent #9 – "N/A."

Respondent #10 – "We have no knowledge of the nature of this complaint. We are a roadway/pipeline contractor and cannot recall filing any type of complaint. The name of our company is [REDACTED] [REDACTED], [REDACTED] [REDACTED]. If you could send us a copy of the complaint maybe it refresh our memory. [REDACTED] [REDACTED], [REDACTED] [REDACTED]. We have filed some correspondence with ALDOT."

Respondent #11 – "Unaware of any complaint that was filed."

APPENDICES

Applicable Statutes

Section 34-8-1 Definitions.

(a) For the purpose of this chapter, a "general contractor" is defined to be one who, for a fixed price, commission, fee, or wage undertakes to construct or superintend or engage in the construction, alteration, maintenance, repair, rehabilitation, remediation, reclamation, or demolition of any building, highway, sewer, structure, site work, grading, paving or project or any improvement in the State of Alabama where the cost of the undertaking is fifty thousand dollars (\$50,000) or more, shall be deemed and held to have engaged in the business of general contracting in the State of Alabama.

(b) For the purpose of this chapter, a "general contractor" is defined to include one who, for a fixed price, commission, fee, or wage exceeding five thousand dollars (\$5,000), undertakes to construct, superintend the construction of, repair, or renovate, any swimming pool, and anyone who shall engage in the construction, superintending of the construction, repair, or renovation of any swimming pool in the State of Alabama, where the cost of the undertaking exceeds five thousand dollars (\$5,000), shall be deemed and held to have engaged in the business of general contracting in the State of Alabama and shall be subject to this chapter.

(c) For the purpose of this chapter a "subcontractor" is defined to be one who constructs, superintends, or engages in the construction, alteration, maintenance, repair, rehabilitation, remediation, reclamation, or demolition of any building, highway, sewer, structure, site work, grading, paving, or project or any improvement in the State of Alabama where the cost of the undertaking is fifty thousand dollars (\$50,000) or more under contract to general contractor as defined in subsection (a) or another subcontractor.

(Acts 1935, No. 297, p. 721, §1; Code 1940, T. 46, §65; Acts 1959, No. 571, p. 1429, §1; Acts 1989, No. 89-648, p. 1278, §1; Acts 1996, No. 96-640, p. 1013, §1; Acts 1997, No. 97-270, p. 486, §1; Act 2003-142, p. 441, §3; Act 2009-725, p. 2168, §1.)

Section 34-8-2 Licensure and classification of contractors.

(a) Any person desiring to be licensed or desiring a renewal of an existing license as a general contractor in this state shall be a citizen of the United States or, if not a citizen of the United States, a person who is legally present in the United States with appropriate documentation from the federal government, and shall make and file with the board, not less than 30 days prior to any regular meeting thereof, a written application on a form as prescribed for examination by the board and the application shall be accompanied by three hundred dollars (\$300) for a new application or two hundred dollars (\$200) in case of a renewal. If a licensee fails to renew his or her license within 90 days following expiration of the previous license, a late penalty of fifty dollars (\$50) shall be collected, upon renewal, in addition to the renewal fee. The applicant shall apply for a license covering the type or types of contracts on which he or she wishes to perform, and shall provide proof of liability insurance. The board shall classify contractors according to the type or types of contracts on which they may perform, within maximum bid limits, on the following basis: The applicant's request, his or her last annual financial statement prepared by a certified public accountant (C.P.A.) or by any independent licensed public accountant approved by the Licensing Board for General Contractors, his or her previous experience, equipment, and the facts in each case. An applicant shall not be so classified as to permit him or her to bid on or

to perform a type of work not included in his or her request for a license. If the application is satisfactory to the board, then the applicant may be required to take an examination to determine his or her qualifications. If the result of the examination of the applicant is satisfactory to the board, the board shall then issue to the applicant a certificate to engage in general contracting in the State of Alabama, stipulating in each license issued the type or types of work the contractor is permitted to bid on or to perform under his or her license and also setting out a letter symbol indicating the maximum limits on which he or she is permitted to bid or to perform in a single contract. The maximum bid limits shall be set by the formula of not more than 10 times either the net worth or working capital, whichever is the lesser amount, as shown by the applicant's latest financial statement and designated in the classification set out herein that is the closest to this amount. Should the financial statement of the applicant fail to substantiate the limits requested, further consideration may be given to either of the following: (1) the present market value in lieu of book value of listed assets when properly supported with substantiating evidence, including a combined statement of the applicant that includes other wholly owned or substantially owned interests, or (2) the applicant may furnish a bond acceptable to the board equal in the amount of the applicant's negative working capital or net worth plus the amount of such net worth and working capital to satisfy the requested bid limit. When an applicant's statement qualifies for an amount in excess of classification "E", the limits shall then be set as classification Unlimited or "U". The following letter symbols indicate the maximum amount bid limits allowed a licensee on any one single contract undertaking:

- A - Not to exceed \$100,000.00
- B - Not to exceed 250,000.00
- C - Not to exceed 500,000.00
- D - Not to exceed 1,000,000.00
- E - Not to exceed 3,000,000.00
- U - Unlimited

(b) Any person failing to pass the examination may be reexamined at any regular or called meeting of the board. The certificate of authority to engage in the business of general contracting in the State of Alabama shall expire 12 months following its issuance or renewal and shall become invalid on that date unless renewed. The board may provide for a transitional period following May 19, 1999, during which licenses may be renewed for less than 12 months, or more than 12 months, in order to implement a staggered license renewal schedule in which licenses would be renewed each month throughout the year. Once the transitional period is completed, each license shall be renewed for a 12-month period. The board may promulgate rules and regulations relating to the procedures for renewal of licenses. Upon the renewal of a license, the board shall reclassify or confirm the license both as to the types of work and bid limits as specified in this section. A licensee may apply for and, on proof satisfactory to the board, may receive an increase in the amount of his or her bid limit, change his or her classification, or verify his or her license with a reciprocating state for fees not greater than seventy-five dollars (\$75) as set by the board. Application for renewal of a license, together with the payment of a fee of two hundred dollars (\$200), received by the board at least 30 days prior

to expiration, shall serve to extend the current license until the board either renews the license or denies the application. A licensee may apply for inactive status by notifying the board in writing at least 30 days before the expiration of his or her license. The fee for inactive status is two hundred dollars (\$200). The board shall provide by rule for the activities that may be engaged in by an inactive status licensee and for a procedure for reinstatement as an active license holder. At the discretion of the board, a limited license may be issued for a particular project.

(c) The sum or fee of three hundred dollars (\$300) accompanying original applications and sum or fee of two hundred dollars (\$200) accompanying applications for renewals under this section are for the administration and enforcement of this chapter and shall not be refunded to the applicant.

(Acts 1935, No. 297, p. 721, §9; Code 1940, T. 46, §73; Acts 1959, No. 571, p. 1429, §1; Acts 1961, Ex. Sess., No. 150, p. 2093, §1; Acts 1975, No. 485, p. 1115, §1; Acts 1982, No. 82-400, p. 603, §4; Acts 1986, No. 86-557, p. 1133, §3; Acts 1991, No. 91-197, p. 361, §3; Acts 1996, No. 96-640, p. 1013, §1; Act 99-199, p. 251, §3; Act 2008-134, p. 199, §3; Act 2009-725, p. 2168, §1; Act 2011-165, p. 308, §3.)

Section 34-8-3 Method of examination.

When the board conducts an examination of an applicant for a license, as much as three days may be devoted to written or oral examination, within the discretion of the board, to ascertain the ability of the applicant to make a practical application of his or her knowledge of the profession of general contracting; and the board shall investigate thoroughly the financial responsibility and past record of all applicants, which will include an effort towards ascertaining the qualifications of an applicant in reading plans and specifications, estimating costs, construction ethics, and other similar matters. The board shall take all applicants under consideration after having examined them and go thoroughly into the records, oral, and written examinations prior to granting any certificate of license. If an applicant is an individual, examination may be taken by his or her personal appearance for examination, or by the appearance for examination of one or more of his or her responsible managing employees, and if a copartnership or corporation, or any other combination or organization, by the examination of one or more of the responsible managing officers or members of the executive staff of the applicant's firm according to its own designation.

(Acts 1935, No. 297, p. 721, §9 1/2; Code 1940, T. 46, §74; Acts 1959, No. 571, p. 1429, §1.)

Section 34-8-4 Fines; revocation of licenses.

(a) The board may levy and collect an administrative fine of not less than five hundred dollars (\$500) nor more than five thousand dollars (\$5,000) for any violation of any provision of this chapter or the rules and regulations of the board.

(b) The board may also revoke the certificate of license of any general contractor licensed hereunder who is found guilty of any fraud or deceit in obtaining a license or gross negligence, incompetence or misconduct in the conduct of business. Any person may prefer charges of the fraud, deceit, negligence, or misconduct against any general contractor licensed hereunder. The charges shall be in writing and sworn to by the complainant and submitted to the board. The charges, unless dismissed without hearing by the board as unfounded or trivial, shall be heard and determined by the board within 90 days after the date on which they were preferred. The hearing shall be held at the office of the State Licensing Board for General Contractors in

Montgomery, Alabama. A copy of the charges, together with the notice of the time and place of hearing, shall be legally served on the accused by the secretary of the board, any sheriff in the state or by registered or certified mail, at least 10 days before the fixed date for the hearing. In the event that the service cannot be effected 10 days before the hearing, then the date of hearing and determination shall be postponed as may be necessary to permit the carrying out of the aforementioned condition. At the hearing the accused shall have the right to appear personally and by counsel and to cross-examine witnesses against him, her, or them and to produce evidence of witnesses in his, her, or their defense. If, after the hearing, the board votes in favor of finding the accused guilty, the board shall revoke the license of the accused. The board may reissue a license to any person, firm, or corporation whose license has been revoked. The board shall immediately notify the Secretary of State and the clerk of each incorporated city, town, or county in the state of its findings in the case of the revocation or of the reissuance of a revoked license. A certificate of license to replace any certificate lost, destroyed, or mutilated may be issued subject to the rules and regulations of the board.

(Acts 1935, No. 297, p. 721, §10; Code 1940, T. 46, §75; Acts 1959, No. 571, p. 1429, §1; Acts 1982, No. 82-400, p. 603, §4; Acts 1991, No. 91-197, p. 361, §3; Acts 1996, No. 96-640, p. 1013, §1; Act 99-199, p. 251, §3.)

Section 34-8-5 Effect of issuance of certificate of license.

The issuance of a certificate by the board shall be evidence that the person, firm, or corporation named therein is entitled to all the rights and privileges of a licensed general contractor to perform work of the types and amounts specified in the license issued to him, her, or it while the license remains unrevoked or unexpired.

(Acts 1935, No. 297, p. 721, §11; Code 1940, T. 46, §76; Acts 1959, No. 571, p. 1429, §1.)

Section 34-8-6 Prohibited acts; penalties; cease and desist orders.

(a) Any person, firm, or corporation not being duly authorized who shall engage in the business of general contracting in this state, except as provided for in this chapter, and any person, firm, or corporation presenting or attempting to file as its own the license certificate of another, or who shall give false or forged evidence of any kind to the board, or to any member thereof, in obtaining a certificate of license, or who falsely shall impersonate another, or who shall use an expired or revoked certificate of license shall be deemed guilty of a Class A misdemeanor and for each offense for which he or she is convicted shall be punished as provided by law. Furthermore, any person including an owner, architect, engineer, construction manager, or private awarding authority who considers a bid from anyone not properly licensed under this chapter shall be deemed guilty of a Class B misdemeanor and shall for each offense of which he or she is convicted be punished as provided by law.

(b) Every person, firm, or corporation licensed pursuant to this chapter shall include his or her license number in all construction contracts, subcontracts, bids, and proposals. Any person, firm, or corporation violating this provision shall be guilty of a Class B misdemeanor and shall for each offense of which he or she is convicted be punished as provided by law.

(c) In addition to or in lieu of the criminal penalties and administrative sanctions provided in this chapter, the board may issue an order to any person, firm, or corporation engaged in any activity, conduct, or practice constituting a violation of this chapter, directing the person, firm, or corporation to forthwith cease and desist from the activity, conduct, practice, or the performance of any work then being done or about to be commenced. The order shall be issued

in the name of the State of Alabama under the official seal of the board. If the person, firm, or corporation to whom the board directs a cease and desist order does not cease or desist the proscribed activity, conduct, practice, or performance of work immediately, the board shall cause to issue in any court of competent jurisdiction and proper venue, a writ of injunction enjoining the person, firm, or corporation from engaging in any activity, conduct, practice, or performance of work as prohibited by this chapter. Upon showing by the board that the person, firm, or corporation has engaged or is engaged in any activity, conduct, practice, or performance of work prohibited by this chapter, the courts shall issue a temporary restraining order restraining the person, firm, or corporation from engaging in such unlawful activity, conduct, practice, or performance of work pending the hearing on a preliminary injunction, and in due course a permanent injunction shall issue after the hearing, commanding the cessation of the unlawful activity, conduct, practice, or performance of work complained of, all without the necessity of the board having to give bond. A temporary restraining order, preliminary injunction, or permanent injunction issued pursuant to this subsection shall not be subject to being released on bond. In the suit for an injunction, the board may demand of the defendant a fine of up to five thousand dollars (\$5,000) plus costs and attorney fees for each offense. A judgment for penalty, attorney fees, and costs may be rendered in the same judgment in which the injunction is made absolute. The trial of the proceeding by injunction shall be summary and by the trial judge without jury. Anyone violating this chapter who fails to cease work, after a hearing and notification from the board, shall not be eligible to apply for a contractor's license for a period not to exceed one year from the date of official notification to cease work. It shall be within the power of the board to withhold approval, for up to six months, of any application from anyone who prior to the application has been found in violation of this chapter.

(d) The submission of the contractor's current license number before considering the bid shall be sufficient evidence to relieve the owner, architect, engineer, construction manager, or awarding authority of any liability under this chapter.

(Acts 1935, No. 297, p. 721, §12; Code 1940, T. 46, §77; Acts 1959, No. 571, p. 1429, §1; Acts 1996, No. 96-640, p. 1013, §1; Act 99-199, p. 251, §3; Act 2009-725, p. 2168, §1.)

Section 34-8-7 Exemptions from chapter; subcontractor requirements.

(a) The following shall be exempted from this chapter:

(1) The practice of general contracting, as defined in Section 34-8-1, by an authorized representative or representatives of the United States Government, State of Alabama, incorporated town, city, or county in this state, which is under the supervision of a licensed architect or engineer provided any work contracted out by the representative shall comply with the provisions of this chapter for general contractor.

(2) The construction of any residence or private dwelling.

(3) A person, firm, or corporation constructing a building or other improvements on his, her, or its own property provided that any of the work contracted out complies with the definition in this chapter for general contractor. A municipal governing body or municipal regulatory body may not enact any ordinance or law restricting or altering this exemption. Any municipal ordinance or regulation that conflicts with this exemption is repealed effective June 11, 2015.

(4) The installation, repair, maintenance, or removal of facilities, equipment, or systems used in or substantially related to the generation, transmission, or distribution of electric power, natural gas, or telecommunications in an emergency by a utility regulated by the Public Service Commission, or any entity engaged in the generation, transmission, or distribution of electric

power, natural gas, or telecommunications, or any of their respective general contractors or subcontractors, provided the work is performed under the supervision of a licensed architect or engineer. For purposes of this subdivision, the term emergency is defined as a situation whereby service to the consumer has been interrupted or may be interrupted if work to remedy the emergency is not performed and completed within 60 days, and such other situations that are determined to be an emergency in the discretion of the board.

(5) The repair, maintenance, replacement, reinstallation, or removal of facilities, equipment, or systems used in or substantially related to the generation, transmission, or distribution of electric power, natural gas, or telecommunications on a routine, regular, or recurring basis by a utility regulated by the Public Service Commission or any entity engaged in the generation, transmission, or distribution of electric power, natural gas, or telecommunications or any of their respective general contractors or subcontractors, provided the work is performed under the supervision of a licensed architect or engineer.

(6) Routine or regular maintenance, repair, replacement, reinstallation, or removal of equipment, specialized technological processes, or equipment facility systems as determined by the board with regard to scope, frequency, and speciality of the work to be performed.

(b) The aforementioned exemptions shall exclude a swimming pool contractor. Provided, however, a person, firm, or corporation constructing a swimming pool on his, her, or its own property shall be exempted from this chapter.

(c) A subcontractor, as defined in subsection (c) of Section 34-8-1, is subject to and shall comply with all the provisions of this chapter as specified for general contractor except as follows:

(1) A subcontractor shall pay one-half the fees as required in this chapter for general contractor.

(2) No bid limits shall be established for a subcontractor.

(3) A subcontractor shall submit with license application and renewals a statement of financial condition as prescribed by the board.

(4) A subcontractor shall furnish three references from any combination of the following: Licensed general contractors, registered professional engineers, or registered architects, or qualified person, as declared by the board, for whom they have worked. If a subcontractor has only been employed by one company, the subcontractor shall provide the following: Three or more jobs he or she has worked on, the amounts of the contracts, the time period of the contracts, the location of the contracts, and a statement of experience.

(5) A subcontractor is not required to be licensed at the time a project is bid, but must be licensed with the board prior to beginning work on the project.

(6) A general contractor license and license number issued by the board to subcontractors shall denote subcontractor status.

(7) A subcontractor is not required to sit for any examination before being licensed.

(Acts 1935, No. 297, p. 721, §13; Code 1940, T. 46, §78; Acts 1959, No. 571, p. 1429, §1; Acts 1989, No. 89-648, p. 1278, §2; Acts 1996, No. 96-640, p. 1013, §1; Acts 1997, No. 97-270, p. 486, §1; Act 99-199, p. 251, §3; Act 2009-725, p. 2168, §1; Act 2011-165, p. 308, §3; Act 2015-480, §1.)

Section 34-8-8 Copy of chapter to be included in plans of owners, architects, and engineers; inclusion of license number on bid.

(a) All owners, architects, engineers, construction managers, and private awarding authorities preparing plans and specifications for work to be contracted in Alabama pursuant to this chapter shall include in their invitations to bidders, including but not limited to all public and private

advertisements, and their specifications a copy of the portions of this chapter as are deemed necessary to convey to the invited bidder, whether he or she is a resident or nonresident of this state and whether a license has been issued to him or her or not, the information that it will be necessary for him or her to show evidence of license before his or her bid is considered. Any person including an owner, architect, engineer, construction manager, or private awarding authority who violates this section shall be guilty of a Class B misdemeanor and shall for each offense of which he or she is convicted be punished, fined, or both, in accordance with Sections 13A-5-7 and 13A-5-12.

(b) All owners, architects, engineers, construction manager, or private awarding authority receiving bids pursuant to this chapter shall require the person, firm, or corporation to include his or her current license number on the bid. The owner, architect, engineer, construction manager, or private awarding authority shall reject all bids that do not contain the current license number of the general contractor submitting the bid. All persons who violate this subsection shall be guilty of a Class C misdemeanor and shall for each offense for which he or she is convicted be punished, fined, or both, in accordance with Sections 13A-5-7 and 13A-5-12.

(Acts 1935, No. 297, p. 721, §14; Code 1940, T. 46, §79; Acts 1959, No. 571, p. 1429, §1; Acts 1996, No. 96-640, p. 1013, §1; Act 2009-725, p. 2168, §1.)

Section 34-8-9 Issuance of building permits.

Any person, firm, or corporation, upon making application to the building inspector or such other authority of any incorporated city, town, village, or county in Alabama charged with the duty of issuing building or other permits for the construction, alteration, maintenance, repair, rehabilitation, remediation, reclamation, or demolition of any building, highway, sewer, structure site work, grading, paving or project or any improvement where the cost of the undertaking is fifty thousand dollars (\$50,000) or more, shall, before he or she shall be entitled to the issuance of permits, furnish satisfactory proof to the inspector or authority that he or she is duly licensed under this chapter. It shall be unlawful for the building inspector or other authority to issue or allow the issuance of the building permit unless and until the applicant has furnished evidence that he or she is either exempt from this chapter or is duly licensed under this chapter to carry out or superintend the work for which the permit has been applied. The building inspector, or other authority, violating the terms of this section shall be guilty of a Class C misdemeanor and shall for each offense of which he or she is convicted be punished in accordance with Sections 13A-5-7 and 13A-5-12.

(Acts 1935, No. 297, p. 721, §15; Code 1940, T. 46, §80; Acts 1947, No. 402, p. 293, §1; Acts 1959, No. 571, p. 1429, §1; Acts 1987, No. 87-175, p. 236, §3; Acts 1996, No. 96-640, p. 1013, §1; Acts 1997, No. 97-270, p. 486, §1.)

Section 34-8-10 Indictment or complaint.

In all prosecutions for the violation of the provisions of Section 34-8-6 for engaging in the business of general contracting without a certificate of authority, it shall be sufficient to allege in the indictment, affidavit, or complaint that "A. B. unlawfully engaged in business as a general contractor, without authority from the licensing board for contractors so to do."

(Acts 1935, No. 297, p. 721, §16; Code 1940, T. 46, §81; Acts 1959, No. 571, p. 1429, §1.)

Section 34-8-20 Creation; composition; appointment and removal of members.

In order to safeguard life, health, and property and to promote the general public welfare by requiring that only properly qualified persons be permitted to engage in general contracting, there shall be a State Licensing Board for General Contractors, consisting of five members, who shall be citizens of this state and appointed by the Governor. Each of the members shall be a general contractor, within the meaning of this chapter, with at least 10 years' experience in the field as a contractor. At least one member of the board shall have as a larger part of his or her business the construction of highways. At least one member of the board shall have as a larger part of his or her business the construction of public utilities. At least one member shall have as a larger part of his or her business the construction of buildings. At least one member of the board shall have as a larger part of his or her business the performance of construction work as a subcontractor. The members of the board shall be appointed for one, two, three, four, and five years respectively, their terms of office expiring on December 31 of those years. Thereafter, on the thirty-first day of December in each year the Governor shall appoint to fill the vacancies caused by the expiration of the term of office a member for a term of five years. In appointing members to the board, the Governor shall select those persons whose appointments, to the extent possible, ensure that the membership of the board is inclusive and reflects the racial, gender, urban/rural, and economic diversity of the state. Each member shall hold over after the expiration of his or her term until his or her successor shall be duly appointed and qualified. If a vacancy shall occur on the board for any cause, the vacancy shall be filled by the appointment of the Governor, and the Governor may remove any member of the board at any time, with or without cause.

(Acts 1935, No. 297, p. 721, §2; Code 1940, T. 46, §66; Acts 1959, No. 571, p. 1429, §1; Acts 1996, No. 96-640, p. 1013, §1; Act 99-199, p. 251, §§2, 3; Act 2003-142, p. 441, §3; Act 2008-134, p. 199, §3; Act 2015-190, §1.)

Section 34-8-21 Oath of board.

Each member of the board shall before entering upon the discharge of the duties of his or her office take and file with the Secretary of State the oath required by Section 279 of the Constitution of Alabama.

(Acts 1935, No. 297, p. 721, §3; Code 1940, T. 46, §67; Acts 1959, No. 571, p. 1429, §1.)

Section 34-8-22 Officers; bonds; compensation and expenses; rules and regulations.

When the Governor appoints the board, he or she shall designate and commission one member as the chairperson, another as vice-chairperson, and another as secretary-treasurer. The board may make the bylaws, rules, and regulations as it shall deem best, provided the same shall not conflict with the laws of the State of Alabama. The secretary-treasurer shall give bond in the sum as the board shall determine with the surety as shall be approved. The bond shall be conditioned upon the faithful performance of the duties of the office and for the faithful accounting of all moneys and other properties as shall come into his or her hands. Each member of the board shall receive two hundred dollars (\$200) per day for attending sessions of the board or its committees, and for time actually spent in necessary travel in attending meetings of the board or its committees and in addition shall be reimbursed for necessary travel expenses as are paid to state employees incurred in carrying out this chapter. All expenses certified by the board as properly and necessarily incurred in the discharge of its duties, including authorized compensations, office rent, and supplies shall be paid out of the State Licensing Board for the

General Contractors' Fund in the State Treasury in the manner provided in Section 34-8-25, provided, that no funds shall be withdrawn or expended except as budgeted and allotted according to the provisions of Article 4 of Chapter 4 of Title 41, and only in the amounts as stipulated in the general appropriation bill.

(Acts 1935, No. 297, p. 721, §4; Code 1940, T. 46, §68; Acts 1951, No. 835, p. 1466, §1; Acts 1959, No. 571, p. 1429, §1; Acts 1980, No. 80-698, p. 1404, §1; Acts 1996, No. 96-640, p. 1013, §1.)

Section 34-8-23 Seal.

The board shall adopt a seal for its own use. Such seal shall have the words "License Board for Contractors, State of Alabama," and the secretary shall have the charge, care, and custody thereof.

(Acts 1935, No. 297, p. 721, §5; Code 1940, T. 46, §69; Acts 1959, No. 571, p. 1429, §1.)

Section 34-8-24 Meetings; quorum.

The board shall have four regular meetings in each year, one in January, one in April, one in July, and one in October, for the purpose of transacting business which may properly come before it, and as many special or adjourned meetings as the board may deem necessary, on call of the chair of the board. Special or adjourned meetings may be held at the time the board provides in the bylaws or at a time the board may provide by reasonable resolution. Due notice of each regular meeting and the time and place thereof shall be given to each member by mail at least one week prior to the meeting. Three members of the board shall constitute a quorum.

(Acts 1935, No. 297, p. 721, §6; Code 1940, T. 46, §70; Acts 1959, No. 571, p. 1429, §1; Acts 1986, No. 86-557, p. 1133, §3; Acts 1996, No. 96-640, p. 1013, §1.)

Section 34-8-25 Records and accounts.

The secretary-treasurer shall keep a record of the proceedings of the board, shall receive and account for all the moneys derived from the operation of this chapter and shall deposit, or cause to be deposited, all such moneys in the State Treasury to the credit of the State Licensing Board for General Contractors; and the funds shall be subject to withdrawal only upon warrant of the state Comptroller to be issued upon certificate or voucher certified by the secretary-treasurer of the board. Any funds remaining in the State Treasury to the credit of the State Licensing Board for General Contractors at the end of each year shall be paid into the General Fund of the state on or before January 15 in each succeeding year. The board has the right, however, at all times to retain a sum not in excess of 33 percent of its budget of the previous year to meet any emergency that may arise which may affect its efficient operation.

(Acts 1935, No. 297, p. 721, §7; Code 1940, T. 46, §71; Acts 1951, No. 835, p. 1466, §2; Acts 1975, No. 485, p. 1115, §1; Acts 1991, No. 91-197, p. 361, §3; Act 2008-134, p. 199, §3.)

Section 34-8-26 Register of applicants; roster of contractors; annual report; investigation and report of complaints.

The secretary-treasurer shall keep a record of the proceedings of the board and a register of the applicants for license, showing for each the date of application, name, qualifications, place of business, and whether the license was granted or refused. The books and register of this board shall be prima facie evidence of all matters recorded therein, and a certified copy of such books

or register, under the seal of the board, attested by its secretary, shall be received in evidence in all courts in this state in lieu of the original.

A roster showing the names and places of business of all licensed general contractors shall be prepared by the secretary of the board as soon as convenient after the board first meets each year. Such roster, which shall include a copy of the licensing law, shall be printed by the board out of funds of the board, as provided in Section 34-8-25, and a copy mailed to and placed on file by the clerk of each incorporated city and town in the state and to and by the probate judge of each county in the state.

On or before March 1 of each year, the board shall submit to the Governor a report of its transactions for the preceding year and shall file with the Secretary of State a copy of such report, together with a complete statement of receipts and expenditures of the board, attested by the affidavit of the chairman and secretary and a copy of the roster of licensed general contractors. It shall be the duty of the secretary-treasurer to investigate and report to the board each complaint filed relative to violation of this chapter.

(Acts 1935, No. 297, p. 721, §8; Code 1940, T. 46, §72; Acts 1959, No. 571, p. 1429, §1.)

Section 34-8-27 Appeals.

Any party aggrieved by any decision of the State Licensing Board, either in denying an application for license as a general contractor or in revoking a license, may appeal to the Circuit Court of Montgomery County by filing a bond with the clerk of the court, conditioned to pay all costs of the appeal. Upon notice of the appeal being served upon the Licensing Board, an issue shall be made up by the court between the appellant and the Licensing Board, in which the appellant shall allege in what respect the action of the Licensing Board was erroneous and prejudicial to him or her; whereupon the court shall hear the evidence and, without regard to the decision of the Licensing Board, shall render such decision as the court is of the opinion the Licensing Board should have rendered in the first instance.

(Acts 1935, No. 297, p. 721, §17; Code 1940, T. 46, §82; Acts 1959, No. 571, p. 1429, §1.)

Section 34-8-28 Distribution of funds; annual report.

(a) An amount of one hundred dollars (\$100) from the fees required for application and renewal for certification and registration of general contractors in Section 34-8-2, and an amount of fifty dollars (\$50) from the fees required for application and renewal of the license of a subcontractor pursuant to Section 34-8-7, shall be distributed by the State Licensing Board for General Contractors to all accredited public institutions of higher education offering American Council for Construction Education accredited courses in building science, and to all accredited public institutions of higher education offering courses in building science which are in the candidate status of the American Council for Construction Education and to institutions of higher education offering courses leading to a bachelor of civil engineering degree which offers courses in highway engineering and construction at the undergraduate and graduate levels and whose civil engineering program is accredited by the Engineering Accreditation Commission of the Accreditation Board for Engineering and Technology (ABET). Funds identified by the general contractors and subcontractors for building science shall be distributed pro rata among institutions based upon the number of full-time equivalent students enrolled in the department of building science at the institution. Funds identified by the general contractors and subcontractors for civil engineering shall be distributed pro rata among institutions based upon the number of full-time equivalent civil and pre-civil engineering students enrolled at the

institution. These funds shall be distributed 30 days after certifications of enrollment packages have been received from all eligible public institutions of higher education.

(b) Revenue derived from the additional fees for all licenses shall be distributed for (1) building science (general construction) purposes and (2) civil engineering (highway engineering or construction, or both) purposes. Contractors shall be given an opportunity to select which program they want to support.

(c) Revenues derived from the additional fees for all licenses that are not specifically designated by contractors for one of the purposes above, shall be distributed between the programs defined in subsection (a) in a pro rata manner based on the number of full-time equivalent students enrolled in each program at each institution.

(d) Each institution receiving funds pursuant to this article for building science purposes shall utilize the funds for research projects relating to the construction industry, for faculty development, for program enhancement, and for continuing education programs related to construction. The funds shall be administered by a committee appointed by the dean responsible for the building science program, and shall include the head of the department of building science, or comparable position, faculty representatives, and representatives of the building science industry advisory committee of the institution.

(e) Each institution receiving funds pursuant to this article for civil engineering purposes shall utilize the funds to enhance activities in the highway engineering or construction area, or both. This includes, but is not limited to, scholarships, fellowships, research, faculty development, and continuing education. Funds received pursuant to this article shall be administered by a committee appointed by the dean of engineering. The committee should undertake, as part of its mission, to work with the public and private sectors of the highway industry to encourage student participation in co-op and summer industry employment programs as well as to lead students toward career employment in the highway industry upon graduation.

(f) Each institution receiving funds pursuant to this article shall provide to the board an annual report on or before January 31 for the preceding fiscal year during which the institution received the funds. This report shall disclose the total amount of funds received by the institution pursuant to this article and shall provide an accurate accounting for the utilization of the funds. The report shall disclose sufficient detail to demonstrate compliance with the utilization specifications prescribed in subsections (d) and (e). Responsibility for the reports shall be retained by the administrative committees formed pursuant to subsections (d) and (e) and the dean appointing the committee.

(g) The board shall retain an amount of five percent of the amount to be distributed pursuant to subsection (a) as a fee for administrative expenses associated with the collection and distribution of the funds.

(h) The provisions of this amendatory section are remedial and curative and shall be retroactive to January 1, 1998.

(Acts 1991, No. 91-473, p. 857, §§1-4; Acts 1993, No. 93-614, p. 1006, §1(11); Acts 1996, No. 96-640, p. 1013, §1; Act 2003-142, p. 441, §3; Act 2011-165, p. 308, §3.)

Professional Services by Vendor

	FY2018	FY2019	FY2020	FY2021
Administrative services				
Ala Assoc Of Regulatory Boards	\$ 1,000.00	\$ 1,050.00	\$ -	\$ -
AL Assoc. of Plumbing Gas & Mechanical Inspectors	399.00	450.00	300.00	-
Alrrs, Llc	1,999.00	1,998.00	1,998.00	1,998.00
Business Systems & Consultants	2,266.42	1,917.74	2,266.42	2,092.08
Crescerance, Inc.	-	-	-	3,000.00
Department of Finance	26,934.70	26,508.70	26,500.50	94.45
East Alabama Code Officials Assoc.	-	200.00	-	-
Furlongs Security Inc.	156.00	260.00	208.00	208.00
Legislative Services Agency	1,670.00	-	-	420.00
National Assoc. of State Contractors Licensing Agencies	-	495.00	-	-
National Property Management Assn Capitol City Chapter	-	30.00	-	-
Office Of Information Tech	861.10	986.45	1,084.42	972.40
Professional Management Southeast, Inc.	-	-	-	231.99
State Personnel Department	5,719.00	5,890.00	5,943.00	5,648.00
Total Administrative Services	41,005.22	39,785.89	38,300.34	14,664.92
Data Processing Services				
Department of Finance	6,804.09	8,072.95	8,466.57	10,170.14
Office Of Information Technolgy	8,086.25	12,700.56	23,647.74	23,225.13
Total Processing Services	14,890.34	20,773.51	32,114.31	33,395.27
Legal Services				
Attorney General's Office	12,960.00	18,915.00	15,015.12	11,910.00
Professional Services Total	\$ 68,855.56	\$ 79,474.40	\$ 85,429.77	\$ 59,970.19

Examination Results by Alabama Public Educational Institutions
Period of October 1, 2017 through February 23, 2022

Contractor Examination Type	First Time Takers			Repeat Takers		
	# Taken	# Passed	% Passed	# Taken	# Passed	% Passed
AL Business Law	2189	1956	89%	467	330	71%
AL Building Construction (Commercial)	96	38	71%	23	12	52%
Building Contractor Under 4 Stories	129	58	45%	101	46	46%
Carpentry & Framing	4	0	0%	5	4	80%
Commercial Swimming Pool	58	23	40%	35	23	66%
Concrete	45	17	38%	33	14	42%
Concrete Pavement	1	0	0%			
Conveying	3	2	67%	2	1	50%
Drainage & Culvert	46	26	57%	29	18	62%
Erosion Control & Mowing	10	7	70%	4	2	50%
Gas & Oil Projects	6	4	67%	1	1	100%
Heavy Railroad Construction	26	23	88%	5	3	60%
Highways & Streets	27	19	73%	19	8	42%
Hot & Cold Asphalt Plant Mix Paving	12	9	75%			
Insulation	1	1	100%			
Low Voltage Special Systems (under 50 volts)	22	5	23%	14	8	57%
Marine Construction	4	4	100%			
Masonry	3	3	100%			
Metal Building Erection	12	4	33%	8	5	63%
Metal Stud & Drywall	2	1	50%	1	1	100%
Millwork & Finish Carpentry	2	1	50%	1	1	100%
Municipal & Utility	45	12	27%	51	26	51%
Oil & Gas Field Projects	5	2	40%	2	2	100%
Painting & Wall Covering	3	3	100%			
Pipelines	9	7	78%	1	1	100%
Power Projects & Plants	6	4	67%	2	2	100%
Remodeling, Alteration, & Maintenance Repair	59	7	12%	136	31	23%
Roofing & Sheet Metal	44	30	68%	17	12	71%
Runway	8	2	25%	10	5	50%
Sewer Projects	7	0	0%	12	6	50%
Sitework	30	22	73%	8	6	75%
Special Coatings & Waterproofing	4	2	50%	1	1	100%
Structural & Miscellaneous Steel	13	9	69%	3	3	100%
Telecommunication Projects	28	13	46%	19	11	58%
Tunnel	1	1	100%			
Water Projects	5	3	60%	10	2	20%

Schedule of Distributions to Institutions of Higher Education

FY 2018 Disbursed in FY 2019				
School	Building Science	Civil Engineering	Undesignated	Totals
Jefferson State Community College	\$ 25,627.83	\$ 0.00	\$ 2,392.10	\$ 28,019.93
Auburn University	370,474.67	56,364.45	69,571.68	496,410.80
University of Alabama Birmingham		25,904.16	16,069.05	41,973.21
University of Alabama Huntsville		15,265.37	9,440.57	24,705.94
University of Alabama Tuscaloosa		88,727.04	55,018.22	143,745.26
University of South Alabama		39,854.36	24,706.16	64,560.52
Civil Engineering Foundation – Alabama A&M University		8,736.50	5,405.04	14,141.54
Total	\$396,102.50	\$234,851.88	\$ 182,602.82	\$813,557.20

FY 2019 Disbursed in FY 2020				
School	Building Science	Civil Engineering	Undesignated	Totals
Jefferson State Community College	\$ 36,709.10	\$ 0.00	\$ 3,332.42	\$ 40,041.52
Auburn University	357,588.40	56,992.66	66,356.19	480,937.25
University of Alabama Birmingham		27,548.36	16,404.40	43,952.76
University of Alabama Huntsville		17,360.49	10,357.96	27,718.45
University of Alabama Tuscaloosa		85,523.25	50,913.75	136,437.00
University of South Alabama		30,358.02	18,070.60	48,428.62
Civil Engineering Foundation – Alabama A&M University		10,644.72	\$ 6,338.45	16,983.17
Total	\$394,297.50	\$228,427.50	\$171,773.77	\$794,498.77

FY 2020 Disbursed in FY 2021				
School	Building Science	Civil Engineering	Undesignated	Totals
Jefferson State Community College	\$ 22,202.10	\$ 0.00	\$ 1,945.12	\$ 24,147.22
Auburn University	370,060.98	55,533.08	65,799.04	491,393.10
University of Alabama Birmingham		27,101.22	16,298.84	43,400.06
University of Alabama Huntsville		17,764.37	10,681.45	28,445.82
University of Alabama Tuscaloosa		86,493.23	51,981.90	138,475.13
University of South Alabama		23,929.80	14,387.24	38,317.04
Civil Engineering Foundation – Alabama A&M University		10,955.80	6,589.96	17,545.76
Total	\$392,263.08	\$ 221,777.50	\$ 167,683.55	\$781,724.13

FY 2021 Disbursed in FY 2022				
School	Building Science	Civil Engineering	Undesignated	Totals
Jefferson State Community College	\$ 20,266.46	\$ 0.00	\$ 1,840.41	\$ 22,106.87
Auburn University	385,806.77	59,047.97	70,133.13	514,987.87
University of Alabama Birmingham		27,617.83	16,415.87	44,033.70
University of Alabama Huntsville		17,106.79	10,168.17	27,274.96
University of Alabama Tuscaloosa		92,638.80	55,063.93	147,702.73
University of South Alabama		22,220.95	13,208.00	35,428.95
Civil Engineering Foundation – Alabama A&M University		11,172.66	6,640.96	17,813.62
Total	\$406,073.23	\$ 229,805.00	\$ 173,470.47	\$ 809,348.70

Board Members

CHIP GRIZZLE
Chairman
BIRMINGHAM

MARC DEMPSEY
Vice Chairman
FLORENCE

MIKE TEW
Secretary-Treasurer
MOBILE

KEITH ANDREWS
Member
TUSCALOOSA

AL STANLEY
Member
HUNTSVILLE



ALABAMA LICENSING BOARD FOR GENERAL CONTRACTORS

(www.genconbd.alabama.gov)

TIFFANY LOVELESS
EXECUTIVE DIRECTOR

445 DEXTER AVENUE, SUITE 3060
MONTGOMERY, ALABAMA 36104

TELEPHONE NO. 334-272-5030
FAX NO. 334-395-5336

February 24, 2022

E Christine Kilpatrick
401 Adams Ave, Suite 280
Montgomery, AL 36104

Dear Ms. Kilpatrick,

Listed below are the current members of the Alabama Licensing Board for General Contractors:

Current Members:

Board Member Name	City/State	Term Expires
Hon. Chip Grizzle Chairman	Birmingham, AL	12/31/2025
Hon. Marc Dempsey Vice-Chairman	Florence, AL	12/31/2022
Hon. Mike Tew Secretary-Treasurer	Mobile, AL	12/31/2023
Hon. Algemon Stanley Member	Huntsville, AL	12/31/2024
Hon. Keith Andrews Member	Tuscaloosa, AL	12/31/2026

Respectfully,


Tiffany Loveless
Executive Director

Response to Significant Issues

Alabama Licensing Board for General Contractors Answers to Significant Issues

Significant Issue 2022-01 - Ten of the seventeen general contractor licensees and four of the ten subcontractor licensees responding to our survey stated that the rising costs of fuel and materials are the most significant issues facing their profession.

Five general contractors and three subcontractors mentioned a workforce shortage. Economic forces caused an increase in labor, fuel, and material costs. According to the Association of General Contractors of America, material prices soared twenty percent between January 2021 and January 2022.

Response:

The Board is aware of labor shortages and cost increases due to the global pandemic and current economy which affects all Alabamians. The Board continues to disburse one third of all application fees and one half of all renewal fees to qualified universities of higher education providing programs in building science and civil engineering in an effort to support the growth of the construction industry.

Significant Issue 2022-02 - Five of the eleven complainants responding to our survey stated that they were not informed of the resolution of their complaint.

The Board does not communicate the results of the complaints with the complainants. According to the Board's complaint process, complainants are not specifically notified of the results of their complaints. The resolution of the complaint is provided upon request.

Response:

A directive has been issued to agency investigators and a procedure has been implemented to ensure all complainants who provide contact information are contacted with the results of the investigation and board meeting dates.

Tiffany Loveless
Executive Director