



Main Office  
6711 Distribution Drive  
Beltsville, MD 20705  
Phone (301) 931-9300  
Fax (301) 931-0369

2228 Page Road, Ste 101  
Durham, NC 27703  
Phone (919) 381-5065  
Fax (919) 381-5095

*Air Conditioning & Ventilating Balancing & Testing*

**AIR BALANCE, WATER BALANCE, SOUND CONTROL, AND SYSTEM ADJUSTMENTS**

February 21, 2023

Senate Finance Committee  
Chair Melony Griffith and Members of the Committee  
Maryland State House  
100 State Circle  
Annapolis, Md 21401

RE: Support for Senate Bill 453 – State and Private Construction Contracts – Private Payment

Dear Chairman Griffith and Members of the Senate Finance Committee,

As a Maryland based construction contractor and signature to the collective bargaining agreement with UA Local 602 since 1966, I am writing to express strong support for SB 453, which will ensure subcontractors protection and prompt payment from owners and General Contractors after completion of contracted work.

There are several compelling reasons why SB 453 specifically affects Comfort Control Inc. and associated Ventilation Verification Firms two of the biggest reasons and unique to our trade specific industry.

- 1) We provide a service that is 100% labor, without any subcontractors or materials we cannot hold payroll, benefits, or tax obligations just because we have not been paid, this is legally and morally wrong and has always been against our corporate philosophy.
- 2) We are the very last trade on a project before occupancy. Often our fees are associated with the final retention, held up because of punch out items, some sort of legal action out of our control or in some cases just plain poor financial mismanagement is the cause of our nonpayment using the paid when paid clause as a method of nonpayment

It has been a struggle over the years maintaining a positive cash flow. Our line of credit is directly tied into our Bonding capability ( a line of credit we need to utilize because of the paid when paid clause,) driving up our overall costs and limiting our growth and competitiveness. Legal action is cost prohibitive due to individual project specific contract value leaving us in “no win” situation, just the cost of doing business!

I urge the Senate Finance Committee to support the bill and vote it out of committee as soon as possible.

Sincerely,

*Michael Moran*

Michael Moran  
Vice President