



**TIME CRITICAL JOURNAL**

SUPPORTING THE LAST MILE EXPEDITED LOGISTICS INDUSTRY

# MCAA Releases Results of 2012 Industry Survey

**Breaking News:**  
IC Legislation introduced in Congress

## Inside:

2012 Last Mile Delivery Forum Wrap-Up

Rick McClelland's Industry Perspective

The Marketing Advantage

Hero Tales from Hurricane Sandy

Grease Monkey Garage



Some companies don't have to pay for the mobile technology they need to grow their business.

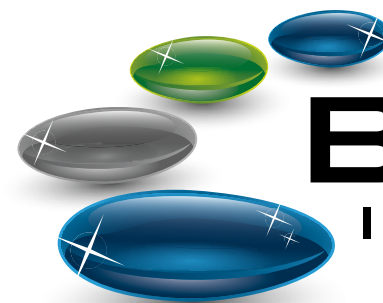


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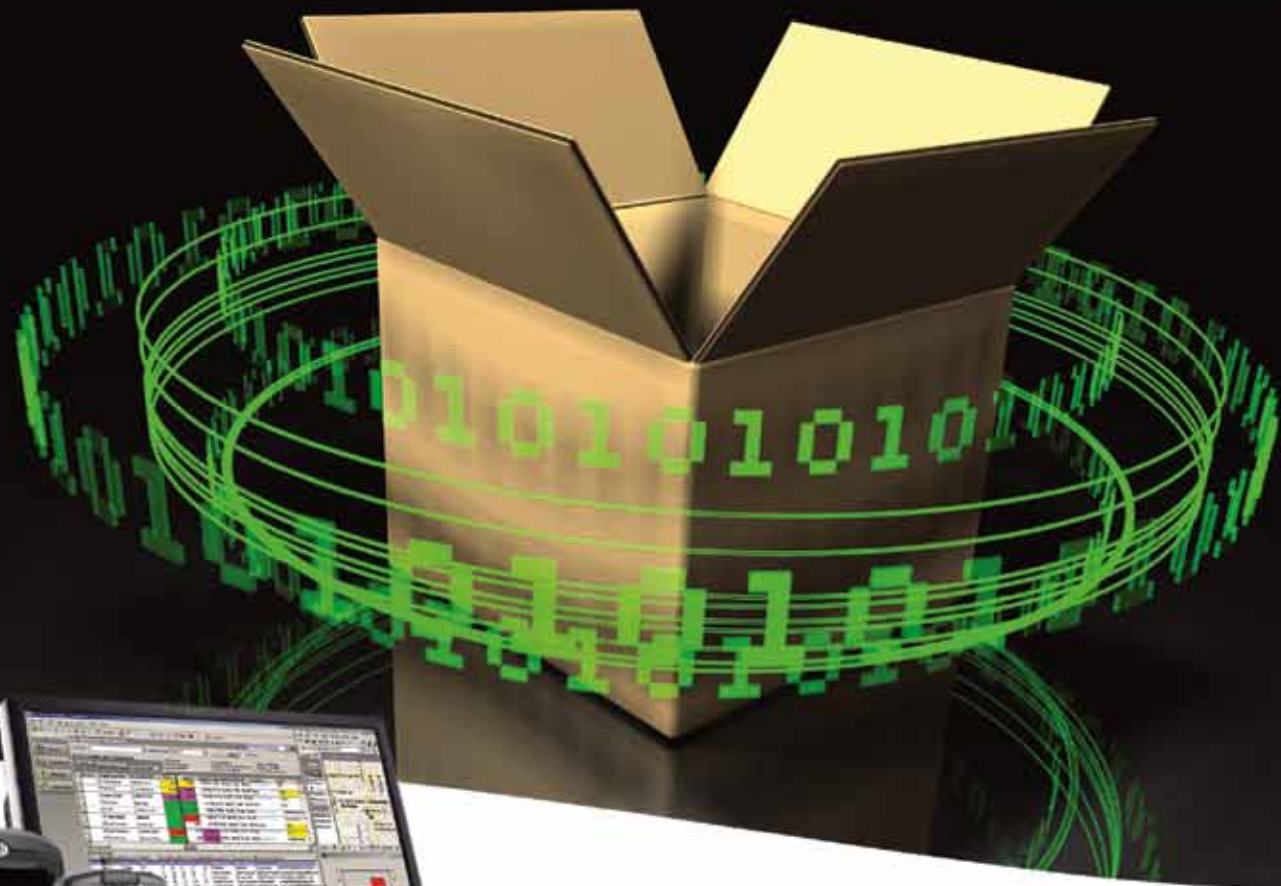
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## IN THIS ISSUE

- 8** Just In Case
- 10** MCAA 2012 Industry Survey Results
- 16** MCAA's Last Mile Forum
- 18** Things Change - Observations on Industry Trends
- 20** Are There Trucks in Your Future?
- 24** Working with 3PLs: Leveraging your Relationships, Technology and Opportunities
- 28** Rick McClelland's Industry Perspective: What Driver Shortage?
- 30** The Marketing Advantage
- 32** Hero Tales & Members React to Hurricane Sandy



### DEPARTMENTS

- President's Message..... 3
- Director's Message..... 4
- Government Affairs..... 6
- In the News..... 37
- Faces in the Crowd ..... 52
- State Association Reports .54
- New Members..... 64

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**Rob Johnstone,  
Priority Express  
President MCAA**

**Smart business  
owners realize that  
they need to stay  
current with changing  
market trends.**

I hope that 2013 is off to a good start for you and your business. We have had some challenging times the last few years, but I think we are starting to see some green shoots of opportunity. One of the best ways to learn about new opportunities and changes in the industry is to talk with our Affiliate Members. These are our peers. These are the vendors that sell us the products and services that give our members the competitive advantage of the latest and the best products and services in the industry.

Just like those of us in the delivery business, our vendors have taken advantage of the opportunities presented by changing times. Insurance providers have created new offerings to help protect the new type of last mile delivery work we are all doing. Software vendors have created new modules for warehousing and barcode scanning. And our TPAs have evolved to keep pace with the changing regulatory landscape.

If you spend time with our vendors, you will get some new ideas for your business. They can point you to new customer opportunities. They can provide you with newer technology that can give you a competitive advantage. Or they can suggest some additional insurance coverage that will help keep you up and running without a hitch.

The key to all of this is to reach out to them. One of the best ways to do this is by attending our Annual Meeting in May or our Last Mile Delivery Forum in October. Check our website for details on registering. At these gatherings, vendors will have informative booths where you can learn more or schedule private meetings with them in one of our vendor rooms.

Smart business owners realize that they need to stay current with changing market trends. MCAA vendors are talking with a wide range of their customers and prospects and they can give you a front-row seat on the changes in the marketplace. This makes MCAA vendors a great resource for current information. I do business with six different MCAA vendors and they have been terrific resources - I am always asking them to learn about our changing industry.

Finally, I would like to thank all of our vendors and sponsors for their support. Many have been attending our events for years and some even choose to sponsor an event or contribute to our advocacy efforts. They are investing in our industry and helping to make it stronger. Please support all of our MCAA Vendors. And, next time you talk with one of our vendors or sponsors please make sure to thank them for helping to make this organization stronger.

## LETTERS TO THE EDITOR

We welcome letters on any article or issue raised in Time Critical Journal of Commerce Magazine, please include your name and company affiliation. We reserve the rights to edit all letters for length, and clarity. Send letters to

Letters, Time Critical Journal of Commerce Magazine  
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**Bob DeCaprio**  
Executive Director

**Do yourself a favor and sign up for the MCAA convention in May – we will be talking about this trend with some major shippers and supply chain experts.**

### In The News - Again

The industry is getting more press in the mainstream media than anytime that I can remember since the dotcom bubble in 1998. Hardly a week seems to go by without an article in the Wall Street Journal or New York Times announcing that some big retail or internet company is adding a same-day delivery option to their delivery mix. Obviously I'd like to see these succeed as this could open a vast new market for our still relatively small industry.

I'm optimistic that consumers are ready for same-day ordering from the internet in a way they weren't in 1998. I'm also hoping that the mistakes (Kozmo.com) don't get repeated this time around. A good start would be to actually charge for deliveries. Most of the companies trying this again seem to have learned the fairly obvious lessons of the past and are rolling this out more slowly and initially in dense urban cores. As the supply chain continues to evolve, companies that can provide customized, expedited deliveries will see steady growth if they can stay ahead of the curve.

Do yourself a favor and sign up for the MCAA convention in May – we will be talking about this trend with some major shippers and supply chain experts. There is no better place to stay on top of the opportunities in the same day industry.

## Breaking News!

### IC Legislation Introduced in Congress

As we go to press we are happy to report Congressman Erik Paulsen has introduced landmark IC legislation in Congress. HR 6653 will clarify independent contractor status and provide certainty to business that utilize contractors. This legislation has been long sought after by MCAA and we will fight for its passage in the 113th Congress. We thank all those that have been part of this effort and will have much more about this in the next issue.

# Thank you to our 2012 Advocacy Contributors!

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John Benko

# Government Affairs Update Winter 2012

MCAA's great summer and fall of activity across the country was capped by the storms that devastated much of coastal New Jersey and New York City. As we came out from under the leaves and rain here in Washington, D.C., we were thankful to not have too much damage. I have been the MCAA Director of Government Affairs for a year now, and I am continually amazed by how the people in our industry go out of their way to help one another in times of need. This sense of community is again evident in the way people have helped each other in Connecticut, Long Island, New York City and throughout New Jersey.

## Looking Ahead to 2013

The 2012 elections have finally come to an end. The campaign ads on television and radio have been replaced by ads for holiday shopping sales. This can only mean that Congress is back in D.C. for its final session of the year, while state legislatures are pre-filing bills for the coming 2013 legislative sessions. As we all know by now, President Obama was re-elected for a second term and will be publically sworn into office on January 21, 2013. Party control in the House of Representatives (Republican) and in the Senate (Democratic) is essentially the same as it was prior to the election. What does this mean for the same-day delivery industry? The Department of Labor (DOL) will be pursuing misclassification of independent contractors with more vigor as outlined and predicted earlier this fall by Forbes magazine. In order for MCAA to monitor this trend and advocate effectively to DOL and Capitol Hill, please contact us if you are experiencing an audit; your information will remain confidential. The National Labor Relations Board (NLRB), which is appointed by the President and confirmed by the Senate, is slated to hear two cases by March of next year that could change the definition of independent contractor as it relates to organizing labor. We believe the NLRB will add an "economic dependence" factor to its definition of independent contractor through these two cases.

The period after the national elections and before the adjournment of Congress at the end of the calendar year is called a "lame duck" session, when those who are leaving office finish up their work for the country. In this lame duck session there will be a lot of activity on Capitol Hill relating to the so-called Fiscal Cliff. Revising the tax codes, entitlements and Federal budgeting will open up opportunities for MCAA to advance the federal legislation that it and active government affairs members have been working diligently to enact.

## Lobby Day 2013

MCAA 2013 Lobby Day is approaching on March 12, 2013, and registration will be open soon! I have been working with MCAA lobbyist Rich Meade and Government Affairs Chair John Benko to plan another great year on Capitol Hill. This will be the sixth consecutive year where members like you have joined together in D.C. to not only walk the halls of Congress and educate their elected leaders on their business and industry, but to catch up and share experiences from their state advocacy efforts.

## State Round-Up

California: In a huge win for MCAA, a bill that we strongly opposed, Assembly Bill 2389, was vetoed by California Governor Jerry Brown (D). This measure would have forced any business that utilizes independent contractors who enter a private residence or lodging to issue a uniform that indicates:

1) the contractor who is providing services on behalf of the contracting entity; and 2) the name of the contractor. MCAA partnered with a coalition including the California Chamber of Commerce and National Federation of Independent Businesses, which held meetings in Sacramento with key legislative and administration officers. MCAA's California lobbyist Chris Micheli attended and represented the same-day delivery industry for MCAA through numerous coalition meetings, calls and in the California legislature and the Governor's office.

**New York:** During the MCAA Last Mile Delivery Forum out in San Francisco, I was invited to join the New York State Messenger and Courier Association (NYSMCA) for one of its educational seminars the following week. So right after we got back to D.C. from the West Coast, I was jumping on a train up to New York City for not only my first visit to an NYSMCA meeting, to my first visit ever to the Big Apple. The NYSMCA held a great education seminar on the Federal Affordable Care Act (ACA). Daniel Goldstein of The Whitmore Group and Larry Thaul, CLE, ChFC of Millennium Financial, presented on how best to prepare for the requirements of the ACA on employers and contractors. As the ACA is a hotly contested issue affecting all industries in the country, it was an wonderful opportunity for the 30 association members in attendance to be aware of the changes that are coming for healthcare and the decisions on implementation of the ACA that are still undecided by the Federal Government.

**New Jersey:** On Monday, October 15, the New Jersey Assembly Committee on Labor passed five measures that relate to employers, three of which concern independent contractors. The first bill, Assembly Bill 1578, establishes that trucking services performed in the drayage trucking industry or parcel delivery industry by an individual are deemed employees by the same overbearing ABC test that is used in Massachusetts. This bill had been considered "dead in the water" after a letter-writing campaign by MCAA and the NJ Motor Truck Association; nevertheless, AB 1578 was moved favorably out of the Labor Committee and awaits vote on the Assembly floor before going to the Senate. Assembly Bill 3310 would create a payment process that requires independent contractors to be paid the compensation earned in accordance with the agreed work terms, as well as outlining penalties for the employing company if the agreed work terms are not followed. The third measure, Assembly Resolution 79, demands that Governor

Chris Christie (R) make the State of New Jersey participate in the joint State and Federal initiative and Memorandum of Understanding against misclassification of employees as independent contractors. Although this Resolution is not legislation that would change regulations or enforcement in itself, it is an official plea by the legislature (once passed by both chambers). As a Resolution moves through the legislature, it shows the opinion of lawmakers and how they might lean on other current or future legislation.

As a result of this renewed activity, MCAA is reinvigorating its efforts in the state. A group of active MCAA members who are headquartered or operate in New Jersey are pulling together resources to form a state association. If you operate in the state and would like to participate in the efforts, please contact me at [sswearingen@mcaa.com](mailto:sswearingen@mcaa.com) and let me know.

**Massachusetts:** In moving forward with their case against the Massachusetts Attorney General, the Massachusetts Delivery Association (MDA) filed a Summary of Judgment in November. This step lays the case before the District judge and asks for review. The Attorney General Martha Coakley had until November 20th to file a response. Even though this case is being tried in the Commonwealth of Massachusetts, this is a Federal case that can have ramifications across the country either way the case is ruled. With this in mind the MDA and MCAA ask for your help in their legal fight; contact me at [sswearingen@mcaa.com](mailto:sswearingen@mcaa.com) for more information on how you can help.

A group of active MCAA members who are headquartered or operate in New Jersey are pulling together resources to form a state association.

Follow Us on Twitter and Government Affairs Newsletters!

Be sure to look for continuing Government Affairs updates via the MCAA Twitter account (@MCAAGovtAffairs) as well as on the MCAA website and email alerts.

If you have any questions on the MCAA Government Affairs activities or would like to become more involved, please contact Shawn Swearingen at [sswearingen@mcaa.com](mailto:sswearingen@mcaa.com) or Bob DeCaprio at [bdecaprio@mcaa.com](mailto:bdecaprio@mcaa.com). **MCW**

# Just In Case

## Legal Briefs from Around the Country

### Federal Court Denies Class Action Brought Against Trucking Company

**California** - The U.S. District Court for the Northern District of California denied a class action brought by truck drivers against their employer. The federal court denied the request for class certification because proving various fact issues would require the court to individually analyze how the facts applied to each individual class member. In *Narayan v. EGL, Inc.*, 2012 WL 4004621 (N.D. Cal. Sept. 7, 2012), the truck driver plaintiffs alleged that their employer improperly misclassified them as independent contractors, thereby unlawfully denying them overtime, business expenses, meal compensation, and wage deductions. Under California law, a court looks to the Borello factors to determine whether an individual in an inde-

pendent contractor or employee. An analysis of the Borello factors requires an intense focus on the facts specific to each plaintiff. This specific focus stands in stark contrast to the more streamlined nature of the class action which requires that common questions predominate throughout the class. Without this commonality, the truck drivers could not demonstrate that a class action would be an appropriate means of continuing the litigation, and according, the federal court denied the drivers' request to certify the class. The individual drivers who brought the initial action may still proceed with their lawsuit; they just cannot do so on behalf of a larger group of drivers.

### The FMCSA Argues Its Hours Rule Should Be Upheld

**District of Columbia** - The Federal Motor Carrier Safety Administration (FMCSA) responded last month to the American Trucking Associations' (ATA) appeal of the agency's Hours Rule. Earlier this year, the ATA filed its appeal with the U.S. Court of Appeals for the District of Columbia Circuit objecting to a change in which the 34-hour restart is limited to once a week with each restart including two rest periods between 1 a.m. and 5 a.m. The FMCSA responded to ATA's brief last month, arguing that the limits on the 34-hour restart are reasonable. The agency also asserts that the ATA's arguments are based upon a misreading of scientific evidence. The D.C. Circuit will likely decide the case sometime in 2013.

### OSHA Sues Trucking Company To Enforce Back Pay Order

**Ohio** - In November 2012, OSHA sued Star Air, Inc. in an Ohio federal court to force the company to pay two former drivers \$612,205 in back wages and legal fees. The back wages and legal fees were awarded after the former drivers filed safety whistleblower complaints, each alleging that Star Air, Inc. fired them for refusing to continue driving their trucks after safety violations were discovered. The Department of Labor's Administrative Review Board awarded back pay and legal fees in December 2011. According to the Department of Labor, Star Air, Inc., had made no attempt to comply with the 2011 award, prompting the Agency's action to enforce the order.

### President Makes It Easier For Veterans And Service Men and Women To Get CDLs

**U.S.** - The Military Commercial Drivers' License Act of 2012 will make it easier for veterans and military personnel to obtain CDLs while in the service. Under this new law, the fact that an individual may be performing their military service in a state other than their home state will no longer be an obsta-

cle for those military members who want to obtain a commercial drivers' license. Specifically, the law creates an exception which allows states to test and issue commercial driver's licenses to service members who are living in another state. It is hoped that the law will serve dual purposes. First, the law will make it easier for veterans to find jobs after their military service ends. Second, the statute will give trucking companies a better opportunity to find qualified drivers.

### Texas Jury Awards Injured Driver \$5.5 Million

**Texas** - A Texas jury awarded an injured truck driver \$5.5 million, finding that West Star Transportation, Inc. failed to provide adequate safety equipment while the driver was on the job. In April 2007, the driver was tarping his load when he fell approximately 15 to 20 feet, landing on his head on a concrete driveway. The driver sustained severe head and brain injuries, which limited his ability to live independently, care for himself, and find and retain employment.

It has never been more important for employers to remain vigilant, informed, and assertive about all of these matters. If you have a specific question about any of these summaries, or if you have other labor or employment related questions, please contact the authors, Peter P. Perla, Jr., Esq. and Erin L. Henderson, Esq.

Peter P. Perla, Jr. is a partner in the law firm Jasinski, P.C. and has been practicing law since 1996. Erin L. Henderson is an associate at the law firm Jasinski, P.C. and has been practicing law since 2007. Jasinski, P.C. has been representing employers in employment litigation and labor law matters since 1990. The firm's practice is devoted to labor negotiations, resolving contractual labor disputes, employment litigation, and advising and training employers in the area of employment and labor law. Jasinski, P.C.'s response to combating the growing number of lawsuits is to mount a cost-effective, but very aggressive defense, against what in many cases amounts to frivolous allegations. This approach involves tried and true methods of what we like to call "risk management from a legal perspective."

*Mr. Perla is licensed to practice law in New Jersey and New York and has defended lawsuits on behalf of employers that have been filed in these states as well as California and Florida. Ms. Henderson is licensed to practice law in New Jersey and New York and has defended lawsuits on behalf of employers that have been filed in State and federal court. **MCW***

# The Good News in the Same-Day Delivery Industry

New survey points to positive growth for companies serving the supply chain

The same-day delivery industry is experiencing positive growth in both revenue and profitability according to a survey released by MCAA in November. MCAA's 2012 Industry Survey contained some very optimistic numbers. "Fifty-eight percent of our members told us that their revenue was either much better or better today than it was a year ago," said Rob Johnstone, MCAA's president.

According to the survey, members rely heavily on independent contractors for their continued profitability. Over half (56 percent) use independent contractors to maintain the level of flexibility they need to respond to customer needs. Only ten percent rely solely on employee drivers, while over one-third (39 percent) rely on a combination of independent contractors. "Success for those of us in this industry is heavily reliant on the ability to say yes to our customers, no matter what or when they ask. Over 90 percent (93.2 percent) of our members told us that on-demand deliveries are a critical part of their business. The use of independent contractors makes that possible," Johnstone says.

While on-demand services were a key part of this industry sector, the survey revealed a wider array of services delivered by MCAA members. These included: scheduled and routed work; warehousing; distribution; next-day and overnight deliveries and last mile distribution (which increased six percent since the association's last survey in 2010).

Those in the same-day delivery industry are playing an escalating role in the dramatic changes in distribution for the retail industry. "Today's retailers want to respond quickly to changing consumer demands while at the same time keeping

their inventory costs low," points out Johnstone. "Many have the expectation that they can order inventory at the close of business and have it on-hand when they open the next day. Our industry makes that happen. Over 60 percent of our survey respondents (63.2 percent) say they cater to this market.

Interestingly, none of our members cited this as an industry they supported in 2010. That's a dramatic change," he says. Other industry segments served by these expedited delivery companies include: banking, pharmaceutical, medical (a six percent increase since 2010); third party logistics providers (a five percent increase); government and high-tech.

The survey paints a picture an industry's dominated by smaller companies (over 45 percent of the respondents had yearly sales of \$1 million to \$5 million) with deep histories (57 percent) had been in business over

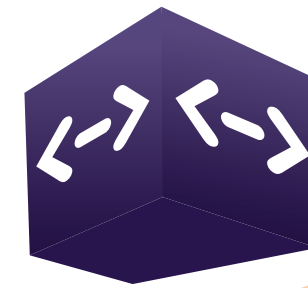
20 or more years. Despite their small size, most (60 percent) have developed the capacity to deliver nationally and regionally by making use of a network of agents. Forty-eight percent consider themselves politically active and they leverage their voices through membership in both MCAA on a national level and state courier associations on a local level.

"This survey paints a picture of an industry that is made up of companies that have strength, flexible and longevity on their side. It showcases the critical role these small businesses continue to play in the evolution of the supply chain, both locally and globally," concludes Johnstone.

For more information and the complete results of the MCAA Industry Survey, go to [www.mcaa.com](http://www.mcaa.com). **MCW**

**Today's retailers want to respond quickly to changing consumer demands while at the same time keeping their inventory costs low," points out Johnstone.**

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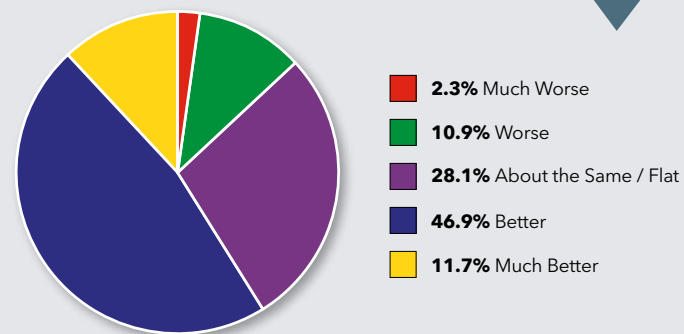
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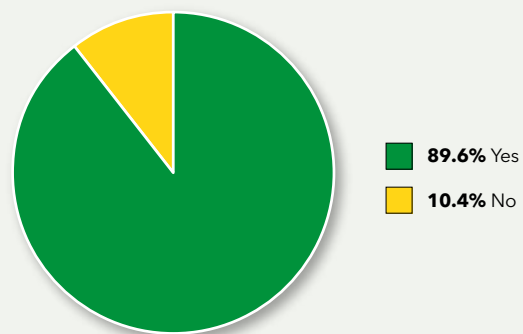


# MCAA 2012 Industry Survey Results

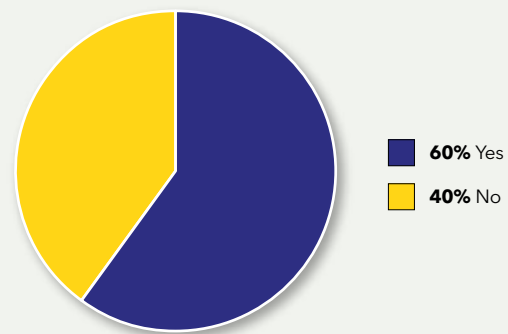
How is your business doing today compared to a year ago (Revenue)?



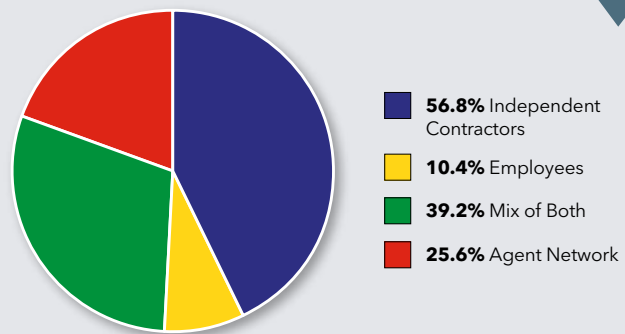
Is the ability to utilize independent contractors important to your business model?



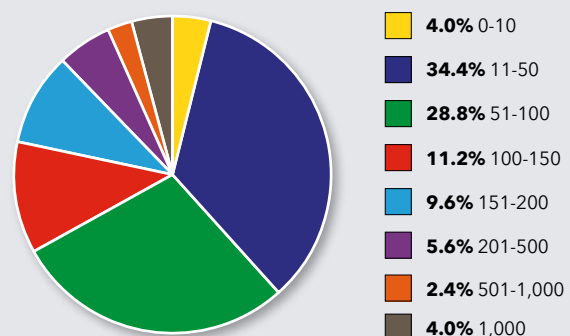
Do you offer national/regional service through a network of agents?



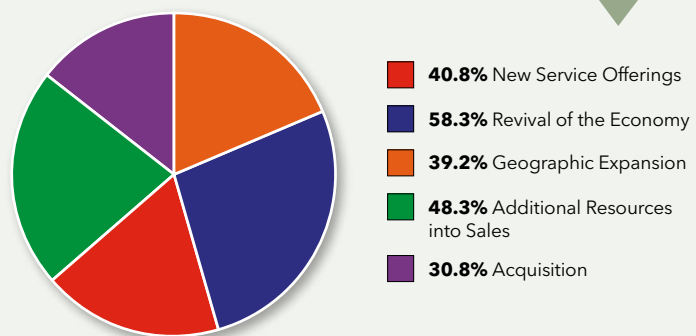
What kind of couriers do you use?



What is the average number of drivers you employ or contract with on a regular basis?



What do you see as the key factors for growing your business over the next 12 months?

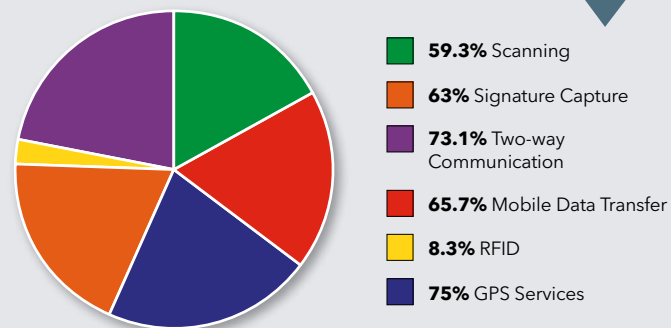


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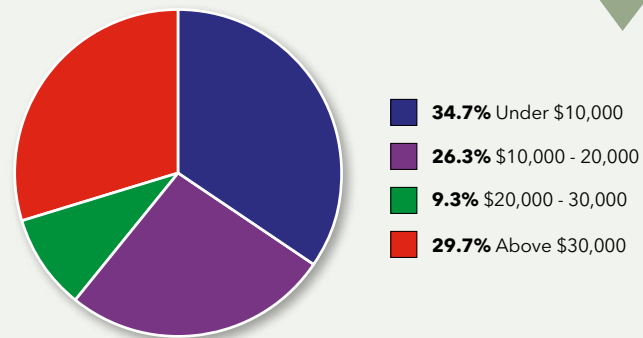
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# MCAA 2012 Industry Survey Results

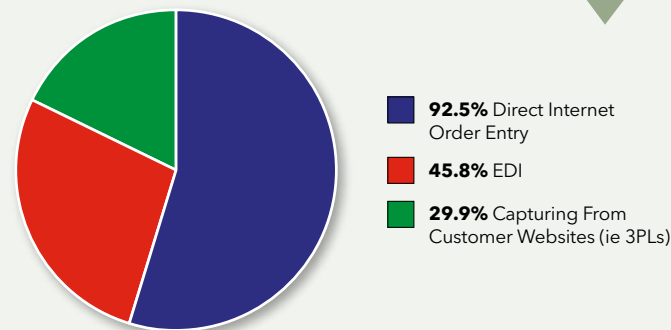
Does this communications equipment do any of the following?



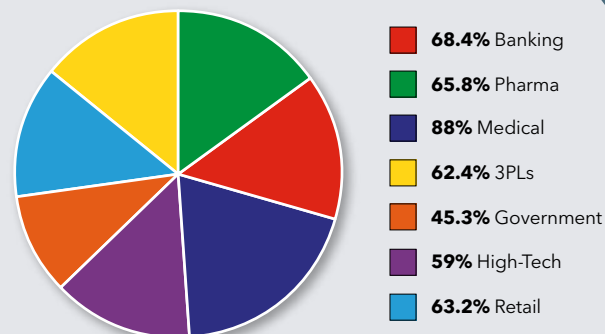
What is your total investment in communication equipment?



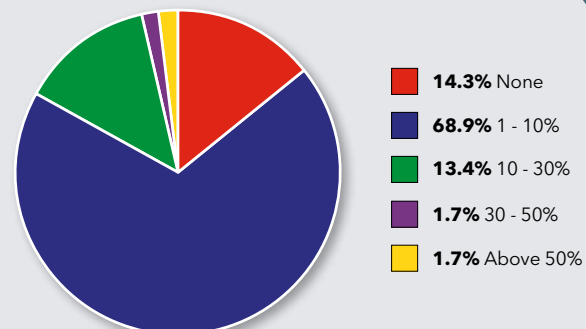
Do you accept orders over the Internet in the following manner?



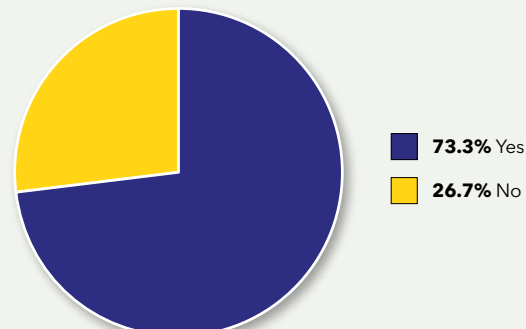
Please indicate the industries you support:



How much of your current business is residential home deliveries:



Do you work for 3PLs?



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# MCAA's Last Mile Forum

## Gives Participants Insider Tips on Adapting to Changing Supply Chain Demands

For those involved in last mile delivery, it was an event that sparked their interest and enthusiasm. Over 175 service providers, shippers, and third party logistics companies (3PLs) from the same-day, expedited delivery industry gathered in September for MCAA's Annual Last Mile Delivery Forum.

Set in the old-world elegance of one of San Francisco's classic venues, The Palace Hotel, the three-day meeting offered a front row seat on ins and outs of last mile delivery.

Industry veteran Jerry Hempstead kicked off the first full day of meetings with his exciting remarks, "Things Change – Observations on Industry Trends." A former executive with Airborne Express and DHL, "The Parcel Guy" founded a consultancy dedicated to reducing transportation costs called Hempstead Consulting. He talked about thriving in uncertain times by taking advantage of the changes in the industry as early as possible. He urged the audience to learn from UPS, FedEx and even the US Postal Service, both their successes and their failures. Quoting Louis Pasteur, he pointed out that "Luck favors the prepared mind" and urging participants to become lifelong learners to stay ahead of the trends.

Doug Caldwell, Senior VP with AFMS Global Logistics picked up the trend spotting theme later that morning with his remarks, "The Same-Day Industry and the Supply Chain." He called upon on his experience with the global supply chain and small parcel and freight delivery for his remarks. Caldwell gave the audience a look at some of the emerging trends in routing, unique common delivery sites like parcel lockers and strategies for dealing with deliveries in congested cities. He also outlined some

of the market forces affecting UPS, FedEx and the Post Office.

Saturday's focus was on growing your business, starting with a panel called "Taking Your Company to the Next Level." Moderated by MCAA Board Member Jason Burns of QCS Logistics, the panel included Tom Jowers, ADL Delivery, Inc.; Harold Boyett, Blue Streak Expediting and Dwayne Martin, Statewide Transport. They discussed topics such as: understanding your strengths and weaknesses; feeding into the development of a growth plan; choosing among models for growth and staying on the "top of the mountain" after you've achieved that growth.

The benefits of growing by doing business with 3PLs ended Saturday morning's presentations. Board Member Steve Howard of Esquire Express led the discussion with panelists: Chris Miller, Ensenda; Steve Nelson, Precision Logistics and Forest Kragten, Network Global Logistics. The panel discussed some of the benefits of doing business with 3PLs; how this kind of business expands a company's footprint into a nationwide presence; what the keys are to building a successful relationship with 3PLs; how a courier's use of technology makes them attractive to 3PLs (including the value of systems integration); how to build profitability into a company's relationship with 3PLs and how 3PLs use metrics when evaluating their relationships with couriers.

For those looking to jump into verticals that require the use of trucks, the day finished off with two sessions. The first was a panel called "Trucks in Your Future - Same-day Industry Goes Big to Meet Demands". Moderated by Board Member and conference chair Kirk Godby of Corporate Couriers, the panel

included former MCAA president Chris MacKrell, Custom Courier Solutions, Inc.; Jeff Havens, Jet-X Delivery and former Board Member Rob Hackbarth, Hackbarth Delivery. They tackled such questions as: Is there a critical event that tells you it's the right time to get into trucking? Why did you shift in that direction? Why is trucking an options couriers should consider? What verticals are the most attractive once you decide to get into trucking? What equipment and options should you consider? Should you lease or buy? What are the operational challenges?

The conference finished up with some of the legal challenges faced by those considering the use of trucks. Greg Feary and Katie Feary-Gardner of the transportation law firm Scopelitis, Garvin, Light, Hanson & Feary helped conference participants delve into some of the regulations and compliance issues involved. They pointed out the variety of state and federal regulations that those entering this sector need to be aware of.

In addition to the presentations and panels, an enthusiastic group of couriers shared their wisdom, experience and solutions to common problems at the conference's Courier Focus Groups. Always a hit, the two-hour session allowed participants to share ideas on Growing Your Company; Technology Solutions and Trends and Employee Matters.

Along with a variety of networking opportunities and first looks at the hottest products and services through vendors, the 175 participants went home smarter, better connected and ready to grow their businesses in new and exciting ways. **MCW**

# Things Change - Observations on Industry Trends

*"Luck favors the prepared mind" - Louis Pasteur*

Those attending the Last Mile Forum got a pep-talk from industry consultant Jerry Hempstead on the second day of the conference. Hempstead, who's been dubbed "The Parcel Guy", founded Hempstead Consulting, a firm dedicated to reducing transportation costs. This former executive with Airborne Express and DHL told participants that they can choose to "thrive and survive in these uncertain times."

His overview of the same-day delivery included a look at the big three – FedEx, UPS and the US Postal Service. "Air is the engine that pulls the FedEx train and they are going down," he said. "The real problem for their bottom lines that they have a tremendous fixed cost investment in aircraft. They are stuck flying these planes around when they are empty." Where FedEx's growth is coming from is their ground product, Smart Post. In 2012, it's been experiencing an 18.2 percent year-over-year growth, fueled mainly by internet sales.

UPS' growth has also been in ground delivery. It went positive in the fourth quarter, with a 3 percent year-over-year growth for 2012. The company's ground product, Sure Post, leaves the last mile delivery to the US Postal system. "What FedEx and UPS are suffering from is that they are cannibalizing their own business with one-day ground. That's not only bad news for them, it's also bad news

for MCAA members because they are now competing with you in the one-day ground delivery space," he pointed out.

Ironically, the U.S. Postal Service, a natural for ground deliveries, is floundering. "They are the lowest cost for last mile because they go to everyone's home six days a week anyway," said Hempstead, "This segment is gravy for them. And yet, they expect to run out of cash by the end of 2012. They've already missed

a \$5.4 billion payment for retirement benefits as well as a workers' comp payment, despite actually making a profit." Nevertheless, Hempstead cautioned the audience not to count them out. "The US Treasury stands behind them because their existence is congressionally mandated. Congress will give them the cash they need to keep them in business," he said. While their Express Mail deliveries are going down, Hempstead pointed out that their Priority Mail flat rate box volume is going up. In addition their Parcel Select has experienced a whopping 253 percent growth. Parcel Select is a hybrid product. Shippers drop the deliveries at a Destination Delivery Unit, which is the local post office, and the Postal Service delivers them to homes.

Hempstead's key message was that the only constant in life is change. "We are all one phone call away from life changing events," he cautioned. "There are

things you just can't control and others you can take charge of. You can't control the price of fuel. Between ongoing troubles in the Middle East and the recent loss of two oil refineries, we know that \$4 gas is coming. So that's clearly out of our hands, but your reactions to that change are within your power. Carriers will probably tinker with the way they calculate fuel surcharges to take these changes into account."

Change is also a constant with your customers. "Customers go out of business. They switch to another carrier for a variety of reasons. Or, you may have to let them go because they don't pay," he said. "Whatever the reason, the truth is that you constantly need to increase the number of customers you're bringing in. You need to have a process to keep adding prospects to the sales funnel. This sales funnel takes a prospect from a hot lead to an opportunity to a proposal to a new customer."

## Hempstead posed these questions to the group:

- What are you doing to move prospects through your sales funnel?
- What do you do with the information you have on qualified prospects that you don't sell? How are you using this valuable material to improve your sales process?
- How do you achieve and maintain a top of mind awareness of your service and capabilities?
- How are you using the resources offered by social media as part of your ongoing sales and marketing process?



Hempstead pointed to social media as the key to four things: Better customer engagement; improved revenue generation; thought leadership and operational efficiency. "You want to be on all social media with a consist message," he said. "You need to be wherever your customers are so they can find you. In addition, you need to mine social media to find out about your prospects and customers. You need to use social media to listen as well as speak."

He told the audience that they should be using LinkedIn both individually and for your company. "I think of LinkedIn as 'Business Facebook.' There's tremendous power in it as a prospecting tool," he pointed out. "You can put in a target company and find someone in your network that has a connection there. You can ask them to give you an introduction to the right person. These are your second degree contacts. They are the people you know who can get you through to the people you want to know." He urged conference participants to make the most of LinkedIn's capabilities including company pages; research on target companies; an ability to blog within LinkedIn and the option to post presentations you've given. "It really

helps establish you as a thought leader – someone who knows the business and someone people want to know," he says.

Hempstead encouraged participants to look into other social media such as Google+; Pinterest; Facebook and even YouTube. "These help you monitor the industry, connect with others and stay on top of the game," he said. "Use them to really look at developments in your space and in your clients' industries. Resources like Google Alerts help you monitor the industry as well as your own company name. If you're looking to connect with a specific customer, activate a Google Alert on their industry or even their company. When either of these shows up on the web, you'll get an email from Google Alerts with the link. You can use this information to bone up on their business as well as an excuse to pass along the link with a friendly email. It's a great way to reach out to prospects."

Hempstead encouraged all participants to stay on top of the industry through webcasts, blogs, publications and participation in events that attract shippers. "There are so many webcasts available and many of them are free. You can

learn a lot from them that will help you delve deeper into our industry and even position yourself as a thought leader who people want to do business with," he said.

Want to know what's on shippers' minds or network with them face-to-face? Hempstead urged conference participants to go to them. "Find out where these decision makers congregate," he says. "You'll find them at events such as USPS' Postal Forum or at the parcel shipping and distribution industry's Parcel Forum. There are also meetings of professional development organizations like the Council of Supply Chain Management Professionals and the Postal Customer Council. These organizations have national conferences as well as local chapter meetings. They are a great way to meet prospects and learn about the industry."

If your sales efforts need a boost, Hempstead points to a number of prospecting tools that offer leads such as Salesgenie or Jigsaw for Salesforce. Salesgenie helps you target businesses by industry, size or geography. Jigsaw is a cloud-based system that gives subscribers access to 26 million contacts that are contributed and maintained by 1.6 million community members.

Hempstead concluded his presentation by exhorting conference participants to stay positive. "I want you focus on the good news that's out there," he said. "Consider the results of a recent IBM survey that concluded that 90 percent of the general population is not facing hard times. Despite that, our psychology has shifted to a place where we're all worried and feeling pinched even if we're not in reality. Just because we're facing tough times, it doesn't mean that things will always be this way ... it's not a question of if the economy will recover -- it's a question of when. You need to begin today to take advantage of the when. Remember: The task ahead of you is never as great as the power behind you." **MCW**

# Are There Trucks in Your Future?

Last Mile Delivery Forum Panel discusses how some same-day couriers go big to meet demands

Many of those attending the Last Mile Delivery Forum were thinking about trucks. Should they get into the trucking business? What are the demands and rewards? On Saturday, Sept 15, a panel of those experienced in this vertical shared their knowledge about this up-and-coming sector.

Moderated by convention chair Kirk Godby of Corporate Couriers, the panel included those with a wealth of experience dealing with the issues that come along with trucking. They included MCAA's immediate past president, Chris MacKrell of Custom Courier Solutions, Inc; Jeff Havens of Jet-X Delivery and former board member, Rob Hackbarth of Hackbarth Delivery.

**Godby:** A lot of couriers are getting into the "trucking business" due to customer demand. Please tell us about your path into this sector.

**Havens:** Well, I actually started my business life in real estate. I came into the courier business as a second career. Things were looking good, but then faxes came along and outside technology forced me to change what I was doing again. That's how we got into trucking.

**Hackbarth:** I started Hackbarth Delivery with my wife, Carol on Nov. 1,

1975. Our first month's sales were \$7.50. At that time, we had a 1974 Dodge pick-up. We were doing a lot of bank transportation which dictated that we add more and more vans. At that time, banking was 90 percent of our revenues. Then, checks started going away and the business had to change. We altered the direction of our company and started down the road with pharma distribution. That kind of morphed into same-

**You need to understand that dealing with truck drivers is different. These guys are not like your couriers. Not everyone can drive this kind of equipment.**

day trucking. Today, I think of us as being in same-day trucking business instead of the courier business. Also, we do some appliance delivery with 26 foot box trucks. We've got 23 locations across eight southeastern states and one in the Midwestern states.

**MacKrell:** I have been in this industry for 30 years and 4 months. I started as a courier in 1982 when I graduated college. It was a good job. I bragged to my friends, "You get in your car and they pay you to drive." Not a bad deal. I've worked in some small private companies in my day; three or four years in publicly held companies. I owned several Dynamex franchises. I spent two years as Director of Business Development at CD&L. In 2006, Velocity Express and CD&L merged. I stayed for six weeks and my partner and I said, "It's time for us to do this on our own

thing". That's how we started Custom Courier Solutions. It wasn't exactly an overnight success. In fact, it was eight months before we were doing a decent business. Today, we have nine facilities across update NY with over a hundred employees and 250 ICs. Now we're a trucking company that has some courier business.

**Godby:** Were there critical events that made you get into trucking and what were the key factors you took into consideration when you made that decision?

**Havens:** Changes in technology made me expand into trucking. But it could be other factors for other couriers. Maybe you just got a customer who's been nudging you to go into that. Perhaps they've added another office and they need you to do line-hauling into that area. But, before you respond to that demand, take a moment to think. You can't jump into this business lightly. Ask yourself why you're thinking about getting into this business. Remember, it costs you in money to get into trucking. There's a lot of liability. There are a lot more regulations. You need to have the business in place to back it up before you make a move into trucking.

**Hackbarth:** One way is to have a customer whose business will pay for the start-up equipment and drivers. Whenever we wanted to get new line of business, a new location or take on new equipment, we'd go out and get the customer first. That's how we got into trucking.



You need to understand that dealing with truck drivers is different. These guys are not like your couriers. Not everyone can drive this kind of equipment. Finding them isn't easy. You're recruiting from a different pool – a smaller pool – than you are for regular drivers for your courier business.

Also, think about how you're going to manage all the regulations involved with it. These are different than the courier business.

Naturally, the biggest budget item you've got to consider is the cost of the equipment. Be caution about this. You can make a mistake when you add a little car or even a van, but you're not going to have that kind of leeway with big equipment like trucks.

**MacKrell:** Our decision was based on the competition within our footprint. We were doing traditional courier work and we found ourselves at the losing end of bids. We thought we had two choices: either shrink or look at the emerging markets that were coming down in our area. That turned out to be trucking.

We took the opposite approach from Rob. We adopted the mindset of "Build

it and they will come." So, we invested in trucks and equipment and they came. They brought new business into our company. I know that was risky, but it worked out for us.

**Godby:** What's going on in the market that makes you think this will continue to be a growth sector?

**Large trucking companies don't have a really good way to do what we do. They are actually turning to folks like us to be able to take care of that last mile.**

**MacKrell:** I see five trends that make me think there will be continued growth in this sector: 1) Shrinking shipment sizes. When shipments are going from 10 pallets to three pallets they are no longer interesting to the big carriers; 2) Rising demand for more frequent deliveries to the end users; 3) An increasing need to push product to locations when the customers need them; 4) An escalating expectation by retailers that they put their orders in by 5:00 and get them delivered by the opening of business the next day and 5) A huge increase in the demand for home delivery of goods. We especially like this last trend because it allows us to use our trucks all day and all night. We'll use them for palletized deliveries at night and for home deliveries during the day. That means we're doubly utilizing that equipment, which is a very good thing.

**Hackbarth:** Large trucking companies don't have a really good way to do what we do. They are actually turning to folks like us to be able to take care of that last mile. They do a great job in their segment, but they look to us to complete those deliveries.

I went to the Parcel Forum and found out more about this. I got the strong feeling that they were beginning to understand where we fit. The word is getting out to them that there's whole segment of folks like us. What I heard was that they are looking for solutions other than FedEx for last mile capability.

**Godby:** In what verticals do you see the most potential?

**MacKrell:** Delivering auto parts distribution at night. That's a big growth sector. We also see big potential for any products that are traditionally handled through pool distribution at night. We deliver everything from dog food and pet supplies to HVAC units and cleaning supplies. This is palletized freight that comes from a distribution center and goes to individual stores at night. It pays the shipper to use companies like ours and not big trucking companies because we're used to handling the shipments they consider too small - the two and three pallet deliveries.

**Godby:** What about compliance? This is a whole new world for a lot of us. What kind of training and management changes do you need to make this transition?

**Havens:** It's very different from small package delivery. There's so much regulation. You need to develop that knowledge before you go into it. You are the owner; so you're the one who's liable for these things. You need to make sure you're on top of all this. That means reading the rules and regulations and understanding them before you jump in.

Also, this is a vertical where driver management is critical. If you're going to hire someone in the driver management position recruit someone who's already

been in this business before. They need to understand things like keeping track of log books, hours of service, log book violations and medical cards. They need to understand vehicle maintenance requirements. That means making sure the trucks are inspected and kept up. You might recruit for that position by finding someone who's been a driver who's learned the ropes already or someone who's been a security manager.

And then there are the issues around drivers. First of all, there's the issue of recruiting them. You'll need a lot of money to recruit these drivers. It's hard to do. There are CSA requirements on drivers and companies. These have put lots of folks out of business. You have to spend money to get drivers and then train and pay them properly. If not, it will cost you in fines. Put the right people in place. Then you'll have to train them. You can't just hire a driver and put them on the road. You'll also need a drug and alcohol testing program and awareness training.

**Hackbarth:** In the beginning, when we were looking at this, I wanted to get a handle on all the regulations. I read all these statutes. It's very complicated. There are lots of regulations and exclusions. You need to read and study all the time. There's always something. You've got to keep up with changes.

We have someone in-house who does just that. He came from trucking and he knows the regulations and the codes. We also reached out to a consulting company that knew DOT regulations. The person we work with actually came for the DOT. He knows the people and lingo. He's like an additional employee of our company. He comes to audits with our operations person.

**Godby:** What about choosing equipment - do you rent or own? Or do you use ICs who have their own equipment?

**Havens:** In the beginning we bought our own truck - a Bobtail - because I wanted the control of having my own equipment. But, as the business got bigger I ended up renting trailers and hiring ICs. With the ICs in this sector you can get a driver and a truck. You don't have to put out for the truck and equipment. If a job doesn't work for you, you don't lose much. So, you can be more flexible with ICs, but without control. Specifically, they can turn down jobs.

**MacKrell:** We use a variety of approaches. We rent some of our trucks and own some of them. We also use a small number of direct ICs who have their own equipment, but those drivers are hard to find. This combination gives us flexibility and backup. We also outsource to other agents, especially for larger shipments. We decided to buy some trucks recently because

we saw the upside economic advantages of owning them. When you purchase them, you make it a point to make sure they're used. We use ours 18 hours a day. Remember, you only make money when the wheels go round and round

**Hackbarth:** For our equipment, we use a leasing model. But for drivers, we use an employee-based driver model because we are in the wholesale pharmacy sector. In this vertical, it's common for companies like us to have three to five year contracts. So, you know you'll be using this equipment during that set period of time. We lease with a national company primarily because we need a strong back-up system in place if there's a breakdown. When you've got pharmaceuticals on board, lives are at stake. They have to be delivered on time. This national company has a built-in backup system in place to make sure those deliveries arrive on time, even if a truck breaks down.

**Havens:** Each of the categories -renting, buying, leasing- has its uses. When you own you've got immediate capac-

ity. If we have a job and drivers, but not enough trucks we'll have to rent. We buy trucks if we have good routes that pay well. These routes let us make more money because we have more control.

**Godby:** What are the operational challenges involved in getting into trucking?

**MacKrell:** Sales and image. Both have to be handled well. When it comes to image, you need to know that much of what you do is public knowledge. Consumers and companies alike can go to The US Department of Transportation's Federal Motor Carrier Administration site that shares information from its SAFER - Safety and Fitness Electronic Records - system. The site describes its purpose this way: "[The SAFER website] offers company safety data and related services to industry and the public over the Internet." Visitors to the site can learn all about your company including its safety violations and any issues it's faced. Companies considering doing business with you will use the information on this site to disqualify you if they see issues with your safety system or inspections. In 2014 many companies will be saying you must have a certain rating on the SAFER site or they won't be able to do business with you.

You also need to know what people are saying about you on social media sites. You literally have to monitor them throughout the day. When you're using ICs, especially, this is a good way to get feedback. But, it's not where you want to hear about a driver getting stopped by the DOT or getting a ticket. These guys have to tell you when things like this happen. If they don't and they neglect to put it in their log book, you'll never know. And the next thing you know, you'll get dinged for it.

**Havens:** We look at the SAFER site ourselves so we know what our customers are seeing when they want to know if we're a good carrier. You really have to be aware of training drivers properly and watching hours of service. One bad driver or one bad truck can ruin your reputation. **MCW**

**When you've got pharmaceuticals on board, lives are at stake. They have to be delivered on time.**



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# Working with 3 PLs: Leveraging Your Relationships, Technology and Opportunities



For most MCAA members, working with 3PLs has been a productive way to boost their bottom line. In fact, a recent survey of MCAA members said that over 73 percent of them work with 3PLs. That explains the popularity of this panel on the last day of the Last Mile Delivery Forum. Moderated by board member Steve Howard of Esquire Express, a panel of 3PL executives tackled the tough questions about developing these relationships. The panel included Chris Miller from Ensenda, Steve Nelson from Precision Logistics and Forest Kragten from Network Global Logistics.

**Howard:** How can couriers work with 3PLs?

**Nelson:** We think of the relationship as a vested partnership approach to things.

What we try to do is open up lines of communication between the local providers and our customers. Then, we continue to hammer them open. Vendors don't ask questions. We want them to. We make sure it's okay to say something to us so we can turn around and explain to our customers where that pain is. If communication isn't open, we can't expect you guys to do your job. When it's a good communication situation, customers as well as vendors understand what's going on.

We deliver everything from medical lasers, to safes, to TVs and everything in between. We have one network that does deliveries and another that handles deliveries that require installation. Our experience with vendors in both of

these networks has proven to us that good communication is the key to working together.

**Kragten:** We go out on behalf of our customers who are looking for a national solution. We aggregate that volume and become the unified face to them. We give them one-size-fits all price for that unified solution.

We're in the Life Science space. Essentially, what we do is mission critical transportation. As you can well imagine, there are stiff financial penalties for failure in this space. Our vendors have to understand the type of product they are moving. Things like medical specimens, for example, require temperature control and a sense of urgency. So, like Steve (Nelson), for us, communication and flow of data is critical to what we do. I really believe that delivery of the data is as important as the delivery of the package. We look for people and vendors that can help us communicate with the customer.

**Miller:** Our job is to build a network for our clients. We go out and look for a local partner with the right company with the right profile to deal with the specific activity we need for that client. Once we have that network, we have to identify specifically what that service is, from both the customer's and vendor's point of view. Then, we model the cost, with an understanding of the costs both from the vendor's point of view and their ICs. We do not want to find ourselves in the worst case situation where we are working with an IC for a three-month period and then have the local partner tell us that he can't make it work with that IC because of the rates.

We need to find companies that can leverage technology to get the highest service for the lowest cost. At Ensenda, we live, breathe and die by our technology. We expect the same from our underlying service providers. You have to understand technology and the impact it has. We'll integrate directly into the dispatch system of our local providers. One customer may have 60 to 70 service providers and they all have their own systems. If we integrate with their systems, it simplifies that arrangement and makes it more efficient.

Our goal is to cultivate long-term relationships with vendors and clients. Most of our client relationships have gone on for many years. We look for that kind of relationship with our vendors, too. We grow with our partners and we support them as they go through difficulties.

**Howard:** Talk about how your company's grown in response to the changing needs of customers.

**Kragten:** We were originally couriers. We specialized in legal documents and movies. But both of those demands changed. Our company has evolved. Today, we like to say that we deliver what's urgent and can't be digitized. That's why we're in the life science and medical spaces. Their needs are time-sensitive and can't be digitized.

We foresee e-commerce as the next big growth engine for our industry. These companies will be looking to large aggregators. They look for shorter and shorter windows at a tolerable price. For those that offer perishables, their need for same-day is huge. These kinds of customers require specialized handling and hand holding. UPS can't provide that. It's things like white glove, B2B, temperature sensitive items and "do not tips".

**Howard:** What do customers with national footprints want from a 3PL?

**Miller:** Volume consistency. And the more volume you have, the higher the consistency, if you do it right. Our relationship is with larger customers like Dell and HP. Most couriers can't get directly in them. They get their business by dealing with 3PLs. Freight forwarders and 3PLs thrive because we know what it takes to operate on a larger level. Ensenda's actually doing more and more freight

forwarding. It's a great way to grow.

**Howard:** Speaking of growth, what do you foresee as growth markets for 3PLs?

**Miller:** We foresee changes in every industry, from banking to health. But, there's no percentage in looking for the next trend. By the time you see the next trend, you'll be road kill. Change accelerates all the time. Right now, we're seeing changes in the way retailers and manufacturers manage inventory. For a while, the trend was to focus on a centralized location and stocking. But now, as they become better at managing

Change accelerates all the time. Right now, we're seeing changes in the way retailers and manufacturers manage inventory.

inventory, they are forward-deploying inventory. Amazon's already doing that. They are building distribution centers and forward deploying their inventory. That means there will be opportunities for you to help manage inventory - inventory that's coming from far away and inventory that's being stocked closer to end-users. Your ability to understand these various approaches to inventory will drive your ability to tap into this market.

**Howard:** Talk to us about the role technology plays when it comes to choosing a courier.

**Miller:** We demand a level of technology from our underlying service providers. We want to deal with vendors who use technology to their advantage. They are often the ones who bring us good ideas. We might learn about a new hand-held or a new program from the folks we work with. We want vendors who use technology to drive their costs down and their service up. These are the folks who are the most valuable to us.

**Kragten:** We demand a certain level of technological sophistication. We have relationships with over 650 domestic delivery agents all over the country. Some of them are so small they don't even have a fax, but they have the



address-to-address capabilities we need, so we've been dragging them into the 21st century. We know smaller vendors like that see spending on technology as money out of their pockets. But we also know that it will mean long-term cost savings for both of us.

For larger partners, we integrate their systems with ours. With this kind of technology integration it is much more efficient on the provider end. We have much better communication in terms of what is happening at the moment of delivery when we have that kind of system integration with a vendor.

Technology makes business more efficient and provides cost savings, plus it protects you. Sometimes it can help you prove that you did everything the customer wanted you to do. And, when something goes wrong and customers want a post-mortem, it's the technology that can tell you exactly what happened. It also helps you answer the question, "What are you going to do to make sure it doesn't happen again?" We also like the accuracy and speed that comes along with technology. There's nothing lost in translation. It can document exactly what happened in the real world.

**Howard:** Let's talk about profitability. How is it possible to structure deals that work for both the 3PL and the local couriers?

**Nelson:** It's all about the contract. Most contracts I've seen are based on price plus assessorial charges for services beyond normal pickup and delivery, such as inside delivery, waiting time, fuel surcharges and storage. It's not uncommon that these models end up needed to be adjusted after the vendor starts doing the job. That's when you, as vendors, need to speak up and say, "These rates aren't working for me and here are the reasons why." Maybe those rates were based on some assumptions that simply



didn't pan out. Maybe there isn't enough volume, or they were based on going so many miles and that's not what happened. It's fine to say, "that's not what we thought when we worked out the original contract." We'd rather you tell us this. It allows us to work with you. We are vested partners in this relationship.

**We need to plug into what our customers want, and what they want is everything better, faster, and cheaper.**

We want it to work. By that I mean we both need to work together. We need to know your pain or we can't address it. It's about communicating.

When these jobs get down to the driver level, we need repeatability and we need to be able to measure

that repeatability with metrics. We want to get to the point where drivers are essentially doing things mechanically. Metrics allow us to know the difference between the carrier who does 15 deliveries a day and one who does eight. You can't manage what you can't measure – that's what profitability is all about.

Profitable contracts start with an understanding of the key operating parameters and then managing that

relationship to match them. That means getting data feedback. Don't go by what you feel. You miss a lot of stuff that way. If you're not measuring your on-time performance or if you aren't benchmarking your performance against some preset standards, you'll have no idea where you stand.

**Miller:** Before you price a piece of business, you need to have a true understanding of what it really costs to take on that business. We use component-based accounting to break down all of the costs. Then we set the pricing. The worst thing you can do to your relationship with a 3PL is to take on a piece of business and later have to give it up because you can't handle cost-effectively.

**Howard:** 3PLs work on a national platform, functioning like agents for the smaller couriers they work with. Let's talk about pricing issues and how you work with small shops.

**Kragten:** We are a shock absorber. We may lose our shirts in one market and then we'll make it up in another state because our customers (shippers) want consistent pricing from market to market. Our vendors have to understand that when we look for price concessions there's a method to our madness. We

need to plug into what our customers want, and what they want is everything better, faster, and cheaper.

We are the aggregators of volume and data so we can give our customers one-size fits-all pricing. And we have to deal with a lot of different providers to make that happen. In the end, we have to price the business so we're competitive. We need our partners and vendors to do that themselves. We know each of our providers understands their own market. We need them to help us understand their costs at their level. We count on them to know their metrics and to use them to run their businesses tightly and effectively so they'll give us the tight pricing we need.

**Howard:** What's the secret to creating long-lasting relationships with 3PLs?

**Nelson:** Giving the 3PL a true understanding of your costs, your expectations, the volume you expect, and your network. When 3PLs pick a vendor, we are looking for "one throat to choke" to cover the whole state. If you can't deliver on this, you need to tell us. Tell us what you do and what you don't do. That's Secret #1.

**The next frontier in customer service is about the management of communications between customers, providers and us.**

Secret #2 is to read the contract front to back. Don't just race to the rate page. Read the expectations and requirements. Read it all and negotiate on points where there are differences. Make sure to understand these contracts inside and out and negotiate them fully to protect yourself. When things fail, you need to protect yourself. Make sure that's also in the contract.

Secret #3 is to do test drives that last from one to three months. You could work for a month and lose profit on one bad delivery, but that might not tell the whole story. Look at the metrics to see if it's a successful piece of business as a whole.

Feed that back to the 3PL. We want to know what's working and what the hardships are. If we don't hear, we won't ask. After the test drive, have a meeting on how it went. That shows control. It demonstrates that you know how to manage your business. After that feedback ask yourself, "Is this a viable piece of business to engage in?" You're both going to want to judge that. Keep that pattern up. Set up communications cycles with these customers. It will help you manage the relationship. Building



those relationships is a way to preserve them as customers. I'm not just talking about taking them to lunch once in a while. I'm talking about being part of a relationship through regular communications.

**Howard:** Let's talk about using metrics as a way to maintain service.

**Miller:** You need to measure what's important to your customer. At the beginning of the relationship, ask them "How do I prove success for you?" I hate subjectivity in terms of measurement of service. I like to work with standard key performance indicators (KPIs) like on-time to commitment, scanning compliance and data communication. These give you the ability to set up hard targets to measure service.

Also, we do a yearly survey of our customers. We've done it every year for ten years. That gives us a decade's worth of data that helps us to understand performance through the eyes of the customer. I'd suggest to 3PLs that they also do that with their local service providers to make sure they're providing the service your customers want.

The next frontier in customer service is about the management of communications between customers, providers and us. That doesn't get measured with metrics. We built a customer relationship engagement system that allows us to capture communications between customers, providers and ourselves. It helps us understand how well we're communicating. That system allows us to capture all interactions associated with a given order including metrics, emails and phone conversations. It helps us measure and understand how well we're communicating with them. It helps us understand what went wrong and why.

So, there you have it – the three things that help you standardize service - KPIs, surveys and communications management. That summarizes it. **MCW**





## What Driver Shortage?

BY RICK MCCLELLAND



Few things have a greater impact on success in our industry than managing service capacity by reducing unplanned turnover of quality drivers. If you reduce driver turnover, you increase service capacity... which results in stronger on-time performance levels...

which results in existing customer retention and a stronger rate of growth... which results in stronger profits and cash flow... which results in a stronger market position. Cause and effect.

You can't provide consistent and high levels of service in a professional manner unless you have the right number of qualified drivers who are committed to service. And there never seems to be enough of them, leading many industry people to think that there is a shortage of qualified people.

In many cases the industry's capacity problem is not one of driver shortage but rather one of "driver churning", where drivers move from one company to another. Companies in our industry tend to churn – or turnover – anywhere from 50 to 150% of their drivers every year!

Solving driver turnover problems can be an important strategic weapon. Having the right number of qualified and professional drivers can be the most important way to differentiate yourself from your competitors. Conversely, having an effective sales organization, the right price and leading edge technology will not matter if you do not have enough high quality drivers to do the work.

### Successful drivers need to...

- Have a vehicle that is reliable because it is properly maintained
- Have a sense of urgency
- Have strong organizational skills (package handling, selection, routing skills)
- Be able to handle the administrative & paperwork side of the role
- Have a high tolerance for stress
- Have solid communication skills

When you're fortunate enough to find someone who has these qualities, your focus needs to turn to retention. A big part of the "How do I get enough drivers?" problem involves keeping the people you already have.

### When you understand driver turnover you can manage it

Bringing on new drivers without understanding why others leave means you're chasing your tail. You hire some people, some people leave, you hire some more people. This leaves you behind the wave. You never quite get ahead. You never have exactly enough "quality people" to meet demand. You never figure out the answer to the question: "Why is our program failing for the good drivers who leave?"

Exit interviews are an excellent way to maintain a real-time understanding of the causes behind turnover. Are you setting yourself up for failure by bringing on the wrong driver in the first place, or are you failing to meet the expectations established when the driver signed on?

The exit interview process essentially involves speaking with each driver who has made a decision to leave and determining the principal causes. The reasons can vary but they can include issues like poor economics or income, the perception of driver favoritism, erratic workload, stress, personality conflicts with operational staff or other drivers etc.

### You need to identify if there is something wrong with things like:

- Your background check process
- Interview process

- Orientation and training processes
- Distribution of the available work
- Income or rate quality
- Speed and perceived fairness of problem resolution
- General communication with management or dispatch

In addition to asking questions related to why each driver has chosen to leave, you can also look to departing drivers for solutions. For example, ask what can you do in the future in order to address the causes of turnover. If you capture and track all of this data, you can start to understand issues and trends. You'll be able to identify the two or three main causes (or people) responsible for the majority of the turnover. You can chart and review this data with the operations people on your team and some of the drivers, and then brainstorm solutions.

### "The right stuff"

Drivers must have a certain set of skills. You can develop a skill inventory list by assessing what skills the best drivers have. What makes your best people "the best"? It's often about skills like: knowledge of the city, mapping skills/routing skills, the ability to plan ahead, a properly maintained vehicle and proactive communication with dispatch and clients.

You can set yourself up for success by using your skills inventory as a filter when interviewing new potential drivers. You can incorporate this knowledge into your interviewing process and a background check process in order to determine if a new candidate has the characteristics of the people who tend to leave... with those who tend to stay.

### The dispatcher's role

Dispatchers who have great listening skills and who respond promptly to driver concerns have lower driver turnover rates than those who fail to recognize the importance of professional, dignified communication with drivers. Dispatchers should be trained to understand the financial and service impact related to the loss of a single driver; and their compensation and incentive programs should be tied to improvements in your turnover ratios.

### The Bottom Line

The byproduct of reducing driver turnover is a stronger competitive position. Reducing turnover will mean an increase in service capacity and a stronger service commitment from drivers, which will improve customer service, your industry reputation and client retention. The bottom line? The drivers win. The customers win. Your company wins.

How cool is that? **MCW**



## THE MARKETING ADVANTAGE

BY THOMAS D. JOWERS, VICE PRESIDENT & C.O.O. ADL DELIVERY. (PIC)

Why should customers do business with you? Why should they want to do business with you? What makes you a “preferred provider”? How do you position yourself to be a “preferred provider”? These are the questions that you should be asking yourself as you work to grow your business.

### The 4P’s - Courier Style

- **Product** – Customers today want features, choices, and options. The days of being the only provider of services are gone. The competition is out there and you have to do something to show that you are a step ahead. Potential customers that have a multitude of choices create additional challenges with

being able to forecast the needs for various types of service. Then, once service has been established, you have to look at additional incentives for customers to utilize our service and to continue to use us.

- **Promotion** – You must have a way to get your name out into the public and to create awareness. How do you do this? Word of mouth is great, but how does that contribute to the bottom line? The more people that know your company name and are aware of your services, the more business you will sign.
- **Pricing** – You need this to establish a value for your services. The problem with pricing is that if you put to

much emphasis in this area then you are pushed to a point where it is the only thing that separates you from your competition. You want to be the “best choice” provider, not necessarily the “low cost” provider.

- **Partnerships** – One of the major keys to the delivery and logistics industry is relationships. Relationships with our customers, our vendors, and other carriers. More business will come from our “true partners” then by cold calling potential customers. Partnerships=Business.

### A Rising Advantage!

In today’s delivery industry you must put your best foot forward and dominate by means of LOGISTICAL EXCELLENCE and SUPERIOR CUSTOMER SERVICE. Performance will set you apart from your competition. Superior performance will significantly contribute to positioning yourself as a “preferred provider”.

As a company you will grow because customers will say you are a company worth doing business with. This will in effect cause you to grow even into portions of the industry that you have not reached before.

These things will make you market leaders, not followers. You must be aggressive; innovative, not reactionary. When you are reacting other than innovating, you have put ourselves in catch up mode. As such, you may never quite be sure of what you should be doing and why.

With this strategy, you position yourself to be a “preferred provider”. Pricing issues, while always important, can be balanced with the service provided. This will create opportunities for price enhancements. Once you are seen as the “preferred provider” your customers will recognize that and will help to promote your company and what you bring to the table.

With this as a strategy, you demonstrate to your customers how important they are and how much they are valued.

### The Approaching Advantage!

To develop this strategy we need to address three things; your customers and their needs, your competition and their performance, and your performance. Since there are multiple services that we each offer, we should assess each one individually.

How do you compare? What are the opportunities to be a leader in your market(s)? How do you exploit those opportunities? Who can you partner with to make these decisions? With an assessment such as this, you can better analyze and see what must be done to be a leader. At a minimum, you will have a better idea as to your place in the design of your services.

One thing that you should never do is to assume that you know and understand what your customers need and want. Creating a true “Partnership” is a surefire way of making those determinations. Learning what customers want and why they want it that way presents a solid method of developing a strategy and EXCEEDING their expectations.

Once this has been done, revisit with your customers. Get their feedback. Is your plan good? Will it gain additional business?

### Planning Your Advantage!

It is necessary at some point to develop a plan to determine how to begin this new strategy. What is going to make you the provider of choice? What is going to help you be viewed as a top-notch provider?

- **Name Recognition** – Is your name out there? Do the customers that utilize your type of service know you exist? For some companies the biggest issue is that no one has ever heard of them. What can you do to change that?

- **Signage** – Having names on our trucks. Very simply put there is quite a bit to be said about recognizing logo’s and vehicles. UPS, FedEx, Schneider etc...
- **Advertising** – Quite a bit of interest can be generated by ads placed in different trade publications. Find the publications with the most readers in the industries in which you do business and purchase ad space.
- **Trade Shows/Associations** – There are quite a few known and unknown organizations and shows that can be utilized to inform your target market of your abilities.

Understanding what our customers expect, how well our competitors perform, and how we perform will be major keys to your success.

- **Consistent Message** – Some of the largest companies in the U.S. have issues with being able to turn out a consistent marketing product. You MUST use a hands-on approach. You need to insure that what is going out into the marketplace is of exceptional quality.

- **Marketing Materials** – Consistency between a Website and the information that is distributed to customers. High quality, low cost materials. Much of which can be done in-house.
- **Correspondence** – Letters and e-mails that are sent out to clients and potential clients should reflect your dedication. Neat and professional, grammatically correct and spell checked for accuracy.
- **Proposal Development** – Our customers should be impressed by the proposals provided to them. They should stand out above the competition.
- **Market Intelligence** – What do you know about your specific vertices? How much research has been done to make the determination that you will be successful in those markets?

- **Understanding the Marketplace** – You need to make an effort to understand the niche markets in which you operate. This should be developed on a local and regional level to keep up with industry trends.
- **Competitive Analysis** – What do you really know about your competition? What are their rates? How do they develop their pricing models? What makes them true competition?
- **Customer Needs** – In this industry it is virtually impossible to stay in business without focusing on the customer. What they want and what they need should be your main focus. You need to analyze the specific needs of your customers and develop programs specific to those needs.

### The Final Advantage

You must position yourself as a “preferred provider”. Understanding what our customers expect, how well our competitors perform, and how we perform will be major keys to your success. Find ways of developing strong programs that meet and exceed customer expectations. Do not delay and miss the opportunity to grow customer satisfaction and once you have begun, do not let it stop.

Staying focused on your objectives will be one of the keys to success. Everyone that you compete against have the same tools at their disposal. Your success will depend heavily on your ability to follow through, to pay attention to the details and to continue improving your approach.

Remember that market and customer needs are always in a state of change. Your ability to change and lead the change in your markets is ongoing. You must constantly work to improve service, maintain partnerships, and prove yourself as the “preferred provider”.

**MCW**

# Hero Tales & Members React to Hurricane Sandy



Sometime in early September, 2012, I was dispatched for a pickup from Good Samaritan Hospital to Cedar Sinai Hospital. From the onset, the assignment looked like another routine pickup and delivery. To my senses, the next 15 minutes at the hospital will change my attitude about life for good.

Due to extreme urgency, the pickup location was changed. Instead I was sent directly to the patient's bed in the ICU. Upon arrival, I knew this was a very critically ill person. She was not conscious and had a breathing tube inserted into her mouth. The tiny room was filled with grieving family members by her side. It was like on television, but only real.

After receiving the item for pickup from the head nurse in the room, I assured the patient's daughter that I will deliver the item directly to Cedar Sinai at my earliest possible without delay. Before leaving, I told her may God bless the patient for a quick recovery and I noticed a smile and a glitter of hope emanating from her face.

Jet Delivery was given a task that may possibly change someone's life forever and I am thrilled to be part of the team. Perhaps, one day I can know the fate of this person as her name still remains fresh in my mind.

*San Cheong – Los Angeles, CA* **MCW**



## LaserShip Recognizes Storm Heroics



**Vienna, VA** – LaserShip recently recognized team members from the NJ, NY, and PA branches for their sacrifices and dedication during and after Hurricane Sandy. Each team was presented with a Corporate Appreciation plaque in recognition of the commitment and sacrifice they displayed in the face of significant loss and incredible hardships.

Hurricane Sandy will go down as one of the fiercest storms to ever hit the east coast, with reported losses due to damages estimated at over \$20 billion. Several of LaserShip's northeast branches were severely affected by the storm, yet team members worked tirelessly to get operations back to normal as quickly as possible. Regional Director Jim La Londe adds, "Our team members covering the region displayed extraordinary dedication as they supported our hospitals, long-term care facilities, and blood banks through the brunt of the storm. Drivers overcame poor road conditions, flooding, and limited access to transportation routes in order to satisfy the needs of our customers and keep delivery delays at a minimum." **MCW**



## MCAA Members Work Together to Weather the Storm

ERROL CVERN, SELECT EXPRESS AND LOGISTICS, NYC

"My two Manhattan offices were both without power until Saturday, November 3rd, following the hit that New York City took from Hurricane Sandy. We were fortunate, as we have a warehouse/office in Secaucus, NJ that allowed us to be fully operational. We did need to have some personnel in the city to hand out checks for our messengers and commission checks to our drivers this past Friday.

Getting people paid, especially under these circumstances, was a mandate and not an option for us. When my employees' phones/laptops started to run low on battery charge they were able to go to Avant's office at Grand Central to charge up, as Avant had not lost power and the Chiusano brothers were kind enough to let us use their office.

**Mark had also been offered an "emergency kit" that contained three generators and supplies from Hackbarth Delivery to help Mark with his Stamford office.**

the "emergency kit" up north and through coordination with Mark and a friend of they were able to help the victims in Brezzy Point. Hackbarth Delivery has been through similar catastrophe's like Katrina and wanted to help those in need.

When someone asks me why belonging to our association is important, I have the above example as just one of many to point to." **MCW**

## Memories of My Shore

I consider myself a lucky man in life for many reasons. One of which is through Key Software's membership in the MCAA I've had the opportunity to meet and build relationships with people all over the country.

I have spoken with people on many occasions and shared in their dismay at many natural disasters. I remember speaking with Angela Bowman after Katrina; I think it was about 10 days before I was even able to reach her to see if she was ok.

I remember Gary Lubin sending me a video of the Calabasas fires taken from his balcony, just to name a couple.

New Jersey has seen its share of storms, as chronicled in the book The Great Storms of New Jersey. With the total devastation left in the wake of Sandy, I find myself reflecting on the "Memories of My Shore".

I guess it started even before I was born. My Grandparents were the keepers of Beacon Light in Keansburg, NJ where they lived with my Aunt Rose and my mother. It was destroyed by a Tidal Wave during the storm of 1953. And was later rebuilt to be the Lighthouse

pool club where I enjoyed many summer days probably from when I was 4 to about 12 years old.

Keansburg had many distinctions when I was growing up there, The State's oldest Amusement Park, a town with over 10,000 people packed into one square mile and over 40 bars. Teenage summer days would be spent hitchhiking to Sandy Hook's first beach, and then spending nights on the boardwalk eating French Fries, Zeppole's and Pizza.

Most of that is gone today, as evidenced by a photo I saw of a bumper car in front of the police station which is about a half mile away. Sandy Hook Still remains closed to all.

And even Old Shoals Lighthouse, which sits out in the Bay close to the Verrazano Bridge, is gone.

Hit by a 30 foot wave, this 51' tall lighthouse which we boated out to and spent

a day at when I was 15 or 16 has yet to be found.

After moving to Shrewsbury at 17 I had the chance to enjoy the area from Sea Bright to Asbury Park.

Driving down Rumson Rd over the Rumson Bridge to hit the beach at Sea Bright, go over to Donovan's Reef for lunch then over to Trade Winds Beach Club. One of the real beautiful slices of New Jersey.

The nights would be spent in Long Branch at Pier Pub, now Pier Village, and other establishments all the way down to the Stone Pony, along what was called "The Strip".

Today the parking lot for the municipal beach in Sea Bright is a "tent city" where one local restaurateur is using his team to cook for the National Guard, State Police and other first responders, folks who live there were just allowed

back in their homes as of 11/15.

In many ways the area I refer too is just the beginning of the Jersey Shore, and the utter devastation continues for the 100 miles or so of shore line and communities all throughout our great state.

I lived the first 30 years of my life "Down the Shore", and will never lose the memories I have.

One thing I have learned through my life is change is constant and inevitable, no matter the cause.

And as a proud New Jerseyan I can't wait to see what becomes of My Shore for the generations to come.

Bob Peters, Key Software Systems **MCW**

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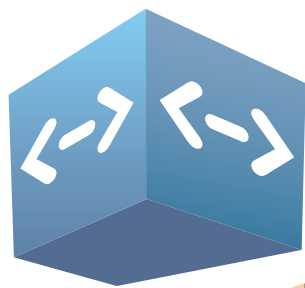
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## Quick Delivery reaches 1.5 million deliveries



**Schaumburg, IL** — Quick Delivery Service, Inc. (“Quick Delivery”) made its 1.5 millionth delivery on August 8th, 2012. Elk Grove Graphics Shipping Foreman Jose Avalos was surprised to learn that they had placed the 1,500,000th delivery

and he commended Quick Delivery on their service. “I have found Quick to be extremely reliable for our daily deliveries and congratulate them on this milestone.”

Quick Delivery uses state of the art technology, but also delivers personal service to those who order over the phone. This landmark order was taken by customer service representative Sarah Garratt. The order was dispatched to Dave Smith who picked up the package with a little encouragement from owner of Quick Delivery Randy Seiler. Randy was on hand for this shipment just as he started doing nearly 30 years ago “I am extremely proud of the company and our 80 dedicated employees who made our 1,500,000th delivery possible!”

In recognition of this occasion, employees Sarah and Dave will receive special recognition and Quick Delivery will also sponsor a lunch for all 38 employees of Elk Grove Graphics.

### About Quick Delivery

Quick Delivery Service, Inc. is one of Chicagoland’s leading same day delivery and warehouse services. What began with one van and a garage, has grown to 80 employees delivering over 400 packages a day. With locations in Schaumburg and Rockford, Illinois, Quick Delivery delivers throughout Chicagoland, Northwest Indiana and Southern Wisconsin.

**MCW**

## Southwest Airlines Cargo Takes Top Honors in Performance Study

### Airline Earns Quest for Quality Award for 16th Year in a Row

Dallas, TX - Southwest Airlines Cargo is honored to receive the 2012 Quest for Quality Award, awarded by Logistics Management Magazine. The Quest for Quality Award is the most extensive year-to-year market research study conducted in the logistics industry, which evaluates and measures transportation service providers based on five critical categories:

On-time Performance, Value, Information Technology, Customer Service, and Equipment and Operations.

Southwest Airlines Cargo received the highest overall score among all air cargo carriers and received the highest score in the Performance and Customer Service categories.

“It truly is humbling to be recognized by our Customers for our overall performance,” said Southwest Airlines Vice President Cargo & Charters Matt Buckley. “I’m honored to have such an amazing Team of Employees from across our system, dedicated to providing the absolute best Customer Service while delivering a reliable product.”

For the past 28 years, Logistics Management’s Quest for Quality has been regarded in the transportation and logistics industries as one of the most important measures of Customer Satisfaction and performance excellence. Southwest Airlines Cargo has been recognized in excellence for the past 16 years.

“The fact that Southwest Airlines has maintained this high level of scoring over the past few years is a true testament to the carrier’s commitment to customer service,” said Group Editorial Director of Peerless Media Michael Levans, the publisher of Logistics Management. “While every freight transportation mode faced monumental operating challenges during the Great Recession, no other mode had to navigate the level of volatility that the air cargo sector faced. To come out on top during this period is an admirable achievement.”

Southwest Employees and business partners execute cargo operations in more than 90 destinations across the nation, which includes interline and road feeder service destinations. With more than 200 million pounds of available cargo lift domestically per month, Southwest has the capacity to expedite air cargo across the country. Southwest opened its newest Cargo Facility at the Atlanta-Hartsfield International Airport this past February. Southwest Employees are proud to operate Cargo Facilities in a majority of our destinations, providing Customers with award-winning Customer Service and operational excellence.

### About Southwest Airlines Co.

In its 41st year of service, Dallas-based Southwest Airlines (NYSE: LUV) continues to differentiate itself from other low-fare carriers by providing a reliable product with exemplary Customer Service. Including wholly owned subsidiary AirTran Airways, the Company now serves 97 destinations in 41 states, the District of Columbia, the Commonwealth of Puerto Rico, six near-international countries, and employs more than 46,000 People.

Visit [southwest.com/citizenship](http://southwest.com/citizenship) to read the Southwest Airlines One Report™ and see how Southwest is doing its part to be a good citizen while underscoring a commitment to the triple bottom line of Performance, People, and Planet. **MCW**

## What Else?... Celebrating Ed Katz's 80th Birthday



Gil Carpel, CEO of Washington Express, Takes a Moment to Write About His Friend and Colleague, Ed Katz, on the Occasion of His 80th Birthday

As a charter member of our MCAA Hall of Fame you, along with your brother Stan, are among the original founders of the same-day transportation industry in our country. We all stand on your shoulders and see a little further due to the trails that you blazed. Many of us in our business, especially those lucky enough to call you friend, can say that we have benefited at one time or another from your help or advice.



Photo by S Jaros

For me personally, I have always kept your first rule of business squarely in front of me: "don't commodify your product or service, be different". Also, to "never worry about anything twice. Most things that you worry about never happen, so there's time enough to worry about things after they happen". This advice has served me well through the years.

Birthdays remind us that time is precious and that the people in our lives are important. You have always been aware of this, whether be it with family, friends, or business associates. Your horizons and interests were never limited to your personal circle, and your example and guidance lifted up everyone you touched. You included everyone under your

big tent, and were never threatened by your competitors but always were willing to give a helping hand in the interest of friendship or education. You simply had too much class not to take the high road and not to see the value or good in others... another lesson that I hope I have learned from you.

Birthdays are also a good time to remember that our eyes were put on the front of our head, and not the back of it, for a reason. I know that your nature is to always be looking ahead, even though you have achieved more than most: a life of adventure and accomplishment, of winning and sometimes losing, but always persevering and coming back for more. You took the blows and did it your way, just like the song says. In the end, when your active business life was over, you had the courage and grace to take what you had built and turn it over to a new generation.

President Obama recently said to the business community: "You didn't build that". Well, Obama didn't know you, Eddy. So, here's a toast to you on your 80th birthday. There's only one thing left to say, "What's next?" Or, as you say it: "What else?"

**MCW**

## Richmond Express Goes Live with New Website

Richmond Express is pleased to announce a new website that went live on November 12, 2012. We teamed up with a local company Data Directions and have revamped our 10 year old website.

"It is really important for companies to keep their websites looking current and Richmond Express has done just that!" said Melanie Rodgers, Richmond Express's Business Development Manager.

The website offers extensive information about our company and its services and highlights our medical courier experience. It still allows clients to log in to place delivery orders using their same log in credentials but customers were pleased at the fresh, new look. Along with images of our staff and our fleet, the website offers visually appealing pieces such as vehicles that float on the page when your icon hovers over them, weather forecasts and interesting surveys to keep clients engaged.

The website has received rave reviews from our clients and we are hopeful that anyone searching for a courier in the Richmond area will be drawn in with our updated appearance. It is like wearing your best tie when meeting a new client.....a good first impression makes a difference. **MCW**

**"Don't commodify your product or service, be different"**

## Hot Shot Delivery Hosts Gov. Perry for Budget Talk Emphasizes Importance of Responsible Growth

**Houston, TX** — On Tuesday, September 25th, 2012, local business Hot Shot Delivery hosted Gov. Rick Perry and other elected officials for a press conference about the governor's Budget Compact for Texas. Perry, along with Lt. Gov. David Dewhurst and Sen. Dan Patrick, spoke at Hot Shot's primary warehouse facility, located on Shepherd Drive just north of I-10.



Hot Shot Delivery president Eric Donaldson, Senator Dan Patrick, Governor Rick Perry and Hot Shot Delivery founder Darrell Donaldson at Hot Shot's main office

Perry thanked Hot Shot for welcoming him and the public into the warehouse, and acknowledged the hard work and difficult decisions required to run a successful business. As Perry noted, Texas has one of the fastest growing economies in the country, and companies like Hot Shot — which began operating in Houston more than 30 years ago — have contributed to the state's robust job creation and low unemployment.

Hot Shot Delivery president Eric Donaldson shares Perry's vision of Texas as a great place to build a business. "There's a reason that so many people are moving to Texas," said Donaldson. On the topic of Perry's Budget Compact, Donaldson noted that in order to keep Texas economically strong, "we need to continue to grow [as a state] in a respon-



Governor Perry (center) flanked by other local and state officials at Hot Shot Delivery's warehouse in Houston

sible way." He applies this same principle to his own business, which he says "will continue to grow as quickly as we can find and hire the right people for the right jobs."

Donaldson is an active member of the National Federation of Independent Business, which helped arrange the press conference. In 2010, he was named NFIB's Small Business Champion for Texas and he currently serves on the organization's Texas Leadership Council.

Hot Shot Delivery is a comprehensive delivery and logistics services provider. Their services include local courier, same-day delivery, routed and scheduled delivery, express air, process service, fleet management, freight service, warehousing and third-party logistics. **MCW**

## Bonded Transportation Opens Terminal in Wausau, WI

Bonded Transportation, a Wisconsin based delivery company has announced that they have opened a terminal in Wausau, Wisconsin. The location has over 5,000 square feet of warehouse floor space and will service Central Wisconsin and the CWA airport. Call 715-298-5002 for more information. **MCW**

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## Native Android App, Visibility Enhancements from Datatrac

### Puts Couriers InTouch With Their Expanding Networks

**Atlanta, GA** — On November 1, 2012, Datatrac announced the general availability of InTouch, a family of modern software solutions that enable couriers to grow their network and expand the technical and service capabilities they can offer their customers.

It would be hard to find a successful courier company that isn't engaged today in one or all of these activities:

- \* Growing the service area footprint by opening new offices
- \* Establishing third-party relationships, either by acting as an agent for another carrier or 3PL, or by subcontracting out-of-market work to other carriers
- \* Entering industry verticals that demand electronic order exchange and status updates, package-level barcode scanning, digital signature capture, or all three.
- \* Establishing second shift or third shift operations It's clear that owners and managers are pushing their businesses beyond traditional boundaries to offer new services. As a result, many important aspects of daily operations occur outside of their own four walls. To make this expansion fast and cost-effective, owners and managers need technology to manage distributed work environments. InTouch shifts the focus beyond dispatch to provide both visibility and control of evolving operations and new business connections. InTouch includes the following solutions:
  - \* Datatrac for Drivers - a native Android driver productivity app that supports all in-the-field pick-up and delivery activities, including scanning, signature capture, GPS location capture and integrated route mapping, actual piece counts, quick search and new waiting time logic. Ê
  - \* Activity Manager - a completely web-based mapping tool to access driver proof-of-delivery (POD) information, real-time GPS coordinate location, and search-based package tracking. The Activity Manager is integrated with all Datatrac mobility solutions Ð including the new Datatrac for Drivers Android app as well as the legacy Java and Windows Mobile apps. The Activity Manager is a great complement to traditional dispatch screens, providing an ideal Ôtwo screenÓ dispatch set-up to monitor the job board and POD/driver inquiries simultaneously.
  - \* Agent InTouch - a web-based performance management

solution that allows you to send orders to agents and track on-time delivery. Agent InTouch integrates with the Activity Manager to give you the same visibility into agent orders that you have for your own operations.

The InTouch solutions are great standalone components, but integrated together, they provide a compelling set of real-time visibility and performance management tools that can be accessed from anywhere, on any device. Whether you're on the road and need to check in on a key delivery in response to a customer call or are looking for a high-level view of partner performance, Datatrac keeps you InTouch with your business.

Datatrac for Drivers is central to the InTouch solutions. Datatrac provides the only complete driver solution built on Android. The app is native to the Android environment; it easily downloads from the Google Play store, installs on any phone or tablet running Android v2.2 (Gingerbread) or higher, and uses many of the inherent components of the

Android phone operating system, like integrated maps and multi-language support. Pre-release testing customers have adopted the app broadly; more than 700 drivers are already using Datatrac for Drivers. Brian Crawford of B&K Delivery in Austin, TX commented on his company's experience with Datatrac for Drivers: "Since we started using Datatrac's Android application our operations have become much more efficient. Time consuming conversations between dispatch and drivers have been virtually eliminated. Our drivers now have

all the information they need right there on their phone. Customer satisfaction immediately improved as our shippers gained quick web access to all of the information normally found on a paper delivery ticket and more—including a signature, time stamp and GPS location data for absolute proof of delivery."

Datatrac Founder & CEO Henry Dixon notes that timing is critical for this update. "We're committed to building tools that can help our clients grow their business, and we're committed to giving them access to these tools from anywhere, on any device. It is clear to us that providing a compelling, cost effective driver solution is the foundation step for our vision of providing greater visibility to business operations. Many of our customers need a new mobile solution to replace their current devices before a looming shutdown of the Sprint Nextel™ iDEN network. And many others want to pursue new business opportunities that require scanning, but are put off by the cost of traditional barcode scanners. We're pleased to offer them not just a replacement, but robust next generation technology that can lower operating costs while helping them to build stronger connections for all of their business operations. Datatrac for Drivers and

**Pre-release testing customers have adopted the app broadly; more than 700 drivers are already using Datatrac for Drivers.**

the other InTouch solutions are the first in a series of new releases that will allow the courier industry to access the tremendous cost and productivity advances of the technology sector that have emerged in recent years."

Datatrac creates solutions for inherently mobile businesses to empower greater efficiency, create a better customer experience and drive superior performance from their transportation logistics. For more information please visit [datatrac.com/InTouch](http://datatrac.com/InTouch). **MCW**

## City Express, Inc. Acquires Olympic Delivery Services

**Boston, MA** - City Express, Inc., Boston's largest privately owned courier company, has acquired Olympic Delivery Services. This acquisition is expected to increase City Express' services while expanding its client base.

Olympic Delivery decided to sell certain assets to City Express due to their commitment to customer service. Olympic Delivery established in 1964, utilizes a range of vehicles to accommodate shipments of all sizes.

Olympic Delivery has embraced this opportunity and is excited to offer their loyal customer base added benefits; such as, 24/7/365 service, an expanded coverage area, and a larger delivery fleet. Ted Psarros, President of Olympic Delivery Services, states "I worked with City Express for years and I am please we are now part of their team. Everyone at City Express shares the same beliefs of serving the clients first. Aaron and his team run a top notch operation; one in which Olympic clients can benefit from greatly."

For more information contact, Carmel Sotto, City Express, Inc. at 201 South St., Boston, MA 02111. Phone: 617.350.4000. Fax: 617864.5779. Email: [carmel@cityexp.com](mailto:carmel@cityexp.com) Internet: <http://www.cityexp.com>.

About City Express, Inc.

City Express, Inc. is the largest privately-owned courier company in Massachusetts. At City Express, we consider our company an extension of your business- taking your clients' deadlines, time-sensitive materials and packages just as seriously as you do. Using an array of transportation modes ranging from foot, bicycle and vehicles, we offer our customers unparalleled personal service 24 hours a day, 7 days a week, 365 days a year to clients throughout New England and beyond.

City Express is known as an industry leader providing prompt service and honest scheduling of package pick-up and delivery using the latest industry technology to ensure up-to-the-minute package tracking and continual communication with clients. Additionally, City Express enforces the most stringent safety standards in the industry. **MCW**

## Priority Express, Inc. celebrates 25 years!

**Bloomfield, CT** - Priority Express, Inc., located in the Hartford, Connecticut metro area is proud to announce their 25th anniversary. Founded in October of 1987 by Jay Barry, the company has seen many changes since its inception.

"When we began, the Stock Market was in chaos and of course Black Monday. One of our first major accounts was delivering checks to the Federal Reserve Bank. I had a shoe-string budget, a couple of drivers and myself. No internet, paper maps, a car phone the size of a brick and gas was about 95 cents a gallon!

Today, we have grown to serve not only the Hartford area, but all of New England, as well as the Tri-State area. There have been a tremendous amount of changes throughout the years. I am fortunate to have a great team of people to work with." said Barry.

Priority Express, Inc. is a full service transportation company founded in 1987 serving B2B companies in the Northeast. For more information, visit [www.priorityexpressinc.com](http://www.priorityexpressinc.com) or find us on Facebook or LinkedIn. **MCW**

## JR Dicker, Owner of Gold Rush Express Delivery, is named New President of the California Delivery Association



## Avalon Receives Industry Recognition, Gives Back to East Coast Community

**Chicago, IL** – Avalon Risk Management was proud to be recognized in the November issue of American Agent & Broker magazine as the overall winner of the Commercial Agency Awards for Excellence in 2012.

In addition to being Commercial Agency of the Year, Avalon was also the winner of the Customer Service and Technology categories based on a detailed review by the editorial staff of American Agent & Broker and National Underwriter, as well as a panel of outside judges.

The Agency of the Year award recognizes companies that serve as role models in the insurance industry, in particular, Avalon's strong core values to support Family and Community. "Our hearts go out to all our East Coast clients that were impacted by Hurricane Sandy," said Lisa Gelsomino, President/CEO.

"We are thankful that our New York employees are safe, and the entire Avalon team has come together to ensure our East Coast clients can remain fully operational and get back on their feet after the devastation Hurricane Sandy has caused. Our Avalon Compassion Team (A.C.T.) is also supporting the relief efforts by matching any employee or client donations to the American Red Cross as well as partnering with a Chicago based client to send much needed food and supplies to the East Coast area," Gelsomino added.

Avalon's support of family and community is also one of the many reasons the company has been awarded Best Places to Work in Insurance by Business Insurance magazine, as well as Best Places to Work in Illinois where Avalon's headquarters is based.

"We are honored to be selected for these esteemed awards, and we share these designations with our valued employees and clients" Gelsomino said. "We know that happy and engaged employees provide the best level of service to our clients, especially when they are in need after a catastrophe."

Bryant Rousseau, group editorial director of National Underwriter, echoed these comments, indicating Avalon is a "true risk manager for their clients."

Avalon is a premier provider of insurance and surety solutions to the transportation and logistics industries. Local service is provided through eleven offices in major North American port cities. Products include: Surety Bonds, Cargo Insurance, Professional Liability, Property & Casualty, Executive Risk and specialty auto programs including Truck, Courier and Paratransit. **MCW**

## MobileTek Adds New Communication Option with MobileTek Web

**Wall Township, NJ** – Key Software Systems, developers of Xcelerator & MobileTek, announced the release of MobileTek Web, providing seamless driver communication with active GPS and signature capture for Smartphones and Tablets.

"Our customers have been asking for a high quality, low cost mobile platform and we delivered," says Charlie Pisciotta, Partner. "The reviews have been tremendous and everyone is extremely pleased with the ease of operation, reliability and professionalism MTW adds to their business."

MobileTek Web utilizes Microsoft HTML 5 technology which allows for rich content to be exchanged with virtually any Smartphone or tablet. Even more exciting, is that MobileTek Web's scalability is unmatched, as it's not specific to any one particular Operating System. MobileTek Web is currently running on Apple iOS, Android, Blackberry, Windows Phone, Nooks and even Kindles.

"We had 20 of our clients beta test the software and within a week it was fully released" says Chris Miller, System Architect and Partner. "We want our customers to have more options, on more devices, and MobileTek Web helps us achieve that goal. Companies will now have the option of allowing Drivers to use their own device, eliminating thousands of dollars of costs normally associated with driver communications, greatly enhancing the bottom line."

Xcelerator & MobileTek are enterprise-class software solutions designed by Key Software Systems, for today's transportation, logistics and warehousing company. For more information, screen shots and detailed descriptions, visit [www.KeySoftwareSystems.com](http://www.KeySoftwareSystems.com) or call 732-409-6068 to speak with a representative. **MCW**



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## Relay Express Recognized As One of the Fastest-Growing Private Companies by Inc. Magazine

**This is the sixth consecutive year Relay Express has been named for its growth**

**Fairfield, OH** – Relay Express Inc. announced that they have been named one of the fastest-growing private companies in the United States by Inc. Magazine for the sixth consecutive year. With continued growth over the past six years, Relay Express ranked #3487 on the 2012 Inc. 5000 list.



"It is an honor that Relay Express has once again been named to such a prestigious list" said Relay Express' CEO, Matt Seiter. "The transportation industry is continuously growing and changing, so we are always looking to expand by taking advantage of new opportunities to advance our market position thus promoting for future growth."

Relay Express was also given a ranking of 96th in the nation for the Inc. Magazine Logistics & Transportation Industry List.

"I am very proud to again see Relay Express recognized for its strategic vision for growth." said Relay Express' Vice President, Jim Bernecker. "For a company 26 years old to achieve this type of growth these past 6-years is really remarkable. It is a true testament to the talented individuals that comprise Team Relay Express!"

Relay Express' corporate headquarters are located in Fairfield, Ohio, but with its' growth over the past years, Relay Express now has office locations in Dayton, Ohio, Columbus, Ohio, Romulus, Michigan, Pittsburgh, Pennsylvania, Buffalo, New York, Louisville, Kentucky and Nashville, Tennessee.

Relay Express is a 24/7 same-day delivery service that provides on-demand local and regional package delivery services to businesses in metropolitan markets across the country.

Relay Express is a 26 year old Same Day Delivery company that specializes in local on demand immediate deliveries, scheduled route solutions, expedited out of town shipping and logistical warehousing with physical locations throughout the Mid West.

For additional information, contact Doug Vetter at (513) 860-2555. **MCW**



## City Same Day Couriers launching in North America

James Holmshaw, owner of City Same Day Couriers, is very excited to introduce the launching of the company in the United States.

It seems a long way from creating a same day courier company in a spare bedroom in Sheffield England in 2007, after starting with only one vehicle and a lot of determination. City Same Day Couriers are now expanding into North America, firstly in Fort Lauderdale, FL, and with a plan to expand to all major towns and cities throughout the USA.

It could only have been a dream of operating here, the dream is real now and they are ready and focused with the development of their own software to suite the USA same day courier market.



The courier journey started for Holmshaw at the age of twenty one, working for the UK postal service as a collection driver, where the dream of owning his own company quickly became a focus. After brief spells working for FedEx UK and various Same Day Couriers, it was time to start up in business. From being a one man and a van, the company quickly progressed from a local company to a Nationwide company, the focus was customer service and a guaranteed collection anywhere in the UK within the hour. City Same Day Couriers was soon performing deliveries to and from Europe. Winning a contract for a daily service from England to Frankfurt Germany was a major achievement, and also providing shipping parts to all parts of Europe soon had the City Same Day Couriers name in full flow.

The company is using the Keep it Simple Keep it personal business model that was created in the UK and feel very positive the company will soon be a major player in the same day courier industry.

If you are looking for a new exciting opportunity to be your own boss within the same day courier industry, they have license opportunities available in all towns and states. Email [james@citysameday.com](mailto:james@citysameday.com) for more information. **MCW**





## New regulations from the California Air Resources Board (CARB) will take effect on Jan. 1, 2013 as a result, transportation brokers and freight forwarders will face significant implications.

Trucking companies who operate reefer containers in California should already be familiar with the new law, which requires all refrigeration units to be tested and registered with CARB before transport in California.

### Changes for Brokers and Forwarders

Starting Jan. 1, any company that arranges, hires, contracts for, or dispatches reefer-equipped trucks, tractor-trailers, shipping containers, or railcars for the transport of perishable goods on California highways or railways, must verify that the carrier is using a CARB-compliant container. The requirement applies to brokers and forwarders irrespective of where their actual business is located.

While brokers and forwarders are not required to physically inspect the container, they must verify CARB compliance. CARB suggests that carriers provide their ARBER certification page to show that the dispatched unit is 100% compliant. CARB recommends that brokers and forwarders provide notice to their carrier base that only those listed in the database will be considered when arranging freight that travels in California.

CARB also advises freight brokers to include language in contracts and load boards that any moves within California must use only CARB-compliant reefer equipment. In addition, the broker must provide contact information to any hired driver, so they may be reached if a truck is stopped for CARB-related enforcement.

### Significant Penalties for Non-Compliance

If a broker or forwarder is found in violation of CARB's regulation, they may be cited and subject to a penalty of \$1,000 per occurrence, per the provisions set forth in the California Health and Safety Code. CARB also urges that if a carrier is found in violation, the broker should ensure no further hiring of that carrier. Brokers and forwarders should also note that CARB provides for penalties of \$1,000 each for the shipper, consignee and the driver of the vehicle. This is in addition to the penalties assessed against the trucking company and the broker or forwarder. The fact that shippers and/or consignees may likely hold the broker or forwarder liable for any penalties they incur could serve to multiply the exposure for brokers and forwarders.

To view the notice on CARB's website, visit [http://www.arb.ca.gov/diesel/tru/documents/guidance\\_broker-shipper-receiver.pdf](http://www.arb.ca.gov/diesel/tru/documents/guidance_broker-shipper-receiver.pdf)

Avalon remains committed to providing the highest level of service to our clients and keeping you apprised of governmental changes affecting your business. We are the leading provider of insurance and surety products for logistics providers.

For more information, contact your local Avalon office or Andriana Davis at (847) 700-8087 or at [adavis@avalonrisk.com](mailto:adavis@avalonrisk.com). A list of our offices may be found at [www.avalonrisk.com](http://www.avalonrisk.com).

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## William Shatner Asks "Where Is My Package?" on National TV

Stop guessing when a package was shipped, where it is, and when it will be delivered. "Where Is My Package?" is the latest technology to track your important assets and at a fraction of the cost

"Moving America Forward", a National Television Show hosted by William Shatner is excited to announce the appearance of Keith Schewanick the founder of "Where Is My Package?" A leading programmer and technical consultant for the Transportation Industry, Mr. Schewanick, was interviewed at the Los Angeles "Moving America Forward" news studio by William Shatner and Doug Llewellyn (of "People's Court" fame).

Responsible for developing what is being hailed as the most powerful tool in the transportation industry the "Where Is My Package?" software known as WIMP not only tracks a package every step of the way but is also saving companies money on shipping. Delivering everything from irreplaceable products to human organs the last thing a company wants to hear from their clients is, "Where Is My Package?" Mr. Schewanick makes sure his clients never have to hear that by providing a service that is helping companies create a more visible streamlined logistics department that increases profitability and customer satisfaction.

(WIMP) is a suite of on-demand software-as-a-service web-based applications designed to dispatch and track various types of transportation assets. WIMP software effectively uses 21st century technology to provide logistical Real-time pick-up and delivery, shipment tracking, proof of delivery with signature capture for transportation businesses in the United States and Canada. This can be done using your normal Internet browser with no special program installations needed. The software is web-based, so you can access information from your smart phone, latest tablet, notebook and/or laptop computer. It is also fully integratable with UPS shipping software, FedEx shipping software, USPS shipping software, DHL software — really any parcel shipping software from major carriers you want to use.

A video of the "Where Is My Package?" interview with William Shatner & Doug Llewellyn that aired on National TV can be viewed at: <http://www.youtube.com/watch?v=wqf00tBwjAI>.

Keith Schewanick the founder of "Where Is My Package?" was presented the prestigious Moving America Forward Award by Retired Rear Admiral Kevin F. Delaney for offering a service that is dramatically increasing profitability that is having a positive impact on businesses across the country.

MCW

## Key Software Systems Takes Direct Hit from Two Devastating Storms, No Loss of Service for Customers

Wall Township, NJ – Key Software Systems, developers of Xcelerator & MobileTek, took direct hits from two devastating storms that were a week and a half apart, experiencing heartache and lost power, but not service.

Hurricane Sandy knocked down trees and took out power for a week at Key Software's corporate location in Wall, NJ. Many of Key's staff live in the hardest hit areas and were affected by the devastation with major flooding of homes, damage from trees and power outages, that for some lasted roughly three weeks. Following Sandy, a Nor' Easter dumped 4-12

### Following Sandy, a Nor' Easter dumped 4-12 inches of snow up and down the North East, adding more challenges to the already battered area.

are devastating. We didn't want our customers to be effected by events happening hundreds of miles away, they need to run their business, not become weather people." Charlie continues, "With our hosted servers at Rackspace, and not at our location, we were able to maintain the level of service that our customers have come to know. Our customers didn't experience one minute of outage time, and we are very proud about that and I'm sure our customers are just as happy as we are."

Xcelerator & MobileTek are enterprise-class software solutions designed by Key Software Systems, for today's transportation, logistics and warehousing company. For more information, screen shots and detailed descriptions, visit [www.KeySoftwareSystems.com](http://www.KeySoftwareSystems.com) or call 732-409-6068 to speak with a representative. MCW

## Zipp Express Increases St. Louis Warehouse & Service Areas



**St. Louis, MO** — Zipp Express relocated dispatch, warehouse and administrative operations into one location in early November. The consolidation of the office and warehouse into one

building allows for improved services to its growing customer base.

The new 24,000 square foot building is conveniently located adjacent to major highways (I-70, I-270 and I-370) and just miles from the St. Louis International Airport (STL).

A state of the art system provides security for all contents and employees. The motion activated cameras and sensors are monitored by live internet feed. "Our customers constantly emphasize the need for secured-access space and documentation for all activity. We are investing in the infrastructure to ensure our customers the best care for their products" states Zipp Express owner Bill Rosenbaum.

Within the overall space is a 2,000 square foot caged area with card-swipe access for high value items, pharmaceutical products and high-demand cargo.

Every Zipp Express driver, warehouse person and key employee is TSA certified to ensure secure care and control of all freight.

The heated warehouse has 28' ceilings with 40' columns, four dock doors and a drive in ramp to easily accommodate the larger items that Zipp handles, including specialized medical equipment and convention displays, while also allowing for rapid loading, unloading and cross-dock work. The new floor plan is beneficial for the LTL services Zipp provides within a 125 mile radius of STL. The warehouse is staffed from 0600 to 2100 Monday – Friday with 24-hour access upon request.

"We are excited to present this expanded space to our customers" states Steve Smith, Sr. Vice President. "The additional space and our newly expanded coverage area position Zipp Express to be the 'go-to' company in St. Louis for last mile deliveries."

For more information about Zipp Express, please visit [www.zippdelivers.com](http://www.zippdelivers.com) or contact Steve Smith at 314-495-0814 or [steves@zippdelivers.com](mailto:steves@zippdelivers.com). **MCW**



## Brightstone Insurance Services, LLC. Introduces their Client Concierge

In the months ahead Brightstone will be rolling out their developed position of Client Concierge. Newly hired employee Bronwyn Garner will be assisting current Brightstone clients by introducing them to valuable services for their business. One of these value added services is CSR-24, which is a fully automated client resource center providing client's access to real-time policy information along with certificate issuance capabilities for fast and easy certificates.

In addition to that, Ms. Garner will also be introducing clients to helpful tools from Brightstone's program carriers such as free driver training programs and safety inspections, along with other beneficial risk management support from Brightstone including independent claims review by their Claims Department. Further services will include personal risk guidance from Brightstone's Personal Lines & Financial Services Departments, as well as consulting services from their forth coming Brightstone Consulting team.

In her role as Client Concierge, Ms. Garner will serve as a resource guide to clients for everything there is to know concerning the service capabilities of the firm. With this newly appointed position, Brightstone's intent is to provide a luxury service to their clients and assist them in maintaining the high ideals that they hold for servicing their clients alike.

**MCW**



## CXT Software Expands Android Support

**Phoenix, AZ** — CXT Software, a leader in providing automation technology to expedited delivery and last-mile distribution businesses, announced in mid-November 2012 that it has completed X Mobile compatibility testing with Android™ 4.0 and 4.1, and has expanded its Android device lineup.

"We are seeing excellent results with X Mobile on Android 4," notes Jeremy McKean, Technical Support Specialist at CXT Software. "Confirming that X Mobile performs well on Android 4 has opened the door to device compatibility testing on that platform, and we are working hard to ensure that customers continue to have a wide selection of devices to choose from when evaluating their mobile needs."

"X Mobile for Android provides an excellent way forward for current Nextel/iDen customers with a minimal hardware investment, numerous wireless carrier choices, and a comprehensive list of compatible devices," according to Shaun Richardson, CXT Software's Vice President of Services. "X Mobile for Android also provides a cost-effective barcode scanning platform on compatible smartphones and tablets, which can be ruggedized with protective cases, when paired with Bluetooth scanners. When you combine all of this with our commitment to working with mobile partners and wireless carriers, as well as our best-in-class service, X Mobile for Android just makes sense."

CXT Software's X Mobile application enables nearly 10,000 delivery drivers across the U.S. and Canada to receive detailed information about orders, manifests, stops and parcels, and to provide real-time delivery status updates via barcode scanning and signature capture.

### About CXT Software

CXT Software is a leading provider of software products that help package and parcel delivery companies manage on demand, route, and distribution work. The company is dedicated to providing courier, messenger, express carrier, distribution, and logistics companies with the tools necessary to compete and grow in an ever evolving marketplace. CXT Software is an Arizona company headquartered in Phoenix. For more information on CXT Software, visit [www.cxtsoftware.com](http://www.cxtsoftware.com). **MCW**

## CXT Software's Cloud Solution Reaches 100 Customer Mark

**Phoenix, AZ** — CXT Software, a leader in providing automation technology to expedited delivery and last-mile distribution businesses, announced in November 2012 that it reached the milestone of 100 active customers on its cloud solution, X Dispatch Hosted. The company is also pleased to announce that Data Rush Couriers, based in Houston, Texas, is its 100th cloud customer.

"With X Dispatch Hosted, our customers can leverage the rich feature set of our entire product suite without the hassles of purchasing, configuring, securing, administering, patching, and upgrading their own servers," according to Darin Soll, CXT Software's Chief Executive Officer. "We are very excited to see long-time customers such as Data Rush Couriers recognize the value of X Dispatch Hosted."

"Data Rush is in the process migrating the rest of its business to CXT Software's X Dispatch Hosted solution," explains Willie Frost, President of Data Rush Couriers. "We've run CXT's systems both ways, and we like the benefits of the cloud. In addition to getting my folks out of the business of server administration, data backups, and disaster recovery, cloud helps us take advantage of new technology faster, since CXT manages application upgrades for us. CXT Software allows us to focus on what we do best—solving our customers' logistical challenges, and that's why we are in this business."

X Dispatch Hosted, CXT Software's cloud solution, was launched in mid-2009. Deployed across three tier-4 data centers in the U.S. with best-in-class infrastructure and SSAE 16 certification, X Dispatch Hosted is a cost effective option for expedited delivery and last-mile logistics businesses wanting the power of the X Dispatch suite without the burden of managing their own servers.

### About CXT Software

CXT Software is a leading provider of software products that help package and parcel delivery companies manage on demand, route, and distribution work. The company is dedicated to providing courier, messenger, express carrier, distribution, and logistics companies with the tools necessary to compete and grow in an ever evolving marketplace. CXT Software is an Arizona company headquartered in Phoenix. For more information on CXT Software, visit [www.cxtsoftware.com](http://www.cxtsoftware.com). **MCW**

## CXT Software Adds Ryan Ribeiro to Technical Support Team

**Phoenix, AZ** — CXT Software, a leader in providing automation technology to expedited delivery and last-mile distribution businesses, announced this September that Ryan Ribeiro has joined its team in the role of Technical Support Specialist.

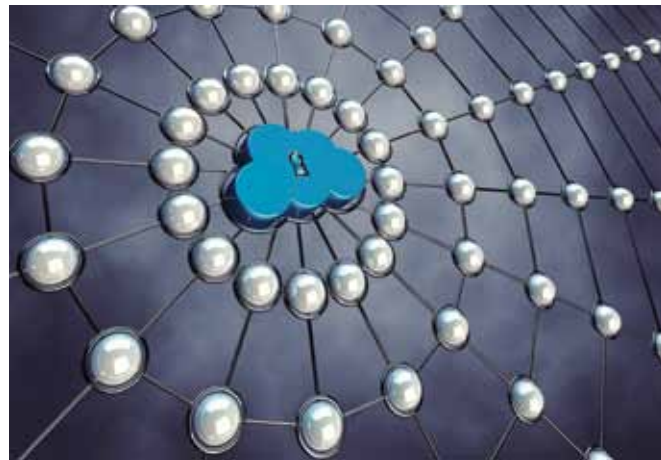
“Ryan came to us with prior technical team management experience and a strong emphasis in technical problem solving,” according to Shaun Richardson, CXT Software’s Vice President of Services. “Since his hire, Ryan has quickly adapted to CXT Software’s best-in-class support tools and has helped hundreds of customers.”

“CXT Software has welcomed me with open arms and I am looking forward to what all of us can accomplish as a tight-knit team.” said Ryan. “I hope to continue providing technical support that goes above and beyond the competition to keep our customers ahead of the pack.”

Ryan lives in the Phoenix area and enjoys playing the guitar, working on cars and traveling.

### About CXT Software

CXT Software is a leading provider of software products that help package and parcel delivery companies manage on demand, route, and distribution work. The company is dedicated to providing courier, messenger, express carrier, distribution, and logistics companies with the tools necessary to compete and grow in an ever evolving marketplace. CXT Software is an Arizona company headquartered in Phoenix. For more information on CXT Software, visit [www.cxtsoftware.com](http://www.cxtsoftware.com). **MCW**



## Contractor Management Services Doesn't Miss a Beat Due to Cloud Based Infrastructure

A 2:00 am wake-up call from the Police Department on September 11...not exactly what you dream of! Water was flowing freely out of our Corporate Headquarters Building located in Peoria, Arizona. A broken toilet supply line was the culprit. Sounds insignificant, however, it filled our entire main floor with about 8" of water.

The CMS Facilities and Operations team executed on our disaster recovery plan and by 6:00am, we opened the doors on time with no loss of service or support to our clients. It has taken 9 weeks for our building to recover, with new furniture, carpet, infrastructure and drywall repairs, but our customer service and entire IT infrastructure never missed a beat.

How did we do it? CMS' infrastructure is nearly 100% cloud based. We continue to lead the industry in protecting our valuable intellectual property and our client sensitive information by leveraging the latest technological advances in virtualization and world-class data center management. CMS' operations group was able to relocate our entire support team and call center staff, as well as, bring up all client critical systems and infrastructure for a flawless 'Grand Opening' at our temporary facility in less than two hours.

With full and complete access to all information and resources including our web-based phone system, our service professionals were logged in and providing the superior service our Clients have grown spoiled with. Did it require some pre-planning? You bet, but that is what CMS' clients expect! Natural or man-made disasters are a worry for every business, but as CMS can attest, with the right planning and technology in place, you can manage risk and exceed Client expectations! **MCW**

## NOW BOOKING ADVERTISING FOR THE SPRING ISSUE

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**January, 25th, 2012 for space and ad copy**

Want to get your message out to the courier industry? Then you need to advertise in the next issue of **Time Critical Journal of Commerce Magazine**, the official magazine of MCAA.

If you have not already pre-booked an ad for the Fall issue and would like to, please feel free to call 202-785-3298 for a media kit.

## LaserShip Expands Locations in NJ, NY, and VA

**VIENNA, VA** — LaserShip continues to experience tremendous growth, shifting several of its critical branches into new and larger facilities. In Virginia, New Jersey, and New York, delivery hubs have recently moved into locations aimed at optimizing delivery efficiency. LaserShip, which currently provides deliveries to nearly one-third of the U.S. population and operates locations in ten states, has experienced consistent organic growth over the last four years. These facility upgrades signal a critical shift in time for the anticipated seasonal spikes.

LaserShip Dulles, one of organization's highest volume hubs transferred its operations to a new 35,000 sq. ft. state-of-the-art facility in Chantilly, VA. This new hub doubles LaserShip's regional throughput capacity, features inside loading, enhanced security, and updated networking capabilities.

In New Jersey, a recent move to East Rutherford provides 23,000 sq. ft. of distribution space, and boasts added loading docks, advanced security and much more office space. “The ability to conduct loading indoors will reduce defects in transit and increase sort speed, allowing us to significantly

increase productivity, just in time for peak volume”, says Josh Dinneen, Vice President of Supply Chain.

LaserShip continues its expansion in the New York tri-state area, with a new Queens location which extends coverage in the boroughs and Long Island. The new building provides a more efficient structure for managing diverse client needs and offers additional loading space, allowing for higher volume and throughput capacity.

This round of expansion completes fourth quarter goals; plans to open additional LaserShip facilities in Q1 2013 are quickly gaining momentum. Stay tuned...

About LaserShip Inc.

LaserShip is a regional parcel carrier facilitating last mile delivery to east coast markets for businesses that desire reduced transit times, greater flexibility, and the elimination of excess costs within their supply chain. Founded in 1986, LaserShip has evolved into a leading provider of regional same day and next day distribution services for premier e-commerce and product supply businesses. For more information, visit [lasership.com](http://lasership.com).

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## Courier Companies sign up to exsalerate Urgent Couriers' simple, affordable & effective cloud-based CRM system well received by Courier Companies



Leading New Zealand courier company Urgent Couriers launched its cloud-based CRM application, exsalerate.com, at the September last mile delivery forum in San Francisco, after successfully trialing it in Australia and New Zealand. To-date 8 companies in the USA & Canada are trialing or using exsalerate. Some of those using the system include;

1. King Courier (San Francisco)
2. Capital Express (Omaha, Nebraska)
3. Esquire Logistics (Florida)
4. All Canadian (Ontario)

exsalerate.com is a sales tracking tool that allows sales staff to easily track their sales activities, manage sales teams' pipelines and schedule appointments and follow-ups, for a fraction of the cost of regular CRM systems.

"Last month we opened 30 new accounts which I believe is a monthly record for the company after 36 years of business. I'm happy to attribute part of that success to using exsalerate. Although we don't use all its features the combination of real-time mobile access, document storage and scheduling make it invaluable for our team." - Anthony Zanelli; Manager, Sales & Marketing Crisis Couriers, Australia

Urgent Couriers managing director Steve Bonnici said he was inspired to develop exsalerate.com when trying to find a sales lead tracking system and CRM to fit his own New Zealand messenger courier business.

"I was continually frustrated by the complexity, inflexibility and cost associated with the systems available. So I decided

to build my own. It is designed to be a sales person's best friend and they need to do little more than record their activities," he said.

### Phil Silver, a sales rep with Crisis had the following comments;

- "Intuitive, so you can start using it with minimal training.
- Best feature is the client dash page which shows you everything you need on one screen.
- Support is excellent, very quick response and always open to new suggestions."

Mr Bonnici said he decided from the outset to build a cloud-based system with the view to making it available to other companies at a small monthly cost. It also means customers reap the benefits of a regularly updated system.

Features include the ability to capture leads from a company's website, manage sales teams pipelines, set and measure performance against targets, set up regular call cycles, interface with Outlook and more.

New features in the pipeline include integration with the widely used courier software systems to allow your CSRs to input information with the click of a button you're your operations system, a new mobile interface and more reports to assist with management of your sales team.

### About Urgent Couriers

Urgent Couriers is one of the largest specialised, on-demand courier services in New Zealand. Founded in 1989 by managing director Steve Bonnici, it has 25 per cent of the Auckland fast-delivery courier market. Urgent Couriers employs 20 staff and has 95 courier contractors. The company's catch phrase is: 'faster, smarter, greener.' [www.urgentcouriers.co.nz](http://www.urgentcouriers.co.nz) **MCW**



## Faces in the Crowd



Darrell Donaldson (center) with Director of DPS Steven C. McCraw and Commander Philip (Duane) Steen of Region 2

### Hot Shot Delivery Founder Completes TXDPS Citizen's Academy

On August 21, 2012, Hot Shot Delivery founder Darrell Donaldson graduated from the Texas Department of Public Safety Citizen's Academy. The twelve-week program, launched in 2011, is designed to educate citizens about the history and daily activities of the Texas DPS through hands-on activities and interaction with real Texas Rangers and State Troopers. As a student at the Citizen's Academy, Donaldson engaged in mock crime scene investigations with

crime lab personnel, steered a patrol car through emergency maneuvers and learned how to use various weapons carried by DPS officers. "I was especially impressed by the professionalism and competence of all of the employees I encountered at TXDPS, including rangers, troopers and administrative staff," said Donaldson. The entire Hot Shot family congratulates Darrell on his achievement! **MCW**

We welcome your submissions to this column!

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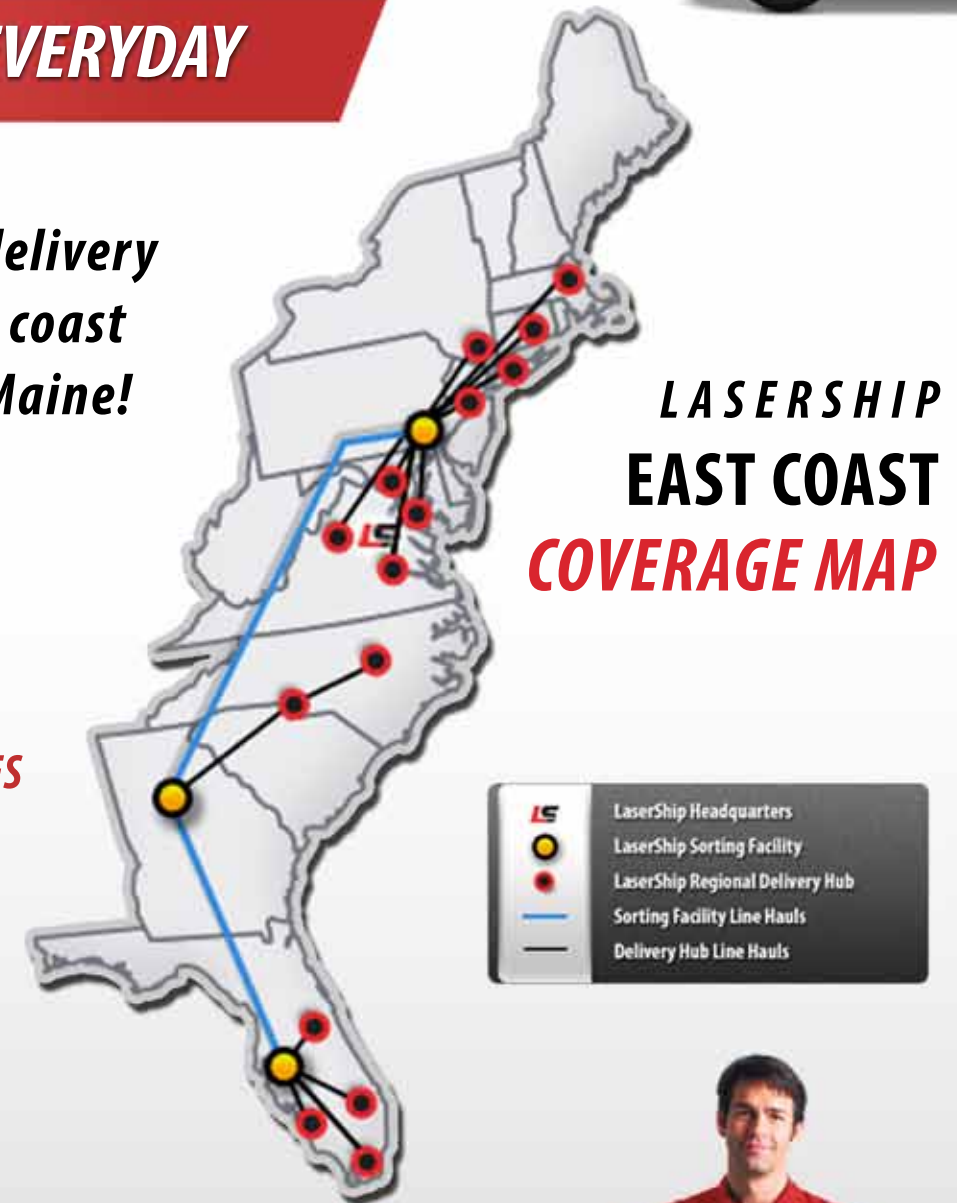
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### Florida Messenger Association



Fall 2012 presented the Florida Messenger Association (FMA) with a number of opportunities to promote our industry with our elected officials from the national, state and local levels. FMA President Harold Boyett (Blue Streak Couriers) led the charge with support from other FMA members, including Vice President and fellow board member Tim Petty (Pettyco Express).

On September 6, Harold Boyett was invited by the Chief Financial Officer for the state of Florida, Jeff Atwater to participate in a panel discussion with four other small business owners to kick-off the Small Business Leadership Forum in Tampa (pictured below). This inaugural two-day conference focused on the needs of the leadership of small businesses



Tim Petty presents "2012 Elected Official of the Year" award to Lake Ray



Harold Boyett (Blue Streak Couriers), State Attorney Angela Corey, Barrett Cook (Blue Streak Couriers), Tim Petty (Pettyco Express)

in Florida, and was co-hosted by the CFO and the Jim Moran Institute for Global Entrepreneurship. Boyett originally met CFO Atwater at a meeting held in July at the University of North Florida Small Business Development Center (SBDC) where Boyett serves as the Chair of the Advisory Board. Impressed with his SBDC involvement, the CFO asked him to share his experience with small business leaders at the statewide forum in Tampa. Later in September, Boyett had another opportunity to meet with CFO Atwater at the Jacksonville Business Journal's Ultimate CFO Awards, where CFO Atwater was the keynote speaker. Each time the two meet, the CFO continues to learn more about our industry.

On September 20, Harold Boyett and Tim Petty, along with other FMA members, attended the annual banquet for the Jacksonville Northside Business Leaders club, where Petty was the Emcee for the evening. Petty is a past president and actively involved in the Northside Business Leaders Club. At the banquet, Petty presented Florida State House Representative Lake Ray (District 17) with their "2012 Elected Official of the Year" award. FMA members also spent time interacting with Angela Corey, State Attorney for the Fourth Judicial District, who was the evening's keynote speaker.

Early in October, Harold Boyett had the opportunity to meet with Karen Mills, Director of the United States Small Business Administration (SBA) at an event in Jacksonville to commemorate the first-ever National Encore Entrepreneur Mentor Day. Mills, who serves in President Obama's Cabinet, met with Boyett, who was selected as a small business owner whose company has benefited from SBA/SBDC support. Boyett briefly spoke about our industry and thanked the Director for the support her organization provides to small businesses in Florida.



Karen Mills addresses audience in Jacksonville, FL)

### More FMA

Florida Messenger Association Holds Lunch and Learn in Orlando in August 2012

The fourth regional Florida Messenger Association (FMA) "Lunch and Learn" meeting was held in Orlando, FL on August 1, 2012. The meeting was attended by Pat Bronos of A.S.A.P. Courier Services; Kelly Caldwell of Air Traffic Services; Steve Zinck of All Canadian; Brian McKenzie of Alpha Logistics Service; Harold Boyett, Vince Lambert, Gabe Allen and Lynne Snyder of Blue Streak Couriers; Daryl Cook of Coastal Courier, Inc.; Doreen Dow of Citrus County Courier; Dan Schutt of Double Time Transit; Shannon Chapman and Dan Fee of Fleetgistics; Tim Petty of Pettyco Express; Tom Misner of Quick-Path Couriers; Mike Milam of Runabout Courier and Toni Pompa of Tri County Courier. This meeting – the fourth and final of the inaugural round planned – solidifies the blueprint for future meetings. Additionally, with 17 attendees, this session achieved the highest attendance of the four.

### The objectives of the meeting included:

- Discuss past and potential future legislation that could impact the independent contractor (IC) business model
- Share best practices regarding the IC business model
- Network
- Encourage involvement in FMA and Messenger Courier Association of America (MCAA)
- Discuss vendor sponsorship for future meetings
- Educate and inform each other

Harold Boyett shared the history of the FMA, including the efforts to work with the legislature to help clarify the definition of an independent contractor as it relates to the courier segment of the transportation industry. The group discussed the three statutes which association has helped to clarify:

- Workers' Compensation Statute 440.02 (15) (c) 4.1 (d)
- Unemployment Compensation Statute 443.1216 (13) (w)
- Local Business Tax Certificates: Statute 440.02 (15)



Pictured (from left to right): Brian McKenzie, Toni Pompa, Kelly Caldwell, Doreen Dow, Harold Boyett, Mike Milam, Daryl Cook, Steve Zinck, Shannon Chapman, Tom Misner, Pat Bronos, Tim Petty, Dan Fee, Vince Lambert, Dan Schutt, Lynne Snyder and Gabe Allen

The dialogue then turned to industry best practices regarding the independent contractor business model. The group discussed the importance of supporting the independence of the contract driver, making sure they are free of direction and control, as well as many other aspects of the work they accept from courier companies. Concepts such as maintaining "Job Rejection Logs" and "Negotiation Logs" are methods which support the independent nature of independent contractors. The attendees shared their thoughts with each other and the dialogue was intriguing and insightful.

Near the end of the meeting, Harold Boyett presented the concept of mentoring other business owners in our industry and sharing ideas and best practices with each other as a way of improving our industry. This proposal was embraced by the attendees who appeared eager to share their experiences with others.

Finally, Boyett extended an invitation for attendees to join the MCAA. "By maintaining active membership, attending annual meetings and participating in federal and state lobby days, we all demonstrate the strength and commitment for our state association and our industry," he concluded. In summary, this was a great example of how business owners that compete against other on a daily basis can come together for the sake of their industry, become informed on current issues and share ideas on how to best protect the independent contractor model. **MCW**



## California Delivery Association



This is my first “official” message since becoming the President of the CDA. I have been an active member and a Director for many years, and now want to assist the association in a new capacity. New to the Board are Mike McBain (Central Courier LLC), Scott Leveridge (Dynamex), and Jonathan Hesse (CMF Delivery), they join returning directors Bryan Scott (Rapid Express Courier System), Donna Springer (Go-Getters), Caryl Millen (Universal Courier), and Jim Hobbs (Am-Tran). I am pleased to have these directors helping me... and all of our association members. I would also like to thank out-going President Rick Chase for his hard work and time spent leading the CDA.

We had a great convention in July and it was good to see our members and meet some that I’ve never met before. I liked our speakers and especially Rob Hackbarth’s “Mondays Are Great”, as in all days should be great too. Also, some great knowledge and discussions were shared during this year’s roundtables. We had good weather, shopping, sailing, and a boat full of fun and fishing. The CDA convention team is already hard at work planning the 2013 event to be held in San Diego, September 20 & 21. Another fishing adventure

is in the works for this event, so be sure to save the dates.

Thanks to our sharing friends in the Florida Association we have been doing more of the “Lunch & Learns” that they were using, in lieu of evening meetings. Also, special thanks to our meetings chair, Donna Springer for reinvigorating these member meetings. So far we’ve had good attendance in Sunnyvale and Burbank, with the next outreach to be in Fresno and then Irvine. These are great chances to meet, network, and share association info over lunch. Non-members are also invited to these meetings so we get a chance at attracting them to the CDA.

In continuing our plans for Advocacy, Networking, and Education we have begun conferencing with some of the leaders of the MCAA, and other state associations. We are finding out what other groups are doing towards advocating at all levels of government, and how the MCAA can help out with this. Mike McBain and Scott Leveridge, CDA legislative committee members look forward to monthly conference calls with these groups.”

*JR Dicker, CDA President*

### More CDA

On September 5, I attended an NFIB California Safe Trust event in Newport Beach, headlined by former governor Pete Wilson. Prior to being Governor, Pete Wilson served as an Assemblyman, Mayor of San Diego, and United States

Senator. In his talk Pete covered many topics and mentioned that he stays very active because of his love of this state and the desire to see it once again become noted as a great state to live and work in, rather than be near the bottom on all business surveys as one of the worst for business.

Pete also mentioned the need to see Proposition 32 pass to stop the huge labor unions, such as the California Teachers Association from extracting involuntary political contributions from the paychecks of workers. Why should a worker have some of his forced union dues spent on candidates or causes that he doesn’t agree with? As Thomas Jefferson said, “To compel a man to furnish contributions of money for the propagation of opinions which he disbelieves is sinful and tyrannical.” Public union political war chests are built to support candidates that will do their bidding and ignore what may be good for the people of the state. Unfortunately this proposition did not pass.

AB 1234 is a bill that was passed by our legislators after we brought it to CDA members attention with this message. “This bill would have all non union employers who do not offer a pension plan to enroll their employees in a new state created plan similar to PERS. If this should pass and not get vetoed, then you must do it or pay a fine for each employee that you have. This will also burden you with extra administrative and fiduciary duties as well as the costs. I think most of you are aware of the PERS plan the state runs for government employees, and you’ve probably seen headlines about those under funded pensions. If this new one starts to need additional funding you can be sure the next step will be to require you to make “contributions” on behalf of your employees.” Unfortunately the bill did pass, but an amending bill (SB 923) also passed due to further action by many including the California Chamber of Commerce, so currently AB 1234 is on hold.

### “Private Pension Mandate Must Get Study, Legislative OK”

A proposal to mandate pensions for private employers in California cannot take effect until its full ramifications are studied and the resulting plan is introduced in a new bill and approved by the Legislature because of amendments advocated by the California Chamber of Commerce and passed on the last day of the legislative session. The effect of the amendments to SB 923 was to relegate the private pension mandate in SB 1234 to a study of the issue by the appointed board, as the CalChamber consistently urged.

Before amendments, SB 1234 would have subjected employers to significant cost, fiduciary responsibilities and liability with no commensurate benefit to employees by mandating that all private non-unionized employers who do not offer a

retirement benefit enroll their employees in a government-created defined benefits retirement plan.

If ultimately implemented in subsequent legislation, the private employer pension requirement would apply to employers with as few as five workers. The new risk could be particularly harmful to small businesses that can’t afford the added liability, including the duty to properly educate employees about the retirement options available so the employees can make an informed decision.

Now that our elections are over the Democrats have a 2/3 majority in the Senate and the Assembly, and therefore an increased ability to push through harmful or union supported legislation, as well as the power to raise taxes. Our current Democratic Governor Jerry Brown will be in a tough position to thwart their efforts, but we hope that with the support of the business community common sense will prevail in California. The CDA continues to work on behalf of all our members to support or fight for industry specific bills and regulations, as well as those that affect all small business employers in California.

*Dan Bender, CDA Executive Director* **MCW**

## New York State Messenger Courier Association



To kick off the new season, the NYSMCA held a seminar/dinner meeting on September 19, 2012. Guest speakers, Dan

Goldstein from the Whitmore Group and Larry Thaul from Millennium Financial gave an informative presentation entitled “Your Company, Healthcare and the World of Reform”. The seminar focused on the Healthcare Bill and the impact it will have on the messenger and courier industry. Discussions included the timeline of the healthcare reform - what it means for companies today and tomorrow and an outline of the current status of the insurance market along with employer strategies for cost control and employee retention.

Curtis Hight (Crown Delivery & Logistics), Immediate Past President, introduced the NYSMCA’s new Board of Directors for 2012-2014. They are

- President - Errol Cvern (Select Express & Logistics)
- Vice President - Mark J. Chiusano (Avant Business Services Corp.)

- Secretary/Treasurer - Christopher T. MacKrell (Custom Courier Solutions Inc.)
- At-Large Member - Vincent Malerba (AIMessenger Services/GoExpress)
- At-Large Member - Mitchell Newman (Mitchell's New York)
- At-Large Member - John Rutigliano (A-1 International Courier Service)

Chris MacKrell, Chairperson of the Government Affairs Committee, gave a comprehensive overview on what has been happening in Albany and with the New York State Department of Labor. Alarmed by the impending passage of "The New York State Commercial Goods Transportation Industry Fair Play Act", A.8997/S.6267", sponsored by Senator Martin Golden (R-Queens) and Assemblyman Keith Wright (D-Manhattan), NYSMCA engaged the services of an Albany-based lobbying firm in April.

Like its cousin, the Construction Industry Fair Play Act enacted in 2010, this bill would presume that any driver who transports goods is an employee. With the high number of self-employed transportation independent contractors in New York, this bill would have a major impact on not only the transportation industry but other industries that use transportation independent contractors as well. The bill has the potential to hurt not only thousands of truck drivers, but also each and every business that relies on trucking to deliver goods.

NYSMCA representatives met with Lieutenant Governor Robert Duffy, as well as legislative leaders to oppose the bill and emphasize how essential the courier and messenger industry is to New York State. The representatives explained that the proposed legislation would jeopardize up to 25,000 jobs and increase costs to the hundreds of thousands of New York businesses that rely on messengers and couriers for essential deliveries. The NYSMCA plans to meet with the legislation's sponsors to discuss their position and reasoning and to demonstrate that, by increasing costs to every business that relies on couriers and messengers, the bill will hurt the overall economic climate statewide.

Currently the bill is sitting in the Assembly and Senate Labor committees but the NYSMCA will remain vigilant to guard against any re-emergence of the bill in a post-election special session of the State Legislature later this year. The Association will also have to maintain a long-term effort on this proposed legislation as it is expected that union-based advocates will continue to push for such legislation in the future.

The NYSMCA would once again like to thank the members who donated to the GAC Advocacy Fund and we also applaud those of you who contacted your legislators. If



Assemblyman Keith Wright, and GAC members; Bobby Logan (Eddy Messenger Service, Inc.), Errol Cvern (Select Express) & Mark Chiusano (Avant Services).

you would like to make a donation to the NYSMCA GAC Advocacy Fund, please contact NYSMCA headquarters at 646-789-4472.

Members of the Government Affairs Committee of the New York State Messenger & Courier Association recently met with Assemblyman Keith Wright in his district office. Assemblyman Wright is the Chair of the Assembly Labor Committee as well as Assistant Majority Whip and the chief sponsor of the Transportation Industry Fair Play Act, a bill that would substantially reduce or eliminate the use of Independent-Contractors in the transportation industry in New York State. His bill passed out of his committee last session and will be reintroduced in January. The GAC discussed the courier industry in general and our specific concerns with the bill as written. Future discussions are planned. This meeting would not have been possible without the assistance of our new lobbying firm, Empire Strategic Planning. They arranged the meeting and attended along with the GAC. Based on the issues we are facing, it is clear that retaining a high caliber lobbyist like ESP was not a luxury but a necessity for the NYSM&CA. If you would like to contribute to the NYSM&CA Advocacy Fund, please contact Scott Gerard at [sgerard@nysmca.org](mailto:sgerard@nysmca.org).

**MCW**



## Ohio Same-Day Transportation Association



The Ohio Same-Day Transportation Association (OSTA) had its 3rd annual General Meeting on November 14, 2012, at the Country Club of Muirfield Village. OSTA members from every corner of the state participated in discussions that underscored issues impacting their businesses, and garnered support for House Bill 522, which was built to protect the Independent Contractor business model in the State of Ohio.

Featured speakers at this year's event included Representative Ross W. McGregor, of the Ohio House of Representatives, a sponsor of HB 522. Also included were Kirk Godby from SCI, presenting on behalf of MCAA; and Attorney Becky Trenner from the law firm of Scopelitis, Garvin, Light, Hanson & Feary, P.C.

Representative McGregor is committed to HB 522 and gave his reassurance to the re-introduction of HB 522 in the next General Assembly.

Kirk Godby provided an update on the Federal House Bill, some new developments with the Department of Labor, and the upcoming MCAA event next year.

Attorney Becky Trenner provided a comprehensive judicial and administrative review of enacted "carve out exceptions" legislation in other states for independent contractors. Trenner noted that successfully creating legislations is important, and is encouraged with our work at the OSTA.

Other items on the Annual Meeting program included a year-to-date review, annual updates from committee members, membership drive support and by-laws revisions. In addition, a demonstration of OSTA's web site was provided for the members and guests during the meeting. In conclusion, Jeff Thomas, President of OSTA, thanked and encouraged members to continue to support the Association's efforts.

For those of you who may be interested in joining the OSTA, have questions regarding future meetings, or questions regarding current Ohio legislation, please contact OSTA at <http://ohiosamedaytransportation.org/>. **MCW**





MSDMCA members and lobbyist Bruce Bereano at the Maryland state legislature's annual crab feast in Crisfield Maryland in July 2012

## Maryland Same Day Messenger Courier Association

Maryland Same Day Messenger Courier Association continues to provide leadership in Maryland



In 2009, some of the leading messenger service companies in the State of Maryland came together to found the Maryland Same Day Messenger Courier Association. The purpose of the association was to protect our industry in Maryland against unfavorable laws being written at that time by the Maryland legislature, as well as to protect us from larger, out of state courier companies operating under more favorable laws, from coming into the state and grabbing market share. Our initial lobbying efforts proved successful.

In 2011, MSDMCA drafted, championed, shepherded and ultimately saw enacted legislation that turned the tide in

favor of our industry in the state. This legislation codifies a comprehensive and reasonable definition of our industry and what we do, which, in turn, gives Maryland messenger companies a clearer understanding of the regulations affecting our industry and how they will be applied, and provides also for a level playing field with other adjoining states. As Maryland Comptroller Peter Franchot wrote in the Baltimore Sun on July 19, 2012 "In addition to holding the line on higher taxes, we must offer employers a consistent and predictable regulatory environment while providing them with responsive customer service." Comptroller Franchot has eloquently articulated our concerns.

So this year, the members of the MSDMCA, with the help and direction of our lobbyist in Annapolis, continue to work with legislators, attend fundraisers, offer input concerning legislation affecting small business and our industry and, most importantly, do our best to remain visible in Annapolis. Legislators now not only know our industry, but know our names. We continue to make a mark in Maryland.

**MCW**

## Massachusetts Delivery Association

In light of recent political developments and the glooming prospect of the "fiscal cliff" it is important that our industry reflect on the perspective of additional state and federal regulatory pressure.

One of the issues at the forefront of our industry's challenges is undoubtedly the MDA v. State of Massachusetts case. Its outcome will determine, or at very least influence, future legislation in other states. It is of utmost importance that our industry prevails in MA.

Earlier this month, the MDA filed a motion for Summary judgment in its Case against the State of MA.

The argument was made that the "B prong" of the Massachusetts' Independent Contractor statute is preempted by federal law simply because the Massachusetts' law has the clear and inevitable effect of altering the prices, routes and services carriers provide. As an illustration, under the current MA law, a person can be engaged as an independent contractor only if he works "outside the usual course of the business" of the contracting company.

The MDA also noted that a delivery services company using independent contractors to drive across the state of MA would potentially violate MA law. The company would either incur the cost of hiring an employee based deliver service for this purpose, or it could direct its contractor to drive around the State of Massachusetts, adding countless hours of work and miles to the route, and therefore affecting the cost of such services.

Furthermore the MDA submitted an analysis demonstrating how the use of employee drivers would inevitably affect the costs of services when providing health insurance, workers compensation benefits, and making adjustments to route scheduling to accommodate wages and hours of work regulations.

The MDA asks for the industry's continued support in its legal battle. Our association has been putting in its best effort to defend the industry. As this case moves its way through the legal process it is critical that we all stay focused and continue to support the case and its legal team. Now is the time to support the MDA. Please do so by contacting our treasurer at [edevine@courierexp.com](mailto:edevine@courierexp.com). **MCW**

## Connecticut Messenger & Courier Association



The joint efforts of the CMCA and the Motor Transport Association of Connecticut (MTAC) to introduce a bill in the past legislative session defining an independent contractor in the transportation industry

within the State of Connecticut, while receiving widespread bi-partisan support, ultimately failed when the Speaker of the House and Chairperson of the Labor Committee refused to bring it out of Committee for a vote. Both of those individuals did not run for re-election and consequently are no longer in those positions of influence. The MTAC has already expressed an interest in submitting this bill again for consideration during the coming session which starts in January. The CMCA is committed to supporting this effort once again or failing that, introducing legislation of its own.

On Monday, November the 19th, our President, Kevin Maloney, appeared on "After the Bell", an afternoon program that airs daily on the Fox Business network. Kevin also serves on the National Federation of Independent Business Leadership Council in Connecticut, and it was through the NFIB connection that he received the invitation to appear. He participated together with two other small business owners from New York and New Jersey in what Fox described as a "Small Business Roundtable" which they convened because, in their words, "The President has been a little slow in meeting with small business." with regard to the state of the economy. Small business creates six out of every ten new jobs and produces about half of the nation's GDP, yet no small business group has been invited to the summits on the economy that the administration is conducting.

Here's the link to the video: [http://video.foxbusiness.com/v/1978325542001/what-small-business-wants-from-the-fiscal-cliff/?playlist\\_id=937116503001](http://video.foxbusiness.com/v/1978325542001/what-small-business-wants-from-the-fiscal-cliff/?playlist_id=937116503001)

The next meeting of the Connecticut Messenger Courier Association is scheduled for Tuesday, January the 8th, 2013 at the location yet to be determined. **MCW**



## DELIVERY WHEELS FOR 2013

BY REED HITCHCOCK

A frequent question we receive from the expedited delivery community is what vehicles are best for the delivery business. Choice of vehicles – particularly for independent contractors – depends on several factors, not the least of which are personal style and taste. Other key considerations include capacity, reliability, fuel economy, and even the brand image that your company wants to convey. All that said, there are a lot of choices out there and Grease Monkey Garage has selected our choices for the best delivery vehicles for 2013. Of course, your mileage may vary.

### Best Full-Size Delivery Van



No surprise here, we have all become familiar with the Mercedes-Benz Sprinter van as a staple in the delivery industry. Its class-leading interior height and cargo volume, depending on configuration, coupled with an efficient and reliable diesel engine make it a strong choice for big-load deliveries. By comparison, the Chevrolet Express long-wheelbase van holds about half as much as the Sprinter. There are those who complain that the Sprinter is underpowered, which can be an issue if there is a lot of highway driving on the route. For us, the Sprinter's economy more than makes up for that. The other obvious downside is the price. With an MSRP starting at \$36,290, it is at the top end of the scale for delivery vans. Still, we think you get what you pay for, and this one is worth the premium.

**Also consider: Ford E-Series, Chevrolet Express.**

### Best Mid-Size Delivery Van



European delivery companies have used small- to medium-sized delivery vans for decades, but they've only recently started making some inroads here in the United States and Canada. Our top pick among this limited but growing class is the Ford Transit Connect. Built on a car platform, this car has a small footprint that makes it ideal for urban deliveries: it's easy to park, relatively easy on gas (21 city/27 highway), and very maneuverable in tight spaces. For larger fleets, Ford offers the Transit Connect with their Ford Work Solutions program, which includes fleet management tools, an in-dash printer, and even a wireless hotspot. It is also available as a plug-in electric vehicle. The Transit Connect starts at a competitive MSRP of \$22,035, which makes it very appealing for companies and independent contractors alike shopping new delivery vehicles. It's not the biggest or the fastest, but it is our 2013 choice for best all-round delivery car.

**Also consider: Nissan NV**

### Best Delivery Wagon



So you just can't bring yourself to buy a van: either it doesn't go with your corporate image, or perhaps this car doubles as your family car during off-hours. In that case, we suggest that a wagon is the way to go, and they certainly have come a long way from the faux wood-sided family trucksters that we grew-up with. Our choice here is the new Ford C-Max Hybrid. New for 2013, the C-Max combines fantastic fuel economy (47 city AND highway) with a car that is a lot more fun to drive than comparable wagons. It does not have the most space in its class, but it does have some nice features including the optional tailgate which can be operated by waving your foot underneath the bumper – handy for the delivery professional with his hands full. The C-Max is also priced competitively, starting with an MSRP of \$25,200. Although we know several of you have been hesitant to consider hybrids for delivery vehicles, with concerns about the complexity of electric motors and battery life, the technology has come a long way, and manufacturers support it with very competitive warranties. Definitely worth a look if you're in the market.

**Also consider: Toyota Prius V, Volkswagen Jetta TDI Sportwagen**

### Best Small Delivery Car



A lot of companies and even more independent contractors simply want a solid, reliable car that performs well, gets good gas mileage, will hold-up well, and can hold a reasonable amount of cargo. While there are literally dozens of cars out there that fit the bill, our favorite is the Honda Fit. The Fit is a tall four-door hatchback that was designed with maximum space efficiency in mind. In fact, the cargo space inside feels substantially bigger than the car looks on the outside. It's fun to drive, if that matters to you, and is one of the few cars on the market these days still available with a manual transmission. Mileage is a strong 27 city and 33 highway, not in hybrid territory, but you also don't pay the hybrid premium. In fact the Fit starts at a downright low MSRP of \$15,325. There are quieter, faster, and more efficient small cars out there, but no others offer the overall package for the price that you get with the Fit.

**Also consider: Hyundai Elantra, Ford Focus**

### Best Pre-owned Delivery Car



For start-up companies and independent contractors alike, new cars may simply not be an option from an initial cost perspective, but you certainly don't want to end-up with a fleet of money pits that will consume whatever income you stand to make. So there are a few options out there in solid, sub-\$10,000 used cars – all of them (not surprisingly) Japanese. Our top choice, however, is the 2004-2009 Toyota Prius. Yes, it's a Prius, but it's also a Toyota.

Numerous consumer publications that track reliability data have found the reliability of the Prius ranks with other Toyota products despite the complex hybrid system. Add to that gas mileage of 48 city and 45 highway, and you have a car that can be remarkably inexpensive to run. The Prius also has a fold-down rear seat that makes for a sizeable cargo area. Besides, a fleet of Prius's (Pri-i?) would paint you as a very green company – if that's an image you want to convey. A good 2nd generation Prius can be had for as little as \$4,500.

**Also consider: Honda Fit, Toyota Matrix**

## MCAA Welcomes Its Newest Members

### Courier

#### BDS COURIER

Mr. Lindsay Gruskin  
4500 Oak Circle, Building C,  
Suite 2  
Boca Raton, FL 33431  
lindsay@bdscourier.com  
561-394-4208

#### Courierwest LLC

Mr. Richard Holstein  
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Mill Creek, WA 98082  
info@courierwest.com  
866-500-9378

#### Expressit Logistics

Ms. Danielle Carter  
50 Terminal Street, Bldg. 1  
Boston, MA 02129  
irenes@expressitdelivery.com

#### H W Delivery Systems Corporation

Mr. Harold Walker  
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Memphis, TN 38115  
harold@hwdelivery.com  
(901) 297-4365

### H-DRIVE COURIER SERVICE SAME DAY ALL DAY

Mr. Hayes Johnson  
1801 Grand Isle Circle  
Orlando, FL 32810  
hsj3rd1217@gmail.com  
267-949-6046

### KTI Express Courier

Mr. Cecilio Kentish Jr.  
3054 Leeman Ferry Road  
SW, Suite Q  
Huntsville, AL 35801  
service@ktiexpresscourier.com  
256-585-1054

### Lonely Luggage Logistics

Mr. Tony Emanuel  
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tony@lonelyluggage.com  
805-459-7888

### Multi-Pak Logistics Services, LLC

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### OTT Group

Ms. Alena Ofuasia  
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Vancouver, WA 98662  
ottgroup@hotmail.com  
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### Road Runner Courier & Permit Expediting Services Inc.

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954 636-5041

### South Texas Couriers LLC

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210-473-0683

### Valley Express Courier

Mr. Robert Gust  
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Mesa, AZ 85201  
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### Affiliate

#### E.D. Systems

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(772) 224-8681

#### PRH Enterprises Leasing Company

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## ad index

Airnet.....	15
American Expediting .....	42
Brightstone Insurance Services .....	i
Contractor Management Services.....	BC
Courier Complete.....	IBC
CXT Software.....	ii
Datatrak .....	IFC
Hackbarth Delivery Services .....	44
Key Software Systems .....	11, 23, 36
Lasership .....	53
OnTrac .....	35
Priority Express Courier .....	49
SCI .....	50
Southwest Airlines Cargo.....	13

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MCAA is a non-profit industry association of, by, and for the messenger courier industry. Our mission is to promote and advance the common interests of those engaged in the messenger courier industry throughout the United States and abroad. Through industry meetings and educational seminars MCAA provides an excellent opportunity to network with others in the business and stay on top of industry trends.

\*Good for the calendar year of 2013. Regular dues schedule applies thereafter.

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2013 ANNUAL MEETING & CONVENTION

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