



**Texas Air Conditioning Contractors Association
GREATER SAN ANTONIO**

Contractor Membership Application

Please type or print

Contractor: Contracting firm, corporation, or individuals who design, install, service and/or repair environmental systems such as heating, air conditioning, refrigeration, humidification, air purification, and ventilation.

MEMBERSHIP INFORMATION:

Company: _____ License #: _____

Primary Contact: _____ Title: _____

Alternate: _____ Title: _____

Mailing Address:

City, State, Zip Code

Street/P.O. Box _____

Phone: ____/____/____ Fax: ____/____/____ Cell: ____/____/____

E-mail: _____ Web Site: _____

Did a TACCA GSA member tell you about the Association? If so, please provide the following:

Name: _____ Company: _____

____ Please check here to receive communication by email & Text Message

Annual Sales (for TACCA GSA confidential records only):

____ % **Commercial/Industrial** (over 5 tons)

____ % **Residential/Light Commercial** (under 5 tons)

____ % **Industrial**

☐ Service ☐ Installation ☐ Both

☐ Service ☐ Installation ☐ Both

☐ Service ☐ Installation ☐ Both

☐ Under \$300,000 ☐ \$3 - \$10 Million

☐ \$300,000 - \$1 Million ☐ \$5 - \$10 Million

☐ \$1 Million - \$3 Million ☐ Over \$10M

MEMBERSHIP PAYMENT:

Member payment includes one meal at each TACCA GSA-San Antonio membership meeting.

Additional meals are billed at \$20 per meal.

Membership is based on the total number of employees at this location – please check one:

____ **1- 10 Employees (\$755)** ____ **+10 Employees (\$830)**

Membership is valid for a 12 month period

Return this completed form with payment to:

TACCA – Greater San Antonio Attn: Dawn Thompson, Executive Director

PO BOX 160218 San Antonio, TX 78280 Email: dawn@TACCAGreaterSanAntonio.org Phone: (210)901-4222

As a member, I agree to abide by the TACCA GSA Code of Ethics & have read the TACCA GSA Antitrust Policy:

Signature: _____ Date: _____

PO BOX 160218 • SAN ANTONIO, TEXAS 78280 • 210.901.4222

TACCA GREATER SAN ANTONIO.ORG

TACCA GSA Code of Ethics

- Members instill the highest respect for the heating, ventilation, air conditioning and refrigeration (HVACR) contracting profession within their communities.
 - Maintain strict compliance with all laws, regulations and ordinances pertaining to the HVACR industry and business operations prescribed by federal, state, county, and municipal governments.
 - Design, install, service and repair heating, ventilation, air conditioning and refrigeration systems in accordance with accepted industry standards.
 - Develop and maintain an understanding of proper equipment selection to assure customers of safe, dependable and comfortable performance.
 - Ensure that quality, honesty, integrity and good faith are hallmarks of contractors' business practices, including individual contractor sales, advertising, installations and service of HVACR systems.
 - Maintain a clean, safe, respectable and well identified place of business commensurate with the high standards of the profession.
 - Increase the safety and efficiency of the HVACR contracting industry by participating in the education and training programs of TACCA GSA.
 - Develop the highest quality standards of customer service and nurture long term relationships with customers.
 - Encourage and support business development in which skilled and professional HVACR contractors are empowered to provide high-level services to consumers and end-users.
 - Refrain from engaging in any activity defined as cross-subsidization.
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TACCA GSA Antitrust Compliance Policy

The antitrust laws of the United States and the various states prohibit agreements, combinations and conspiracies in restraint of trade. Because the air conditioning contractors of America ("TACCA GSA") is, by definition a combination of competitors, one element of a possible antitrust violation is always present, and only some action by TACCA GSA that unreasonably restrains trade needs to occur for there to be an antitrust violation. Consequently, associations are common targets of antitrust plaintiffs and prosecutors.

The consequences for violating the antitrust laws can be severe. A conviction can carry stiff fines for the association and its offending leaders, jail sentences for individuals who participated in the violation, and a court order dissolving the association or seriously curtailing its activities. The antitrust laws can be enforced against associations, association members, and the association's employees by both government agencies and private parties (such as competitors and consumers) through treble (triple) damage actions. As the principal federal antitrust law is a criminal conspiracy statute, and executive who attends a meeting at which competitors engage in illegal discussions may be held criminally responsible, even if he or she says nothing at the meeting. The executive's attendance at the meeting may be sufficient to imply acquiescence in the discussion, making him or her liable to as great a penalty as those who actively participated in the illegal agreement.

The antitrust laws prohibit competitors from engaging in actions that could result in an unreasonable restraint of trade. Above all else, association members should be free to make business decisions based on the dictates of the market – not the dictates of the association.

Some activities by competitors are deemed so pernicious and harmful that they are considered *per se* violations – it does not matter whether or not the activities have a harmful effect on competition. These generally include price fixing, allocation of customers, markets or territories, bid-rigging, and some forms of boycotts. In addition, there are many features that factor into price; agreements as to warranty duration, freight terms, or other factors that can directly impact price also are proscribed.

Other actions such as standards development and relationships between distributors and suppliers generally are evaluated under a rule of reason -- there is a balancing between the pro-competitive and anti-competitive aspects of the activities. These areas also should be approached with caution and legal guidance.

TACCA GSA has a policy of strict compliance with federal and state antitrust laws. TACCA GSA members should avoid discussing certain subjects when they are together – both at formal TACCA GSA membership, Board of Directors, committee, and other meetings and in informal contacts with other industry members – and should otherwise adhere strictly to the following guidelines:

- DO NOT discuss prices, fees or rates, or features that can impact (raise, lower or stabilize) prices such as discounts, costs, terms and conditions of sale, warranties, or profit margins. Note that a price fixing violation may be inferred from price-related discussions followed by parallel decision on pricing by association members – even in the absence of an oral or written agreement.
- DO NOT agree with competitors as to uniform terms of sale, warranties or contract provisions.
- DO NOT exchange data concerning fees, prices, production, sales, bids, costs, customer credit, or other business practices unless the exchange is made pursuant to a well-considered plan that has been approved by TACCA GSA's legal counsel.
- DO NOT agree with competitors to divide up customers, markets, or territories.
- DO NOT agree with competitors not to deal with certain suppliers or others.
- DO NOT try to prevent a supplier from selling to your competitor(s).
- DO NOT discuss your customers with your competitors.
- DO NOT agree to any membership restrictions, standard-setting, certification, accreditation, or self-regulation programs without the restrictions or programs having been approved by TACCA GSA's legal counsel.
- DO insist that TACCA GSA meetings have agendas that are circulated in advance and that minutes of all meetings properly reflect the actions taken at the meeting.
- DO leave any meeting (formal or informal) where improper subjects are being discussed. Tell everyone why you are leaving.
- DO ensure that TACCA GSA staff sends out all correspondence on behalf of TACCA GSA and that TACCA GSA officers, directors, committee members, or other members do not hold themselves out as speaking or acting with the authority of TACCA GSA when they do not, in fact, have such authority (see TACCA GSA's Policy on Apparent Authority).
- DO ensure that if questions arise about the legal aspects of TACCA GSA's activities or your individual responsibilities under the antitrust laws, you seek advice and counsel from your own counsel or from the staff and counsel of TACCA GSA