



## ALABAMA UTILITY CONTRACTORS ASSOCIATION

**TIM AYERS, EXECUTIVE DIRECTOR**  
**JANUARY 2017**

### **Director's Comments:**



As the first month of the new year has nearly flown by, I wanted to thank our members for your past support of the Alabama Utility Contractors Association. Your involvement in our group has enabled us to accomplish great things. Our goal for 2017 is to keep AUCA moving forward. In the coming year, we will remain focused on several important issues including:

- Safety and Damage Prevention - AUCA will continue in our efforts to require mandatory participation in a Single Statewide One-Call Notification System, and to work towards improved safety and enforcement of the current One-Call Law
- Increased Underground Infrastructure Funding
- Workforce Development Initiatives - AUCA will also establish a Scholarship Program in 2017
- Prompt Payment of Contractors and Vendors
- Ensuring Fair and Consistent Governmental Policies that impact Business, Taxes, and Environmental Regulations

Additionally, AUCA will continue to offer services that bring value to our members such as local meetings with guest speakers that provide for networking, as well as educational and training opportunities. We will also continue to promote our "Affinity Programs" that include a 401(k) Retirement Plan and Worker's Compensation Insurance.

Again, we thank you for your support of AUCA. We have a great year planned, but to remain successful, we must have you involved to help us achieve our strategic goals.

*Tim*

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**Upcoming AUCA Events:**

***AUCA Quarterly Lunch Meetings***

We are finalizing the dates and details for the 1st Quarter local lunch meetings. The meetings will likely take place in late February and/or early March. Be on the lookout for updates.

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**Charge the Hill - Legislative Awareness Day**

**Wednesday, March 8, 2017**

**9:00 a.m. - 11:00 a.m.**

**State House Building**

**11 South Union Street, Montgomery, AL 36130**

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**May 11, 2017**

***Spring General Meeting, Golf Tournament  
& Low Country Shrimp & Crawfish Boil***

**Arrowhead Country Club**

**Montgomery, AL**

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**May 2017**

**Washington, D.C. Fly-In**

**& Clean Water Construction Coalition Reception**

*Please contact AUCA Office for additional details*

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**October 19, 2017**  
***AUCA Fall General Meeting  
& Sporting Clay Shoot***

**Lower Wetumpka Shotgun Sports Club**

**Montgomery, AL**





**AUCA MEMBER SPOTLIGHT:**  
**Persons Service Company**



**4474 Halls Mill Road**  
**Mobile, AL 36693**  
**Phone: (251) 660-0132**  
**Fax: (251) 660-2084**

Persons Service Company, LLC (PSC) was founded in 1978 by Mr. Paul F. Persons, Sr. in Mobile, AL. PSC has grown from a small local plumbing company to a full service Industrial Contractor specializing in Maintenance, Construction, Mechanical & Process Piping, Civil & Utilities, Fabrication and other related Construction Services throughout the Southeastern United States.

Founded on the principals of Safety, Quality & Performance, PSC provides a full service product to its clients. With nearly 100 employees, a fabrication facility and a fleet of company owned equipment, PSC can self-perform and deliver most any project in our sector. The company is managed by Paul F. Persons, Jr. (Buddy) - Managing Director, as well as Paul F. Persons, Sr. - President/ Founder, and Bryan J. Shuford - Vice President.



Persons Service Company, LLC performs civil and utility construction for various clients along the Gulf Coast.

Type of work performed is as follows:

- Main-line water supply
- Main-line sewer pipe and man-holes
- Fire-mains and Hydrants
- Utility Conduits – Phone, Cable, Power & Gas
- Storm Drains and pipe
- Grease traps – Tanks – Interceptors
- Excavating & Earthwork
- Construction of roads and utilities (private)
- French Drains
- Clearing and Grubbing
- Site Work
- Environmental Remediation

PSC works for both private owners and municipalities including local, State and Federal Governments. PSC's work force is diverse and capable of handling most any task in the Civil and Utility Construction field.

[www.personsservices.com](http://www.personsservices.com)

# *Clean Water Construction Coalition Report*

From Bob Briant, Jr. - Chairman CWCC

## **The Trump Administration**

President Trump, by all accounts, is still committed to an omnibus mega infrastructure proposal. It was one of the cornerstones of his campaign...jobs, jobs, jobs. Per the campaign rhetoric it would be a \$1 trillion 10 year plan that would be multi-faceted in scope and funded by private investments and federal bonds that could be purchased by investors and/or private citizens. That rhetoric has carried through post the campaign. He recently announced the creation of an Infrastructure Council, headed by two New York businessmen (Steven Roth and Richard LeFrok) to include 10-15 major engineering and developer representatives. He addressed it in his inaugural speech - the only time that I could recollect in my days in DC that infrastructure received any attention in such speech - and he continues to do so, for example in meetings with representatives of the business community, labor and congressional leaders. As the Republicans begin their annual issues retreat, infrastructure is on the agenda and the President is expected to attend. In addition, infrastructure/jobs questions have been raised at the recent news conferences with responses by the Administration that are all positive and encouraging. Even off-the-record comments by non-press secretarial personnel on the issue all reaffirm the President's commitment. His nominees for OMB and DOT testified at their confirmation hearings in support of the plan, the latter stating that one of her first orders of business once confirmed is to establish an infrastructure task force within the DOT.

Having said that, it appears that this initiative will likely be a "Day 200" issue developed later this spring as health care, taxes and regulatory overhaul are already dominating discussions during the first 100 days. Also, notwithstanding the overall rhetoric and commitment, there are still more questions than answers from the Administration including:

- How is infrastructure being defined? Will it primarily be transportation and water infrastructure or will it include pipelines, such as the Keystone pipeline, the electric power grid, cybersecurity, broadband, public buildings, etc.? The broader the definition, the less money potentially for a particular sector.
- What form will the investment take? Will it be predominately private sector financing including P3's, tax credits, repatriation, or tolling; i.e. loans which need to be paid back and are only applicable to a select number of projects, or will it include long-term, sustainable federal funding for the Highway Trust Fund such as a gas tax or other revenue increases?
- Will it be focused primarily on iconic or legacy projects as some have suggested? This approach would benefit certain critical mega projects such as NY/NJ's Gateway, Chicago's CREATE, Ohio's

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## *Clean Water Construction Coalition Report*

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Brent Spence Bridge, etc., but could leave nothing for some states and for much needed maintenance and rehabilitation projects across the country.

- Who will have the lead in developing the plan? Will it be US DOT or perhaps the Treasury Department given the focus on tax revenues or the White House given Trump's personal interest? Will it be driven by the House Ways & Means and Senate Finance Committee rather than the traditional transportation authorizing committees?
- Will Congress cooperate with the Trump Administration? Many fiscal conservatives in Congress, including Rep. Mick Mulvaney (R-SC) who has been nominated to lead the Office of Management & Budget (OMB), are leery of funding proposals that would increase the deficit.

Lastly, there was a report circulating indicating that the Administration had already identified projects that would be funded via the President's proposal. To set the record straight, a former member of the Trump transition's landing team for DOT said a list of infrastructure projects supposedly tied to the new Administration is actually fake. "We saw it and confirmed it did not come from the transition team," Brigham McCown, the chairman of the Alliance for Innovation and Infrastructure, reported. He also said that some of the projects listed aren't requesting funding from the federal government and that some of these projects have been completed, some are in development, some are good candidates, and others would not be the types of projects we would have recommended.

### **Congressional Republicans**

At this time, both House and Senate Republicans have taken a "wait and see" approach pending the confirmation of an OMB Director, Secretary of Transportation, the President's FY18 Budget, and ongoing discussions. However, they also do believe that they and the new Administration can still make headway on an infrastructure measure over the coming months - just out of the spotlight. They still maintain that sticker shock will be the largest challenge to getting Republican lawmakers on board, which means that Members will have to be convinced that spending money on infrastructure is different than funding a program - this is an investment, and there's a return on that investment. In further support for infrastructure action, outgoing Senate EPW Chairman Jim Inhofe will hold onto one of the committee's subcommittee gavels this Congress, taking charge of the Transportation and Infrastructure panel. That subcommittee will have primary jurisdiction over any infrastructure legislation and Inhofe is a strong infrastructure advocate. Inhofe was also named to the Commerce Committee, giving him two platforms from which to advocate for what he thinks should be in any grand infrastructure package.

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# *Clean Water Construction Coalition Report*

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## **Congressional Democrats**

Senate Minority Leader Schumer and House Minority Leader Pelosi said that while Democrats are open to a conversation with the Administration about infrastructure, they need more details before they can commit their support to any legislative package. Both are advocating for direct spending on infrastructure, arguing that a program of tax credits isn't going to get the job done. Senate Democrats unveiled their own 10-year \$1T infrastructure plan - "A Blueprint to Rebuild America's Infrastructure". Here is a link to a summary of the plan (<https://www.dpcc.senate.gov/files/documents/ABlueprinttoRebuildAmericasInfrastructure1.24.17.pdf>). It would be paid for with federal funds by closing tax loopholes. It includes:

- \$100B for roads and bridges
- \$130B for transit and bus systems
- \$50B for rail (including Amtrak and HSR)
- \$30B for airports
- \$10B for ports and waterways
- \$10B for TIGER
- \$200B for a "Vital Infrastructure Program" for priority projects
- \$110B for water and sewer systems
- \$100B for energy infrastructure
- \$10B for new innovative financing tools, such as TIFIA, RIFF, WIFIA and an infrastructure bank
- \$100B for "Main Streets" in local communities
- \$75B for schools
- \$10B for VA hospitals and other VA facilities
- \$20B for expanded broadband
- \$20B for infrastructure on tribal and public lands

Regarding water infrastructure, the plan states that "we will make major investments in the Clean Water and the Drinking Water state revolving funds, and USDA water programs, to address the growing backlog of water and sewer projects. We will also give States new flexibility to provide communities with more grants rather than loans. This will unlock thousands of new water and sewer infrastructure projects without burdening local ratepayers. In addition, we propose decreasing the local matching funds required of states and local governments who simply cannot afford to take on more debt. Finally, we will increase funding for the Water Infrastructure Finance and Innovation Act program that provides federal loans to support large-scale water infrastructure projects with na-

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## *Clean Water Construction Coalition Report*

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tional and regional significance." See also the link above re WIFIA funding.

Also, in attempts to keep the pressure on, Reps. John Delaney (D-Md.), Ted Yoho (R-Fla.) and Rodney Davis (R-Ill.) will soon reintroduce two infrastructure bills that have failed to gain enough traction in the past but may be more viable now that Trump has vowed to upgrade the nation's infrastructure. One of the bills, "The Partnership to Build America Act," would establish a fund to finance infrastructure projects on the state and local level. The other bill, "The Infrastructure 2.0 Act," would tax repatriated profits at a lower rate and use the revenue to invest in infrastructure. We are also awaiting Congressman McNerney's bill that could factor into the deliberations.

### **Clean Water Construction Coalition**

To date, advocacy efforts in support of infrastructure legislation that addresses the Clean Water and Safe Drinking Water SRF's funding and possibly other water project funding have included: support for the McNerney bill; providing briefing material to the Transition Team on the Coalition and its issue positions; providing briefing material to the Department of the Interior and the Environmental Protection Agency land teams again on the Coalition and its issue positions; advising the Senate Environment and Public Works Committee and the House Transportation and Infrastructure Committee, both with jurisdiction over any infrastructure bill, of the Coalition's support and positions; and coordinating with the U.S. Water Alliance, the National Water Resources Association, the Water Resources Action Project, Inc; the Association of Clean Water Administrators, the Clean Water Action; the American Water Works ; the American Rivers; the National Water Resources Association, Food & Water Watch; and, the Water Infrastructure Network on a combined advocacy strategy to ensure that any final infrastructure bill includes robust funding to meet the nation's water needs.



## News & Notes:

### **2017 AUCA Membership Dues Renewal**

January kicked off the 2017 membership renewal period, and we are off to a great start. We appreciate the many companies that have already paid their 2017 AUCA dues, and to those that have made additional voluntary contributions to our Legislative PAC Fund.

For those that have not yet done so, please make arrangements to submit your membership dues as quickly as possible to guarantee no interruption in member services.

Should you have any questions, need another copy of the invoice sent to you, or wish to pay by credit card, please contact the AUCA office at (205) 582-9436.

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### **AUCA Newest Member Companies:**

#### **Vulcan Materials Company**

Company Representatives: Heather Freeman, Charlie Vines & Morris King

#### **Greenhalgh Insurance Agency**

Company Representative: Walter Crye

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### **New Form I-9 Required**

The revised version of the U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 went into effect on January 22nd. Employers must use only the new Form I-9, dated 11/14/2016 N to verify the identity and work eligibility of every new employee hired after Nov. 6, 1986, or for the re-verification of expiring employment authorization of current employees (if applicable). This date is found on the lower left hand corner of the form. Prior versions of the form will no longer be valid for use. Employers who fail to use Form I-9 11/14/2016 N may be subject to all applicable penalties under section 274A of the Immigration and Nationality Act, 8 U.S.C. 1324a, as enforced by U.S. Immigration and Customs Enforcement (ICE).

Employers should continue to follow existing storage and retention rules for each previously completed Form I-9.



## News & Notes:

### **Alabama One-Call Notification System Study Commission Update:**

The One-Call Study Commission met in Montgomery on January 23rd to continue working on draft legislation that is expected be introduced during the 2017 Alabama Legislative Session. Currently, the draft deals with the development of an effective Enforcement Program for violators of the One-Call Law. An Underground Damage Prevention Authority, comprised of underground facility protection stakeholders, will also be created as part of this legislation.

AUCA will continue to pursue the inclusion of Mandatory Membership in a Single Statewide One-Call Notification System for all underground utility facility owners as well. However, this may not be able to be included in the bill, and will potentially have to be addressed as separate legislation introduced on behalf of the Construction Industry.

The next Commission Meeting will be held via Conference Call on February 13th. If you would like to review a copy of the Enforcement legislation draft, or take part in the Conference Call, please contact the AUCA office at (205) 582-9436.

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### **AUCA Website:**

In February, AUCA will launch its revamped website. The new site will be mobile responsive when viewed on phones, tablets, or other mobile devices, and be built in a way that allows for easier in-house maintenance and updates to be made.

We will announce once the site is "live", and hope that our members will find the new site to be a valuable resource to them.

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### **AUCA 2017 Membership Directory:**

After hitting some production hurdles in 2016, the AUCA Membership Directory project is back underway. The directory will be available in a hard copy spiral bound book, as well as in an electronic PDF flipbook format that will be able to be downloaded.

We anticipate the directory to be published sometime during the 1st Quarter of the year. If you have had any recent changes with your address, phone number, or personnel, please contact the AUCA office so that we may have your company accurately listed in the directory.



## Legislative News:

### Alabama Update:

The 2017 Alabama Legislative Session will begin in Montgomery on February 7th. AUCA will be closely watching for the introduction of a number of bills that could impact our industry. Amongst them are:

- Prison Construction
- Gasoline Tax
- Worker's Compensation Reform
- Alabama One-Call Law Revisions

The Governor has indicated that the passage of the Prison Construction Bill will be his most important goal. The bill is expected to once again contain language enabling Design-Build/Alternative Project Delivery Methods to be used on the proposed 4 new Prison projects. The AUCA Board of Directors has taken a stand in opposition to using this Alternative Delivery Method on these projects, for fear that it could open the door for its use on other future Public Works projects.

The changes to the One-Call law currently deal with Enforcement, in order to bring the state in compliance with the Pipeline and Hazardous Materials Safety Administration (PHMSA) standards. However, AUCA will continue to also fight for the inclusion of Mandatory Membership in a Single State-wide One-Call Notification System for all underground utility facility owners.

### Federal Update:

#### **New Congress and Trump Administration Plan to Include Infrastructure Funding During First 200 Days of the New Congressional Session**

House Speaker Paul Ryan announced that he, Senate Majority Leader Mitch McConnell and President Trump's transition team are developing plans to move a number of major pieces of legislation during the first 200 days of Congress. It appears that six major legislative initiatives have been identified for passage by the Republican controlled Congress by the August 2017 recess.

The areas of legislative focus include the repeal/replacement of the Affordable Care Act, regulatory reform, tax code overhaul, rebuilding the military, securing America's borders and major investment in the nation's infrastructure. Originally Congressional leaders were not interested in addressing the nation's infrastructure, however, leaders now appear willing to discuss leveraging private-

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## ***Legislative News:***

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sector investments to boost infrastructure funding.

Concerning the new Congress, there are no changes in the Chair and Ranking Democrat of the House Transportation and Infrastructure Committee. Congressmen Bill Shuster (R-PA-9) and Peter DeFazio (D-OR-4) will continue in their leadership roles on the Committee. The Senate Environment and Public Works Committee will have both a new chairman and a new ranking Democrat – Senators John Barrasso (R-WY) and Thomas Carper (D-DE) will assume those positions on the Committee.

### **WIFIA Funding Now Available**

EPA just launched the Water Infrastructure Finance and Innovation Act (WIFIA) program providing \$1B in credit assistance to state and local governments to build drinking water, wastewater, and drought prevention projects.

EPA will accept letters of interest from prospective borrowers through April 10, 2017. Borrowers must match the WIFIA funds, so EPA estimates that the \$1B in financing will support approximately \$2B in total infrastructure investment.

### **Sessions Attorney General Vote Delayed by Democrats**

A vote for Alabama Senator Jeff Sessions' confirmation to become the next U.S. Attorney General has been delayed by Democrats seeking to "do their due diligence." The Senate Judiciary Committee was scheduled to vote on January 24th, but Senate rules allow for such a move to be pushed back one week if it is on the agenda for the first time. If confirmed, Governor Robert Bentley will appoint Session's successor for the remainder of his Senate term.

***Remember to check our weekly  
"Legislative Pipeline" email report  
for continuous legislative updates***



## *Fleet Safety:*

*Provided by Josh Broaddus @ J. Smith Lanier & Company*

### **The Dangers of Unsecured Loads**

At 55 miles per hour, an object weighing just 20 pounds that falls from a vehicle strikes with the impact of half a ton.

More than 200,000 crashes involved debris on U.S. roadways during the past four years, according to a new study released by the AAA Foundation for Traffic Safety. Road debris has resulted in approximately 39,000 injuries and more than 500 deaths between 2011 and 2014. AAA is calling for drivers to properly secure their loads to prevent dangerous debris.

#### **When, Where, and How:**

Crashes resulting from unsecured loads and roadway debris have a slightly different profile than other types of crashes. According to the AAA Foundation for Traffic Safety, they tend to take place:

- *During daylight hours.* For debris-related crashes, the daylight hours are trending the worst. More than one-third of debris-related crashes occur between 10:00 a.m. and 4:00 p.m.
- *On interstate highways.* Most fatal crashes take place at highway speed, and the same is true of crashes caused by debris: They are much more likely to occur on interstate highways. The increased speed on an interstate, which increases crash risk, also increases the odds that vehicle parts or poorly secured loads will be jarred loose and fall into the roadway.
- *Following distance.* Many crashes are the result of a failure to maintain a proper following distance. By maintaining at least 3 seconds of following distance, you give yourself a wider variety of options when you see a hazard. Of course, you have to be 100% focused on the task of driving (no distractions or day dreaming) in order to recognize the hazard and react in time. Nearly 37% of fatal crashes related to road debris occurred when the driver swerved to avoid hitting an object.

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## *Fleet Safety:*

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**Why** is there debris in the road in the first place? According to the report, about two-thirds of debris-related crashes involve items dropped from a vehicle either because the vehicle was poorly maintained or because the load was improperly secured.

Common roadway debris hazards include:

- Vehicle parts - tires, wheels, pieces of loose trim, or damaged parts that have not been repaired.
- Unsecured cargo - tools, furniture, equipment, and other items improperly secured.
- Tow trailers - if they are not properly hitched, they can separate from the towing vehicle.

*"When traveling, you must fasten all items securely to your vehicle. Just because an object in the back of a truck is heavy does not mean it can't be ejected from a vehicle -- even under everyday circumstances like hitting a pothole or braking sharply."*

*- National Highway Traffic Safety Administration (NHSTA)*



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**AUCA IS A MEMBER-DRIVEN, NEEDS  
FOCUSED TRADE ASSOCIATION CREATED  
SOLELY TO PROMOTE AND ADVANCE THE  
UTILITY INDUSTRY IN THE STATE OF  
ALABAMA.**

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