

ALABAMA UTILITY CONTRACTORS ASSOCIATION

TIM AYERS, EXECUTIVE DIRECTOR
JANUARY 2023



Director's Comments:

I hope everyone had a safe and enjoyable holiday season. As another new year is underway, some things remain the same - a team from the Southeastern Conference won the College Football National Championship, and our politicians in Washington seem as dysfunctional as ever.

The 118th United States Congress commenced in Washington D.C. on January 3rd. Members-elect of the U.S. Senate were sworn in, but members-elect of the U.S. House of Representatives could not be sworn in as the House adjourned for the day without electing a Speaker of the House. Kevin McCarthy was ultimately elected as Speaker on the fifteenth ballot and new lawmakers finally installed. However, with Democrats remaining in control of the Senate and the House back under Republican majority, expect many stalemates on important political issues over the next two years.

In Montgomery, Kay Ivey was inaugurated for her final term as Governor on January 16th. Legislators met this month for an organizational session to officially choose their leadership and adopt the rules for the two chambers for next quadrennium of lawmaking. The 2023 Alabama Legislative Session will convene on Tuesday, March 7th. As always, AUCA will maintain a presence on Goat Hill to look out for the interest of our members.

Lastly, the new year also brings an opportunity for training. With the number of trench safety incidents and fatalities unfortunately on the rise, AUCA will look to be more proactive in facilitating safety training classes throughout the state. I'm proud to announce that an OSHA Competent Person for Excavation Safety class will be held on February 16th in the Tuscaloosa area (see details on page 2). With our industry currently showing no signs of slowing down, let's make sure that we are doing everything that we can to ensure that our workers are able to go home safely at the end of each workday.

Inside This Issue:

Upcoming Events	2-3
News & Notes	4-7
CWCC Report	8-10
Fleet Safety	11-12

Tim

Upcoming Meetings & Events:

Competent Person for Excavation Safety Class

Thursday, February 16, 2023

AUCA will be holding a Competent Person for Excavation Safety Training Class (taught by National Trench Safety) at the office of Warrior Tractor & Equipment Company in Tuscaloosa on February 16, 2023. The class will be limited to 30 participants, and registration information is found below.



**NATIONAL
TRENCH SAFETY**

Competent Person for Excavation Safety

Course Overview

The Competent Person for Excavation Safety seminar is designed to provide students with an awareness of the 1926 Subpart P Excavation Standard as well as an introduction to current protective system design and selection. For those employees that an employer wishes to designate as a Competent Person the class will cover technical information about Subpart P - The OSHA Excavation Standard.



Course Topics

- OSHA Excavation Standard
- Soil Analysis and Soil Classification
- Protective System Planning and Selection
- Job Planning Related to Trench Safety
- Competent Person Responsibilities

Who Should Attend

The class is designed to benefit employees at all levels of an organization including senior management, safety professionals, project managers, project estimators, project superintendents, project foremen and laborers engaged in projects related to the excavation standard.

Class Details

- Length: 1 day
- Cost: \$165 per person
- Attendees receive a class manual, certificate suitable for framing and wallet card upon successful completion of the class. Lunch will be provided.

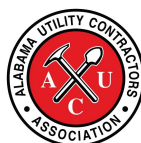
Upcoming Class

When: Thursday, February 16, 2022

**Where: 6801 McFarland Boulevard
Northport, AL 35476**

Start Time: 8:00 a.m.

How to Book: tim@aluca.org



Upcoming Meetings & Events:

AUCA Industry Lunch Meetings
2023 Dates and Locations To Be Announced

Charge the Hill - Legislative Awareness Day
Thursday, March 9, 2023
9:00 a.m. - 11:00 a.m.

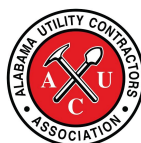
State House Building
11 South Union Street - Montgomery, AL 36130

This is your opportunity as AUCA members to join together in a unified voice to help educate our Legislators on the concerns of the workforce that supplies, installs, and rehabilitates the infrastructure of water, sewer, gas, electrical, broadband, and other underground utility systems throughout Alabama.

***AUCA 2023 Spring General Meeting,
Golf Tournament and Shrimp & Crawfish Boil***
Thursday, April 20, 2023
Arrowhead Country Club
Montgomery, AL



***AUCA 2023 Fall General Meeting
& Sporting Clay Shoot***
Thursday, October 12, 2023
Lower Wetumpka Shotgun Sports Club
Montgomery, AL



News & Notes:

**ALABAMA UTILITY CONTRACTORS ASSOCIATION
2023 LEADERSHIP TEAM**

The list of Officers and Directors below reflects the members elected to serve on the 2023 Leadership Team at the October 13, 2022 Fall General Meeting in Montgomery.

OFFICERS

PRESIDENT: DOUG BLANKENSHIP, BLANKENSHIP CONTRACTING, INC.

1ST VICE PRESIDENT: JAY HOLCOMB, LAMBERT, INC.

2ND VICE PRESIDENT: RONNIE GOLDEN, GOLDEN CONSTRUCTION COMPANY

SECRETARY/TREASURER: ROBBIE BUTLER, CLEARY CONSTRUCTION, INC.

BOARD MEMBERS

RANDY BISHOP, CONSTRUCTION LABOR SERVICES, INC.

ANDRU BRAMBLETT, AFL

BILL CARTER, BILL CARTER CONSULTING, LLC

TIM GILLIAM, JOHN PLOTT COMPANY*

SHAUN GONZALES, WEAVER ENVIRONMENTAL SERVICES COMPANY, INC.

GAVIN JONES, BAMA UTILITY CONTRACTORS, INC.

LARRY LOGSDON, WALLACE, JORDAN, RATLIFF, & BRANDT, LLC

MARK MAYFIELD, MILLER PIPELINE, LLC

RYAN McCLENDON, MARSH McLENNAN AGENCY

BILL McGOUGH, W.R. MITCHELL CONTRACTOR, INC.

RICHARD MURPHREE, EMPIRE PIPE & SUPPLY

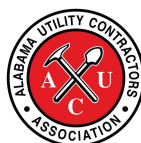
AARON SCHMIDT, SCHMIDT ENVIRONMENTAL CONSTRUCTION, INC.

CHARLES SMITH, VULCAN MATERIALS COMPANY

CHAD TUBBS, FERGUSON WATERWORKS

STEVE WALKER, JOHNSON & ASSOCIATES, INC.

** IMMEDIATE PAST PRESIDENT*



News & Notes:

2023 AUCA Membership Dues Renewal:

AUCA 2023 Membership Dues Notices are being distributed. Please be on the lookout for the notice. We appreciate your past support of AUCA, and hope that your company will renew your membership with our group and help us continue to work towards our goals in 2023.

We ask that you please return your dues promptly to ensure no disruption in member benefits.

AUCA 2023 Scholarship Program:

The application process for our 2023 Scholarship Program is now open. Scholarships will be awarded to applicants that have not previously received an AUCA scholarship. Deadline for submissions will be February 28th, and winning applicants will be selected at the March 2023 AUCA Board of Directors Meeting.

- Scholarships awarded will be worth \$1,500 each.
- Money will be paid directly to the College or Trade School of the applicant's choice.
- Applications are available on the AUCA website:

<http://www.aluca.org/scholarship-program.html>

Application Criteria:

- Must be a resident of Alabama.
- Must be enrolling in, or attending a community college, technical school, or university in Alabama.
- Open to any field of study, but preference may be given to applicants enrolled/enrolling in an engineering or construction-related curriculum.
- Must be either employed by, or have a parent or grandparent employed by a current AUCA member company.
- Cannot have previously received an AUCA Scholarship.
- Application must be received by February 28, 2023.

Contractor's Group Retirement Planning:

BenSource Employee Benefits, an AUCA member company, is staffed to take your call with any questions you may have about starting a retirement plan, or to compare your current plan with the **Contractor's Retirement Plan**. BenSource can be reached at (205) 536-9204.

Here are just few of the unique benefits of this plan:

- Eliminates all TPA costs, all audit costs, 5500 costs and document costs
- Greatly reduces employee investment costs - the *power* of group buying
- Eliminates nearly all of the HR tasks typically associated with 401k
- Diverts the significant fiduciary liability away from the business owner



News & Notes:

Alabama Underground Damage Prevention Authority (ALUDPA)

The Alabama Underground Damage Prevention Authority (ALUDPA) was established for the purpose of enforcing the Alabama Underground Damage Prevention State Law, for reviewing penalty provisions, and for reviewing the adequacy of the Alabama State Law Enforcement Program.



The Enforcement Program is a complaint-driven process where a complaint may be submitted against an entity for violation of the Alabama Underground Damage Prevention State Law. A complaint may be submitted as information only and not designated for enforcement penalties.

A complaint may be submitted using the Complaint Form [at this Website](#) no later than 30 days after the occurrence of an alleged violation. The submitted Complaint Form is reviewed by the ALUDPA for determination of an alleged violation and for penalty provisions that may apply. The reported violator is then notified by the ALUDPA that a response may be submitted using the Response Form at this Website no later than 14 days after the ALUDPA notification.

A GUIDE TO ALABAMA'S

Enforcement Process

HOW TO SUBMIT AND RESPOND TO COMPLAINTS
AT WWW.ALUDPA.ORG

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5
Report any violations within 30 days of incident. Can be reported for info only or enforcement purposes.	Alleged violator will be notified with time/date/location of incident. Alleged violator has 14 days to respond.	Exec. Committee reviews the complaint/response. Then makes a recommendation.	Exec. Committee notifies the alleged violator and complainant of any penalty action recommended.	Alleged violator can accept and pay the penalty, or submit an appeal to be heard by entire Damage Prevention Authority

TRENCHING SAFETY

5 Things You Should Know to Stay Safe



1 Ensure there's a safe way to enter and exit.
See 1926.651(c)



2 Trenches must have cave-in protection.
See 1926.652(a)

3 Keep materials away from the edge of the trench.
See 1926.651(j)



4 Look for standing water or other hazards.
See 1926.651(h)



5 Never enter a trench unless it has been properly inspected.
See 1926.651(k)



Clean Water Construction Coalition Report

From Dan Kennedy - Chairman CWCC & Sante Esposito - Key Advocates

January 2023 Insights

January 3, 2023

Midterm Results / Leadership

Midterm Election Final Results

House of Representatives: 222 Republicans, 213 Democrats, majority 218

Senate: 51 Democrats, 49 Republicans

Leadership

House of Representatives:

Speaker – Congressman Kevin McCarthy (R-23-CA) nominated – see below
Majority leader – Congressman Steve Scalise (R-1-LA)
Minority Leader – Hakeem Jeffries (D-8-NY)
Minority Whip – Katherine Clark (D-5-MA)

Senate:

Majority Leader – Senator Chuck Schumer (D-NY)
Majority Whip – Senator Dick Durbin (D-ILL)
Minority Leader – Senator Mitch McConnell (R-KY)
Minority Whip – Senator John Thune (R-ND)

Speaker

Full House vote on Jan. 3. A majority – 218 – is needed for election as Speaker. Given that there are 222 Republicans, McCarthy can only afford to lose 4 Republican votes (all the Democrats expected to vote against him). At this time, 5 Republicans have said they will not vote for him. Maybe more. There is also a rumor about a challenge to McCarthy and a Plan B just in case. Congressman Scalise????

Committee/Subcommittees

Committee and subcommittee assignments still a work in progress.



Clean Water Construction Coalition Report

(Continued from page 8)

House: With a change in majority there will be new committee and subcommittee chairs, with the number of majority to minority members on committees and subcommittees reflecting the overall ratio of majority to minority members in the full House. The Democrats are moving ahead on assignments. For example, Congressman Rick Larson (D-2 -WA) will be the new Ranking member of the Transportation and Infrastructure Committee replacing the current Chair Peter DeFazio who is retiring. On the Republican side, McCarthy has deferred committee assignment until after the Speaker election presumably to give him some leverage on votes for his speakership.

Senate: Don't expect significant changes in committee and subcommittee chairs and ranking members given the few changes in the election. Given Senator Warnock's victory, the Democrats will get one more slot than the Republicans on committees and subcommittees making it easier to move legislation.

Possible Concerns

Repeals – guard against any effort to repeal policies of interest.

Spending cuts - support continuation of "add-ons" to the BIF in the annual appropriations bills and congressional directed spending (earmarks).

\$1.7 Trillion Federal Consolidated Appropriations Act

With the FY23 Continuing Resolution deadline to fund the federal government approaching, Congress passed the Consolidated Appropriations Act of 2022. On December 23rd, President Biden signed the act into law.

Of note for the CWCC, the Act included:

- \$1.639B (state base funding including earmarks) for the **Clean Water SRF**, which is in addition to the \$2.750B provided in the Infrastructure Investment and Jobs Act (IIJA) aka the Bipartisan Infrastructure Law (BIL) **totaling \$4.389B for next funding cycle**; and
- \$1.126B (state base funding including earmarks) for the Safe Drinking Water SRF, which is in addition to the \$2.750B provided in the IIJA / BIL **totaling \$3.876B for the next funding cycle**; and
- "Not less than \$20M" for WIIN grants.

This funding **MEET / EXCEEDS** what the CWCC established as priority funding levels for 2022. We will continue to push to "**fully fund commitments**" with both IIJA and Base FY Appropriations.



Clean Water Construction Coalition Report

(Continued from page 9)

This SRF FY23 “base” appropriation is slightly complicated by the fact that it includes “earmarked” projects. “Earmarked” funding is essentially subtracted out of the base funding, lowering the base appropriation amount for each state. The actual earmarks are listed in this [“explanatory statement”](#) that accompanies the omnibus appropriations bill, beginning on p. 80 of the pdf. This impacts each state differently depending on the level of projects with “earmarked” funding.

We are in contact with the Council of Infrastructure Financing Authorities (CIFA), who oppose this approach for good reason. This funding scenario lowers the amount of flexibility states have for project making decisions and in the long term, less funding is circulated back into the State SRFs. CWCC members will soon be asked to consider 2023 policy priorities and this funding approach will be one of the items to be considered.



Fleet Safety:

Provided by Marsh McLennan Agency - Southeast Risk Control Services

Driving in the Driving Rain

Winter and spring are wet seasons for most of us. Driving in the rain presents special hazards that require special skills and knowledge. Most weather-related crashes occur on wet pavement and during rainfall. Each year, 75 percent of weather-related vehicle crashes occur on wet pavement and 47 percent happen during rainfall. Nearly 5,700 people are killed and more than 544,700 people are injured in crashes on wet pavement annually.



1. Wait Until the Weather Improves if Possible

If you feel uncomfortable driving in the rain and can postpone your trip or commute, wait until the weather improves before driving. There is no reason to put yourself in danger if driving in wet conditions is not necessary.

2. Double Check Your Car's Equipment

Make sure that your car's equipment is in working order before encountering rainy weather. Check your headlights, taillights, and windshield wipers to make sure that they will work efficiently when they are needed. Also, check the tread of your vehicle's tires. Balding tires can severely reduce traction on wet roadways.

3. Slow Down

Not only should you adhere to the posted speed limit when driving in wet weather conditions, you should drive considerably slower than you normally would. Wet roads are very dangerous. Your vehicle's reaction time is much slower when it is raining. Reduced speed is imperative in rainy weather.

4. Turn On Your Headlights

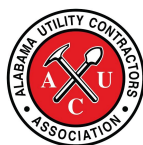
Most states require drivers to turn on their vehicles' lights while driving in rain. Even if it is only misting, turning on your vehicle's headlights will increase both your own visibility and other drivers' ability to see your car on the road.

5. Use Your Windshield Wipers

While this may seem like common sense, some people forget to turn on their windshield wipers in light rain. Most cars' windshield wiper speed is adjustable to clear moisture from the glass in a light mist or in a heavy downpour. There are also several products available that can be sprayed or wiped onto the glass and claim to defer the collection of rainwater.

6. Maintain a Safe Distance Between Cars

Keep a greater distance between your vehicle and the car in front of you. Stopping your vehicle will be more difficult when driving in the rain. In good weather, maintain 3 seconds between your



Fleet Safety:

(Continued from page 11)

vehicle and the vehicle ahead, and add one second for adverse conditions, like rain and fog.

7. Avoid Heavy Braking

Try to slow your vehicle by taking your foot off the accelerator earlier than you normally would in preparation to slow down or stop. Do not use cruise control so your attention on using both the gas and brake are in tune.

8. Watch Out For Standing Water

Driving through standing water can cause hydroplaning to occur, which is when you lose traction and skid across the surface of the road. To avoid hydroplaning, safely drive around places where water has collected by changing lanes or safely steering around such areas. Watching the vehicle's in front of you should give you warning of standing water ahead.

9. Let Off The Gas When Hydroplaning

Hydroplaning is one of the most common car accidents in the rain because drivers can lose control. If your vehicle starts to hydroplane, calmly take your foot off the accelerator and continue to steer in the direction you need to safely go. Avoid making sudden turns or slamming on your brakes while hydroplaning.

10. Ventilate Your Car

Rain causes humidity levels to increase. You may find that your vehicle's windows become foggy when you operate your vehicle while it is raining. Turning on the AC (and keeping the temp setting higher if needed) should reduce the condensation that develops on the interior of your windows and windshield. If you can't control the condensation and your visibility isn't good, you will need to safely pull over until you can correct the situation and maintain adequate visibility.

Sources: <https://driving-tests.org/>



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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.***

**We're on the Web!
www.aluca.org**

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Training Needs***

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