



## ALABAMA UTILITY CONTRACTORS ASSOCIATION

**TIM AYERS, EXECUTIVE DIRECTOR**  
**NOVEMBER 2020**

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



A higher percentage of Americans voted in the 2020 election than any other in more than a century. However, the validity of some of those votes cast remains in question. Democrat Joe Biden has been declared President-elect, but Donald Trump is legally challenging the result in some key states, alleging electoral fraud. Although, the odds appear slim that the Presidential election result will be changed.

What for certain remains to be decided is control of the U.S. Senate. That will now come down to the two Senate runoff elections in Georgia on January 5th. The Senate majority will have a major effect on apparent President-elect Joe Biden's agenda for the next two years. Democrats are set to have 48 seats in January. If they win both of the Georgia Senate seats, they would effectively have control of the Senate with purported Vice President-elect Kamala Harris serving as the tie breaking vote. But, if either one of the Republican candidates win, the GOP will retain a 51-49 Senate majority.

No matter how things end up, AUCA's objectives will remain clear. We will continue to work on behalf of our members for increased underground infrastructure funding, for fair and consistent policies that impact business, taxes, and environmental regulations, and to ensure that our industry's workers are always deemed to be essential.

#### **Inside This Issue:**

Upcoming Events	2
News & Notes	3-6
CWCC Report	7-8
Fleet Safety	9-10

This year, as we celebrate Thanksgiving amidst the COVID-19 Pandemic, AUCA would like to remind our members how grateful we are for your continued support. Stay safe, and may God bless each and every one of you and your families!

*Tim*

**Happy Thanksgiving from AUCA**

*Upcoming Meetings & Events:*

***AUCA Local Industry Lunch Meetings***  
**Meeting Dates and Locations To Be Announced**

---



November 30 –December 2, 2020  
The Grand Hotel, Point Clear

---

***AUCA Board of Directors Meeting***  
**December 9, 2020**

---

***AUCA 2021 Spring General Meeting,  
Golf Tournament and Shrimp & Crawfish Boil***  
**Thursday, April 22, 2021**  
**Arrowhead Country Club - Montgomery, AL**

---



***AUCA 2021 Fall General Meeting  
& Sporting Clay Shoot***



**Thursday, October 14, 2021**  
**Lower Wetumpka Shotgun Sports Club - Montgomery, AL**



## News & Notes:

### Small Business “Revive Plus” Grant Program

The Revive Plus grant program is the second wave of funding for businesses, non-profit, and faith-based organizations. Through this initiative by Governor Kay Ivey, \$200 million of the State’s CARES Act funding is being dedicated to providing grants of up to \$20,000 to reimburse qualifying entities for business interruption expenses. The application process for this grant is being administered by the Alabama Department of Finance.



Please note, this grant is in addition to any state of Alabama Coronavirus Relief Fund grant previously received, including the Revive Alabama Small Business, Non-Profit, Faith-Based, and Health Care Provider grants.

***The application period for the Revive Plus Grant Program will be open from noon November 23, 2020 through noon December 4, 2020.***

***The grant application and additional information can be found at the following link:***  
***<https://crf.alabama.gov/revivePlus.aspx>***

If you have questions, please contact the State Comptroller’s Office by phone at (334) 242-7063 or by email at [submissions@finance.alabama.gov](mailto:submissions@finance.alabama.gov). When emailing, please include “Revive Plus” in the subject line.

---

### Tommy Tuberville Elected as U.S. Senator:

Former Auburn University Football Coach Tommy Tuberville was elected to serve a six-year term representing Alabama in the U.S. Senate. He defeated Democrat incumbent Doug Jones.

Tuberville won’t be the only new face representing the state in Washington D.C. when the 117th U.S. Congress convenes in January. Jerry Carl was elected to represent Alabama’s 1st Congressional District. The district was vacated by Representative Bradley Byrne, who mounted an unsuccessful campaign for the U.S. Senate. Barry Moore was elected to represent the 2nd Congressional District, which is the seat currently held by the retiring Congresswoman Martha Roby.



## News & Notes:

### **Alabama Legislative News:**

The Alabama Legislative Session is scheduled to convene on February 2, 2021 in Montgomery. Some are suggesting that the Legislature should recess until late March or April to provide time to see where the Coronavirus is headed, and if a vaccine has been distributed. Another option being considered is having the House of Representatives meet somewhere other than the State House to accommodate social distancing requirements.

Regardless of when and where legislators meet, there will be some notable changes. Two new House members will be filling vacancies, and two other vacancies will need to be filled in the Senate. The District 26 Senate seat formerly held by Senator David Burkette opened up after Burkette resigned and pleaded guilty to a campaign violation. Longtime Senator Cam Ward from District 14 will vacate his seat since he has been appointed by Governor Ivey to serve as Director of the Alabama Bureau of Pardons and Paroles.

In the Senate, there will also be leadership changes. Senate President Pro Tem Del Marsh, who had recently announced he would not run for reelection of his Senate seat in 2022, will relinquish the Pro Tem post for the remainder of his term to Senator Greg Reed. Senator Clay Scofield will now replace Reed as Senate Majority Leader.

---

### **AUCA Membership "Affinity" Programs:**

Before you renew your workers' compensation policy, ask your agent to get a quote from CompTrust AGC. Make sure the agent mentions that you are an AUCA member. If you have questions, you or your agent may contact Terry Young from MRM at (256) 504-3288. MRM is the Third Party Administrator (TPA) for the CompTrust fund, and a valuable member of AUCA.

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





# Proceeding With Caution

UPDATED STATEWIDE COVID-19 HEALTH ORDER FOR ALABAMA

## AMENDED SAFER AT HOME

The Safer at Home order extends until December 11th at 5 p.m.



### **WHAT'S NEW:**

#### **OCCUPANCY RATES**

Emergency occupancy rates will be removed for retailers, gyms and fitness centers, and entertainment venues

#### **USE OF PARTITIONS**

An exception to social-distancing rules will be allowed for many businesses—including barber shops, hair salons, gyms, and restaurants—if people are wearing masks and separated by an “impermeable” barrier

### **WHAT'S STAYING THE SAME:**

#### **MASKS IN SCHOOLS**

Masks required in schools and colleges, where possible, for employees and students in second grade and above

#### **MASKS**

Masks required in public when interacting within 6 feet with people of another household, subject to certain exceptions

#### **ENTERTAINMENT VENUES (SUCH AS ARCADES, THEATERS, BOWLING ALLEYS)**

May open subject to social-distancing and sanitation rules and guidelines

#### **ATHLETIC ACTIVITIES**

Allowed subject to social-distancing and sanitation rules and guidelines

#### **EDUCATIONAL INSTITUTIONS**

May open subject to social-distancing and sanitation rules and guidelines

#### **CHILD DAY CARE FACILITIES**

May open subject to social-distancing and sanitation rules and guidelines

#### **SUMMER CAMP**

May open subject to social-distancing and sanitation rules and guidelines

#### **INDIVIDUALS**

*Encouraged* to stay home and follow good sanitation practices

#### **EMPLOYERS**

Businesses may open subject to sanitation and social-distancing guidelines

#### **RETAIL STORES**

Subject to social-distancing and sanitation rules

#### **MEDICAL PROCEDURES**

Allowed unless prohibited in the future by the State Health Officer to preserve resources necessary to diagnose and treat COVID-19; providers must follow COVID-19-related rules and guidance from state regulatory boards or public health authorities

#### **HOSPITALS AND NURSING HOMES**

Subject to restrictions, patients and residents will be allowed visits from one caregiver or one visitor at a time

#### **SENIOR CITIZEN CENTERS**

Regular programming still suspended except meals still available through curbside pick-up or delivery

#### **NON-WORK GATHERINGS**

Still required to maintain 6 feet of distance between persons not from same household

#### **RESTAURANTS, BARS AND BREWERIES**

May open with limited table seating, 6 feet between tables and subject to additional sanitation rules and guidelines

#### **ATHLETIC FACILITIES (SUCH AS FITNESS CENTERS AND COMMERCIAL GYMS)**

Athletic facilities may open subject to social-distancing and sanitation rules and guidelines

#### **CLOSE-CONTACT SERVICE PROVIDERS**

Close-contact service providers (such as barber shops, hair salons, nail salons, tattoo services) may open subject to social-distancing and sanitation rules and guidelines

#### **BEACHES**

Open with no limit on gatherings. Must maintain 6 feet of separation.

## *Clean Water Construction Coalition Report*

From Bob Briant, Jr. - Chairman CWCC & Sante Esposito - Key Advocates

**November 2, 2020**

All eyes are on the national elections and what is likely going to be a protracted Election Day 2020. Since the last CWCC report the Continuing Resolution (CR) to keep the federal government running through Dec. 11 was signed by the President and the Senate was focused on the process to vet and appoint a new Supreme Court Justice. The House is now in recess until Nov. 16 and the Senate subject to the call of the chair. Because of the expiration date for the Continuing Resolution (CR), there will be a lame duck session, probably lasting until the December holidays.

The case for upgrading the U.S. infrastructure system was made clear four years ago and as we know, no major "mega infrastructure package" has been agreed to. With COVID-19 economic lockdowns bringing part of the county to Depression-level unemployment, the timing for funding more public-works projects is critical. This should be an opportunity for whatever political party resides in the White House and/or controls Congress. The CWCC remains hopeful that the emerging leadership group will get past "infrastructure" being a political buzzword and takes advantage of the opportunity to strengthen the economy and enhance our infrastructure systems.

As highlighted in the report from Key Advocates, The legislative agenda for the session will depend, to a great extent, on the results of the election, not only regarding the presidency but control of the Senate. Because this is the end of the second session, any bills that do not become law by the time of adjournment "die" and will have to start over in the new Congress next year. Stay tuned!



**November 2020 Insights**

### **2020 Remaining Schedule**

The House is in recess until Nov. 16 and the Senate subject to the call of the chair. Because of the expiration date for the Continuing Resolution (CR), there will be a lame duck session, probably lasting until the December holidays. The legislative agenda for the session will depend, to a great extent, on the results of the election, not only regarding the presidency but control of the Senate. Because this is the end of the second session, any bills that don't become law by the time of adjournment "die" and will have to start over in the new Congress next year.



## *Clean Water Construction Coalition Report*

*(Continued from page 7)*

### **Lame Duck Session**

What happens with current legislation in the lame duck session is all tied to the election. If there is no change – the President wins the election and the Republicans hold the Senate - then the lame duck session will likely be a scramble to pass pending legislation. If Biden wins and the Senate flips to a Democrat majority, then it is likely that most pending bills will spill over (start again) in the new Congress to improve the outcome for Democrats. If it is a hybrid (Trump win/Democrat Senate or Biden win/Republican Senate), then it's anyone's guess what will happen in the lame duck session.

### **Infrastructure (The Congress)**

Given that the FAST Act is extended in the FY21 Continuing Resolution for one year until Sept. 30, 2021, it is unlikely that infrastructure will happen in the lame duck session as it was tied to the FAST Act reauthorization. The highway bill is expected to be considered in the springtime. In addition to the FAST Act, the House Democrats' mega-infrastructure bill includes \$40B for the Clean Water State Revolving Fund, \$500M for recycled water projects under the WIIN Act, a de-authorization process for inactive Title XVI projects, and \$600M for the Alternative Water Source Program.

On the Senate side, the only committee to act so far on its portion of a highway bill (the Environment and Public Works committee) has not solicited input from the other committees of jurisdiction, and no bill has gone to the Floor. While there continues to be interest by all in doing an infrastructure bill, though the views on what would be in the bill differ between Republicans and Democrats, notwithstanding the action on the FAST Act in the CR, doing infrastructure in the lame duck session would have been challenging at best.



[cleanwaterconstructioncoalition.org](https://cleanwaterconstructioncoalition.org)

## *Fleet Safety:*

*Provided by J. Smith Lanier & Co., a Marsh & McLennan Agency LLC company*

### **Oh, Deer! Tips for Avoiding Road Hazards this Fall Season**

According to the National Highway Traffic Safety Administration (NHTSA), in the United States alone, there are over 1.5 million accidents involving collisions with deer each year. Those accidents, on average, result in approximately 150 annual deaths and over 1.1 Billion Dollars in property damage. States with the highest number of reported deer-strike incidents include; Pennsylvania, Michigan, Illinois, Ohio, Georgia, Virginia, Minnesota and Texas. Deer are just one of the special hazards that you or your employees are likely to encounter on the roads at this time of year.



### **Tips for Avoiding a Deer Strike or Accident with Other Wildlife**

Deer and other wildlife are unpredictable, but there are a few tips that may help you to avoid a collision. Keep in mind that deer tend to be most active during the periods of dusk and dawn. They are also generally more active during the months of October through December due to migration and mating seasons. Pay special attention to areas that are marked with Deer or other Wildlife Crossing Signs as this is an indication that there is already identified wildlife activity in this area. Also, use extra caution when driving through areas with newer residential developments that may be encroaching on previous or existing wildlife habitats. Ensure that your headlights are working properly and that your brakes are in good condition so that you are able to both anticipate and react quickly to unexpected hazards.

Many animals typically travel in packs or small herds, so if you see a deer at the side of the road it is reasonable to assume that there may be others close by. If you see an animal in the distance, slow down and plan-ahead for potential reactions if the animal were to enter the roadway suddenly.

### **Storms Create Hazardous Conditions with Leaves and Debris on the Roads**

Wildlife is not the only concern for drivers during autumn months as seasonal rain activity and falling leaves can create very slick and hazardous conditions. Flash flooding is also a concern for drivers during storm season. If you encounter water on the roadway, remember: don't drown, turn



## *Fleet Safety:*

*(Continued from page 9)*

around! Flood waters can quickly overcome a driver making rescue attempts difficult, so don't be a victim!

### **Road Construction and Traffic Patterns**

Throughout the COVID shutdown periods throughout many areas this year, several municipalities took advantage of lighter traffic on the roadways to focus on transportation projects. Many areas are still dealing with changes in traffic patterns and, in some cases, increased commute times due to both large and small roadway projects that were started earlier in the year. If you are traveling to an area that has been undergoing construction, even if it is an area that you visit on a fairly-regular basis, it is a good idea to check ahead of time to make sure your trip will not be impacted by road closures and increased travel times. Some road construction projects are continuing through the night or only operating at night when traffic is lighter, so please check ahead and be cautious.



Alabama Utility Contractors Association  
P.O. Box 383185  
Birmingham, AL 35238-3185  
Phone: 205-582-9436  
Fax: 205-582-9155  
E-mail: tim@aluca.org

***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](http://www.aluca.org)**

**Please print out this newsletter to share with others in your company. And, if you are receiving this for the company owner, please print out a copy for him/her.**

***Let AUCA Be Your Source For All Your  
Training Needs***

**Contact the Association Office for more information**

**facebook**



@AlabamaUCA

**LinkedIn**

