



## ALABAMA UTILITY CONTRACTORS ASSOCIATION

TIM AYERS, EXECUTIVE DIRECTOR  
DECEMBER 2018

### Director's Comments:



I hope you all had a Merry Christmas! As I write this column, 2018 is winding to a close. Our Federal Government is still in the midst of a partial shutdown, and based on recent rhetoric, don't look for a resolution before the end of the year.

Earlier this month, I had an opportunity to meet with Mobile Area Water and Sewer System (MAWSS) Director Charles Hyland to discuss slow payment issues that have recently arisen. Mr. Hyland was provided a copy of the Prompt Payment Law that AUCA worked so hard to pass in the Alabama Legislature back in 2014. Mr. Hyland vowed to ensure that MAWSS will be compliant in following the law and making timely payments to Contractors.

Cash flow is critical to any business, especially those in the Construction Industry with tight deadlines and low profit margins. If you experience delays in receiving payment on any projects, please let us know and AUCA will be happy to assist on your behalf.

Thank you for another wonderful year, and as we head into 2019, we hope it brings continued prosperity to you all.

*Tim*

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## News & Notes:

### **2019 AUCA Membership Dues Renewal**

AUCA 2019 Membership Dues Notices will go out in early January. 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 reach our goals in 2019.

We ask that you please return your dues promptly to ensure your listing in the upcoming Membership Directory, and to guarantee no disruption in member benefits.

### **AUCA Holiday Meetings**

During December, AUCA members had an opportunity to fellowship at lunch meetings, and other social gatherings throughout the state.



## News & Notes:

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

#### **Workers Compensation Insurance:**

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

#### **Group Retirement Planning:**

BenSource Employee Benefits, also 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

#### **AUCA Scholarship Program:**

AUCA plans to once again award two (2) scholarships worth \$1,500 each in the Spring of 2019. Priority will be given for children/family members of AUCA members in good standing that are studying for a career in the construction industry at either a local trade school, or four-year university.

#### **AUCA Association Health Plan (AHP):**

AUCA continues to investigate the possibility of offering an Association Group Health Insurance Program to member companies. Please contact the AUCA office for more information on how to submit your census data for a quote.



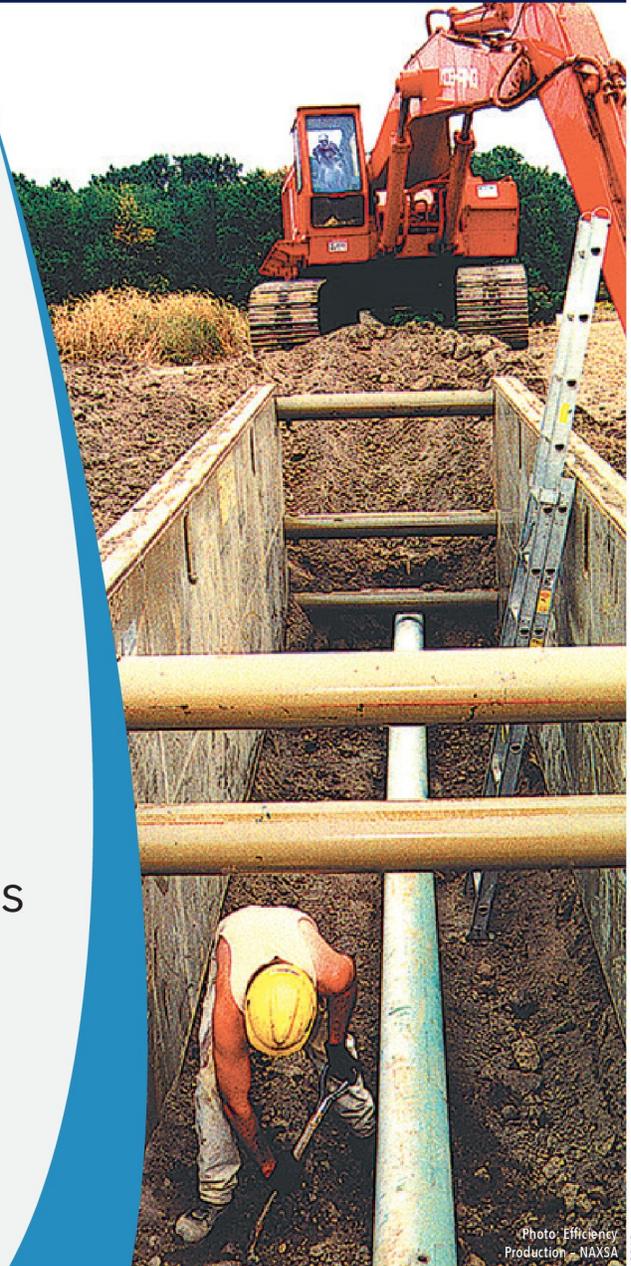
# PROTECT WORKERS IN TRENCHES

Prevent trench collapses and save lives:

**SLOPE** or bench trench walls,

**SHORE** trench walls with supports, or

**SHIELD** trench walls with trench boxes



U.S. Department of Labor



Photo: Efficiency  
Production - NAXSA

[WWW.OSHA.GOV/TRENCHING](http://WWW.OSHA.GOV/TRENCHING) • 800-321-OSHA (6742) • TTY 877-889-5627

OSHA 3215-06R 2018



## Working Safely in Trenches

When done safely, trenching operations can reduce worker exposure to cave-ins, falling loads, hazardous atmospheres, and hazards from mobile equipment.



OSHA standards require that trenches and protective systems be inspected daily and as conditions change by a competent person before work begins.

### Never enter a trench unless:

- It has been properly inspected by a competent person.
- Cave-in protection measures are in place.
- There is a safe way to enter and exit.
- Equipment and materials are away from the edge.
- It is free of standing water and atmospheric hazards.

### Prevent trench collapses:

- Trenches 5 feet deep or greater require a protective system.
- Trenches 20 feet deep or greater require a protective system designed by a registered professional engineer.

### Protective systems for trenches:

- SLOPE or bench trench walls by cutting back the trench wall at an angle inclined away from the excavation.
- SHORE trench walls by installing aluminum hydraulic or other types of supports to prevent soil movement.
- SHIELD trench walls by using trench boxes or other types of supports to prevent soil cave-ins.

### For more information:



**OSHA**® Occupational Safety and Health Administration  
[www.osha.gov](http://www.osha.gov) (800) 321-OSHA (6742)

OSHA 3243-09R 2018

## Upcoming Events:

### **OSHA Competent Person Excavation Class**

OSHA has updated the National Emphasis Program on preventing trenching and excavation collapses in response to a recent spike in trenching fatalities.

Do you have a certified Competent Person on each job site when excavating over four feet? OSHA requires that you have a Competent Person on site while workers are present and the excavation is open. Competent Person Training in Excavation is required by the current OSHA Standards, 29 CFR 1926.650 subpart P. This subpart applies to all open excavations made in the earth's surface, and excavations are defined to include trenches.

AUCA will be hosting an OSHA Competent Person Trenching & Excavation Class in Tuscaloosa on Friday, January 11, 2019.

If you have newly hired employees that need training, or existing ones could use a refresher course, make plans to send them to this class. Class size is limited, so please let us know as quickly as possible if you have any employees that you would like to register to attend.

**Date:** 1/11/2019  
**Time:** 8:00 a.m.  
**Location:** Warrior Tractor and Equipment  
6801 McFarland Boulevard  
Northport, AL 35476



**Upcoming Events:**

***AUCA Local Lunch Meetings***

**Dates and Locations To Be Announced**

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***Charge the Hill - Legislative Awareness Day***

**Wednesday, March 6, 2019**

**State House Building**

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

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***Water Week***

**National Water Policy Fly-In**

**April 2-4, 2019**

**Washington D.C.**

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***AUCA 2019 Spring General Meeting & Golf Tournament***

**April 18, 2019**

**Arrowhead Country Club**

**Montgomery, AL**

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***AUCA 2019 Fall General Meeting & Sporting Clay Shoot***

**October 17, 2019**

**Lower Wetumpka Shotgun Sports Club**

**Montgomery, AL**



## ***Clean Water Construction Coalition Report***

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

### **MIDTERM ELECTION IMPACT**

As a result of the special election in Mississippi, the new Senate will consist of 53 Republicans and 47 Democrats, meaning that the Republicans had a net gain of 2 seats over their current majority of 51-49. Key Advocates is monitoring committee makeup's and other organizational aspects and will report on any changes that may impact the CWCC. Minor changes are anticipated. As for Senate policy priorities in the next Congress, Senator McConnell identified three - health care reform, middle American tax reform and **infrastructure**. Nothing from the Senate Democrat Leadership as of yet.

In the House of Representatives, more dramatic changes. The Democrats will have as many as 235 seats (currently at 234 with one race still undecided, the Democrat leading in it) - a majority in the House is 218. As a result, many organizational changes from the current committee assignments are anticipated and are being tracked by Key Advocates. Most of these decisions will be reached in December. The Democratic Caucus held its leadership elections this week. Congresswoman Pelosi was nominated Speaker subject to formal approval by the full House on January 3. The Republicans also selected their leaders with Congressman McCarthy chosen as Minority Leader. NJ Democrat Frank Pallone is expected to lead the House Energy & Commerce Committee, which has broad jurisdiction over critical industry issues including water, environmental remediation, and energy. UTCA of NJ has a long standing relationship with Congressman Pallone and has always been a superb advocate for our issues. On priorities for the new Congress, Congresswoman Pelosi listed three--ethics reform, prescription drug costs, and **infrastructure**.

### **INFRASTRUCTURE, THE COMMON DENOMINATOR?**

The WRDA Bill (previously reported by the CWCC) stands out as a model for legislative action on infrastructure given the lack of progress on a transformative infrastructure package. If rhetoric is going to translate into a major infrastructure package the split in Congressional leadership must address the elephant in the room: revenue. With many of the ideas promoted by former Trump Administration advisors as "voodoo economics" concepts related to revenue and leveraging existing and new revenue through bonding authority or some other measure must be addressed if there is going to be any breakthrough. The CWCC will be looking for progress on reauthorizing the Clean Water SRF and doubling the annual funding appropriation like WRDA did for the Drinking Water SRF.

(Continued on page 9)



# *Clean Water Construction Coalition Report*

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## **FY 19 Federal Funding Generally**

Congress passed a Continuing Resolution extending funding until December 7 at FY18 levels for those appropriations bills not enacted by October 1. That includes the Interior (SRF funding) and Transportation Appropriations Bills which are currently in conference. It does not include the Energy and Water Appropriations Bill (Corps of Engineers) which was signed into law on September 21.

## **PREPARATIONS FOR WATER WEEK 2019**

As previously reported and affirmed in a recent conference call with CWCC members, the CWCC will evolve the annual DC Fly-In (traditionally held concurrent with the ARTBA/TCC Fly-In Meeting in May) into participation with relevant national organizations during Water Week (held during the first week of April).

Water Week has three primary events, a Policy Fly-In (Plenary Sessions / Program Updates), a Joint Congressional Briefing and a Congressional Reception. We anticipate the formal events around Water Week 2019 to look something like this:

- Tuesday, April 2
  - National Water Policy Fly-In (sample agenda from last year)
  - CWCC Member Event (TBD)
- Wednesday, April 3
  - National Water Policy Fly-In Continued (Early AM)
  - Joint Congressional Briefing (Late AM)
  - Hill Visits (Afternoon)
  - Water Week Congressional Reception (5-8 PM)
- Thursday, April 4
  - Hill Visits

You can review this website for a perspective on how the 2018 Water Week was structured: <https://www.waterweek.us/>



**Health & Safety:**

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

# **TEN NEW YEAR'S SAFETY RESOLUTIONS**

*"I resolve to..."*

1. Remain actively involved in our **S**afety **P**rocesses.
2. Actively participate in our **S**afety **T**raining.
3. Remain alert & report **P**otential **H**azards.
4. Take ownership for my **S**afe **B**ehavior.
5. **M**ake **S**afety **S**uggestions.
6. Know what to do in an **E**mergency.
7. **S**low **D**own and do it the **S**afe **W**ay – the **F**irst **T**ime.
8. **G**et **H**elp when I can't do something safely.
9. **N**ever **T**ake **C**hances.
10. Make my personal **S**afety and the safety of those I work around **A** **T**op **P**riority!



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**AUCA IS A MEMBER-DRIVEN, NEEDS  
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