



## ALABAMA UTILITY CONTRACTORS ASSOCIATION

**TIM AYERS, EXECUTIVE DIRECTOR**  
**FEBRUARY 2015**

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



As I write this article, and a large part of our state finds itself under a blanket of snow, it's hard to believe Spring is just around the corner. The Alabama legislative session will kickoff on March 3rd, and promises to be quite as rough as our current weather.

You would have to be living under a rock not to know about the state's General Fund budget deficit. Governor Bentley has pledged to raise \$700M in taxes to fix the problem, even threatening to pull infrastructure funding from Districts whose representatives don't support his tax proposal. Nevertheless, his fellow Republican legislators have vowed to fight any tax increases.

Rest assured, as members of AUCA, you will be represented every moment of the session to ensure that your best interests as business owners and leaders are protected.

Our members will also have two great opportunities in the coming weeks to get involved and let their concerns be heard. On March 11th, we will hold our annual "Charge the Hill" Legislative Awareness Day in Montgomery. On April 22nd, our Spring Statewide General Meeting and Golf Tournament will take place, also in Montgomery. Both events are well attended, and offer great networking opportunities for our members. For the General Meeting we have the new Senate Majority Leader, Greg Reed scheduled as our speaker. By this time, the legislative session will be in full force, and I'm sure there will be much to report and discuss.

Make plans now to join us. I encourage you all to get involved, and continue to have a voice in your association!

*Tim*

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

Upcoming Events	2-3
News & Notes	4
Member News	5
AUCA Happenings	6-7
Member Spotlight	8
Legislative News	9-10
CWCC Report	11-13
Health & Safety	14
Reminders	15

## *Upcoming AUCA Events:*

**Charge the Hill - Legislative Awareness Day  
Wednesday, March 11, 2015  
9:00 a.m. - 11:00 a.m.  
State House Building - Montgomery, AL**



*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, telecommunications, and other underground utility systems throughout Alabama.*

**Upcoming AUCA Events:**



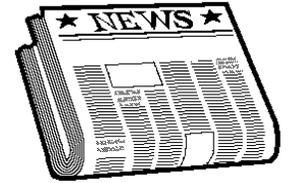
**April 22, 2015**  
***Spring Statewide General Meeting & Golf Tournament***  
**Arrowhead Country Club**  
**Montgomery, AL**  
**Scheduled Speaker:**  
**Greg Reed - Alabama Senate**  
**Majority Leader**

*Golf Tournament & Meeting Registration Information Will Be Sent Out In March. Register Early Before the Tournament Sells Out.*

**October 15, 2015**  
***Fall Statewide General Meeting & Sporting Clay Shoot***  
**Lower Wetumpka Shotgun Sports Club**  
**Montgomery, AL**  
**Scheduled Speaker:**  
**Del Marsh - Senate President Pro Tem**

*Mark your calendars today!*





## News & Notes:

### **ADEM to Release State Revolving Fund (SRF) Projects List:**

Alabama Department of Environmental Management has informed us that on March 10th they will release the list of qualified State Revolving Fund projects that should be released for bid during 2015.

The list includes \$130M of projects that will be comprised of 12 Clean Water (CWSRF) projects totaling \$61M, and 44 Drinking Water (DWSRF) projects that total \$69M. This represents positive news for our members and the SRF program. Please check the ADEM website after March 10th to review the list. [www.adem.state.al.us](http://www.adem.state.al.us)

### **2015 AUCA Membership Dues Renewal**

January began the 2015 membership renewal period. Thank you to the many companies that have already paid their 2015 AUCA dues. We are also extremely grateful for those that have made voluntary contributions to our Legislative PAC fund. For the companies that have not yet renewed, please make arrangements to submit your payment as quickly as possible.

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.

### **In Memory of Marshall Walton:**

It is with heavy hearts that we report the tragic and untimely death of Marshall Walton on February 13, 2015. Marshall, who was only 25, was the son of Alabama construction community pillar Johnny Walton, of John G. Walton Construction Company from Mobile.

Johnny has been a close friend and mentor to so many of us associated with the Alabama construction and road building industries. Please keep the entire Walton family in your thoughts and prayers during this extremely difficult time.



## Member News:

### **Members Helping Members:**

This month we had an AUCA Contractor member company with an emergency need for a limited quantity of 8" Ball Joint Ductile Iron Pipe on a project. Thankfully a Supplier, who is also an AUCA member company, was able to help locate the needed material in Ohio.

The Contractor was able to procure the material, and the story appears to have a happy ending. Thanks also to the many other member companies that came forward with efforts to help a fellow AUCA member.

### **McWane Ductile Iron Pipe Companies Unite Under One Name**

McWane Cast Iron Pipe Co., Pacific States Cast Iron Pipe Co., Atlantic States Cast Iron Pipe Co., and Clow Water Systems have consolidated under the new name McWane Ductile. The change, which became effective January 26, creates a unified company focused on providing excellent service and quality ductile iron pipe, while making all of the divisions recognizable as part of the McWane family of companies.

### **J. Smith Lanier & Co.'s Birmingham Office Receives Tom Botsford High Performing Office Award**

J. Smith Lanier & Co., one of the largest privately owned insurance brokers in the United States, announced the Birmingham office has received the Tom Botsford High Performing Office Award. This award is given to the most efficiently performing office overall named after J. Smith Lanier & Co.'s former Chief Financial Officer, Tom Botsford.

"We are extremely proud to be the recipient of the 2014 Tom Botsford High Performing Office Award. This award is such a prestigious company award and this honor could have not been possible without our loyal and dedicated employees," said Senior Vice President and Managing Directors Alvin Bresler and Mark Landers.



# *AUCA Happenings:*

## **Huntsville Area Meeting - February 10th with State Representative Lynn Greer**



## **Tuscaloosa Area Meeting - February 12th with State Senator Gerald Allen**



# *AUCA Happenings:*

## **Birmingham Area Meeting - February 18th with State Senator Slade Blackwell**



## **Mobile Area Meeting - February 26th with State Senator Rusty Glover**





**AUCA MEMBER SPOTLIGHT:**

**National Trench Safety**



**NATIONAL  
TRENCH SAFETY**

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National Trench Safety (NTS) is the only true national trench and traffic safety specialist in the industry. NTS specializes in the rental and sale of trench safety, traffic safety and ancillary equipment, as well as providing OSHA compliant training and trench and traffic safety engineering. NTS has built its reputation on providing the highest quality products, most complete rental fleet mix and superior levels of customer service.



Our mission statement is simple, "our customers get what they want when they want it." NTS opened its Mobile operation located in Theodore, Alabama in July 2014 and has been expanding the company's reach in the greater Mobile market.

NTS looks forward to continuing to expand upon the company's reputation and supporting local customers with their trench and traffic safety needs.





## **Legislative News**

### **Alabama Update:** **2015 AUCA Legislative Priorities**

#### **Plumbers Bill:**

On February 19, 2015 the Alabama Plumbers & Gas Fitters Examining Board voted to accept the wording changes to the "Definition of Plumbing" that had been previously agreed upon by the AUCA Board of Directors at the December 4, 2014 AUCA Board Meeting. This is a Rule change, as opposed to a Legislative change. The Plumbers will continue to pursue passage of a Bill for their industry during the 2015 Legislative Session. The success or failure of the Plumbers Bill will in no way affect the agreed upon Rule change. It will however impact the timing, as we have been informed that the Rule change will not take affect until sometime after September 2015.

We will continue to keep our members updated on the status of this change. We also realize that this Rule change will not be satisfactory to all members. However, we believe this is the first positive step in order to accomplish our ultimate goal, and that the Rule change represents a vast improvement over what was previously allowed. The new Rule will also better align with what is currently practiced in the field, and will allow for consistency regarding enforcement from project to project, which had previously been a judgment call of the local plumbing inspector.

Below is the wording that will define the "Definition of Plumbing" under the new Rule:

#### **Proposed Rule Changes:**

**720-x-2-.01 *Definition of Plumbing.*** With respect to the single-family residential dwelling domestic water supply, the water line from the meter to the building or from the outlet side of a well pump to the building is considered plumbing. With respect to the sewer, the building sewer begins at the connection with the building drain and is considered plumbing until it reaches the property line, an individual disposal system, or a point within an easement or right-of-way.

Non-residential domestic water supply and sewer represented by mechanical drawings signed and sealed by an engineer licensed in the State of Alabama shall be considered plumbing. Non-residential domestic water supply four inches in diameter and greater, and sewer lines six inches in diameter and greater, represented by civil drawings signed and sealed by an engineer licensed in the State of Alabama shall not be considered plumbing.

Sewage grinder pumps and sewage lift stations with discharge lines four inches and greater, and force mains four inches and larger shall not be considered plumbing.



## **Legislative News**

*Continued from page 9*

### **State Revolving Fund (SRF) Programs:**

As mentioned previously in this newsletter, we are pleased that ADEM will release in March the list of projects to be bid in 2015 representing \$130M of SRF money for Clean Water (CWSRF) and Drinking Water (DWSRF) projects in Alabama.

AUCA will continue to work closely with the League of Municipalities in an effort to maximize project funding levels, and to create more project opportunities for Municipal Drinking Water and Wastewater Infrastructure projects. Doing so will help create job opportunities for AUCA members, as well as help provide for a better quality of life for Alabama citizens.

### ***Others Bills to Watch:***

#### **Construction Management/G.C. Design-Build Bill:**

AUCA continues to monitor the progress of this Bill that is planned to be introduced by the Associated Builders and Contractors. A similar version of this Bill was introduced and soundly defeated in the 2013 Legislative Session. The Bill will once again be very controversial and already many opponents are digging in their heels for a fight on it. If you have any thoughts on this Bill, or would like to receive a copy of the most current draft, please contact the AUCA office.

#### **Retainage Bill:**

AUCA continues to follow the possible Title 39 adjustments for "optional" early release of Retainage as proposed by the University of Alabama. At this time it appears that AGC may lead the efforts for this Bill. However, the Bill will only be introduced if it receives the blessing of Katherine Lynn and the Alabama Building Commission which has yet to happen.

#### **Alabama 811 One Call - Damage Prevention:**

Governor's Executive Order for single "One-Call" system and improved enforcement provisions. Public Service Commission's effort to amend 2014 Legislation with revised definition of excavation to allow eligibility for Federal grant funding for pipelines.

***As always, AUCA Will Continue to Play "Defense" on Any Bills That Would Adversely Impact Business or Our Industry***

**Advertise Your Company on the AUCA Website  
For More Information Call (205) 582-9436**

# **Clean Water Construction Coalition Report**

Bob Briant—Chairman CWCC

## **Private Entities Eligible for Clean Water SRF Loans**

During the WRDA/WRRDA legislative process last year, the Coalition advocated that private entities should be eligible for CWSRF funds. This month Coalition representatives met with the House Water Resources and Environment Subcommittee which confirmed our interpretation that, with respect to certain project types, private companies are now eligible for CWSRF funding. Pursuant to WRDA/WRRDA, there are now 11 eligible independent project types.

Some project categories are eligible only for public entities such as construction of publicly owned treatment works; development and implementation of certain conservation and management plans; water conservation, efficiency or reuse projects to reduce the demand for publicly owned treatment works capacity; and, energy consumption reduction projects for publicly owned treatment works. Other categories apply to both public and private entities such as construction, repair, or replacement of decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage; measures to manage, reduce, treat, or recapture storm water or subsurface drainage water; development and implementation of watershed projects; reuse or recycling projects; projects to increase the security of publicly owned treatment works; and, for qualified nonprofit entities to provide assistance to owners and operators of small and medium publicly owned treatment works.

## **Obama Administration Release its Proposed Federal Fiscal Year 2016 Budget**

The Obama Administration released its federal Fiscal Year 2016 Budget request this month. The President's \$4 trillion fiscal plan is an increase of approximately 5 percent over federal Fiscal Year 2015 and plans for a budget deficit of \$474 billion, down from \$538 billion in FY 2015.

The following is an analysis regarding specific details with concern to funding national infrastructure programs that are supported by the Coalition:

## **Clean Water and Safe Drinking Water SRF'S**

For federal FY2016, the President's Budget proposes \$2.3 billion for the Clean Water and Safe Drinking Water State Revolving Funds (SRFs), continuing the funding level provided in federal FY2015. However, while almost keeping the same overall level, the Budget REDUCES the FY2015 Clean Water SRF (\$1.448B) by \$332M to \$1.116B and INCREASES the FY2015 Safe Drinking Water SRF (\$906M) by \$280M to \$1.186B. The Budget also provides \$50M for technical assistance, training, and other efforts to enhance the capacity of communities and states to plan and finance drinking water and wastewater infrastructure improvements. In addition, it references the Water Infrastructure and Resiliency Finance Center, established last month, as a key component of this effort.



## **Clean Water Construction Coalition Report**

***Continued from page 11***

The Center is intended to help communities across the country focus on financial planning for future public infrastructure investments, expanding work with states to identify financing opportunities for rural communities, and enhancing partnership and collaboration with the U.S. Department of Agriculture on training, technical assistance, and funding opportunities in rural areas. It is part of the President's Build America Investment Initiative, a government-wide effort to increase infrastructure investment and promote economic growth by creating opportunities for state and local governments and the private sector to collaborate on infrastructure development.

Note the following narrative from the Budget Appendix:

*"Waters - This Agency goal is to reduce human exposure to contaminants in drinking water, fish and shellfish, and recreational waters and to protect and restore watersheds and aquatic ecosystems. Significant support is provided to help communities address their water and wastewater infrastructure needs. In 2016, EPA will invigorate its efforts to work with State and local partners to develop policies that promote the use of water resources in ways that are both ecologically and economically sustainable. In support of this goal, EPA will provide \$1.186 billion for the Drinking Water State Revolving Fund (SRF) which makes low interest loans to public water systems, and grants to Tribes and U.S. Territories to upgrade drinking water infrastructure to help them provide safe drinking water. EPA will also provide \$1.116 billion for the Clean Water SRF. The Clean Water SRF makes low interest loans to communities and includes a set-aside for Tribes and U.S. Territories to construct wastewater treatment infrastructure, in addition to other projects that enhance water quality. In sum, the Federal Government has invested over \$60 billion in grants to help capitalize the SRFs. With the required State match, additional State contributions, and funds from program leveraging, funds made available for loans totals over \$130 billion since their inception. In 2016, EPA will work with communities to ensure the SRFs support cost-effective, sustainable green infrastructure, or other environmentally innovative activities that promote system and community resilience, as not less than 20 percent of the Clean Water SRF grants shall be used by the State for such activities.*

*For 2016, funds provided to States under the Drinking Water State Revolving Funds may be used for projects to address green infrastructure, and other environmentally innovative activities. Funding provided through the SRFs will be enhanced by technical assistance, training, and planning efforts funded through EPA's operating programs as part of a multifaceted approach to address water and wastewater infrastructure. EPA will work with its partners to enhance the capacity of communities, states, and private investors to plan and finance drinking water and wastewater infrastructure improvements."*



## **Clean Water Construction Coalition Report**

***Continued from page 12***

### **U.S. Army Corps of Engineers (Corps)**

The President's budget request for the Corps' Civil Works program increased \$171M from \$4.56B to \$4.73B, with funding primarily for aquatic ecosystem and inland navigation construction programs. However, the Budget is a disappointment for navigation stakeholders. The Administration ignores the Water Resources Reform and Development Act (WRRDA) of 2014 regarding use of Harbor Maintenance Tax (HMT) revenues to maintain federal navigation channels. At \$1.95B, the Corps' navigation program funding decreases 16 percent from the FY2015 appropriation of \$2.33B. The budget request for HMT work is \$915M – unchanged from the President's request in FY2015, but \$185M less than the FY2015 appropriation. This amount is substantially below the \$1.32B target established in WRRDA for FY2016. This amount equates to 47 percent of the estimated FY2015 HMT revenue of \$1.93B.

### **Department of Transportation**

Similar to last year, the USDOT FY2016 budget request follows the program restructuring outlined in the Administration's proposed surface transportation reauthorization legislation which was released last spring, "The GROW America Act". However, it proposes a major increase in funding to \$478B, up from \$302B, and extends the length of the proposed reauthorization from four years to six years. The increased funding is proposed to be paid for through a corporate tax provision that is unlikely to pass in a Republican-majority Congress, the imposition of a one-time mandatory 14% tax on previously untaxed foreign earnings regardless of whether the earnings are repatriated (brought back to the US) or not. If approved by Congress, this would bring in \$238B in new revenue.



## Health & Safety:

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

### ***OSHA's Lockout/Tagout Standard – Forms of Hazardous Energy***

*[Reference 1910.147]*

The OSHA Lockout/Tagout standard applies when we perform servicing or maintenance on certain pieces of equipment or machinery. Most of us recognize that electricity is the primary source of hazardous energy we face, but it's certainly not the only one. Here is an overview of some of the forms of actual AND potential hazardous energy we may have to deal with when we perform work covered by this standard:

- **Electrical Energy** – Electricity directly drives many of the motors on our equipment, but it also powers many of our switches and valves. In addition, some equipment with certain types of rectifiers or capacitors may actually retain potentially hazardous electrical energy even after we disconnect the main power supply;
- **Pneumatic Energy** – Air pressure is used to power some cylinders and control switches. It is critical to recognize that in some cases, this form of power could still be present even after we turn off power to the compressor, disconnect a supply line, or turn off a valve;
- **Hydraulic Energy** – Just like with pneumatic power that we just discussed, hydraulic pressure is also used to move cylinders and switches. And it, too, can remain under pressure even after the hydraulic pump has been de-energized;
- **Mechanical Energy** – Turning flywheels, springs under compression or tension, cams; these are all forms of mechanical energy that must be released or restrained on some equipment and machinery, even after the main power source has been de-energized;
- **Thermal Energy** – When the temperature rises, many gases will expand. If this takes place inside of a closed pipe, supply line, or vessel, a corresponding increase in pressure can occur. This increased pressure could result in a nasty surprise if we have not anticipated and controlled this form of energy before we start working on the equipment;
- **Chemical Energy** – As with thermal energy, some chemical reactions create heat and/or pressure (think of the gas bubbles generated when an Alka-Seltzer is dropped into a glass of water). Think of how that could be hazardous if this reaction occurs inside of a sealed vessel, pipe, or supply line;
- **Gravity** – An object, such as the block and hook of an overhead hoist, the upper die of a press, or the elevated mast of a forklift, could come crashing down even after the main power supply has been turned off. All it would take is the release of a brake, the activation of a valve, or the loosening of a hose or supply line.



## Reminders:



### **AUCA Address Change**

When mailing your 2015 membership dues, or any other correspondence, please make sure to send it to the current AUCA mailing address:

***159 Highland Park Drive  
Birmingham, AL 35242***

Also, if your company has any changes in address, phone #, personnel, etc., please include this information with your membership renewal form.

### **New Phone & Fax Numbers for AUCA:**

The AUCA office phone and fax numbers have also changed.  
The new numbers are:

***Phone: (205) 582-9436***

***Fax: (205) 582-9155***

Please remember to update this information in your database.

Before you renew your workers' compensation policy, ask your 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 MRM at (256) 504-3288. MRM is the Third Party Administrator (TPA) for the CompTrust fund, and a valuable member of AUCA.

**CompTrustAGC**  
*Worker's Comp From People You Know.*



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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](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**

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