

## ALABAMA UTILITY CONTRACTORS ASSOCIATION

**TIM AYERS, EXECUTIVE DIRECTOR**  
**FEBRUARY 2016**

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



In 2014, many years of hard work and effort by our former Director Philip Lee, our Lobbyist B.T. Crowe, and numerous members of AUCA culminated in the successful passage of the Prompt Pay Bill. This was done to ensure timely payment and fair treatment of Contractors, and subsequently Vendors in our state that perform work on Public Works projects.

Unfortunately, nearly 2 years after the Bill was signed into law, and became known as Act #2014-404, we still receive reports of Owners and Awarding Authorities not holding up their end of the agreement. Let's not allow all of the hard work of the past to go to waste.

The law is now on our side. If you have issues getting paid, please let us know and we will be happy to contact the Owner or Awarding Authority on your behalf and remind them that they may be in violation of the law. They are required to pay you in the time frame that is specifically laid out in the law. If they fail to do so, you may also be entitled to receive interest payments at the rate assessed for underpayment of taxes under Section 40-1-44 (a) on the unpaid balance due.

On March 9th, AUCA will hold our annual "Charge the Hill" Legislative Awareness Day at the State House Building in Montgomery. This is a great opportunity to get involved and personally express your concerns to our elected officials. Whether you are a savvy political veteran, or someone completely unfamiliar with the Legislative process, I strongly encourage you to make time to attend this event.

Please also remember to go vote on March 1st in Alabama's Primary Election and let your voice be heard!

*Tim*

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*Upcoming Events:*

***AUCA Quarterly Lunch Meetings***

**March 2, 2016 at 11:30 a.m. - Birmingham Area Meeting**

***2015 REPORT CARD FOR ALABAMA'S INFRASTRUCTURE***

***Presented by Jake Roth from Hatch Mott MacDonald***

**CraneWorks / RentalWorks**

**910 28th Street North, Birmingham, AL 35203**



**March 3, 2016 at 11:30 a.m. - Mobile Area Meeting**

***2015 REPORT CARD FOR ALABAMA'S INFRASTRUCTURE***

***Presented by Kendall Kilpatrick from Hatch Mott MacDonald***

**Wintzell's Oyster House**

**6700 Airport Boulevard, Mobile, AL 36608**

**AUCA Board of  
Directors Meeting**

***Wednesday, March 9, 2016***

***12:00 p.m.***

***Arrowhead Country Club  
Montgomery, AL***



***March 15-18, 2016***

**Trucks, Construction and Forestry  
Equipment Auction  
Montgomery, AL**

For more information visit  
[www.jmwood.com](http://www.jmwood.com)



*Upcoming Events:*

**Charge the Hill - Legislative Awareness Day  
Wednesday, March 9, 2016**

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



*Upcoming Events:*



**April 21, 2016**  
***Spring Statewide General Meeting, Golf Tournament & Low Country Boil***  
**Arrowhead Country Club**  
**Montgomery, AL**

**Scheduled Lunch Speaker:**

**Jo Bonner - Former U.S. Congressman  
and Current Vice-Chancellor of  
Economic Development for  
The University of Alabama System**



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

**October 13, 2016**  
***Fall Statewide General Meeting  
& Sporting Clay Shoot***  
**Lower Wetumpka Shotgun Sports Club**  
**Montgomery, AL**

*Mark your calendars today!*



## News & Notes:

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

Work continues in an effort to require mandatory participation for a Single One-Call notification system to serve the entire state of Alabama. However, some of the Rural Electric Co-op's continue to be the biggest obstacle to reaching this goal.

Without full participation, the current Alabama811 system is not truly a "One-Call" program, and places Contractors in danger when working in unfamiliar areas where all underground utilities may not have been located. The Commission is scheduled to meet again on March 18th, and can hopefully begin to make further headway.

### **2016 AUCA Membership Dues Renewal**

January kicked off the membership renewal period. We are off to a strong start with our 2016 renewals. We are grateful to the many companies that have already paid their 2016 AUCA dues, as well as to those that have made additional voluntary contributions to our Legislative PAC Fund. For those 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.

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

#### **Eagle Utilities & Vault Company**

Athens, AL

Company Representatives: Nick Anderson & Turner Yarbrough

#### **T-Zone Technologies, Inc.**

Mobile, AL

Company Representative: Richard Whitworth



## News & Notes:

### **Competent Person Safety Training Class Mobile - February 19, 2016**

AUCA recently held a Competent Person Safety Training Class in Mobile focused on Excavation and Confined Spaces. Beard Equipment Company graciously hosted the class at their facility and provided lunch for all attendees.



### **Career Opportunities:**

AUCA has a member company in the Birmingham area looking for an experienced Motor Grader Operator.

AUCA also has a member company in West Alabama looking for an experienced Office Manager.

Candidates interested in either position should contact the AUCA office for additional information.



*News & Notes:*

**Tuscaloosa Area Meeting - February 24th**

*Alabama's Infrastructure Report Card*

*Presented by Darrell Hobson from McGiffert & Associates*



**Huntsville Area Meeting - February 25th**

*Alabama's Infrastructure Report Card*

*Presented by Trey Davis from deciBel Research*



*News & Notes:*

**AUCA 2016 Membership Directory**

AUCA will publish a printed membership directory in 2016. This will be an additional resource to offer our members, and contain valuable industry information. If your company has not yet sent in your membership renewal, please remit ASAP in order to guarantee your company's listing in the directory. We will be following-up with all member companies to ensure that we have the correct contact information for your company before the directory is printed.

We will also have several advertising opportunities within the directory to showcase your company. We hope that you will consider placing an ad in the directory to help make it a more valuable resource to our members. The premier spots are limited, and may sell out quickly. Please contact the AUCA office if your company would like to reserve a spot.

Below is the Membership Directory advertising rate sheet:

- Back Outside Cover - Full Color - ~~SOLD~~**
- Front Inside Cover - Full Color - \$1,000**
- Back Inside Cover - Full Color - \$1,000**
- Tab Pages - Full Color - \$750**
- Full Page (5" x 8") - Black & White - \$500**
- Half Page (5" x 3.5") - Black & White - \$250**



**AUCA Logo Decals**

AUCA recently received an order of AUCA logo decals and are distributing these to all our member companies.

We encourage you and your employees to put them on your hard hats, automobiles, tools, equipment, etc. to show your support for AUCA. The more visible we are, the more effective we can be as an association.



## *Clean Water Construction Coalition Report*

Bob Briant, Jr. - Chairman CWCC

### **Clean Water Coalition Representatives Continue to Focus on the Reauthorization of Both the Water Resources Development and the Clean Water Acts**

As we have reported to Coalition members last month, the House Transportation and Infrastructure Committee has been in active discussions concerning the reauthorization of the Water Resources Development Act of 2014. Included in these discussions is the reauthorization of the Clean Water SRF program, which at this time, appears to have bipartisan support.

In January, Coalition representatives met with Congresswoman Grace Napolitano (D-CA), Ranking Democrat on the Subcommittee on Water Resources and Environment of the House Committee on Transportation and Infrastructure (T&I), Congressman John Garamendi (D-CA), Congressman Jared Huffman (D-CA) and Congressman Jeff Denham (R-CA), all also members of the Subcommittee, to advocate very aggressively for reauthorization of the Clean Water SRF at the highest possible funding levels in the WRRDA 2014 reauthorization bill. Later in January, Coalition representatives also met with both Republican and Democratic staff of the House T&I Committee. According to Committee staff, the WRRDA 2014 reauthorization effort is a priority for this year and final enactment of a bill is very likely this year given, in part, to the fact that it is Senator Boxer's last year in Congress.

In the Senate, Coalition members met with Jason Albritton, Democratic staffer on the Senate Environment and Public Works Committee, on the issue. Albritton confirmed to the Coalition that it is the Committee's intent to move a WRRDA bill this year. Again, in advocating for inclusion of the Clean Water SRF, the Coalition reminded him of Boxer's past efforts and support for the program and informed him of the efforts to include the reauthorization of the Clean Water SRF as part of the House measure. The Coalition stated that the House T & I Committee Democrats drafted a bill that would reauthorize the Clean Water SRF at \$13.8 Billion in CSWRF over a 5-year period, authorize a new sewer overflow control grant program at \$500 Million for each of FY16-20, and add an alternate water source pilot project at \$50 Million for each of FY16-20. The Coalition noted that the Republican Committee members support the concept of reauthorization of the CWSRF program as part of the WRRDA bill but at the funding



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

Continued from Page 9

level of the average of the last five years of appropriations to the program. Coalition members also stated that the House Republican Committee members are willing to move legislation at higher funding levels, but only if budget offsets that equal the increased funding are identified.

### **Obama Administration's Fiscal Year 2017 Budget Request Proposes an Increase to the Safe Drinking Water SRF Program and a Cut to the Clean Water SRF Program and Corps of Engineers Program**

President Obama's Fiscal Federal Year 2017 Budget request will propose an increase for the Safe Drinking Water SRF by \$158 Million to \$1.02 Billion from FY 2016 amount of \$863 Million while cutting the Clean Water SRF by \$414 Million from the FY 2016 enacted level of \$1.394 Billion. Last year the Administration had a similar proposal, however, through the appropriation process and the FY 2016 Consolidated Appropriations Act, the proposed Clean Water SRF funding cut was avoided.

The President's FY 2017 Budget also proposes cutting the Corps of Engineers program by 22 percent to \$4.6 Billion as compared to the FY 2016 appropriated amount of \$5.6 Billion. The WIFIA program is funded at \$20 Million for direct loans.

As with last year, the Coalition will focus on the appropriations to advocate for higher funding levels for the Clean Water SRF and Corps of Engineers program.



## *Alabama Legislative News:*

The 2016 Alabama Legislative Session began on February 2nd, and concluded the first month of business on February 25th when the House and Senate adjourned until Tuesday March 1st. The Session is now 1/3 of the way complete, having met for 10 of the possible 30 Legislative Days. Through the first month there have been 342 bills introduced in the House, and 302 in the Senate.

Highlights of the current Session have included Governor Robert Bentley signing HB174 (known as the Alabama Uniform Minimum Wage and Right-to-Work Act) into law. The bill prevents local governments from imposing a minimum wage increase and requires all cities and counties in Alabama to use the federal wage standards as a measure. It also blocks an Ordinance signed by Birmingham Mayor William Bell to increase the city's minimum wage to \$10.10 per hour. HB174 also reaffirms Alabama's status as a right-to-work state by giving the Legislature the authority to establish uniform employment policies and regulations of collective bargaining.

The Senate passed a General Fund Budget that has now gone to the House for review. The Senate's Budget would essentially level-fund most agencies for the 2017 fiscal year, including Medicaid. Governor Bentley's proposed budget would have given Medicaid \$785 million from the General Fund, \$100 million more than this year. However, Bentley's plan was dependent on taking \$181 million from education revenues. Senate President Pro Tem Del Marsh said there was no support for that, or for raising taxes.

A Substitute to SB180 (a precursor to Representative Mac McCutcheon's proposed House Bill to increase the state's Gasoline Tax for Infrastructure funding) has passed out of the Transportation and Energy Committee, and is now pending its 3rd reading in the Senate. The Substitute provides that the first \$32M of an excise tax levied on diesel fuel would be set aside for the Alabama Transportation Safety Fund to be used on county infrastructure projects, that an additional \$32M could be set aside if there is growth of at least one cent per gallon on a tax levied for both gasoline and diesel fuel, and that \$500,000 should be distributed annually to each county for county infrastructure projects. Additionally, it provides for the creation of the eleven-member Alabama Transportation Rehabilitation and Improvement Program Committee which could approve transportation projects and pledge monies from the Alabama Transportation Safety Fund to secure loans or debt commitments.

***As always, AUCA will continue to play "defense" on any Bills introduced that could adversely impact or our industry***

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

## Health & Safety:

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

### **Emergency Eyewash Stations**

If you have an accident at work that involves your eyes, an emergency eyewash station can protect you from serious eye damage or the loss of your sight. When you work with corrosive, irritating, toxic, or tissue-damaging materials in the workplace, it is important to have an emergency eyewash station immediately available.

Emergency eyewash stations can be plumbed into the wall or provided as stand-alone stations with eyewash solution tanks or bottles. All eyewash stations should be reachable within 10 seconds from the areas where a splash or eye contamination is likely to occur. Pathways to eyewash stations should be free of barriers such as locked or latched doors (swinging doors are allowed), equipment, material storage, or poor housekeeping.

All eyewashes should have annual inspections to ensure they are operating properly. Plumbed eyewash stations need clean bowls, dust covers for the nozzles, and good water pressure. Check eyewash bottles and tanks for expired solutions according to the manufacturer's instructions. All eyewash stations should be protected from freezing and provide room temperature to lukewarm flushing fluids. Activating handles should start the flow of fluids immediately. Fluids should flow for at least 15 minutes, or, in the case of eyewash bottles, long enough to reach a plumbed eyewash station. On a weekly basis, check plumbed eyewash stations to ensure that they are clean and working correctly. Use inspection check sheets for annual, periodic, and weekly inspections and keep copies of these records.

While emergency eyewashes are important in the workplace, using safe work practices can prevent the need to use them. Learn about the chemicals and materials you work with by reading the Material Safety Data Sheets (MSDS) for information on hazards, precautions, and recommended personal protective equipment (PPE). If you are working with chemicals that can splash or materials that may fly into your eyes, wear safety glasses with side-shields or splash goggles. Know where the emergency eyewash stations are located in your workplace and how to use them.

If your eyes are accidentally injured, immediately flush them with water or eyewash solution for at least 15 minutes. If your eyewash station or bottles do not have enough fluid to run that long, use them temporarily while you make your way to a plumbed station. When you start flushing your eye, hold your eyelids open and roll your eyeballs around to allow the fluid to flow on all of the surfaces of the eye and under the eyelid. Seek medical attention as soon as possible after flushing your eye.





## AUCA MEMBER SPOTLIGHT: **BenSource Employee Benefits**



### **The Reality of Saving and Old Age**

Did you know that only about 35% of the income you will need during old age will be provided by a social security check?\* It's true. And the reality of old age is that even if you want to work (and are physically able to work), jobs for older Americans are not in plentiful supply. The good news is that it's never too late to save for these impending golden years. BenSource has partnered with AUCA to offer a great 401k plan for members (Contractors Retirement Plan), and it's extremely easy to take advantage of it.



### **Responsible Employees Value an Employer Savings Plan**

According to the Center for Retirement Studies\*\* 58% of employees surveyed said they would *leave* their current employer *for the same pay* at a new employer who offers a 401k plan. Not only that, people who save for retirement are generally more responsible people and make more responsible employees.

AUCA offers the same type of 401k that's available on the open market except our plan:

- Removes the business owner from liability over decisions on the plan
- Removes the office manager from the grueling tasks associated with managing a 401k
- Offers employees a more robust 401k plan than a stand-alone employer can offer

It's the power of banding together as AUCA members that enables us to deliver more in a 401k plan – and all at **no cost to you, the employer.**

### **The Importance of Starting Early**

The power of compound interest is your greatest ally when it comes to saving. The great thing about an employer 401k plan is that it offers the ease of payroll deduction combined with a 'hands-off' savings account that is detached from daily spending.

If you have not compared the AUCA 401k plan to yours, act now. You could be saving thousands each year and your employees will also reap the rewards of a better savings plan.

### **Call for a personalized conversation**

BenSource Employee Benefits is a proud member of AUCA, and has over 25 years of experience with 401k plans. Nearly all of our clients are commercial construction employers. We know your business model and can design a plan for any budget and any need.

***BenSource can be reached at 205-536-9204*** – for a 'no gimmicks' discussion about the plan.

\*Fast Facts and Figures about Social Security, August 2012

\*\* The Transamerica Center for Retirement Studies 15<sup>th</sup> Annual Retirement Survey of Workers [www.transamericacenter.org](http://www.transamericacenter.org)

## A Solution For Employers

### Contractors Retirement Plan Features:

#### Employer

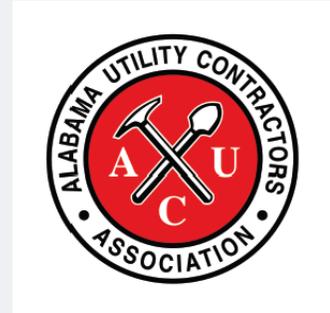
- No cost to employer, no TPA or audit fees
- Fiduciary relief from most 401k liabilities
- Powerful recruiting and retention tool
- Association leadership oversees the plan operation

#### Employee

- Reduced "group" costs on investments
- High focus on *Retirement Readiness*
- Easy enrolling, daily investment changes
- Call center is both live and 24/7 voice response
- Brand name, diverse investment options

#### Plan administrator

- We track eligibility and mail enrollment kits to home address
- Participants call vendor for all issues
- New compliance process eliminates costly errors
- Arduous paper notices mailed by vendor
- Loans, hardship, etc., all handled by vendor!



For more information please contact  
**Linda Smith and Jodi McMahon at  
205-536-9204**

Linda Smith and Jodi McMahon are registered Investment Advisors Representative, with Cambridge Investment Research Advisors, Inc., A broker dealer, member FINRA/SPIC. Cambridge, BenSource Employee Benefits, and AUCA are not affiliates.



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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***

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