



ALABAMA UTILITY CONTRACTORS ASSOCIATION

TIM AYERS, EXECUTIVE DIRECTOR
FEBRUARY 2020

Director's Comments:



What a month February has been. Between the rains of near biblical proportions in our state, to the Coronavirus pandemic that has sent the world and now the financial markets into a tailspin, it's certainly been an eventful month.

The Alabama Legislative Session also kicked off this month in Montgomery. Through the first month, a total of 611 bills were introduced between the House and Senate. A number of these bills could have an impact on our industry, and we are continuing to monitor them closely. We have taken an active position against bills involving the Alabama Onsite Wastewater Board (AOWB). We believe the AOWB has been engaging in deceptive, punitive, and even discriminatory business practices that are negatively impacting our industry.

In response, AUCA is preparing to draft legislation that would exempt Contractors that already have the necessary Municipal & Utility Licenses from the Alabama State Licensing Board for General Contractors from having to obtain any additional licensing requirements from the AOWB, or from falling under their jurisdiction.

AUCA will continue to maintain a presence in Montgomery throughout the remainder of the session to voice the concerns of our members to our elected officials. On March 11th, we will also hold our annual "Charge the Hill" Legislative Awareness Day at the State House for any members that can make time to come to Montgomery.

We hope you can join us to help make a difference for our industry!

Tim

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Upcoming Events:

Charge the Hill - Legislative Awareness Day
Wednesday, March 11, 2020
9:00 a.m. - 11:00 a.m.

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



The 2020 Alabama Legislative Session is underway.

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.



Upcoming Events:

AUCA Board of Directors Meeting

**Wednesday, March 11, 2020
Montgomery, AL**

AUCA Mobile Area Industry Lunch Meeting

**Wednesday, March 18, 2020
11:30 a.m. - 1:00 p.m.
The Bluegill Restaurant
3775 Battleship Parkway
Spanish Fort, AL 36527**

*Alabama 811 will be presenting on the new updates to the
Alabama Damage Prevention Law*



***AUCA 2020 Spring General Meeting,
Golf Tournament and Shrimp & Crawfish Boil***

**Thursday, May 7, 2020
Arrowhead Country Club - Montgomery, AL**

***AUCA 2020 Fall General Meeting
& Sporting Clay Shoot***

**Thursday, October 15, 2020
Lower Wetumpka Shotgun Sports Club - Montgomery, AL**



News & Notes:

Primary Elections - March 3rd

Alabamians will have the opportunity to go to the polls on Tuesday, March 3, 2020 to vote for Federal Offices of President, U.S. Senate, and U.S. House of Representatives.

Please make sure to take the time to go vote, and to encourage all of your employees, colleagues, family and friends to do the same. Should a runoff be needed, it will occur on March 31st. If so, please vote then to, and let your voice be heard.



WHAT IS AT STAKE?

All of these things are affected by funding. An accurate census count is the only way we receive this money.



HEALTH CARE



JOBS



EDUCATION



**CONGRESSIONAL
REPRESENTATION**



ROADS & BRIDGES



AND MORE



News & Notes:

New Davis Bacon Wage Rates for ALDOT Work

On February 7, 2020, the U.S. Department of Labor established new wages rates for all 67 Counties within the State of Alabama. It is imperative you direct your attention to the new wage rate special provisions for all contracts in the February 28, 2020 letting and subsequent lettings, and include this information when preparing your bids.

OSHA Form 300A

March 2, 2020, is the deadline for electronically reporting your OSHA Form 300A data for calendar year 2019. Collection began January 2, 2020. Remember, not all establishments need to submit their OSHA 300A Data. To review which establishments need to provide their data, [click here](#).

New Form I-9 Issued

Form I-9 is the form employers must use to verify employment eligibility of employees. A new version of the I-9 form was published on January 31, 2020. That new version of the I-9 form has a revision date on it of 10/21/2019 because that is when it was proposed. It can be used immediately, and the best practice is to begin using it now. But it must be used after April 30, 2020. It is best for employers to use the most current Form I-9 available, but you may continue using the previous Form I-9 (which has a revision date of 7/17/2017 in the bottom left corner) through April 30, 2020.

In addition to the I-9 form, employers in Alabama must also continue to use the [E-Verify system](#) for all new hires.

If you have any questions about this, about completing the new I-9 form, or about any other employment issues, please contact:

WALLACE  JORDAN
WALLACE, JORDAN, RATLIFF & BRANDT, LLC

Michael L. Jackson
Wallace, Jordan, Ratliff & Brandt's Labor and Employment Practice
(205) 874-0315
mjackson@wallacejordan.com



News & Notes:

Alabama 811 presented this month on the new updates to the Alabama Damage Prevention Law at our Industry Lunch Meetings in Tuscaloosa, Huntsville, and Birmingham. They will present again on this informative topic in March to our group in Mobile. Make sure to always call before you dig!

Tuscaloosa Area Industry Lunch Meeting - February 18th



Huntsville Area Industry Lunch Meeting - February 19th



News & Notes:

Birmingham Area Industry Lunch Meeting - February 20th



Special thanks to Warrior Tractor & Equipment Company for sponsoring and hosting our Birmingham Meeting. Unfortunately, the inclement weather prevented the much anticipated equipment demonstration of the Rockwell Rock Grinder, and NPK Hammer mounted on a 350G John Deere Excavator. However, Warrior graciously provided tours of the equipment in their fabulous new facility, and offered job site demonstrations at a later date to any interested Contractors in attendance.



News & Notes:

AUCA Scholarship Program:

- AUCA will be awarding two (2) Scholarships worth \$1,500 each.
- Money will be paid directly to the College or Trade School of the applicant's choice.
- The Scholarship Committee will select the two winners from AUCA member company employees, or immediate family members that apply before the April 30th deadline.
- Applications are available on the AUCA website:

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



2020 AUCA Membership Dues Renewal

January kicked off the membership renewal period. We are grateful to the many companies that have already paid their 2020 AUCA dues. 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.

Alabama Legislative News:

The 2020 Alabama Legislative Session convened in Montgomery at noon on Tuesday, February 5th. Governor Ivey delivered her 2020 State of the State Address later that evening at the Capitol. She announced several priorities that her administration plans to address this legislative session including workforce development, education, and prisons.

The Alabama Workforce Development Report that was commissioned by The Lieutenant Governor's Commission on a 21st Century Workforce has been released. Major areas of focus in the report include career and technical education, modernizing technical equipment at Alabama's community colleges, expanding the presence of career coaches in high schools, and expanding internships and apprenticeships statewide. Workforce Development is a critical area for our industry, and AUCA will be supportive of these efforts.

During the first month, Legislators met for 8 of the possible 30 Legislative Days and introduced 360 bills in the House and 251 in the Senate. There are several bills that we are tracking, and ones involving the Alabama Onsite Wastewater Board (AOWB) that we have taken an active position against. On February 26th, AUCA Director Tim Ayers and Lobbyist B.T. Crowe testified at the Public Hearing in the House Boards, Agencies and Commissions Committee that the AOWB has been engaging in deceptive, punitive, and even discriminatory business practices that are negatively impacting 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

Ten Rules to Preserve Ten Fingers

1. Beware of pinch points. Train yourself to recognize pinch points and avoid placing your hands and fingers in such hazardous spots.



2. Expect the unexpected. When using wrenches and other hand tools, with which you expect resistance, anticipate that the tool might slip or the object to which pressure is being applied may suddenly give way.



3. Inspect tools. Check to see if they are in good condition and safe to use.

4. Do not work on moving equipment. If the equipment can be stopped, do so. Working on moving equipment presents a real threat to hands and fingers.



5. Replace machine guards following repairs that require removal of guards. The presence of machine guards is an important factor in keeping hands and fingers out of dangerous areas.

6. Be mindful of equipment that starts automatically. Never work on such equipment without first eliminating the possibility of automatic startup.



7. De-energize electrical equipment prior to working on it. Flash burns caused by electrical equipment shorting out is a threat to hands and fingers when work around such equipment is being performed.

8. Be mindful when closing doors. Keep hands and fingers clear.

9. Avoid touching lines or equipment that is hot. Every hot line or hot piece of equipment is a potential source of painful injury to any hand or finger that comes in contact with it.



10. If the work being performed requires gloves, use them. Gloves offer protection from sharp objects, wood and metal splinters, acids, electrical burns, chemicals, and many other sources of injury.

**THINK SAFETY
ACT SAFELY**

Clean Water Construction Coalition Report

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

HOUSE LEADERSHIP AND KEY CONGRESSIONAL COMMITTEE CHAIRS ROLL OUT FRAMEWORK FOR MAJOR INFRASTRUCTURE FUNDING DEAL

On January 28, the House Democratic leadership (Speaker Pelosi, Majority Leader Hoyer, Majority Whip Clyburn, and Assistant Speaker Lujan) along with the chairs of the key congressional committees of jurisdiction (DeFazio of T&I, Pallone of Energy and Commerce, and Neal of Ways and Means) rolled out a \$760 billion, 5-Year infrastructure funding framework. It should be noted this does not come with support from the White House or Senate but the consensus in the House and thoughtful program approach provides reason for optimism.

The framework goes far past water infrastructure funding needs and includes traditional surface transportation issues, broadband, 911 updates, brownfields, safe drinking water, with mention of housing, education and natural resources. See the following for the full details: <https://transportation.house.gov/imo/media/doc/Moving%20Forward%20Framework.pdf>.

Water Infrastructure Funding Highlights Include:

- **Clean Water & Wastewater Infrastructure — \$50.5 Billion (\$10 B / year compared to \$1.7 B Authorized in Federal Fiscal Year 2020)**
 - Funds building new, modern clean water and wastewater infrastructure by investing \$40 billion in the Clean Water State Revolving Fund (CWSRF), to address local water quality challenges, with dedicated funds for urban and rural communities with affordability concerns.
 - Encourages the use of energy-efficient and water-efficient technologies.
 - Helps communities affordably address local sewer overflow and storm water infrastructure needs, preventing pollution in local rivers and waterways, and disruptions to service.
 - Establishes a new EPA program to detect, prevent, and treat discharge of industrial chemicals, including PFAS.

- **Safe Drinking Water — \$25.4 Billion (\$5 B / year compared to \$1.3 B Authorized in Federal Fiscal Year 2020)**
 - Protects Americans' drinking water – particularly for vulnerable communities – by investing in the Drinking Water State Revolving Fund and programs to ensure clean drinking water in schools, day care centers and on Native American Reservations.
 - Provides funding to local communities dealing with PFAS contamination in the drinking water and requires EPA to identify and assist in remediation.



Clean Water Construction Coalition Report

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- **Water Infrastructure (Flood protection, navigation, etc.) — \$10 Billion**
 - Addresses the impact of severe weather events by tackling the backlog of Army Corps' projects designed to protect communities at risk of flooding, to enhance community resiliency, and to enhance national, regional, and local economic growth.
- **Alternative Water Source Project - \$600 Million**
 - Reauthorizes Federal investments in alternative water source projects to address critical water supply needs, especially in arid areas of the Nation.

No decision on how to pay for the package until agreement is reached on that with the Administration. DeFazio has proposed issuing infrastructure bonds and paying them back by increasing fuel taxes and indexing them to inflation, but the leadership has not endorsed this. House Republicans oppose a gas tax increase; instead prioritizing innovation, streamlining permitting and focusing attention on rural infrastructure needs. When the President released his long-term infrastructure plan, which relied mostly on private investments, as well as local and state governments, it was widely panned as unreasonable. On the positive side, the House's \$760 B framework is within the range of the Presidents call for at least \$1 trillion in infrastructure investment.

The Chair of the House Ways and Means Committee, Rep. Richard Neal (D-Mass.) will meet with Treasury Secretary Steven Mnuchin to discuss an infrastructure package, saying he is hopeful about working with the White House on this important legislation following the passage of the bi-partisan trade deal. The Utility Contractors Association of New England (UCANE) is working directly with Congressman Neal and the entire Massachusetts delegation advancing these critical priorities for the CWCC. In addition, the Massachusetts delegation is pushing the Affordable Safe Drinking Water Act that would help states mitigate water infrastructure costs. Key Advocates and UTCA of NJ will be working closely with the Chair of the House Energy and Commerce Committee, Rep. Frank Pallone (D-NJ) as that Committee has jurisdiction over the Drinking Water SRF funding.

SHOW YOUR SUPPORT FOR PROPOSED NEPA REFORMS

The National Environmental Policy Act ("NEPA") is a foundational environmental law enacted in 1970 (exactly 50 years ago during the Nixon Era) with a mission to enhance the environment by requiring Federal agencies to evaluate environmental effects of proposed projects prior to construction. Rule-making recently initiated by the White House Council on Environmental Quality ("CEQ") is the first significant revision of the NEPA regulations since the original regulations were promulgated in 1978. The proposal would refocus NEPA on its original intent – assessing environmental impacts of major



Clean Water Construction Coalition Report

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projects and actions supported by the federal government – instead of being used as a mechanism for causing delays and uncertainty in planning and building projects.

According to the new proposal, its revisions would modernize the NEPA regulations and facilitate more efficient, effective, and timely NEPA reviews. The proposed changes to NEPA will result in a more expeditious, while still thorough, review process, without impacting existing environmental standards. Projects that trigger NEPA reviews are not put out to bid until its processes (and any litigation) play out. Efforts to streamline and modernize NEPA are long overdue and welcome to the infrastructure construction industry.

As a reminder, CWCC added a policy position to encourage streamlining approvals for infrastructure projects in 2019. Although most water infrastructure projects do not trigger NEPA review, a lot of underground utility work critical to the economic outlook for our members comes alongside transportation projects. Associations engaged in advocacy for energy utility project work and flooding / hardening and/or coastal resiliency should pay close attention to this proposal.

CEQ has opened a public comment period on their proposal, ending Tuesday, March 10. CWCC will be submitting supportive comments and sharing them with key leaders in Congress in favor of this proposal. We urge your association and its members consider doing the same.

We encourage you to “tell a story” of cost increases, delays and jobs lost because of NEPA issues. Please share with CWCC any project examples that we may be able to use to increase the impact of our comments. Opponents will be filling the docket and news stories with negative comments. It’s critical that we make our voices heard.



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.**

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www.aluca.org**

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