



## ALABAMA UTILITY CONTRACTORS ASSOCIATION

TIM AYERS, EXECUTIVE DIRECTOR  
MARCH 2015

### Director's Comments:



The 2015 Alabama Legislative Session is now 1/4 of the way from completion. While Ringling Brothers and Barnum & Bailey may have coined the phrase "The Greatest Show on Earth" for their circus, it's probably because they didn't first spend time in Montgomery watching our Legislature in action.

While we sometimes make light of the "circus" that goes on there, it is serious business that affects each and every one of our lives. One of our Contractor members mentioned to me after attending our *Charge the Hill* event that he now truly realized, "If you're not down there to make your voice known, then you don't have a voice."

Sometimes people ask why we as an association spend so much time and effort staying involved in the legislative affairs. It's because you as business owners and operators don't have time to be there every day. However, as this member wisely realized, if someone representing your interests is not there, then you are NOT represented. Even when AUCA doesn't have a specific bill that we are sponsoring, we must maintain a constant presence to monitor what goes on for the protection of our members.

Also, keep in mind the representation we offer our membership is not just at the legislative level, or only during the legislative session. We are here to represent you each and every day throughout the year on all issues, whether it's at the federal, state, or local level. Thanks for continuing to put your trust in AUCA.

On April 22nd, we will hold our Spring Statewide General Meeting in Montgomery. We are expecting a great turnout, and I hope to see you all there.

*Tim*

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## Upcoming Events:



### **AUCA 2015 Spring General Meeting & Golf Tournament**

*Wednesday, April 22, 2015*

*Arrowhead Country Club*

*50 Ocala Drive Montgomery, AL 36117*

**General Meeting & Buffet Lunch - 11:00 a.m.**

**Golf Tournament - 1:00 p.m. Shotgun Start**

**Low Country Shrimp & Crawfish Boil and**

**Silent Auction Immediately Following Golf Tournament**



#### **General Meeting & Buffet Lunch**

**Guest Speaker - Senator Greg Reed**

**Cost: \$20/Person (Included with Corporate Sponsorship)**

Come network with your peers, and hear new Alabama Senate Majority Leader Greg Reed of Jasper give an update on the 2015 Legislative Session during lunch at our statewide General Meeting.

#### **7th Annual Golf Tournament**

**4-Person Scramble Format**

**Cost: \$500/Team or \$125/Individual**

Complete attached registration form and return ASAP.  
Hole and Corporate Sponsorship opportunities available.  
Sign up now before the event sells out!



#### **Low Country Shrimp & Crawfish Boil**

**Cost \$20/Person**

**(Included with Golf or Corporate Sponsorship)**

Come out to our after tournament Low Country Shrimp & Crawfish Boil. Enjoy networking, plus a silent auction to bid on your favorite team's sports memorabilia items.



# EVENT REGISTRATION FORM

To register, please complete this form and return to the AUCA office by fax or email.  
A copy of the registration form should also be submitted with payment.

Registration Deadline is April 15, 2015

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email: \_\_\_\_\_

## GENERAL MEETING

General Meeting Lunch: \$20/Person x Quantity ( ) = \$ \_\_\_\_\_

## GOLF TOURNAMENT

4-PERSON TEAM - \$500

INDIVIDUAL - \$125

*Includes:* Golf, cart, hat, goodie bag, beverage tickets, prizes, and Low Country Boil

- |           |                 |
|-----------|-----------------|
| 1.) _____ | Handicap: _____ |
| 2.) _____ | Handicap: _____ |
| 3.) _____ | Handicap: _____ |
| 4.) _____ | Handicap: _____ |

## SPONSORSHIP OPPORTUNITIES

CORPORATE SPONSOR - \$250

*Includes:* Name recognition on event signage and promotional materials, and admission for one (1) company representative to General Meeting & Low Country Boil

HOLE SPONSOR - \$100

*Includes:* Name recognition on hole signage and may set-up tent on course to network with golfers and distribute company literature during tournament

## LOW COUNTRY SHRIMP & CRAWFISH BOIL

Low Country Boil: \$20/Person x Quantity ( ) = \$ \_\_\_\_\_

**PAYMENT MUST BE RECEIVED BEFORE OR ON DAY OF TOURNAMENT!** Return form and payment to:

Alabama Utility Contractors Association

159 Highland Park Drive

Birmingham, Alabama 35242

Phone: (205) 582-9436

Fax: (205) 582-9155

Email: [tim@aluca.org](mailto:tim@aluca.org)

To pay by credit card, please contact the AUCA office at (205) 582-9436.

## *AUCA General Meeting & Golf Tournament:*

Golf teams are filling up fast. We only have a few slots remaining. Reserve your spot now before it's too late!



### **Corporate Sponsors to Date:**

*MRM/COMPTRUST*

*Warrior Tractor & Equipment*

*C.L.S. Construction*

*B.D. Precision Manufacturing, Inc.*

*J.M. Wood Auction Company*

*Blankenship Contracting*

*Golden Construction Company*

*Russo Corporation*

*Servis1st Bank*

*John Deere Financial*

**Please contact the AUCA office if your company would also like to be an event sponsor.**

*Upcoming Events:*



June 17-19, 2015  
Embassy Suites Montgomery

**Save \$100**  
**Register now**  
**for only**  
**\$249**

[www.alabama.damagepreventionsummit.com](http://www.alabama.damagepreventionsummit.com)



**damage prevention**  
**summit**  
A CGA REGIONAL PARTNER EVENT

**June 17-19, 2015**  
**Damage Prevention Summit**  
**Montgomery, AL**

Alabama Damage Prevention Alliance (ADPA) in conjunction with Alabama 811 will hold the 2nd Annual Damage Prevention Summit at the Embassy Suites in Montgomery on June 17-19, 2015. This event is for stakeholders from all aspects of the damage prevention industry.

Additional information about the Summit and registration information can be found at:

[www.alabama.damagepreventionsummit.com](http://www.alabama.damagepreventionsummit.com)



**October 15, 2015**  
***AUCA 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!*





## AUCA MEMBER SPOTLIGHT:



42390 US HWY 72  
Stevenson, AL 35772  
256-437-9660  
[www.lambertinc.net](http://www.lambertinc.net)

Lambert, Inc. is a full scale utility contractor based in Stevenson, AL offering a wide range of capabilities to satisfy customer's needs. We offer hard-bid quotations or can work on a time and materials basis depending on customer's needs. Our primary focus is in the water, gravity and force main sewer, and steel and HDPE natural gas pipeline sector but we offer a diverse set of skills and capabilities that are well suited for dirtwork, water and sewer plant build and rehabilitation, asphalt and concrete paving, concrete flatwork, structural concrete, metal fabrication and plastic fusion. We really specialize in complicated and fast moving projects with hard deadlines and pride ourselves in providing safe work that comes in on time and under budget. Our core values are safety, integrity, and production, in that order.



Lambert, Inc. was founded by Bucky Lambert in 1976 when he was given a backhoe instead of back pay from a contractor who moved out of state. He took the backhoe and started picking up small scale projects. Within a couple years, he had picked up work with a major railroad company doing work on rail lines and his brother Rickey had started working with him, as well as their father Johnny.



## **AUCA MEMBER SPOTLIGHT:** *Continued from Page 6*

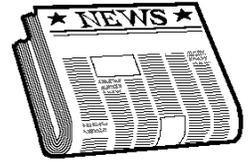


In 1985, Lambert, Inc. got its first big break doing wetlands work for TVA. It was here that we first started pipeline work. Lambert, Inc. was then incorporated in 1988. By 1995, business had grown and we began working with a local industry doing storm drain, water and sewer lines, and excavation. This gave us the momentum to grow and by the year 2000 we had started bidding for local utility jobs for many different municipalities.



In 2011, Rickey Lambert retired and Bucky brought on his sons, John Paul and Bubba, as partners. John Paul's partner from his previous business, Anthony Wright, also came on board. Lambert, Inc. currently employs approximately 40 employees, each dedicated to providing our clients a quality product, delivered safely, on-time, and on budget. Lambert, Inc. employees are active members of their communities, churches, and local organizations. Lambert, Inc. is committed to providing a safe working environment where employees are empowered through training and personal development and to enabling all of our employees to reach their full potential, both at work and at home. It is through our team-based values and ethics that we are able to deliver a high quality product for all of our customers and we look forward to continuing to grow with the AUCA and our fellow utility contractors and industry representatives.





## News & Notes:

### **University of Alabama Update:**

Last September, AUCA held a meeting with Jo Bonner. Mr. Bonner is a former United States Congressman, and now serves as the Vice Chancellor for Government Relations and Economic Development for The University of Alabama System. The purpose of the meeting was to continue to express our concerns over the timeliness of payments and treatment of contractors on projects at The University of Alabama's Tuscaloosa campus.

The meeting resulted in an independent 3rd-party audit of the University's procedures. We thank the members of AUCA that volunteered their time to take part in this audit process. In a recent follow-up meeting with Mr. Bonner in Montgomery, he shared that the preliminary results of this audit had been received, and did in fact verify that serious problems exist. Mr. Bonner indicated that new measures would be taken to correct these problems.

Dr. Lynda Gilbert, Vice President for Financial Affairs and Treasurer for The University of Alabama, has offered to speak to our group at an upcoming Tuscaloosa meeting. We will work with Dr. Gilbert on selecting a date, and make sure to keep the members posted as soon as the details are finalized.

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

If your company has not submitted your membership dues renewal, please make arrangements to submit your payment by April 15, 2015. If dues are not received by this date, your company will be considered delinquent, and may be removed from the AUCA membership roster.

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.



## News & Notes:

*Continued from page 8*

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

In April, the Alabama Department of Environmental Management will release the list of qualified State Revolving Fund projects that are expected to bid during 2015. The list had originally been scheduled for release in March, but has been delayed according to James Dailey, Chief - SRF Section at ADEM.

The list will include \$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 in April to review the list. [www.adem.state.al.us](http://www.adem.state.al.us)

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### **Equipment Operators Needed:**

AUCA has two (2) Contractor member companies looking to fill the following positions:

- Lattice Boom Crawler Crane Operator - West Alabama
- Equipment Operator/Foreman for Utility Work - Northwest Alabama

*Please contact the AUCA office if you would like to receive more information.*



## Member News:

### **AMERICAN Introduces New Product**

AMERICAN Ductile Iron Pipe has unveiled its new Amarillo Fast-Grip gasket for use with its AMERICAN Fastite pipe. Available in 4- to 30-inch diameters, the Amarillo's bright yellow color allows installers to more easily see if the gasket is seated properly and quickly confirms that they have the right gasket for the right pipe.

The Amarillo gasket is also made in America.



### **ServisFirst Ranks 3rd Among Nation's Community Banks**



AUCA member ServisFirst Bank recently received the 2014 Raymond James Community Bankers Cup, given to the top 10 percent of community banks nationwide.

ServisFirst ranked third out of 306 community banks with assets between \$500 million and \$10 billion at the end of 2014, and first in the state of Alabama.

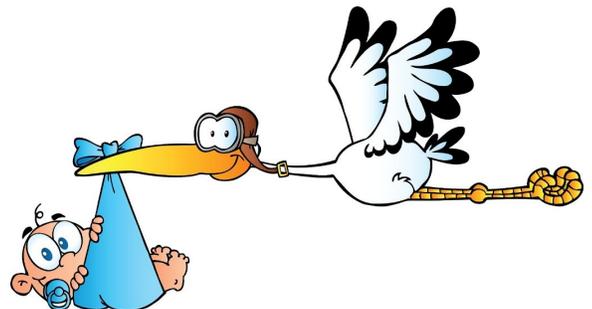
The banks were judged on metrics including profitability, operational efficiency and their balance sheet.

Member FDIC | Equal Housing Lender

### **Family Additions**

Congratulations to AUCA Board Member Aaron Schmidt of Schmidt Environmental Construction on the birth of his daughter, Nora Prim Schmidt on March 16th. Nora is the 3rd child for the Schmidt family.

Congratulations also to Tommy Noblin of WaterTech, Inc. on the birth of his son Bennett Thomas Noblin, on March 19th. This is also the 3rd child for the Noblin family.



## AUCA Happenings:

### Charge the Hill - Legislative Awareness Day March 11, 2015

Special thanks to the members that braved the rain to come to Montgomery for our annual event to voice the concerns of our industry to our Legislators.



Advertise Your Business **HERE**  
Sponsor the AUCA Newsletter

## Legislative News:



### Alabama Update:

The 2015 Legislative Session has gotten off to a fast start, and several bills have been introduced that could impact our industry and our member companies. We will continue to monitor these bills, and provide updates on their status to our members in our weekly "Legislative Pipeline" report. We will also keep you informed on any news bills that are introduced that may affect our members.

If you have questions or concerns regarding any bill, or would like to receive a copy of any of those listed below, please contact the AUCA office

Among those bills that have been introduced that we are closely following are:

#### **House Bill 275 and Senate Bill 239 - Construction Manager/General Contractor**

Companion bills that would give public owners new alternative means for procuring construction services for public works contracts by making available the Construction Manager/General Contractor an additional option to the current Design-Bid-Build project delivery method.

The Design/Build component has been removed from the legislation, and as currently written, only projects greater than \$15 Million would be eligible for the CM/GC delivery method. Negotiations are currently underway to raise this amount to at least \$25Million.

This is an extremely volatile bill for the construction industry, and we will continue to monitor it.

#### **Senate Bill 233 and House Bill 319 - General Contractors Licensing Board Makeup**

Bill relating to the State Licensing Board for General Contractors, and would require at least one member of the board as a larger part of his or her business to be a subcontractor.

#### **Senate Bill 170 and House Bill 227 - Construction Craft Training**

Companion bills that would create the Construction Industry Craft Training Program and the Craft Training Board, which shall be administered with the Alabama Building Commission. This bill would provide for a fee whose proceeds would be used to finance the craft training program. This bill would provide for the powers and duties of the Craft Training Board.

#### **House Bill 61 - Regulation of Pipelines for Gas and Hazardous Liquids, Penalties for Violation**

Bill relating to gas pipeline systems and hazardous liquid pipeline facilities would increase certain penalties for violations of gas pipeline safety standards and hazardous liquid pipeline safety standards.



## Legislative News:

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### **House Bill 62 - One-Call Notification System**

Bill relating to the One-Call Notification System; to further define the term excavate or excavation.

### **House Bill 135 - General Fund Budget Appropriations**

Appropriation for Wastewater Treatment SRF and the Alabama Drinking Water Finance Authority. Many years ago, the Alabama Legislature established a State Revolving Loan Fund for Wastewater Treatment (SRF) and the Alabama Drinking Water Finance Authority. The purpose of these programs was to take state funds and match them with federal dollars to create a loan fund to offer low interest loans to governmental entities for wastewater treatment and drinking water projects.

### **House Bill 142 - Unitary Combined Reporting for Corporate Income Taxes**

To amend the corporate income tax law to require the operations of all related entities, involved in a unitary business, to file one corporate income tax return on a combined basis, known as combined reporting; to implement combined reporting by requiring that a business report, on a combined basis, the operations of all related entities involved in a unitary business.

### **House Bill 165 - State Licensing Board for General Contractors, Sunset Law Review**

Relating to the Alabama Sunset Law; to continue the existence and functioning of the State Licensing Board for General Contractors until October 1, 2019.

### **House Bill 174 - Onsite Wastewater Board, Sunset Law Review**

Relating to the Alabama Sunset Law; to continue the existence and functioning of the Alabama On-site Wastewater Board until October 1, 2019.

### **House Bill 264 - Competitive Bids, Award to Responsible Bidder in Preference Zone**

Under existing law, a county or municipality may award a competitive bid to a responsible bidder having a place of business within a local preference zone if that bid is no more than three percent greater than the bid of the lowest responsible bidder. This bill would allow a county or municipality to award a competitive bid to a responsible bidder having a place of business within a local preference zone if that bid is no more than 10 percent greater than the bid of the lowest responsible bidder and the lowest responsible bidder is a business entity that does not have a place of business in the state.

### **House Bill 268 - Motor Vehicle Sales and Use Tax Increase**

This bill will change the rates for motor vehicle sales and use tax from two percent to three percent, and provide a refund process for the amount of additional tax paid on certain trucks and truck-

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For More Information Call (205) 582-9436

## *Legislative News:*

*Continued from page 13*

tractors used in interstate commerce.

### **Senate Bill 52 - Electric Utility, Transmission Facilities**

Bill to establish that incumbent electric suppliers have the right to construct, own, operate, and maintain new electric transmission facilities and upgrades for their own electric systems; to provide for two or more electric suppliers to address the circumstance where a new transmission facility would connect to each of their electric systems; and to provide for appeals of disputes to the circuit court and for the venue of appeals.

### **Senate Bill 69 - Public Contracts, Staffing Plan for Employees of Companies Awarded Public Contracts**

This bill would require employers, companies, or individuals who submit bids for certain public works projects and all disaster response, recovery, and restoration projects that utilize funds received by state or local governmental entities resulting from a disaster requiring federal oversight to certify that they will comply with the provisions of this act if they are awarded such contracts.

### **Senate Bill 76 - Duties of State Building Commission Transferred to the Department of Finance**

This bill would amend Sections 41-4-2 and 41-4-3, Code of Alabama, 1975, relating to the duties of the Department of Finance, Section 41-4-261, relating to the duties of the office of space management and Section 41-9-141, relating to the duties of the Building Commission.

### **Senate Bill 178 - Department of Transportation Public/Private Partnerships**

Under existing law, the Department of Transportation has no authority to enter into road construction projects and financial agreements with public companies, partnerships, or ventures. This bill would authorize the Department of Transportation to enter into various types of construction agreements and financing agreements with other public and private entities for constructing a public improvement and repairing its buildings, offices, and other facilities. This bill would require the department to develop a process for evaluating and selecting public improvement projects under these provisions.

Only projects greater than \$100 Million would be eligible.

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



## **Health & Safety:**

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

### ***OSHA's Lockout/Tagout Standard – Energy Isolation Devices***

*[Reference 1910.147]*

The OSHA Lockout/Tagout standard requires authorized workers to apply their locks to an "Energy Isolation Device" prior to starting work so as to protect them from the equipment or machinery being unknowingly started. However, some people have a misunderstanding of exactly what is - or is not - an energy isolation device.

According to the definition section in the OSHA lockout/tagout standard, an energy isolation device is "a mechanical device that physically prevents the transmission or release of energy. . . ". The OSHA definition goes on to explain that energy isolation devices include, but are not limited to, the following:

- A manually operated electrical circuit breaker;
- A disconnect switch;
- A manually operated switch by which the conductors of a circuit can be disconnected from all ungrounded supply conductors, and, in addition, no pole can be operated independently;
- A line valve;
- A block; and,
- Any similar device used to block or isolate energy.

The definition also tells us that energy isolation devices are NOT the following:

- Push buttons,
- Selector switches; and,
- Other control circuit type devices are not energy isolating devices.

As an example, a regular push-button or toggle switch for a piece of equipment or machinery is NOT an energy isolation device. That is because it only isolates one, and not all, of the conductors providing power to the equipment or machine. Therefore, we would instead be required to isolate the power at a breaker panel or other acceptable energy isolation device to comply.

So if you are an "authorized" employee, take care to identify all energy isolation devices associated with the equipment or machinery you are working on. This information is generally available on our machine-specific written lockout/tagout procedure forms. And if you are an "affected" or "other" employee, NEVER try to activate an energy isolation that has a lock or tag on it, nor should you ever remove someone else's lock or tag, as that could result in a tragedy.



**Reminders:**



**AUCA Address Change**

When mailing registration forms, payments, or other correspondence, please make sure to send 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 make sure to provide us with this updated information.

**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.



Alabama Utility Contractors Association  
159 Highland Park Drive  
Birmingham, AL 35242  
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.

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Training Needs***

Contact the Association Office for more information

**Linked in**™



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