



ALABAMA UTILITY CONTRACTORS ASSOCIATION

TIM AYERS, EXECUTIVE DIRECTOR
MARCH 2016

Director's Comments:



I'm sometimes asked why a company should invest their time and money to be a member of AUCA. There are many answers to this question. However, two of the most obvious reasons are that we work to represent the interests of our members on a daily basis, and also offer great opportunities to train, network, and fellowship with your customers and industry peers.

Keep in mind that Construction is one of the most heavily scrutinized and regulated industries. The 2016 Alabama Legislative Session is just over halfway finished, and yet to date there have been 850 bills introduced. Any number of these bills could have an impact on the very industry in which our members make a living. AUCA is there every step of the way to make sure their voices are heard.

AUCA is also part of a group called the Clean Water Construction Coalition. The CWCC is comprised of 28 fellow construction associations from around the country whose purpose is to promote federal legislation that improves water and wastewater infrastructure on a national level. We must continue to take a proactive approach to addressing our infrastructure needs, and not wait until another Flint, Michigan type crisis occurs before demanding change.

On May 10-11th, the CWCC will be holding a Washington D.C. Fly-In and Reception. We encourage as many AUCA members as possible to attend this event. On April 21st, AUCA will hold our Spring State-wide General Meeting in Montgomery. Both events offer the opportunity for our members to come together to network and to help make a difference for our industry. We hope to see you there!

Tim

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Upcoming Events:



AUCA 2016 Spring General Meeting & Golf Tournament

Thursday, April 21, 2016

Arrowhead Country Club

50 Ocala Drive Montgomery, AL 36117

General Meeting & Buffet Lunch - 11:30 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 - Jo Bonner

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

Come network with your peers, and hear a presentation from Jo Bonner, former U.S. Congressman and Current Vice-Chancellor for Economic Development for The University of Alabama System

8th 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.



APRIL 21, 2016 - 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 14, 2016

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.) _____
- 2.) _____
- 3.) _____
- 4.) _____

- Handicap: _____
- Handicap: _____
- Handicap: _____
- 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 prizes or 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

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

Upcoming Events:

Tuesday, April 26th

8:30 a.m. - 10:30 a.m.

**Barfield, Murphy, Shank &
Smith**

State & Local Tax Seminar

TOPICS

Overview of Sales Tax

Sales Taxability

Sales Tax Compliance

Audits and Assessments



More information and registration details
to follow

May 10-11, 2016

**Washington, D.C. Fly-In &
Clean Water Construction Coalition Reception**

Please contact AUCA Office for additional details

October 13, 2016

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



**Lower Wetumpka Shotgun Sports Club
Montgomery, AL**

Mark your calendars today!



News & Notes:

Birmingham Area Meeting - March 2nd

Alabama's Infrastructure Report Card

Presented by Jake Roth from Hatch Mott MacDonald



Mobile Area Meeting - March 3rd

Alabama's Infrastructure Report Card

Presented by Kendall Kilpatrick from Hatch Mott MacDonald



News & Notes:

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

AUCA members gathered at the State House in Montgomery for our annual "Charge the Hill" Legislative Awareness Day. Several attendees made time to sit in on the Public Hearing that was held during the Senate Finance & Taxation General Fund Committee Meeting for SB287, the controversial Prison Construction Bill. While others spent the majority of their time visiting with key Legislators from their respective districts.

Thanks again to everyone that took the time to come to Montgomery to help support the continued Legislative efforts of AUCA.



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 no later than April 30th 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.

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**

Please contact the AUCA office if your company would like to purchase a Directory Advertisement



News & Notes:

Davis-Bacon Wage Survey - Deadline Extended to May 31, 2016

The deadline for submitting information for the Alabama Building and Heavy Construction "Davis-Bacon Wage Survey" has been extended from February 29, 2016 to May 31, 2016. After considering the information submitted to date in Alabama, the United States Department of Labor - Wage and Hour Division (WHD) has determined that providing additional time to submit data would promote the overall quality of wage rates. Consequently, WHD is extending the deadline for submission of data for an additional 90 days. WHD will not extend the deadline again, so it is imperative that Contractors take the time to complete the survey process.

Data must be postmarked by May 31, 2016 to be included in this survey.

Information regarding the Davis-Bacon survey program, as well as support for completing forms is available at the website:

<http://www.dol.gov/whd/programs/dbra/Survey/surveys.htm>

Data may also be submitted using the electronic WD-10 Form, which is available at the website:

<http://www.dol.gov/whd/programs/dbra/wd-10.htm>

Alabama One-Call Notification System Study Commission Update:

Efforts continue to require mandatory participation for a Single One-Call Notification System to serve the entire state of Alabama.

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 hold the next meeting on April 15th. If you have any input that would be helpful to the cause, please contact the AUCA office before then.



News & Notes:

2016 AUCA Membership Dues Renewal

If your company has not submitted your membership dues renewal, please make arrangements to submit your payment by April 30, 2016. If dues are not received by this date, your company will be considered delinquent, and will not be included in the upcoming AUCA Membership Directory.

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.

Career Opportunities:

AUCA member company Millennium Risk Managers is looking to immediately fill several openings at its Birmingham office including additional Workers' Compensation Claims Adjustors and Medical / Coding Billing staff.

Interested candidates should contact:

Terry Young - CRM CWcHP CRE
President

Millennium Risk Managers, LLC

P. O Box 43769

Birmingham, AL 35243

Email: tyoung@mrm-llc.com

AUCA Newest Member Company:

Warr Grading Contractor, Inc.

Smiths Station, AL

Company Representative: Spud Warr



Clean Water Construction Coalition Report

Bob Briant, Jr. - Chairman CWCC

SENATOR BEN CARDIN INTRODUCES BILL TO SIGNIFICANTLY INCREASE CLEAN WATER AND DRINKING WATER STATE REVOLVING LOAN PROGRAMS

Clean Water Construction Coalition representatives have been working closely with Senator Ben Cardin (D-MD), a senior member of the Senate Environment and Public Works Committee, to introduce legislation that will significantly increase the authorization levels for the Clean Water and Drinking Water State Revolving Loan Programs (SRFs). The Senate Environment and Public Works and the House Transportation and Infrastructure Committees are holding hearings to reauthorize the Water Resources Reform and Development Act (WRRDA) and Coalition representatives are working with Committee members and their staff to include the reauthorization of the Clean Water and Drinking Water Acts in the WRRDA reauthorization measure. It appears at this time that there is a bipartisan effort in both chambers of Congress to reauthorize WRRDA this year.

Senator Cardin’s five year measure, S2532, reauthorizes the Clean Water SRF at \$34.93B and \$21.17B for the Safe Drinking Water SRF through federal FY 2020. Below are the specific funding details:

	<u>Clean Water SRF</u>	<u>Drinking Water SRF</u>
FY 2016	\$5.18B	\$3.13B
FY 2017	\$5.96B	\$3.60B
FY 2018	\$6.85B	\$4.14B
FY 2019	\$7.88B	\$4.80B
FY 2020	\$9.06B	\$5.50B

As the Coalition reported to you last month, there is bipartisan support by the House Transportation and Infrastructure Committee members to include in the House WRRDA bill the reauthorization of the Clean Water and Drinking Water SRFs. The Democrat members of the House T & I Committee have drafted a \$13.8 billion, 5 year bill while the Republicans have indicated that they support moving a reauthorization



Clean Water Construction Coalition Report

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bill at the funding level of the average of the last five years of appropriations to the program. The Republicans are willing to support higher funding levels but only if budget offsets that equal the increased funding are identified. Currently, Democrat members and staff are working to identify budget offsets.

CONGRESS CONTINUES WORK TO REAUTHORIZE THE WATER RESOURCES REFORM AND DEVELOPMENT ACT OF 2014

Both the Senate and House continue to hold reauthorization hearings concerning the Water Resources Reform and Development Act (WRRDA) of 2014. The WRRDA expires at the end of the current federal Fiscal Year, September 30, 2016. The WRRDA program funds public works projects for navigation, dams, water supply, hydropower, flood control, shoreline protection, recreation and other related projects.

The Senate Environment and Public Works Committee held a hearing on February 10, 2016 to discuss the need to reauthorize the WRRDA measure and received testimony from public officials, business groups and unions supporting the reauthorization of the Act. On February 24, 2016 the House Transportation and Infrastructure Subcommittee on Water Resources and Environment held a hearing to review the various reports and work underway and completed by the Corps of Engineers as well as listen to recommendations for the WRRDA reauthorization bill.

As noted on various occasions, it is the Coalition's goal to include in the WRRDA reauthorization measure the reauthorization of the Clean Water and Drinking Water SRF programs at significant levels.



Alabama Legislative News:

The 2016 Alabama Legislative Session concluded its second month of business on March 23rd. The House and Senate will both recess for Spring Break the final week of the month, before returning to Montgomery on Tuesday, April 5th. Through the first nine weeks, the Session has met for 18 of the possible 30 Legislative Days, and introduced 476 bills in the House, and 374 in the Senate.

HB394 has been introduced by Representative Mac McCutcheon. HB394 proposes to raise the state gasoline tax for the first time since 1992 by 6 cents per gallon, with increases again in 2019, 2023, and 2027 to be in line with the average gasoline taxes and fees levied in the four states bordering Alabama. Should the bill pass, all funds from the tax would be earmarked for the maintenance, improvement, replacement, and construction of state, county, and municipal roads and bridges within the state, as defined in SB180, known as the "Alabama Transportation Safety Fund" that was introduced earlier in the Legislative Session by Senator Gerald Dial.

Both HB394 and SB180 are pending their 3rd reading in the House. It is anticipated that this will occur after Spring Break.

SB287, the controversial Prison Construction Bill was briefly debated on the Senate Floor before Senate President Pro Tem Del Marsh moved to carry the bill over. The bill initially had trouble getting out of Committee, but was able to after a sudden wave of support by many Committee members that hinged on recent riots and uprisings within the state's existing Prisons. Work still continues behind the scenes in an effort to amend the "Alternative Project Delivery Methods" language contained in the bill that would require Design-Build, rather than the Design-Bid-Build process traditionally used on Public Works projects.

The Senate voted to concur with the General Fund Budget that had been passed by the House. The Budget includes an additional \$15 million for Medicaid, but is far short of the \$100 million increase requested by Governor Bentley. The Governor announced he will veto the General Fund Budget since it does not include his full request for Medicaid, and will likely call for a Special Session if the Legislature overrides his veto.

That is assuming Governor Bentley remains in office. The heat will continue to be turned up on him immensely as tapes have now surfaced including explicit comments he made to his top political adviser, whom he is alleged to have been having an affair. However, the Governor has said he has not entertained the idea of stepping down, despite the growing calls of many that he should do so.

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

Health & Safety:

US Labor Department Announces Final Rule to Improve U.S. Workers' Protection from the Dangers of 'Respirable' Silica Dust

Updated rule amends silica exposure regulations for first time since 1971

The U.S. Department of Labor's Occupational Safety and Health Administration announced on March 24th a final rule to improve protections for workers exposed to respirable silica dust. The rule will curb lung cancer, silicosis, chronic obstructive pulmonary disease and kidney disease in America's workers by limiting their exposure to respirable crystalline silica.

"More than 80 years ago, Labor Secretary Frances Perkins identified silica dust as a deadly hazard and called on employers to fully protect workers," said U.S. Secretary of Labor Thomas E. Perez. "This rule will save lives. It will enable workers to earn a living without sacrificing their health. It builds upon decades of research and a lengthy stakeholder engagement process - including the consideration of thousands of public comments - to finally give workers the kind of protection they deserve and that Frances Perkins had hoped for them."

OSHA estimates that when the final rule on Occupational Exposure to Respirable Crystalline Silica becomes fully effective, it will save more than 600 lives annually and prevent more than 900 new cases of silicosis - an incurable and progressive disease - each year. The agency also estimates the final rule will provide net benefits of about \$7.7 billion per year.

"The previous exposure limits were outdated and did not adequately protect workers," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. "Limiting exposure to silica dust is essential. Every year, many exposed workers not only lose their ability to work, but also to breathe. Today, we are taking action to bring worker protections into the 21st century in ways that are feasible and economical for employers to implement."

About 2.3 million men and women face exposure to respirable crystalline silica in their workplaces, including two million construction workers who drill and cut silica-containing materials such as concrete and stone, and 300,000 workers in operations such as brick manufacturing, foundries and hydraulic fracturing. Most employers can limit harmful dust exposure by using equipment that is widely available - generally us-



Health & Safety:

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ing water to keep dust from getting into the air or a ventilation system to capture dust where it is created.

The final rule will improve worker protection by:

- Reducing the permissible exposure limit for crystalline silica to 50 micrograms per cubic meter of air, averaged over an eight-hour shift.
- Requiring employers to use engineering controls (such as water or ventilation) and work practices to limit worker exposure; provide respiratory protection when controls are not able to limit exposures to the permissible level; limit access to high exposure areas; train workers; and provide medical exams to highly exposed workers.
- Providing greater certainty and ease of compliance to construction employers - including many small employers - by including a table of specified controls they can follow to be in compliance, without having to monitor exposures.
- Staggering compliance dates to ensure employers have sufficient time to meet the requirements, e.g., extra time for the hydraulic fracturing (fracking) industry to install new engineering controls and for all general industry employers to offer medical surveillance to employees exposed between the PEL and 50 micrograms per cubic meter and the action level of 25 micrograms per cubic meter.

The final rule is written as two standards, one for construction and one for general industry and maritime. Employers covered by the construction standard have until June 23, 2017 to comply with most requirements. Employers covered by the general industry and maritime standard have until June 23, 2018 to comply with most requirements; additional time is provided to offer medical exams to some workers and for hydraulic fracturing employers to install dust controls to meet the new exposure limit.

More information is available at <https://www.osha.gov/silica/>





AUCA MEMBER SPOTLIGHT: **Dyas Human Resource Development, Inc.**

Dyas Human Resource Development is an expert team of Labor Compliance Managers, HR Consultants, researchers and investigators who provide contractors and subcontractors an integrated range of services to ensure compliance with various Federal and State Labor Regulations. Expertise and service areas include, but are not limited to, EEO/Affirmative Action regulations, Davis-Bacon compliance, Americans with Disabilities Act, VEVRAA, Rehabilitation Act of 1973, Service Contract Act, and other Wage & Hour Regulations. The mission of DHRD is to provide the highest standard of services and products related to government contract compliance and to avidly defend the proactive positions of contractors in their management of workforce infrastructure operations.



**5991 Birmingham Rd.
 Sylvan Springs, AL 35118
 Phone: 205-497-4491
 Fax: 205-497-4494**

DHRD was founded in 2004 by owners Charles "Chez" Dyas, III, and Amy Mullican. Jeanne Carmichael joined the company as an owner in 2005, and Brian Carmichael joined the team as an owner in February 2006. We continue to be fully supportive members of the AUCA since its rebirth in 2008.

Today, DHRD is proud to announce the newest member, Mr. John Thompson. John Thompson comes to DHRD as its newest Senior HR Consultant. Prior to joining DHRD, Mr. Thompson served as Executive Vice President and Director of Human Resources & Training for EBSCO Industries in Birmingham, AL. His role included oversight of all HR programs related to proactive recruitment, high-performance retention, safety, benefits planning and negotiation, affirmative action, strategic workforce planning, talent acquisition development, corporate and field level HR operations, and management of multi-million dollar operation budgets for 21 locations throughout the US. His work spans more than 30+ years, including a variety of national human resource, consulting, and executive management positions in various technology, construction, and manufacturing organizations. John has spent much of his career working in medium and large-scale corporate environments where he has designed top-performing strategies and solutions that support internal operations, compensation/benefits administration, recruitment, training, diversity, and HRIS initiatives.

John is certified as a Senior Professional in Human Resources (SPHR) and holds a Bachelor of Science degree in Industrial Management from the University of Alabama.

List of Services and Areas of Expertise:

- Wage & Hour Compliance
- Family Medical Leave Act (FMLA)
- Benefits & Wellness
- Employee Relations & Retention
- Safety and Workers Compensation
- Workforce Compensation Structures and Pay
- Performance and Incentive Compensation Structures
- Recruiting and Hiring Practices and Procedures
- Complaint Investigations and Procedure Development
- EEO & Anti-Harassment Training
- EEOC Position Responses
- Employee Performance Appraisals
- Succession Planning
- Fair Labor Standards Act Compliance (FLSA)
- General HR Operations and Processes

Alabama Utility Contractors Association
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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**

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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