

## ALABAMA UTILITY CONTRACTORS ASSOCIATION

**TIM AYERS, EXECUTIVE DIRECTOR**  
**MAY 2022**



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

May has been a very busy month. After a two-year break, AUCA resumed our Industry Lunch Meetings in Tuscaloosa, Birmingham, Mobile and Huntsville. Great crowds were present at all locations to discuss the construction price escalation and supply chain issues that are adversely impacting our industry. Enclosed on page 5 of this newsletter is a copy of a letter that we are continuing to circulate to Owners and Engineers to help raise their awareness to this urgent matter.

On May 17th, AUCA, along with several member companies were also on hand at the inaugural Chilton County Schools Job Recruitment Career Fair. It is estimated that approximately 80% of high school graduates in Chilton County do not go to college. With graduation taking place this month, there will soon be a large number of candidates available to hopefully fill some of the much needed positions in our industry.

Also this month, Alabamians went to the polls on May 24th for the election primaries. Governor Kay Ivey handily won the Republican primary without the need for a runoff. That is not the case for many other races, which will go to a runoff on June 21st. Amongst the most intriguing is the race to succeed retiring United States Senator Richard Shelby. Katie Britt and Mo Brooks will continue to battle over the next month in an effort to win the Republican nomination. Third place candidate Mike Durant has pledged his support to Brooks.

At the state level, there will be a new look when the Alabama Legislature convenes in 2023. A number of prominent lawmakers had already retired, but an additional six members of the legislature seeking re-election lost to primary challengers. One Senate race remains undecided with a difference of only four votes out of almost 17,000 total votes cast. Provisional ballots will be counted to determine the final outcome of this race.

Whether voting in a election, representing your company at a career fair, or speaking up on important issues for our industry, always remember that you can make a difference!

*Tim*

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*Upcoming Meetings & Events:*

**Alabama Damage Prevention Alliance**  
**Large Project Task Team Meeting**  
**Wednesday, June 1, 2022**  
**11:00 AM - 12:30 PM (CDT)**

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***AUCA Board of Directors Meeting***  
**Wednesday, June 8, 2022**

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ALABAMA  
damage prevention  
**Summit**  
A CGA REGIONAL PARTNER EVENT



September 13-15, 2022

Perdido Beach Resort, Orange Beach

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

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***AUCA 2022 Fall General Meeting***  
***& Sporting Clay Shoot***  
**Thursday, October 13, 2022**  
**Lower Wetumpka Shotgun Sports Club**  
**Montgomery, AL**

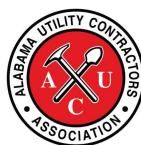


*News & Notes:*

**Tuscaloosa Area Industry Lunch Meeting - May 4th**



**Birmingham Area Industry Lunch Meeting - May 10th**

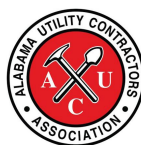


*News & Notes:*

**Mobile Area Industry Lunch Meeting - May 12**



**Huntsville Area Industry Lunch Meeting - May 19th**





April 18, 2022

**Re: Utility Contract Pricing Escalation Issues**

To whom it may concern:

Events such as the worldwide Covid-19 pandemic and more recent Russia-Ukraine conflict have created extraordinary and unusual cost volatility impacting the cost of many areas of raw materials and supplies used in utility construction projects. The impact is widespread. In addition to material cost increases, inflationary pressures exist in all aspects of the distribution chain. The result is that utility contractors are receiving steady communications from its suppliers about price increases. And suppliers are not allowing purchases for a set or fixed amount. Instead, they are requiring that contractors agree to pricing mechanisms that increase the sales price consistent with inflation in the suppliers' costs as measured by certain indexes. The result is that the actual supplier sales price contains a cost volatility adder that tracks increases. Just some of the supplier correspondences are attached for examples and your reference.

Similarly, utility contractors in Alabama should have a contractual mechanism to cover and pass along its supplier costs increases. We understand that awarding authorities in other areas have taken steps to achieve a mutually beneficial solution to this problem by adding provisions to its invitations to bid and construction contract that permit an equitable increase in the contract sum equivalent to actual price escalation. Fortunately, there are pricing benchmarks that allow the price adjustments to be calculated in an objective, measurable, and even-handed manner.

As such, we respectfully ask that you consider immediately adding a price increase mechanism, similar to what is required by suppliers, to account for these ubiquitous cost increases. It is frequently noted that the polestar and focus of publicly bid contracts is to act in the best interest of the public. Adding a pricing increase method certainly would go a long way to accomplish this goal and be in the best interest of all involved.

If you need any additional information from us or would like to discuss this further, please know that we are available. Thank you for your attention to this.

Sincerely,

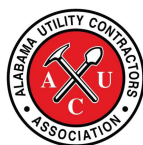
Alabama Utility Contractors Association

Tim Ayers  
Executive Director

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News & Notes:

**Chilton County Schools Job Recruitment Career Fair - May 17th**



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CITY OF CLANTON

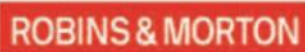


# CHILTON COUNTY JOB RECRUITMENT & TRAINING DAY

## MAY 17 2022

COLLEGE NOT AN OPTION?  
THIS EVENT IS FOR YOU!

### PARTICIPATING COMPANIES



JEFFERSON STATE COMMUNITY COLLEGE, CLANTON CAMPUS

1850 LAY DAM RD, CLANTON, AL 35045

DOORS OPEN AT: 8:00AM

## ONSITE HIRING

FOR MORE INFORMATION:  
205.755.6840  
DSTREET@CLANTONAL.GOV  
CLANTONAL.GOV



**News & Notes:**

**AUCA New Member Companies:**

**Apex Construction Services, LLC**

Fairhope, AL

Company Representative: Christina Gideon

[www.apexconstructionservices1.com](http://www.apexconstructionservices1.com)

**Badger Daylighting**

Birmingham, AL

Company Representative: Tommy Edwards

[www.badgerinc.com](http://www.badgerinc.com)

**2022 AUCA Membership Dues Renewal**

We are grateful to the many companies that have already paid their 2022 AUCA dues. For those that have not yet renewed, please make arrangements to submit your payment as soon as possible to ensure no interruption of membership benefits.

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:

### June is Trench Safety Month:

June 2022 has been declared "Trench Safety Month" by the National Utility Contractors Association. This declaration of safety further highlights the association's innovative educational and safety program, the "Trench Safety Stand Down" week, that will held June 20 - 24, 2022.

# PROTECT WORKERS IN TRENCHES

Prevent trench collapses and save lives:

**SLOPE** or bench trench walls,

**SHORE** trench walls with supports, or

**SHIELD** trench walls with trench boxes



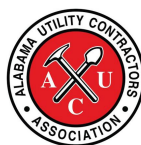
U.S. Department of Labor



Photo: Engineering Production - NAXSA

OSHA 3215-608X 2018

[WWW.OSHA.GOV/TRENCHING](http://WWW.OSHA.GOV/TRENCHING) • 800-321-OSHA (6742) • TTY 877-889-5627



TRENCHING SAFETY

# 5 Things You Should Know to Stay Safe



**1** Ensure there's a safe way to enter and exit.  
*See 1926.651(c)*



**2** Trenches must have cave-in protection.  
*See 1926.652(a)*

**3** Keep materials away from the edge of the trench.  
*See 1926.651(j)*



**4** Look for standing water or other hazards.  
*See 1926.651(h)*



**5** Never enter a trench unless it has been properly inspected.  
*See 1926.651(k)*



# Clean Water Construction Coalition Report

From Dan Kennedy - Chairman CWCC & Sante Esposito - Key Advocates

## 2022 CWCC PRIORITIES

**OVERALL GOAL** - To ensure that commitments for robust funding for programs of interest to the Coalition are met and expanded. More funding means more projects and more projects means more jobs.

### **PRIORITY #1: Fully Fund Commitments (IIJA + Base FY Appropriation) and Increase Funding**

- Fund Drinking Water, Wastewater, Stormwater, Water Reuse Programs to IIJA levels + Base FY Appropriation Levels for FY23;
  - Clean Water SRF Funding at minimum of \$4.38 B (\$2.75 B IIJA + \$1.63 B FY Base)
  - Drinking Water SRF Funding at minimum of \$3.82 B (\$2.72 B IIA + \$1.10 B FY Base)
- Inclusion of additional funding for the Safe Drinking Water SRF and the Alternative Water Source Program in the final version of what emerges from the Build Back Better framework;
- Inclusion of additional funding for other water programs of interest in the final version of what emerges from the Build Back Better framework; and
- Enactment of Title XVI WIIN grant funding and Federal share increase.

### **PRIORITY # 2: Accelerate the Work**

- Enactment of legislation, policies, regulations, and specifications that accelerate the project pipeline and bring more water projects to construction in a timely manner. Advocate that EPA require State SRF's to streamline review and approval processes for the replacement or improvement of existing water infrastructure assets.

### **PRIORITY #3: Price Escalation / Build America, Buy America Requirements**

- Recognize near-term challenges, such as inflation, disruptions to supply chains, and lack of domestic capacity or supply when implementing new domestic preference procurement requirements for construction materials and manufactured products. Protecting public health and the environment, while maintaining affordable user rates, requires the flexibility to source the most cost-effective materials and best available technologies.

### **PRIORITY #4: Offset Decreased Revenues**

- Water utilities nationwide are experiencing decreased revenues from customers for various reasons. This matter must be addressed in infrastructure legislation. If this issue is not resolved, planned capital programs will undoubtedly suffer.



## Health & Safety:



### OSHA NATIONAL EMPHASIS PROGRAM ON OUTDOOR AND INDOOR HEAT HAZARDS

**OSHA is launching a targeted program to protect workers across the nation from the increasing threat of heat-related illness.**

#### What is the National Emphasis Program (NEP) on heat?

- The NEP creates, for the first time, a nationwide enforcement mechanism for OSHA to proactively inspect workplaces for heat-related hazards in general industry, maritime, construction, or agriculture operation alleging hazardous exposures to heat (outdoors and/or indoors). This means that OSHA can now launch heat-related inspections on high-risk worksites before workers suffer preventable injuries, illnesses, or fatalities.
- The NEP encourages employers to protect workers from heat hazards by providing employee access to water, rest, shade, adequate training, and implementing acclimatization procedures for new or returning employees. It contains both enforcement and outreach/compliance assistance components.
- The NEP establishes heat priority days when the heat index is expected to be 80°F or higher. On heat priority days:
  - OSHA will initiate compliance assistance in the targeted high-risk industries.
  - OSHA will also continue to inspect any alleged heat-related fatality/catastrophe, complaint or referral regardless of whether the worksite falls within a targeted industry of this NEP.
- OSHA will conduct programmed (pre-planned) inspections in targeted high-risk industries on any day that the National Weather Service has announced a heat warning or advisory for the local area.
- OSHA also recognizes that many businesses want to do the right thing by developing heat illness prevention plans to keep their employees safe.
  - On heat priority days, OSHA field staff will engage in proactive outreach and technical/compliance assistance to help keep workers safe on the job.

#### Impacted Industries

- The NEP targets over 70 high-risk industries based on:
  - Bureau of Labor Statistics data on incidence rates of heat-related illnesses and number of employee days away from work rate;
  - Elevated numbers of fatalities or hospitalizations reported by employers to OSHA; and
  - Highest number of heat-related general duty clause 5(a)(1) violations and Hazard Alert Letters over a 5-year period (1/1/2017 thru 12/31/2021), or highest number of OSHA heat inspections since 2017.

#### Why is the NEP necessary?

- The danger of extreme heat increases each year due to continuing effects of climate change.
  - 18 of the last 19 summers were the hottest on record.
- Workers suffer over 3,500 injuries and illnesses related to heat each year.
- Low-wage workers and workers of color disproportionately make up the population of employees exposed to high levels of heat, intensifying socioeconomic and racial inequalities.

#### What are the timeframes?

- The NEP is effective on April 8, 2022, and will remain in effect for three years unless canceled or extended by a superseding directive.

[OSHA.GOV/HEAT](https://www.osha.gov/heat)

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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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