



ALABAMA UTILITY CONTRACTORS ASSOCIATION

**TIM AYERS, EXECUTIVE DIRECTOR
JUNE 2021**



Inside This Issue:

News & Notes	2-6
CWCC Report	7-8
Fleet Safety	9
Upcoming Events	10

Ceremonial Bill Signing for Act 2021-376 (HB483)

On June 17th, AUCA Director Tim Ayers (far left) was able to be on hand in Montgomery for Governor Ivey's ceremonial signing of HB483. This represents a significant victory for Utility Contractors in the longstanding licensing battle with the Alabama Onsite Wastewater Board.

News & Notes:

2021 AUCA Scholarship Program Award Winners:

The AUCA Board of Directors approved the nominations of six scholarship applicants at the June 9th Board Meeting. All recipients have tremendous resumes, and are extremely deserving of these scholarships. Each scholarship awarded is worth \$1,500 per student.

The 2021 AUCA scholarship recipients are:

Avery Bramblett

Avery is from Loxley, AL and will be a Freshman at the University of Alabama in Tuscaloosa. She is a May 2021 graduate of Bayshore Christian School and the daughter of Andru Bramblett from Praus Management Group.

Ella Kate Nichols

Ella Kate is from Andalusia, AL and will be a Freshman at Auburn University. She is a May 2021 graduate of Andalusia High School and the daughter of Todd Nichols from Brunson Nichols Construction Company.

Kendall Schafer

Kendall is from Northport, AL and will be a Freshman at the University of West Alabama in Livingston. She is a May 2021 graduate of Tuscaloosa County High School and the daughter of David Schafer from Warrior Tractor & Equipment Company.

Landon Senciboy

Landon is from Anniston, AL and will be a Freshman at Auburn University. He is a May 2021 graduate of White Plains High School and the stepson of Pete Mackey from Knapheide Truck Equipment.

Sam Clark

Sam is from Madison, AL and will be a Freshman at Auburn University. He is a May 2021 graduate of Providence Classical School and the grandson of Bill Carter from Bill Carter Consulting.

Susanna Wiggins

Susanna is from Gardendale, AL and will be a Freshman at Auburn University. She is a May 2021 graduate of Gardendale High School and the daughter of Stan Wiggins from Trench Plate Rental Co.



News & Notes:

AUCA 2022 Board of Directors Nominations:

AUCA will be soliciting the membership for suggestions of people to serve on the 2022 AUCA Board of Directors. If you have someone in mind that you think would be an asset on the AUCA Board, please email us by August 31st to recommend them to the AUCA Nominating Committee. If you are interested in serving yourself, please feel free to list your name as well.

Nomination Forms will be sent out electronically to all member companies. The Nominating Committee will review the nomination forms of those desiring to serve on the 2022 Board at the September 8th AUCA Board Meeting. The proposed slate of nominees will be announced to the membership and the candidates will be voted on by the members in attendance at the October 14th General Meeting in Montgomery.

Sanitary Sewer Sales and Use Tax Audit Issues:

AUCA has recently been made aware of concerns regarding the interpretation of the Sales and Use Tax Exemption for sanitary sewer products under the Air and Water Pollution Control Exemption. While undergoing a Sales Tax Audit, some companies are being told that sanitary sewer products may not be exempt from sales tax.

AUCA discussed this topic at the June 9th Board of Directors Meeting, and plans to schedule a meeting with the Alabama Department of Revenue to help resolve this issue. In the interim, if you or your company have any questions or concerns on this matter, please contact the AUCA office.

AUCA Newest Member Company:

Alcrete Industries, Inc.

Pell City, AL

Company Representative: Justin Norman

www.alcreteindustries.com



News & Notes:

Notice of ADEM Director Job Performance Evaluation:

On June 11, 2021, the Alabama Environmental Management Commission (AEMC) Chair directed the Personnel Committee to obtain written comments from the full Commission and the general public on ADEM Director LeFleur's job performance and further directed the Personnel Committee to return to the full Commission with a compilation of the written comments and any recommendations by the Committee relative to Director LeFleur's job performance. The Personnel Committee, on behalf of the AEMC, wishes to solicit input from the general public that will aid the Committee in this job performance evaluation.

The Chair of the Personnel Committee requests, on behalf of the Committee, that written comments from the general public regarding Director LeFleur's job performance be directed to: Alabama Environmental Management Commission, Attention: Personnel Committee, P.O. Box 301463, Montgomery, AL 36130-1463, or by email at aemc@adem.alabama.gov.

The evaluation period for which written comments regarding Director LeFleur's job performance are requested is from October 10, 2020, the day after the Commission reached its decision relative to the last evaluation, to July 30, 2021, the deadline for receipt of comments for this current evaluation.

Written comments should include "ADEM Director Job Performance Evaluation" as the subject of the comments and must be received by the Personnel Committee no later than 5:00 p.m. on July 30, 2021.

Alabama Speaker of the House Mac McCutcheon to Retire:

Alabama Speaker of the House, Representative Mac McCutcheon, has announced he won't seek another term in office. McCutcheon, who was first elected as Speaker in 2016 following the removal of former Speaker Mike Hubbard upon Hubbard's conviction for violations of the state's ethics laws, will continue leading the body through the end of his term in 2022. McCutcheon has been a longtime ally of AUCA, and a champion for infrastructure in our state, most notably passing the Rebuild Alabama Act in 2019.

State Representative Bill Poole (R-Tuscaloosa) has become the first official candidate to announce he will be seeking the Speaker position.



News & Notes:

Fines for Traffic Violations in Construction Zones:

Effective, Thursday, July 1, 2021, the fine for any moving traffic violation committed in a construction zone where workers are present will result in a \$250 fine or double the regular fine, whichever amount is greater.

The Alabama Legislature amended the construction zone law this year, as the number of injury and fatal crashes in work zones increased in 2020. Preliminary numbers for 2020, show there were 2,378 work zone crashes in Alabama, resulting in 19 fatalities and 616 injuries. These numbers include road workers and motorists.

With the change to the construction zone law, fines are increased for not only speeding, but for any traffic law broken while driving through the work zone when workers are present. Those violations include driving under the influence, hit and run, following the vehicle ahead too closely, changing lanes without signaling and driving around barricades, among other violations.

Go Build/Craft Training Board Grant Program Survey:

The Alabama Construction Recruitment Institute (ACRI) has been hard at work with the Go Build campaign to generate momentum for construction recruitment in Alabama. Also, they have partnered with the Alabama Construction Industry Craft Training Board (ACICTB) to help implement their Grant Program.

To gain a better understanding of the workforce issues contractors are facing, they have created a short survey. Please take a few minutes to complete this survey. This information will help ACRI better inform the public about construction career opportunities and better serve contractors interested in applying for training grants through the ACICTB Grant Program.

[Click Here to Complete Survey](#)

We appreciate your partnership and participation in advance as we continue our efforts to building a stronger construction workforce in Alabama.

Please feel free to reach out to ACRI or AUCA with any questions.



News & Notes:

Alabama Damage Prevention Alliance (ADPA) - Large Project Committee:

The ADPA Large Project Committee held a meeting on June 17th. The next meeting will be scheduled in July with date to be determined. In order to have fair representation from all industry stakeholders, AUCA Contractors are strongly encouraged to participate. Please contact the AUCA office if your company would be interested in taking part in the next meeting.

Cyber Risks, Ransomware Trends & Responses Webinar:

On June 23rd, AUCA hosted a very informative Zoom Webinar on Cyber Risks, Ransomware Trends & Responses that was presented by Travelers Insurance. As evidenced by the recent attacks on Colonial Pipeline and other high profile companies, no business, regardless of size, is immune from these types of incidents.

The FBI has also observed cyber actors impersonating construction companies to conduct Business Email Compromises (BECs) to defraud entities across multiple critical infrastructure sectors with whom the construction companies have ongoing, completed, or awarded large scale projects. With more people conducting commerce online, we are unfortunately more vulnerable than ever.

Travelers has graciously made their presentation available for anyone that was not able to watch the webinar, but would still like the information. If so, please contact the AUCA office and we will send it to you.



Clean Water Construction Coalition Report

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

PRESIDENT BIDEN STRIKES A STIMULUS DEAL; CONGRESS ADVANCES INFRASTRUCTURE BILLS

Based on reports from Sante Esposito, it's looking increasingly likely that much-anticipated federal infrastructure funding could be on the horizon, whether through a stimulus package, base bills, or both. See below for details on several items we have been tracking that have the real potential to significantly boost water infrastructure construction spending and more.

BIPARTISAN DEAL ON INFRASTRUCTURE STIMULUS PACKAGE

Yesterday, President Biden announced a deal on a bipartisan infrastructure package, endorsing a proposal by a group of 21 senators. One of the main negotiators, Senator Susan Collins (R-Maine), stated that the agreement covers the size, the scope and how to pay for the plan.

The group, comprised of 11 Republicans and 10 Democrats, has not publicly released full details about the agreement, but it has been reported to total roughly \$1 trillion. It has been reported that the package includes more than \$550 billion in new spending for transportation infrastructure that will not include any vehicle-miles-traveled fees, will not index the gas tax, and will not touch the corporate tax rate.

The measure is expected to be taken up when Congress reconvenes in early July, and is likely to face opposition from both parties. Senate Majority Leader Chuck Schumer and House Speaker Nancy Pelosi met with White House officials on Wednesday night and have signaled some support for the bipartisan framework. However, they have also stated they will only advance the bill alongside a second agreement addressing additional progressive priorities such as childcare and other "human infrastructure" policies. Senate Minority Leader, Mitch McConnell is reported to be undecided, but "remains open minded" about the deal.

We look forward to seeing the details of this landmark package, and will keep you updated as it progresses.

CONGRESS CONTINUES TO ADVANCE BASE FUNDING BILLS

In addition to the stimulus package, both houses of Congress have been working to advance infrastructure base funding bills, with the House expected to hold a floor vote next week on the INVEST In America Act, which is inclusive of both transportation and water infrastructure.

Clean Water Construction Coalition Report

(Continued from page 7)

For water infrastructure, the House Energy and Commerce Committee bill includes \$53 billion for the Drinking Water State Revolving Fund and \$45 billion to replace lead service lines, as well as \$40 billion for the Clean Water State Revolving Fund.

In the upper chamber, as previously reported, the Senate Environment and Public Works Committee in May advanced a surface transportation reauthorization bill that would increase funding by about 34% over FAST Act to a baseline of \$303.5 billion over five years.

Just a few weeks prior, the full Senate also passed S.941, "Drinking Water and Wastewater Infrastructure Act of 2021" which reauthorizes the Clean Water and Drinking Water State Revolving Funds at \$3.25 billion annually over five years for a total of \$14.65 billion.

While very different in size and scope, both the Senate and House proposals represent an increase in funding for water (and transportation) infrastructure. Much remains to be seen in how the two chambers will reconcile their numbers, but one thing is certain: there will be a great deal of negotiation before either the stimulus bill or the base bills are passed in full.



Fleet Safety:

Provided by J. Smith Lanier & Co., a Marsh & McLennan Agency LLC company

Drive Safely In Work Zones

Large Trucks Account for a Third of Fatal Crashes in Work Zones

The Federal Motor Carrier Safety Administration (FMCSA) is specifically focusing on the number of large trucks that are involved in fatal crashes within work zones and recently published a report identifying some concerning statistics.

According to the Federal Highway Administration (FHWA), 842 people died in highway work zone crashes in 2020— which is up from 757 the year prior. In addition, 33% of fatal crashes involved a commercial motor vehicle (CMV). Further, there was a 16% increase in the number of fatal crashes involving large trucks since 2019.

Florida, Georgia and Texas are the States that experience the highest rates of work zone crashes involving large trucks throughout the nation.

The FMCSA reported the factors contributing to fatal work zone crashes were:

- Rear-end collisions—These incidents increased by 29% from 2019 to 2020.
- Speeding incidents—Such incidents increased by 40% from 2019 to 2020.
- Worker fatalities at construction sites—increased by 9% from 2019 to 2020.

Ways to Stay Safe in Work Zones

There are a few ways that drivers can safely maneuver in work zones to prevent accidents. These include:

- Staying alert—Drivers should not allow themselves to become distracted behind the wheel.
- Obeying traffic signs—Drivers should pay attention to flaggers if they are present, and obey any lane change or lane direction signage.
- Allowing for extra space between vehicles—Drivers should practice defensive driving habits—such as maintaining an adequate following distance behind other vehicles—and make sure they account for the risk of unsafe drivers on the road, as well as those who are not paying attention in work zones.
- Slowing down—Drivers should always obey any speed limit changes in work zones.
- Planning ahead—Drivers should preplan their trips before leaving to know where possible detours are and how to best route around them, if possible.

The FMCSA is also providing educational resources and shareable materials to help CMV drivers and the public minimize crashes in work zones.



Upcoming Meetings & Events:

AUCA "In-Person" Industry Lunch Meetings
Dates and Locations To Be Announced Soon



September 28 - 30, 2021

Perdido Beach Resort - Orange Beach, AL

www.alabama.damagepreventionsummit.com



AUCA 2021 Fall General Meeting
& Sporting Clay Shoot

Thursday, October 14, 2021

Lower Wetumpka Shotgun Sports Club - Montgomery, AL



AUCA 2022 Spring General Meeting,
Golf Tournament and Shrimp & Crawfish Boil

Thursday, April 21, 2022

Arrowhead Country Club - Montgomery, AL



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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.***

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www.aluca.org**

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Training Needs***

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