



## ALABAMA UTILITY CONTRACTORS ASSOCIATION

TIM AYERS, EXECUTIVE DIRECTOR  
SEPTEMBER 2015

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



It only took three attempts, but the Alabama Legislature was able to pass a General Fund Budget that the Governor didn't veto. However, the state's problems will not be permanently solved by what was passed this month, and the fight in Montgomery will continue.

As for our industry, we came away through the 2nd Special Session relatively unscathed. Several Bills were introduced that could have had an impact from a positive, as well as a negative perspective on our members. Moving forward, one of the biggest challenges remains how to find the necessary funds for adequate infrastructure funding when the state claims that it doesn't have any money.

Senator Del Marsh is scheduled to be the guest speaker at our October 15th Fall General Meeting in Montgomery. This will provide an opportunity for our members to come out and hear first-hand from one of our highest ranking officials about where we are, and where we are headed as a state.

Lastly, we have entered a new era for AUCA - the Facebook era. While we may be one of the last adopters of this form of social media, it will enable us to offer an additional layer of communication to our members. Check out our page, [www.facebook.com/AlabamaUCA](http://www.facebook.com/AlabamaUCA), and don't forget to...

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*Tim*

Upcoming Events:



**October 15, 2015**  
***AUCA Fall Statewide General Meeting***  
***& Sporting Clay Shoot***  
**Lower Wetumpka Shotgun Sports Club**  
**Montgomery, AL**

**Scheduled Speaker: Del Marsh**  
**Alabama Senate President Pro Tem**



Current Gold Sponsors:



## Upcoming Events:

### **4th Quarter 2015 Local Meetings**

***November 10th - Tuscaloosa***

***November 12th - Mobile***

***November 17th - Birmingham***

***November 19th - Huntsville***

The U.S. Department of Labor has begun distributing voluntary Davis-Bacon Prevailing Wage Rate Surveys in Alabama. The survey period will be conducted from August, 2015 through February, 2016, and includes all counties in Alabama, and covers Highway, and Building and Heavy Construction projects that were active during the time frame of January 1, 2014 - December 31, 2014.

***Topic for all 4th Quarter AUCA Meetings will  
Cover the Ongoing Davis-Bacon Wage Rate  
Survey Process***

***Mark Your Calendars Today!***



*News & Notes:*

***ALABAMA UTILITY CONTRACTORS ASSOCIATION  
PROPOSED 2016 LEADERSHIP TEAM***

To Be Voted On At General Meeting Scheduled For October 15, 2015

***OFFICERS***

**PRESIDENT:** SHAUN GONZALES, *WESCO*

**1<sup>ST</sup> VICE PRESIDENT:** ERIC HUDGENS, *SLOAN UTILITY CONTRACTING*

**2<sup>ND</sup> VICE PRESIDENT:** AARON SCHMIDT, *SCHMIDT ENVIRONMENTAL  
CONSTRUCTION INC.*

**SECRETARY/TREASURER:** GAVIN JONES, *BAMA UTILITY CONTRACTORS*

***BOARD MEMBERS***

RONNIE GOLDEN, *GOLDEN CONSTRUCTION COMPANY (IMMEDIATE PAST  
PRESIDENT)*

RANDY BISHOP, *CONSTRUCTION LABOR SERVICES, INC.*

DOUG BLANKENSHIP, *BLANKENSHIP CONTRACTING, INC.*

BILL MCGOUGH, *W.R. MITCHELL*

MARK MAYFIELD, *MILLER PIPELINE LLC*

RICHARD MURPHREE, *DRM UTILITIES LLC*

ANDRU BRAMBLETT, *SOUTHERN LIGHT*

LANNY FIEVET, *ADVANCE TANK & CONSTRUCTION*

LARRY LOGSDON, *WALLACE, JORDAN, RATLIFF, & BRANDT, LLC*

BILL CARTER, *AMERICAN DUCTILE IRON PIPE*

STEVE WALKER, *JOHNSON & ASSOCIATES, INC.*

LAIN CHENEY, *FERGUSON WATERWORKS*

TERRY YOUNG, *MRM*



## News & Notes:

### **Competent Person Confined Space Safety Training Classes**

The new OSHA Standard for Confined Spaces in Construction went into effect on August 3, 2015. Requests for an extension of the effective date indicated a need for additional time for training and the acquisition of equipment necessary to comply with the new standard. OSHA did not delay the effective date, but instead postponed full enforcement of the new standard for 60 days from the effective date of August 3, 2015 to October 2, 2015. During this 60-day period, OSHA will not issue citations to an employer *making good faith efforts to comply* with the new standard, as long as the employer is in compliance with either the training requirements of the new standard, found at 29 CFR 1926.1207, or the training requirements found at former 29 CFR 1926.21(b)(6)(i), which is provided:

All employees required to enter into confined or enclosed spaces shall be instructed as to the nature of the hazards involved, the necessary precautions to be taken, and in the use of protective and emergency equipment required. The employer shall comply with any specific regulations that apply to work in dangerous or potentially dangerous areas.

Employers who fail to train their employees consistent with either 29 CFR 1926.1207 or 1926.21(b)(6)(i) would properly be cited for violation of 1926.1207(a). Factors OSHA will consider when evaluating whether an employer is engaged in good faith efforts to comply with the new standard include:

- If the employer has not trained its employees as required under the new standard, whether the employer has scheduled such training,
- If the employer does not have the equipment required for compliance with the new standard, including personal protective equipment, whether the employer has ordered or otherwise arranged to obtain such equipment required for compliance and is taking alternative measures to protect employees from confined space hazards, and
- Whether the employer has engaged in any additional efforts to educate workers about confined space hazards and protect workers from those hazards.

[Protecting Construction Workers in Confined Spaces: Small Entity Compliance Guide](#) (PDF\*). OSHA Publication 3825-09, (September 2015).



## News & Notes:

### **Competent Person Confined Space Safety Training Classes**

AUCA recently hosted two Competent Person Classes based upon the new Confined Space Standard. 53 students from 16 different companies were represented at the classes. We applaud each of these companies for taking a proactive approach to ensure that their workers are properly trained.

#### **Birmingham Class - September 14, 2015**



#### **Tuscaloosa Class - September 18, 2015**



## News & Notes:

### **AUCA PAC Fundraising Raffle**

Tickets have been distributed to AUCA member companies for the annual AUCA raffle. This year we are raffling two great prizes:

- YETI Tundra 35 Cooler (generously donated by Terry Young with Millennium Risk Managers)
- ATI Cavalry 20 Gauge Over/Under Shotgun

Tickets are \$10 each, and will allow two (2) chances to win. The drawing will be held at our October 15th General Meeting / Sporting Clay Shoot in Montgomery. You do not have to be present at the event to win.

All money raised from the raffle will go towards the AUCA PAC Fund to help support our Legislative efforts in Montgomery and Washington.



### **City of Birmingham Business License Fees:**

As it currently stands, the City of Birmingham's new Ordinance that drastically increases the Business License fee schedule for Contractors will take effect in January 2016. The new fee schedule changes from a Flat Fee to a Gross Receipts based model with no cap. If left unchanged, this will increase the cost of doing business in the City of Birmingham for all Construction companies, and even more so for those that are based within the city limits of Birmingham.

AUCA continues to work with our fellow trade association in an effort to modify, or rescind the Ordinance. While this currently remains only a local Birmingham issue, we are concerned that other such Ordinances could be proposed in other major cities throughout the state. As a result, we are exploring the prospect of potential legislation that would prevent such future Ordinances from being introduced.

## Legislative News:

### **Alabama Update:**

#### ***General Fund Budget Signed***

After unsuccessfully attempting to pass a General Fund Budget during the regular Legislative Session, and the 1st Special Session, the Governor called for a 2nd Special Session that began on September 8th.

With tensions already high as the Fiscal Year comes to a close on September 30th, things turned even more volatile when details emerged only days before the start of the 2nd Special Session of the Governor's impending divorce.

The Governor's initial call for \$700 million in new revenue was cut by nearly two-thirds by the time the 2nd Special Session rolled around. However, the Legislature was able to pass a Budget that was signed by Governor Bentley on September 17th that is comprised of a combination of cuts, and only \$86Million of new taxes.

### **Federal Update:**

#### ***Special T&I Panel Releases Report on Public-Private Partnerships***

In mid September the Transportation and Infrastructure Committee's Panel on Public-Private Partnerships (P3s) released its final report and recommendations on how to balance the needs of the public and private sector when using P3s to finance infrastructure projects. The Panel was formed in January to examine the current use of P3s across all modes of transportation, public buildings, water, and maritime infrastructure, with the goal of ensuring that federal policies unlock the potential of P3s to strengthen our nation's infrastructure while protecting the public interest. "Billions of dollars of infrastructure needs in the U.S. are in search of funding, and well-executed public-private partnerships can enhance the delivery and management of infrastructure," Panel Chairman Rep. John J. Duncan, Jr. (R-TN), said. "P3s cannot provide the sole solution to all of the Nation's infrastructure needs, but they can offer significant benefits, particularly for high-cost, technically complex projects that otherwise may risk dying on the vine."



## Legislative News:

The Report devotes a full section to water and wastewater treatment systems, noting that because our country's water infrastructure is "aging, deteriorating, and in need of repair, replacement, and upgrading," the needs of municipalities to address this infrastructure are "substantial, potentially exceeding \$400 billion over the next 20 years, roughly twice the current level of investment by all levels of government." The Report states that P3s can accelerate water infrastructure project delivery compared to publicly financed projects and have the potential to augment traditional water system financing methods such as tax exempt municipal bonds and State Revolving Funds.

The Report notes that private sector capital is a potential source of financing for water and wastewater infrastructure and points out that while historically rare, there are examples of municipally owned utilities entering into agreements with private companies to manage their water systems.

Two recent examples cited in the Report are Rialto, California, which in 2012 signed a 30-year agreement with a private water services contractor to oversee a \$41 million investment in capital improvements to Rialto's water system while the city retains asset ownership, and Bayonne, New Jersey, whose municipal utility signed, also in 2012, a 40-year agreement with an investment firm in which the utility retains ownership of assets and responsibility for setting rates, while the private entity operates the system, invests \$107 million, and retires \$130 million of debt.

The Panel called for the U.S. Army Corps of Engineers and the Environmental Protection Agency to work with the Departments of Transportation and Treasury as they implement the Water Infrastructure Finance and Innovation Act program authorized in the Water Resources Reform and Development Act of 2014, and encouraged the DOT and other agencies to share lessons learned regarding innovative financing programs with the Corps of Engineers and EPA as they implement this new credit program. The Transportation and Infrastructure Committee will use the Panel's recommendations as a resource when considering future legislation.





## AUCA MEMBER SPOTLIGHT:

### Speegle Contracting Co. Inc.



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Cullman, AL 35055  
Phone: (256) 739-9261  
Fax: (256) 739-9225  
[www.speeglecontracting.com](http://www.speeglecontracting.com)

With not much more than a dream Felton Speegle formed Speegle Contracting in 1974 and the company became incorporated in 1975.

Speegle Contracting has since become one of the most prestigious natural gas line installers in the Southeastern United States with experience spanning a region covering three states specializing in Poly Pipe Fusion and Horizontal Directional Drilling.



Originally Speegle Contracting worked in all types of utility construction, as well as grading and paving. In 1990, the company made a move towards the natural gas area with particular concentration on cast iron replacement projects.

As time passed, and the Speegle name began to circulate, the company moved even more heavily into the natural gas field. Speegle Contracting has established lasting relationships with natural gas companies in and around their home state of Alabama by simply doing a great job at a reasonable price.

Although the company has grown and changed, some things will never change. The company is still family owned and adheres to the basic principals set forth by company founder, Felton Speegle:

1. Set your standards high and never compromise for less
2. Quality over quantity
3. Do the right thing because it is the right thing to do
4. Quality work attracts quality customers
5. Take care of your customers 1st and they will take care of you



## Health & Safety:

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

### ***Back Protection***

#### **General Information**

Back injury is one of the leading causes of lost-time or restricted duty in the workplace and can lead to years of discomfort and disability. A back injury can be cumulative, as a result of repetitive motion over time, or acute due to a sprain or muscle pull, for example.

There are many factors that contribute to cumulative back injury. They include:

- The amount of repetitive motion
- The maximum lifting load
- The duration the load is to be carried
- The body height, weight, strength and gender
- The position of the body to the load when lifting or carrying

#### **Things to Help Avoid Back Injury**

Every industry and work environment presents its own unique back safety hazards. Some jobs require a lot of lifting, while other jobs require a lot of sitting. To help ensure back safety, follow these guidelines:

1. Wear back braces if required to lift and carry heavy loads or if the back needs to be supported for long periods.
2. Avoid twisting and turning; use legs to position and move the torso. Move the work area closer to avoid unnecessary twisting and reaching.
3. Avoid leaning or bending over for extended periods. This causes fatigue and weakness in the lower back over time.
4. Stretch and exercise the back before starting work each day.
5. Inspect the work area for slip, trip and fall hazards.
6. Inspect steps and stairs before climbing; use handrails whenever available.
7. Lift with the legs. Position the body so the load is centered and supported by the body before lifting and carrying.
8. Seek alternative work methods or rotating schedules if repetitive motion and sustained lifting are causing back discomfort or pain.
9. Avoid sudden jerks and pulls on a load that could cause a muscle sprain or herniated disc.

#### **Thought Provoking Questions**

- What activities exist in your workplace that could cause back injury?
- What can be done in your work area to minimize causes for back injury?



## A Solution For Employers

### Contractors Retirement Plan Features:

#### Employer

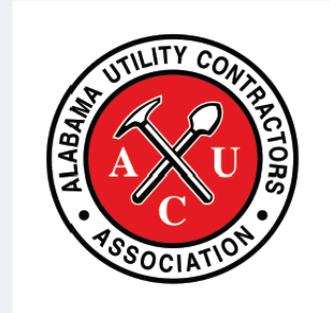
- No cost to employer, no TPA or audit fees
- Fiduciary relief from most 401k liabilities
- Powerful recruiting and retention tool
- Association leadership oversees the plan operation

#### Employee

- Reduced "group" costs on investments
- High focus on *Retirement Readiness*
- Easy enrolling, daily investment changes
- Call center is both live and 24/7 voice response
- Brand name, diverse investment options

#### Plan administrator

- We track eligibility and mail enrollment kits to home address
- Participants call vendor for all issues
- New compliance process eliminates costly errors
- Arduous paper notices mailed by vendor
- Loans, hardship, etc., all handled by vendor!



For more information please contact  
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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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