



Newsletter

Contractors Association of West Virginia
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Newsletter 2017-08

February 24, 2017

BUDGET WOES CONSUMING LEGISLATIVE ACTIVITIES

Downgrading of West Virginia's bond rating, a bill to furlough state workers, a battle of words between the Governor and legislators over the budget, highway funding and bond proposal, the Governor's SOS (Save Our State) plan for infrastructure and economic development projects, and contract language changes in state building projects are just part of the issues that took center stage this week at the West Virginia Legislature. The CAWV was able to present its case for the need for highway funding on Wednesday with Hoppy Kercheval on WV MetroNews "Talkline." West Virginia's for Better Transportation ran a full page ad in the Charleston *Gazette-Mail* on the February 16 release of the TRIP report that shows bad roads are costing the average West Virginian more than \$1,000 a year in additional operating fees.

A bill on the governor's proposal to issue billions in bonds for highway if voters approve a constitutional amendment was introduced this week. For this, and all the issues affecting CAWV members, will be detailed in the Monday, February 27 CAWV Legislative Bulletin. Anyone not receiving the bulletin can contact Cassidy Webb at cwebb@cawv.org to be placed on the mailing list.

CITY BUILDING PERMITS FEES NOT REQUIRED ON PUBLIC CONSTRUCTION PROJECTS

After 1992, no building permit fee may be required of the State, a county or other governmental entity for a contractor working on a project for use by another governmental entity. The CAWV passed a bill in 1992 when cities were requiring contractors working on WVDOH, boards of education, public service districts and other public projects to pay for a building permit. The association noted that this was an additional cost to the projects when, in most cases, the agencies had their own inspection people and cities did not perform any duties. The bill does allow cities to issue a building permit but they just can't require the contractor or public entity to pay for it.

This issue arises from time to time so the CAWV periodically reminds members that they do not have to pay city building permit fees when working on a public works projects. Anyone needing a copy of the current statute can contact Mike Clowser at mclowser@cawv.org.

SENATOR CAPITO'S STAFF TELL CAWV THERE'S SUPPORT FOR PRESIDENT'S INFRASTRUCTURE PLAN

Adam Tomlison, legislative director, and Travis Cone, legislative assistant, for U.S. Senator Shelley Moore Capito met this week at the CAWV headquarters with CAWV staff and board members to discuss issues before Congress affecting CAWV members. A major topic was President Donald Trump's proposal to jump start the nation's economy through investment in infrastructure.

Senator Capito, a member of the Environment and Public Works Committee and the Appropriations Committee, indicates there could be an infrastructure bill by April that could have bipartisan support in Congress. Mr. Tomlinson indicated that many members of the EPW Committee want new funding for highway and infrastructure projects rather than the Trump Administration's proposal to rely upon public-private partnerships (P3) as a funding mechanism. He noted most senators are from rural states that would not benefit through the P3 method of financing.

Mr. Tomlinson and Mr. Cone both noted there is support in Congress for Sen. Capito's and Sen. Joe Manchin's bill to fund miners' pension program using mine reclamation fees. They both were aware of the CAWV's concern of using Abandoned Mine Land (AML) funds for anything other than reclamation projects. They stated the pension plan does not affect in any way AML funding which would affect future AML projects. The CAWV stated it appreciates the Senator's understanding of the state's AML program.

The CAWV will meet with Senator Capito and all of West Virginia's congressional delegation during the 29th annual CAWV Congressional Fly-In to be held May 18 in Washington, D.C.

LEGISLATION ADVANCES TO ROLLBACK OSHA RULE EXTENDING STATUTE OF LIMITATIONS FOR RECORDKEEPING VIOLATIONS

This week, legislation was introduced in the U.S. House of Representatives to block an OSHA rule that would allow OSHA to issue citations for recordkeeping violations beyond the current six month limit, up to five and a half years. This expansion of the statute of limitations from six months to five and a half years exposes employers to unfair liability for honest and inadvertent paperwork mistakes related to recordkeeping. Please contact your federal elected officials and urge them to support repeal of this burdensome rule. The December 2016 rule was issued in response to a federal court ruling that OSHA could no longer issue citations beyond the six month statute of limitation window. The rule is often referred to as the "Volks" rule after the construction company that successfully challenged the rule in court in 2012. Prior to the bill's introduction, a broad representation of 73 employer organizations joined AGC in a letter urging Congress to swiftly disapprove of the Volks Rule. Members can view the letter by [clicking here](#).

CAWV STATE MEETING INCLUDES GOVERNOR JIM JUSTICE, LEGISLATIVE LEADERS

Registration is now open for the CAWV State Meeting, being held March 22 at 7:30 a.m. at the Charleston Civic Center in conjunction with EXPO. The cost to attend is \$35. Members can register by visiting http://wvexpo.com/page_Registration.php and selecting to attend event #3 on the line-up. Members can also contact Wendy Long at long@cawv.org or (304) 342-1166 to register.

The CAWV State Meeting will recognize members for excellence in their safety programs, quality concrete awards will be presented, and the CAWV Scholarship Foundation recipient will accept his or her CAWV scholarship check. Nearly 200 CAWV members and guests, along with state and federal contracting officials, attended the meeting last year, which is held during EXPO. The breakfast will be held in the newly constructed entrance area of the Charleston Civic Center, currently undergoing a \$93 million addition and renovation project.

Immediately following the presentations, Governor Jim Justice, House Speaker Tim Armstead and Senate President Mitch Carmichael will share their thoughts on economic development and infrastructure investment in the state of West Virginia, as well as any design or construction initiatives that the West Virginia Legislature has under consideration.

Members must register to attend EXPO and they can do so by visiting www.wvexpo.com. Anyone needing further information about EXPO can call Cassidy at (304) 342-1166. A registration form for the State Meeting will be provided in next week's Newsletter.

YOUNG CONTRACTORS PLAY MERMAIDS FOR A DAY

Members of the CAWV Young Contractors Forum along with additional CAWV members, became "Maggie's Mermaids" for a day. They worked through the rain on Wednesday at the Ronald McDonald House Maggie's Playground build in Huntington. The project involved the construction of a playground that is mermaid themed with a large center structure that resembles a ship and several auxiliary structures.

The CAWV had a large group of volunteers and the work progressed fast enough to get the build ahead of schedule. With the opening scheduled for this Sunday, it was just what the project needed to make sure the opening day is a success. The CAWV would like to thank all the volunteers that came out and worked and also Dave Lanham and LOC Investment Advisors for feeding nearly 50 volunteers lunch.

The *Huntington Herald Dispatch* wrote a great article on January 14 on Maggie, the little girl that raised the money for the playground. [Click here](#) to view the article online.

Josh Booth, Highway Safety, Inc. and YCF chairman, said, "When I read the story in the paper and saw how hard Maggie had worked to raise the money for the purchase of the equipment, I knew the YCF had to get involved to help with the construction. It is a worthwhile project that will have an impact on the kids for a long time".

Members can see a full article on the project in the March/April issue of *West Virginia Construction News* magazine.

EXPO TO HOST CHARITABLE WING EATING CHALLENGE – TUESDAY, MARCH 21, 2017

This year EXPO will host a Wing Eating Challenge to benefit the Children's Home Society of West Virginia (CHSWV). Join us, March 21, 2017 at 7 p.m. at the Adelpia Sports Bar & Grill in downtown Charleston. Compete in the event or come and eat and a portion of all food sales will be donated to CHSWV. The CHSWV is the largest child welfare nonprofit in West Virginia. The society cared for 14,605 children and families last year, providing care from 13 locations to all 55 counties. Competitors will face off against others in the industry in individual rounds (5 minutes each). Register your company's fiercest competitor then secure your corporate sponsors. For more information and to obtain registration forms, visit www.wingchallengewv.com or contact Ashley Sodosky at (304) 729-9125 or email ashley.sodosky@terraddon.com.

DON'T MISS OUT ON EXPO SOCIAL EVENTS

EXPO will host a number of social events this year. Members are encouraged to attend and network with the industry's finest. Contact Cassidy Webb at cwebb@wvexpo.com for more information or visit www.wvexpo.com.

Tuesday, March 21, 2017

7:00 p.m. – 9:00 p.m.

EXPO Wing Eating Challenge

Adelpia Sports Bar & Grill – Capitol Street, Charleston, WV

Wednesday, March 22, 2017

5:30 p.m. – 8:00 p.m.

EXPO After Hours Reception

Charleston Civic Center – Charleston, WV

Thursday, March 23, 2017

8:00 a.m. – 10:00 a.m.

BOB – Business Over Breakfast

Charleston Civic Center – Charleston, WV