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The ongoing construction downturn is not only devastating to people in the construction industry, it is serving as a drag on U.S. economic growth. This is because construction spending accounts for more than eight percent of the U.S. gross domestic product. The Associated General Contractors (AGC) of America has created a new plan to help the industry recover. Filled with new incentives, tax cuts, policy revisions and suggested infrastructure investments, “Building a Stronger Future: A New Blueprint for Economic Growth” is AGC’s tool to lead its members through the recovery. See page 6 for full details.

The Contractors Association of West Virginia is a nonprofit trade organization representing the building, highway, heavy and utility contracting industries in West Virginia. Its services include establishment of a close working liaison with state and federal agencies; worthwhile educational and informational programs; the regular dissemination of pertinent information to its members; strong legislative and media relations; as well as all other activities deemed necessary and proper to promote the general welfare of the construction industry. The CAWV is a certified chapter of the Associated General Contractors of America and the American Road and Transportation Builders Association.

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CONTENTS

Cover Story:
Building a stronger future: A new blueprint for economic growth.............6

Features:
Members enjoy 2011 Midyear Meeting..................................................18
International mine rescue detailed at State Meeting..............................32
Members recognized for 2010 safety achievement ...................................36
CAWV scholarship program distributes $10,000 to further careers in construction .................................................................38

New members.......................................................................................39
Advertisers ..........................................................................................46
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While experts say the economic recession officially ended in Summer 2009, construction continues to feel the decline. In West Virginia, construction employment peaked in August 2006 at 40,300 and had dropped 25 percent to 30,200 in February 2011. The average construction worker’s pay in West Virginia is $45,000, 24 percent more than all private sector employees in the state. Total construction in West Virginia dropped 38 percent from nearly $3 billion in 2009 to $1.8 billion in 2010. The industry hit the hardest is nonbuilding, which fell from $2.1 billion in 2009 to $790 million in 2010.

The ongoing construction downturn is not only devastating to people directly involved in construction, it is serving as a drag on U.S. economic growth. This is because construction spending accounts for more than eight percent of the U.S. gross domestic product. In response, the Associated General Contractors (AGC) of America has created a new plan to help the construction industry recover. Filled with new incentives, tax cuts, policy provisions and suggested infrastructure investments, “Building a Stronger Future: A New Blueprint for Economic Growth” is AGC’s tool to lead its members through the recovery.

That decline in construction activity has largely been driven by a collapse in private sector demand. Since 2008, the percentage of overall construction activity that is financed by the private sector has declined from 76 percent to 60 percent. Developer financed construction sectors, like new office, retail and hotel development, have been particularly decimated, experiencing between fifty and thirty percent declines in activity.

In addition to the private sector declines, the industry also suffered from drops in local and state construction funding. Indeed, many state and municipal governments made dramatic reductions to their capital programs in reaction to declining tax revenue. These steep drops in private and public sector construction activity were offset somewhat by large, temporary federal programs, including the base realignment and stimulus programs. The stimulus in particular proved helpful. The roughly $135 billion in construction investments kept many construction firms from shutting down and saved tens of thousands of construction jobs. Outside of the $49 billion in transportation related investments, however, much of the stimulus’ construction funds have been invested more slowly than many anticipated. As a result, the impact of the stimulus has been diluted as the investments spread out over what is likely to be a five-year period.

Worse, the amount of money the stimulus brought to the construction market proved much smaller than the overall contractions being driven by diminishing private, state and local demand for construction. In other words, the broader downturn in construction activity eliminated far more jobs than the stimulus was able to save or create.

THE NEED

THE RECESSION NEVER ENDED

While the recession officially ended in June 2009, the construction industry has continued to suffer from job losses and ever-tighter margins. As of this writing, the industry’s unemployment rate is 18.8 percent, roughly twice the overall unemployment rate. During the past twelve months alone, the industry has lost over 117,000 jobs. Few regions have been immune as construction employment continued to decline in two-thirds of the 337 metropolitan areas for which employment data is available.

The industry continues to shed jobs because demand for construction remains weak. While $884 billion was invested in construction in 2009, that amount is projected to shrink in 2010 by as much as $82 billion.
Even as the construction market has continued to tumble, robust economic recoveries in Asia and South America have begun driving prices up for key construction commodities. Since 2009, the cost of diesel has risen 18 percent, copper and brass mill shapes 16 percent and aluminum mill shapes 14 percent. Overall, the cost of construction materials has risen nearly 5 percent between November 2009 and November 2010.

These price increases are not as extreme as the double-digit increases from earlier in the decade. However, they are occurring at a time when the amount construction firms can charge for finished projects has stagnated because of the intense competition for an ever diminishing amount of work. The most recent data available from the U.S. Census Bureau shows that the price for completed projects remained almost flat during the past twelve months.

As if declining demand, rising costs and stagnant returns weren’t enough, federal investing policies are causing considerable uncertainty for the growing numbers of construction firms that have come to focus on federally-funded projects. That is because Congress has yet to pass long-term infrastructure investment legislation addressing our aging inventory of water, road, transit or aviation systems.

CONSTRUCTION MATTERS TO THE ECONOMY

The ongoing construction downturn is not only devastating to people working directly in construction. It is serving as a drag on U.S. economic growth. That is because the construction spending accounts for more than eight percent of U.S. gross domestic product and is responsible for one out of every 10 U.S. manufacturing shipments and one out of every 12 machinery shipments. Given that the vast majority of construction firms are small, local businesses, the strength of the sector has a disproportionate impact on all communities.

Reviving demand for construction, particularly private sector construction activity, is essential to sustaining broader economic growth. That is because:

• Construction builds a more globally competitive economy. Inefficient buildings and manufacturing facilities cost American businesses millions of dollars each year in needless power consumption and lost worker productivity. Meanwhile congested and unsafe transportation networks cost businesses billions in wasted fuel, late shipments and delayed workers. Indeed, the construction industry alone loses an estimated $23 billion each year to congestion and unreliable roads. Enacting policies designed to encourage business to invest in more energy- and work-efficient structures will help them compete with similar businesses in China, India, Brazil and elsewhere. Meanwhile, improving aging transportation, water and energy infrastructure will allow domestic employers to cut delivery times, optimize just-in-time shipping schedules, reduce costs and increase competitiveness.

• There is a direct connection between activity levels and employment in construction. While the construction sector has made significant increases in productivity, especially with the advent of new design and planning technology, the fact remains that it is a labor-intensive industry. Construction firms can’t put the receptionist to work laying bricks or the accountant to work pouring concrete. The busier they are, the more jobs they add. We’ve seen the inverse during the downturn - construction firms have little capacity to support idle workers - which is why the industry’s job losses have been so severe. That means, however, that as soon as firms experience an increase in activity, they will begin adding jobs. And unlike service-sector jobs, the average pay for construction workers is $49,000, eight percent more than the average for all private-sector employees.

• Construction improves our environment. Improving the efficiency of our built environment – including commercial buildings, transportation infrastructure and water systems – presents one of the greatest opportunities to reduce power consumption and cut greenhouse gas emissions. After all, the nation’s building inventory accounts for 35 percent of the nation’s manmade greenhouse gas emissions and consumes 40 percent of the nation’s energy, while our aging and inefficient transportation network accounts for another 27 percent of energy consumption and 27 percent of greenhouse gas emissions. In other words, we can significantly improve our environment in a way that won’t
stifle economic growth or impose costly new taxes on economic activity.

The health of the construction industry is vital to our economic strength, employment levels and quality of life. Yet the industry continues to suffer from a prolonged downturn and as a result is serving as a drag on broader economic expansion. It is clear that a new approach is needed... one that puts particular emphasis on boosting private sector demand and providing economic certainty. That is why the association has prepared a new national plan to revive the construction industry and return the nation to a period of sustained economic growth.

The plan outlines a series of commonsense regulatory, tax, finance and trade reforms that will boost economic activity and stimulate private sector demand for construction. Taken together, these changes will allow sound private-sector construction projects easier access to credit and financing, encourage greater efficiency upgrades in our buildings and facilities and keep construction costs competitive.

The plan also calls for pragmatic new long-term investments in infrastructure that will help businesses while enhancing our economic capacity for decades to come. And it identifies regulatory and policy changes that, when made, will eliminate bureaucratic delays that inflate costs, frustrate taxpayers and benefit no one. The plan is ambitious, yet it is calibrated to meet a significant challenge. Given the critical role the construction industry plays in our broader economy this plan deserves broad, bipartisan support.

**THE PLAN**

**BOOST PRIVATE SECTOR DEMAND**

Any effort to reinvigorate the construction industry must successfully jump-start new privately-funded construction. The strength of the private sector market is the single largest determining factor in the health of construction activity. Unfortunately, private sector demand continues to decline at alarming rates.

This is neither a healthy, nor a sustainable shift in market share. Of course, the private sector won’t begin building again until firms begin adding employees, retail demand grows and manufacturing expands. That is why the best way to boost private demand for construction is to put in place pro-growth policies that will boost economic expansion:

- **Eliminate Disincentives on Global Investments in U.S. Commercial Real Estate.** Congress can encourage new investments in commercial real estate by amending the Foreign Investment in Real Property Tax Act to eliminate provisions that punish global investments in U.S. commercial real estate compared to the tax treatment of other forms of international investments in the U.S. A good first start would be for Congress to pass, and President Obama to sign, the Real Estate Jobs and Investment Act, which the House already approved overwhelmingly in July 2010.

- **Reject Efforts to Increase Tax on Carried Interest.** Some members of Congress are trying to increase the tax on carried interest from 15 percent to 38 percent. Such an increase would undercut the economic incentive to build projects or redevelop underutilized properties and drive away investments from the commercial real estate sector.

- **Approve Pending Trade Agreements and Restore “Fast Track” Trade Promotion Authority.** Passage of pending trade agreements with Korea, Colombia and Panama will boost demand for construction of domestic shipping and manufacturing facilities while providing a needed boost to the overall private sector. Restoring “Fast Track” authority, meanwhile, will allow the President the freedom and flexibility to negotiate bilateral free trade agreements that can be presented to Congress for an ‘up-or-down’ amendment-free vote would restore confidence on the part of potential new trade partners and accelerate completion of new pro-growth trade agreements. Streamlining trade negotiating authority will make it easier to open new markets for U.S. exports, while boosting demand for the construction of manufacturing and shipping facilities nationwide.

- **Provide Tax Credits for Contractors that Invest in New, Cleaner Construction Equipment.** Instituting a 30 percent investment tax credit for cleaner construction equipment will boost demand for new, domestically-manufactured equipment while allowing construction firms to improve their overall efficiency. The new tax credit would apply both to manufacturers of new, cleaner diesel-
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powered construction equipment and for construction firms that purchase the new equipment or improve the efficiency of existing equipment.

- **Extend Payroll Tax Exemption into 2011.** As part of the Hiring Incentives to Restore Employment (HIRE) Act, employers that hire unemployed workers in 2010 may qualify for a 6.2 percent payroll tax incentive. This incentive has proven particularly popular with the construction industry, given the seasonal nature of many construction jobs, especially in northern-tier states. Congress and the Administration should act now to extend this exemption into 2011 so construction firms will have an additional incentive to expand their workforce in time for the spring construction season.

- **Incentivize New Equity for Existing Real Estate Projects.** As property values fall and lenders adopt more restrictive standards, new sources of equity capital will be needed. Congress should provide temporary tax incentives to attract new equity for existing projects. The incentive would provide bonus depreciation on the new investment equity and deduction of losses that are not subject to passive loss limits. At least 80 percent of the invested capital must be directed to reducing the outstanding balance of the commercial mortgage debt with the remainder going to capital improvement to qualify for the incentive. This will ease debt market concerns and boost the broader economy.

- **Increase Commercial Building Energy Efficiency Tax Deductions.** Current law allows owners to deduct the cost of installing energy efficient systems, like new heating and cooling units, in commercial buildings. The amount of the deduction is up to $1.80 per square foot that will see at least a 50 percent efficiency improvement. Given the limited impact this deduction has had on boosting energy-efficient installations, Congress should raise the deduction amount to $3.00 per square foot, saving energy and energy costs.

- **Convert Commercial Building Energy Efficiency Tax Deductions into Tax Credits.** In addition to boosting the deduction amount for efficiency upgrades to commercial buildings, Congress should convert the tax benefit into a tax credit. In an environment where many commercial building owners are likely to experience losses in 2010 and 2011, tax deductions will have limited to no impact. Converting deductions into credits will provide a significant financial incentive for property owners to improve the efficiency of commercial buildings.

- **Make Permanent Shortened Cost Recovery Period for Retail & Restaurant Improvements.** Tax provisions shortening the cost recovery period of certain leasehold, retail and restaurant improvements from 39 to 15 years expired at the end of 2009. Making those provisions permanent will provide an important incentive for retail and restaurant operations to make capital improvements to their leasehold space.

- **Make Permanent Depreciation Bonus and Capital Expenditure Write-Off Levels.** As part of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act, businesses are able to immediately write-off 100 percent of the cost of new tangible depreciable property (like construction equipment) placed in service starting September 9, 2010 through 2011. The law also allows for 50 percent bonus depreciation for business investments placed in service in 2012. In addition, the current law allows small business taxpayers to write-off capital expenditures of up to $500,000 made in 2010 and 2011 and up to $250,000 made in 2012. Taxpayers also are allowed to expense up to $250,000 of the cost of qualified leasehold improvement property, qualified restaurant property and qualified retail improvement property.

While these temporary measures will provide some relief, the limited duration of these benefits undermines their ability to stimulate growth. Congress should make permanent the current depreciation bonus and capital expenditure write-off levels. Congress also should make permanent the...
special rule for long-term contract accounting that decouples bonus depreciation from allocation of contract costs.

- **Extend and Expand the Five-Year Carryback of Net Operating Losses for Small Businesses.** Businesses that experienced net operating losses in 2008 and 2009 are able to carry those losses back over the preceding five years. The provision allows businesses with deductions exceeding their income to get a refund for taxes paid in previous years. This provision had little impact on construction companies because fewer firms experienced losses in 2008 or 2009 than are expected to in 2010 and 2011. Expanding the provision to cover net operating losses incurred in 2010 and 2011 for all businesses will allow cash-strapped construction firms to convert future tax benefits into cash today that can be used to expand payrolls, retain workers and invest in equipment.

- **Make Permanent Certain Tax Cuts from 2001 and 2003.** While the broad range of tax cuts enacted in 2001 and 2003 were extended through 2012, uncertainty about future tax rates after 2012 will limit the full benefits of the rate extension. As a result, Congress should make permanent the reductions in individual income, dividend and capital gains tax rates from the past decade. Congress also should make permanent the estate tax at or below levels enacted in December 2010. Taken together, making these cuts permanent will strengthen capital markets and make it easier for businesses (construction and other) to grow, expand and build new facilities.

- **Repeal the Alternative Minimum Tax.** Since the vast majority of America’s businesses are taxed as individuals instead of as corporations, the alternative minimum tax undercuts potential earnings that otherwise will be reinvested as retained earnings each year. These retained earnings provide the capital needed for businesses to invest in real estate, renovations and new manufacturing equipment, all of which is essential to the private construction market. Congress should repeal the alternative minimum tax before it saps more capital out of the economy and undermines future construction projects.

### Tackle the Infrastructure Debt

The nation’s transportation, water and energy infrastructure serves as the foundation for private sector growth. Access to reliable and affordable power, clean water systems and a transportation network that for much of the 20th century was the envy of the world has given American businesses a significant competitive advantage. However, that competitive edge is being undermined by federal misallocation of infrastructure resources and the resultant mistrust taxpayers have in the federal government’s ability to use any increases in infrastructure funding wisely. As a result, our national infrastructure has been allowed to age and deteriorate to the point where the American Society of Civil Engineers now estimates that our country is dealing with a trillion dollar infrastructure debt.

As our infrastructure deteriorates, American businesses suffer. Traffic congestion alone costs businesses nearly $100 billion a year in lost productivity and costly delays. Worse, aging infrastructure is undermining our quality of life, causing an enormous waste of fuel, water and other natural resources and is threatening to undermine decades of environmental improvements. Fixing our infrastructure debt, however, isn’t just about increasing investments levels. Just as important is making serious reforms to federal infrastructure programs to refocus them on core missions, eliminate wasteful and/or questionable spending and restore taxpayers’ trust in the federal government’s ability to wisely invest their money.

- **Reform and Enact Multi-Year Federal Highway, Transit and Aviation Legislation.** Transportation projects are often complex, multi-year projects that time to plan, fund and complete. Many multi-year surface and aviation projects are now months late because long-term surface and aviation transportation bills have languished. Congress and the Administration need to reform both programs to eliminate spending programs that aren’t in the direct federal interest. For example, even though bicycle programs and transportation museums may be important, they represent the kind of spending that have prompted taxpayers to lose faith in the federal program and resist needed increases in highway user fees. Likewise, both the aviation and surface transportation bills need to include revisions to the federal review process to significantly reduce the time it takes to approve projects. Meanwhile, additional funding sources must be identified to finance new transportation programs like High Speed Rail.

- **Transition to Vehicle Miles Tax.** Congress and the Administration must establish a clear timeline for transitioning from the current gas tax to a vehicle miles tax (VMT). The VMT will...
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- West Virginia Society of Certified Public Accountants
- American Arbitration Association
serve as a more accurate user fee by requiring drivers to pay for their road use regardless of whether they are operate a hybrid, electric vehicle or traditionally-powered automobile. The VMT could also be significantly less-regressive than the gas tax, as different rates could be set based on income levels and/or type of vehicle used. Given the challenges associated with this transition and the average lifecycle of the automobile fleet, this switchover will take years, which is why the process must start now. In the meantime, Congress and the Administration should adjust the gas tax to $.334 per gallon to ensure the highway trust fund remains viable until the transition is completed.

- **Address Maintenance and Modernization Backlog for Federal Buildings.** Congress and the Administration can provide immediate new opportunities for unemployed construction workers and significant long-term savings for taxpayers by addressing unmet maintenance and modernization needs in its building inventory. The Government Accountability Office has identified $4 billion worth of needs in over 900 federal buildings. Aging federal facilities undermine government productivity and waste significant amounts of energy. For approximately half of one percent of its stimulus program, the federal government can boost construction employment, increase federal productivity and reduce energy consumption.

- **Reform Water Resources Development Act to Invest in Navigation and Flood Control Projects.** Congress and the Administration should begin to address unmet navigation and flood control needs by increasing funding for the U.S. Army Corps of Engineers’ Civil Works program to a minimum of $7 billion in 2010. In addition, Congress should agree to allow only projects that have been vetted and identified by the Corps to be funded. Today there are simply too many Congressionally-selected projects that are undermining investments in the projects that the Corps has identified as true national priorities. The Harbor Maintenance Trust Fund also must be used for its intended purpose.

- **Establish a Clean Water Trust Fund.** Congress should increase funding for the Clean Water State Revolving Loan fund and Safe Drinking Water State Loan Fund to a combined $6 billion annually. In addition, the Administration and Congress should work together to establish a Water Trust Fund that will allow for future investments to come from dedicated and sustainable long-term funding sources, instead of depending on unreliable and unpredictable annual appropriations out of the General Fund.

- **Establish a National Infrastructure Bank.** Consolidate existing federal infrastructure lending programs, such as the Railroad Rehabilitation and Improvement Financing (RRIF), Transportation Infrastructure Finance and Innovation Act loans (TIFIA), Federal Ship Financing (Title XI) and other similar programs into a single national infrastructure bank. (The Ship Financing Program also should be expanded so needed port infrastructure investments can qualify.) This independent institution would have a mandate to evaluate and make loans available to support up to 33 percent of the cost of infrastructure projects. The bank would have sections dedicated to specific types of infrastructure and would guarantee that specific percentages of loans issues go to specific types of infrastructure. Assuming current interest rates and performance comparable to TIFIA, if the bank were capitalized at $1 billion annually, it could leverage those resources into $51 billion worth of infrastructure projects each year.

- **Encourage States to Enact Permissive Public Private Partnerships Laws.** All earmarked transportation funds that have been unused for at least 10 years, worth over $620 million, should be consolidated into a single Public Private Partnership Innovation Fund. The Department of Transportation would use this fund to encourage states to enact new, or revise existing, public private partnership legislation to encourage greater private-sector funding for transportation infrastructure projects. States will be able to win competitive grants from this fund based on their success in enacting permissive legislation and entering into viable public private partnerships.

- **Expand and Make Permanent Build America Bonds Program.** The Recovery Act created the Build America Bonds program as a new financing tool to allow state and local governments to obtain much-needed funding, at lower borrowing costs, for projects such as construction of schools, hospitals, transportation infrastructure and water and sewer upgrades. Instead of allowing this successful program to expire in 2010, Congress should make it permanent and expand eligibility to cover certain private activities with national benefits.
such as energy infrastructure and efficiency upgrades at commercial, manufacturing and health care buildings.

- **Exempt Construction from Private Activity Bond Cap.** Private Activity Bonds are a form of financing that allows private entities to partner with state or municipal governments to receive tax-exempt financing for private- or publicly-owned projects in the public’s interest. However, the rules governing these bonds limit the total dollar amount that can be issued based on a state’s population. Eliminating these caps would qualify significantly more water, sewer and mass transit projects, among others, for this kind of financing.

- **Invest in Diesel Reduction via Federal Transportation Projects.** States should be allowed to require reductions in diesel emissions from federally-funded transportation projects via contract change orders that cover 100 percent of the cost. States should give priority to projects located in areas with poor air quality. Such a measure will boost demand for new construction equipment, allow contractors to improve the efficiency of their operations, and protect air quality, particularly in polluted areas. Such a measure would also reduce environmentally-based resistance to new infrastructure projects.

### EASE REGULATORY BURDENS

Any serious effort to improve the economy and boost private sector demand for construction must include a comprehensive effort to reduce costly, time consuming and needless regulatory burdens. Unfortunately, those burdens have only increased over the past two years as the government has taken an increasingly anti-business approach to crafting regulations and interacting with regulated businesses. Nobody questions the government’s essential role in protecting the environment, ensuring workplace safety and promoting ethical business behavior. But the expansion of reporting requirements, growth in oversight audits and widespread reports that federal inspectors are striving to meet minimum fine quotas are forcing businesses to spend an increasing amount of their time and capital on regulatory compliance.

In the construction industry alone, projects often languish for years awaiting environmental and permitting reviews. These reviews are crafted in a way that even a minimum of resistance can delay decision making, yet virtually no amount of effort can accelerate the process. Nobody questions the need to ask tough questions and demand good answers about construction’s impact on the environment, the quality of work and whether the government is getting a good value for its investment. But it shouldn’t take years of effort, dozens of staff and miles of red tape to answer those questions. That is why the association recommends the following regulatory and policy revisions:

- **Pass Legislation Limiting Major New Regulations.** Congress should pass, and the Administration should sign, proposed legislation that would require Congressional approval before any regulations costing the economy over $100 million can be established. This would allow for more robust debate and consideration before costly new regulations are put in place than the current rulemaking process provides.

- **Develop a Comprehensive National Energy Plan.** Congress and the Administration should craft a comprehensive national energy plan. This plan would eliminate the uncertainty and confusion that have come with an ad hoc energy policy that encourages boom and bust cycles with temporary and varying energy incentives and tax breaks. It also would streamline the permitting process for alternative power generation facilities and efficiency upgrades to existing plants. Such a plan also should allow for a greater private-sector involvement in planning, developing and expanding alternative energy sources.

- **Streamline Environmental Reviews for Infrastructure Projects.** The current federal environmental review process for federally-funded infrastructure projects is unnecessarily slow and expensive. For example, it takes an average of 13 years for highway and 12 years for transit projects to receive federal approval. As a result, every effort should be made to streamline the environmental review process while protecting the environment by designating lead federal agencies, establishing and meeting clear timelines, simplifying analysis requirements and placing a statute of limitations on claims.

- **Repeal Three Percent Withholding for Government Contracts.** Beginning in 2012, federal, state and local governments with total annual expenditures of $100 million or more will be required to withhold 3 percent from all payments for goods and services they purchase. Given the extremely narrow margins on which most construction firms are now operating – on average 3.4 percent - this new measure will force contractors to either break even or operate at a loss. Worse, firms won’t be eligible to receive interest earned on the withheld funds when they are returned after as long as 2-3 years.

- **Preserve the U.S. Department of Transportation’s Oversight of Transportation Planning.** Recently introduced climate and energy legislation would have provided the Environmental Protection Agency with increased review and permitting authority when it comes to transportation issues. Should these bills become law, they would only add new and needlessly redundant layers of oversight that would prolong the already lengthy review process for vital transportation projects. Congress and the Administration should resist any effort to expand the EPA’s regulatory reach into the transportation arena.

- **Reform the Approval Process for the New Starts Transit Program.** While the New Starts program has led to greater accuracy in planning transit projects and projecting traffic volumes, its review process is lengthy and costly. The program should be reformed to allow for reviews that ask the same
tough questions about a project's viability in a significantly shorter amount of time.

- **Allow Broader Participation in Green Jobs Act.** The Green Jobs Act of 2007 limits training grant funding to entities that coordinate with labor organizations, needlessly limiting the range of organizations that can help out-of-work construction workers take advantage of growing demand for green construction. Congress should enact the Green Jobs Improvement Act and allow accredited training programs, regardless of relationships with unions, to compete for taxpayer grants.

- **Establish a Federal Multiyear Capital Budget for Public Works Infrastructure.** Establishing a federal multiyear capital budget for public works will make it easier for officials to plan for, and finance, major, multiyear infrastructure projects. Most states already successfully use multiyear capital budgets. Such an approach is preferable to the current federal budgeting process for key infrastructure like water and wastewater facilities that discourages good long-term asset management by focusing on funding short-term needs only.

- **Oppose So-Called “High Road” Contracting Reforms.** The Administration is reportedly considering implementing “High Road” contracting reforms that would allow construction firms to be blacklisted from federal work based on anonymous accusations. The premise of the proposed reforms ignores current federal contracting law as well as the rigorous legal obligations and financial risk that federal contractors are currently required to meet.

- **Reject the Clean Water Restoration Act.** Congress may consider legislation that would significantly expand federal jurisdiction over waters and wetlands under the Clean Water Act. Were this legislation to become law, all construction activity impacting any water or wet area in the United States would be required to obtain a Clean Water Act permit. Where these permits are currently required, they have proven both costly and time-consuming. On average, it already costs an applicant $30,000 and takes up to 313 days for the federal government to grant a general permit, and over $270,000 and 788 days for the federal government to grant an individual permit. To avoid needlessly delaying billions of dollars worth of construction projects, Congress should preserve state and local authority over local land and water use.

- **Accelerate Licensing of New Nuclear Power Plants.** With demand for electricity projected to grow substantially within the next two decades, Congress and the Administration need to act on the 30 pending nuclear power plant applications that have been submitted to the Nuclear Regulatory Commission. As one of the few sources that can generate electricity reliably, efficiently and without greenhouse gas emissions, nuclear power must remain an essential component of our power grid. Unfortunately, today’s 104 U.S. nuclear reactors operate at more than 90 percent capacity. Constructing a nuclear plant takes years, however. Further needless permitting delays will only increase our national reliance on foreign sources of energy.

- **Revise Environmental Legislation to Encourage Green Construction Activity.** Environmental legislation should encourage demand for energy-efficient buildings and infrastructure. Those opportunities...
should not be limited by proposals that would increase the cost of construction or reduce demand for new commercial, manufacturing and industrial facilities. In that light, environmental legislation must not add new permitting requirements that block or delay the development of commercial and residential buildings. Congress should encourage improvements to our environment and air quality by funding energy efficient infrastructure along the lines of AGC’s “Building a Green Future” plan. Congress should pass legislation to preempt use of the Clean Air Act to regulate greenhouse gas emissions, an approach economists agree stifles economic growth and construction activity.

- **Avoid Government-Mandated Project Labor Agreements.** Government-mandated project labor agreements have been proven to limit competition for construction work, needlessly denying workers the opportunity to benefit from publicly-funded projects. Worse, government mandated project labor agreements put public officials with little to no experience in construction in charge of setting work rules and schedules, creating inefficiencies and undermining workplace safety. The Administration should avoid using government-mandated project labor agreements at all costs and instead let workers and construction firms negotiate terms of employment and work.

- **Rescind Buy American Requirements.** Well-meaning efforts to stimulate purchases of American-made products too often cause needless delays to construction projects while inflating construction costs. Invariably, significantly more construction workers are impacted by these delays than the limited number of workers that benefit from these requirements. Congress and the Administration should rescind Buy American requirements included in the stimulus and avoid further temptations to expand these requirements beyond their traditional and limited use in federal procurement and highway programs.

The Cost of Inaction vs. The Benefits of Action

No doubt some will argue that new measures and regulatory reforms aren’t needed and that the construction industry will recover on its own. But just looking at the construction industry’s performance in the year and a half since the official end of the recovery, it should be pretty clear that the sector’s revival is anything but guaranteed.

Allowing this industry to continue to stagnate will have significant long-term impacts both on the strength of the domestic labor market and on the quality of America’s public and private infrastructure and buildings. The construction industry has accounted for twenty percent of the jobs lost during the economic downturn, even...
though it accounts for just five percent of the workforce. That means that a significant portion of the jobs lost over the past two years won’t return until the construction industry revives. Given the construction industry’s heavy consumption of manufactured goods and shipped equipment and supplies, any prolonged downturn for the sector will drag on the hard hit manufacturing and shipping industries. A prolonged construction downturn also means that the private sector will not be making needed upgrades to office, shipping, power generation, research or manufacturing facilities. This will put private firms at a distinct competitive disadvantage as they work to expand exports and increase domestic market share against foreign, often state-funded, rivals.

U.S. businesses will also be hamstrung by our failure to reform, streamline and invest public and private resources in our critical infrastructure. If we continue to allow roads to congest, bridges to age, water systems to deteriorate and the power grid to remain inefficient, we will undermine domestic employers. How can we expect our businesses to succeed if their shipments are stuck in traffic, their utilities are unreliable and their cost of operating increasing?

The U.S. Chamber of Commerce, for example, has found a direct correlation between the quality of our infrastructure and the viability of our business community. Meanwhile, the U.S. Department of Treasury has noted that America invests a smaller amount in maintaining and expanding its infrastructure than Europe or Asia, as measured by percent of GDP. Should this be allowed to continue, the costs to our economic viability will be profound and protracted. On the other hand, the benefits of acting on this plan will be significant. Enacting measures to boost the economy and expand private sector demand for construction will give an immediate boost to overall employment. It will lead to an increase in domestic demand for manufactured goods, shipping services and construction supplies and materials.

And it will bring new vitality to many of our hardest hit communities. A resurgence in private and public sector construction will also boost our global economic competitiveness. It will allow our businesses to operate more efficiently and improve their productivity. It will lower shipping costs, helping farmers earn more for what they grow and shoppers to spend less of what they earn. It will improve quality of life for all Americans, better safeguard our environment and reduce the amount of water, energy and fuel we consume each year.

In other words, the benefits of this plan are greater than the costs associated with it and far greater than the costs associated with doing nothing. That is why it is our hope that each of its recommendations will be acted on with urgency and speed. Not only are millions of unemployed construction workers looking for relief, but our broader economic health needs the competitive advantage that comes with much-needed improvements to our built environment.

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You are the first to hear this information,” BrickStreet Insurance President and CEO Greg Burton said at the opening business session of the 2011 CAWV Midyear Meeting. “BrickStreet Insurance has earned a rating of A- from A.M. Best Company. This rating places the company among the most financially secure insurance providers in the nation and indicates we have an excellent ability to meet our ongoing insurance obligations.”

Burton told members that a press release was being issued in West Virginia the same morning as his talk, but members attending the January 29 - February 3 CAWV Midyear Meeting in Los Cabos, Mexico were the first to hear the news. A.M. Best is a full-service credit rating provider which focuses on the insurance sector.

“We are pleased to be the CAWV’s workers’ compensation provider and we are pleased to share this exciting news at your meeting today,” he said.

Also speaking at the opening General Business Session from BrickStreet

CAWV members traveled to Cabo San Lucas, Mexico, for the association’s Midyear Meeting held January 29 - February 3, 2011. Members enjoyed informative business sessions and numerous networking opportunities at the beautiful Fiesta Americana Grand Los Cabos Resort.
were Jeff Benintendi, Lisa Teel and Allan Williams.

“We want you to build value in your safety program by creating a safety culture in your operation,” Benintendi told members. “This culture begins with you and it flows through the company. If you own the culture, safety will be a priority down the line.”

Williams gave members a comparison of direct and indirect costs associated with accidents.

“Companies should provide incentives for employees who are found to be doing something right for safety verses providing disincentives for doing something wrong,” he suggested.

Teel outlined the CAWV program and showed that trends were going in the right direction for members in the plan.

“The number of claims are going down as are TTDs per claim,” she noted. “Members are also developing return to work programs and more claims are being reported in 48 hours or less, which is required by participants in the association’s plan.”

State and federal legislative issues were a major topic of the Monday Business Session.

Louis Southworth, Jackson Kelly, presented his annual overview of the West Virginia legislative session. He brought members up to date on the changes within in the Senate leadership and the proposal to have a special election this year for governor.

“Since everyone is running for election, no one wants to talk about tax or fee increases,” Southworth predicted. “It will also be tough year to get meaningful tort reform legislation.”

Stephen Sandherr, CEO of the Associated General Contractors (AGC) of America, participated via Skype for his presentation, titled “What Does the New Congress Have in Store for Construction.” Speaking from AGC headquarters in Washington, D.C., Sandherr brought members up to date on funding for highways, water/sewer and building, talked about the make-up of the Senate and House – including what influence Tea Party candidates will have in shaping policies such as OSHA regulations, highway reauthorization bill, spending cuts (including infrastructure funding), health care, immigration, tax cuts, credits and earmarks.

“Republicans have control of the U.S. House of Representatives and made gains in the U.S. Senate, which we think is a rejection of the Obama administration’s policy on health care, climate change and regulatory issues,” Sandherr noted. “In 2012, there are 35 Senate races. Democrats will be defending 23 seats, many of which are in states where Republicans made gains in 2010.”

The national construction leader foresees the budget and the deficit being at the forefront of a new
The legislative agenda in Washington, including a freeze on domestic spending.

“AGC was hoping the lame duck session would produce a highway reauthorization bill and additional funding for water and wastewater,” Sandherr stated. “Going forward we find this problematic. The new leadership of House Transportation and Infrastructure Committee wants to put forth a six-year highway bill but they have stated there will be no new tax revenues. Chairman John Mica, R-FL, stated we must do more with less. What’s frustrating to AGC is that an increasing amount of dollars are going to transit verses building and maintaining roads and bridges.”

Sandherr said the national association’s message will be that it makes sense to invest in infrastructure.

“The country needs to grow its infrastructure if it is to grow its economy. China is spending 9 percent of its GDP on infrastructure and Europe spends 5 percent, while the United States only spends 2.5 percent of its GDP on infrastructure.”

The same financing issues facing highways also extends to the water and wastewater trust funds, Sandherr observed. The “Water Protection and Reinvestment Act” establishes a five-year, $50 billion fund.

“The act will provide a deficit neutral, off-budget and firewalled dedicated revenue source for water infrastructure which will not be subject to the uncertainties of the annual appropriations process,” he said. “Getting a dedicated trust fund for water and sewer will be very difficult.”

Regulatory oversight for OSHA and MSHA, repealing the 3 percent withholding on contracts to guarantee payment of taxes, contractor / subcontractor liability and health care reform will also be watched closely in the new Congress, Sandherr predicted.

The Tuesday General Business Session was equally informative. A very definitive presentation on financial and tax changes for 2011 and beyond was given by Eddie Thompson, CPA, and Tim George, CPA, Brown Edwards and Company.

They presented highlights of the “Tax Relief, Unemployment Insurance Reauthorization and Job Creation Act of 2010” and how contractors can incorporate the changes to their benefit.

George and Thompson, both of whom

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Shannon, Priyani and Sumith Hapaurachy at the Midyear Meeting.

Rhonda and Gary Bailey enjoyed the Welcome Night Reception.

Lisa and Kevin Teel join Heather and George Finely at the Midyear Meeting.

Greg Williamson and Roberta Guffey enjoyed the warm Mexican evening.

Jamie Ridgeway and Matt Bourne had a good time at the reception.

Ed Phares, Andrea and Tim Critchfield joined Tim and Diana Shaw.

Dan and Jerri Asbury posed for a picture with the stunning sunset.

Jack, Carolyn, Sarah and John Boyle enjoyed the Midyear Meeting.

Donna and Gene Thompson enjoyed the tropical locale.

Members were serenaded by a Mariachi Band.

Issac, Sharon and Isiah Pierson got into the Mexican spirit.

Rhonda Evans and Phil Browne enjoyed the meeting.

Josh Booth moderated the General Business Session.

Allan and Zanna Williams participated in the Midyear Meeting.

The Fiesta Americana Grand Los Cabos Resort welcomed association members.

Members enjoyed breakfast before the business session.

Carl and Lisa George had a good time at the meeting.

Peggy and Dave Heeter joined Ed and Bobbi Phares.

Ross and Dee Johnson enjoyed a Mexican sunset.

One of the highlights of the meeting was a fireside reception.
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have earned the designation of Certified Construction Industry Financial Professional (CCIFP) through the Institute of Certified Construction Industry Financial Professionals, Inc., also presented “Bidding and Pricing Strategies: Being Successful in a Competitive Market.”

“The act extends the 2001 and 2003 Bush tax cuts through 2012,” George told members. “These include such items as a 15 percent rate on capital gains and dividends, a one-year, 2 percent reduction in Social Security tax for employees and self-employed persons in lieu of the “Making Work Pay Tax Credit,” and increasing the estate exemption to $5 million and a maximum rate of 35 percent through 2012. Extended through December 31, 2012 is a first-year bonus depreciation on new (unused) equipment which had expired at the end of 2009.”

A major part of the session dealt with the Financial Accounting Board (FASB) and International Accounting Standards Board (IASB) proposal to create a single revenue recognition standard across multiple industries, including construction. The new standard could have significant impacts on construction contractors,
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including increased administrative costs and effects on surety credit.

“The proposal specifies the principles that an entity would apply to report information about the amount, timing and uncertainty of revenues and cash flows arising from its contracts to provide goods and services to customers,” George stated.

“The potential impact includes changing percent complete calculations, decoupling of revenues and expenses as revenues will be based on performance obligations and not costs incurred, inconsistent/subjective views on what makes up “performance obligations” by contractors, and significant profit fades and gains through the construction process as revenues aren’t matched to costs incurred.”

AGC of America and CAWV have submitted comments on the proposed FASB rules on behalf of the industry. How to maximize profits was the topic of the bidding and strategies portion of the presentation.

“This program is designed to establish strategic direction and financial goals, determine actual bidding rates considering job size and company financial goals, and track your competition’s rates to help reduce bid spread and obtain work,” Thompson told meeting attendees.

“The four components of a bid are known fixed costs, indirect costs, overhead head rate and profit rate.”

Thompson suggested contractors should start with an annual budget and then compare budget monthly with actual numbers.

“As components of your budget exceed targeted amounts, the recovery and profit rates have to adjust themselves in order to compensate,” he said. “Typically, overhead rates decrease and profit rate increases. If budget revisions or rates are higher than acceptable for bidding purposes, one of two areas need revised: Overhead or profit.”

The two CPAs detailed for members what should be included in the budget analyses and gave examples of how to modify a budget throughout the year based on the company’s workload and that of their competitors.

“The Hidden Risks of Green Construction” was detailed by Tammie Alexander, Steptoe & Johnson. These included financial, technical and legal.

“Green construction is not a fad, it’s here to stay,” Alexander stated. “But, it can also be very risky. There are a lot of reasons for building green including energy/operational cost savings, tax incentives, healthier workspace and benefits to the environment.”
Doug Canterbury zipped through the Mexican landscape.

Members were taught the finer points of how to drink tequila.

Mary Beth Johnson and Shauna Meeks checked their equipment.

Members prepare for the group zip line tour.

Dan and Doris Flesher enjoyed the Mexican sites.

Greg and LeaAnn Gordon prepared for a sunset sail.

A conga line was part of the evening’s entertainment.

The Cabo Wabo Cantina is a popular area attraction.

Sharon and Scott Pierson enjoyed the sunset.

Paula and C.K. Meadows attended the Midyear Meeting.

Dave Lanham, Andrea Dent and Marilyn Lanham enjoyed the tropical locale.

Sara and Jim Matheney talked with Lisa Booth.

Members enjoyed the President’s Banquet.

Ronnie and R.J. Young enjoyed the meeting.

Dan and Cathy Cooperider took in a beautiful sunset.

Brian and Stephanie Harvey at the President’s Reception.

Cathy and Bob Brookover didn’t let geography stop them from enjoying the WVU Mountaineers.

Dave and Charlie Lawman found the Mountaineers game on at a Cabo sports bar.

Kay Goetz is serenaded by a Mariachi band.

Scott Pierson gave the invocation at the Sunday morning meeting.
CAW Joint Architects Committee Chairman Jamie Ridgeway reported on the activities of both the state bidding procedures task force and the National Guard task force. Building Division Chairman Doug Meeting led the meeting which focused on the 2011 funding forecast and various industry issues.

Highway Division members discussed WV Division of Highway funding forecasts, Federal Highway program reauthorization, updates on the new specification book and the use of Design-build for highway construction. The group held a roundtable discussion on the state of the industry and received an update on West Virginians for Better Transportation.

There are risks associated with green construction and she outlined a number of them.

“In any risk assessment, we know what we know and we know what we don’t know,” the Morgantown attorney opined. “The real risk is when we don’t know what we don’t know. Things we don’t know about green construction are:

- Problems that are not covered by Errors and Omissions (E&O) insurance,
- New terminology that can trigger insurance policy exclusions,
- New and untested products that can lead to warranty/insurance issues and bonds for green performance.

“These are especially important if you have agreed to build to U.S. Green Building Council’s Leadership in Energy and Environmental Design (LEED) standards.”

She outlined a number of risks contractors should consider when agreeing to build to LEED certification, including schedule overruns due to delivery problems with new projects or construction impacts of green requirements, cost impacts of sole source products, not clearly defining what is meant by “green,” contractors and designers who are unfamiliar with green products and innovative approaches, specifying green products that have minimal in-field testing and poor warranties, and problems not covered by insurance.

“We are seeing a new form of lawsuits associated with green construction,” Alexander commented. “We call it leed-igation. One owner lost $600,000 in tax credits because his building ultimately did not meet LEED certification.”

The risks of imprecision in the contracting process bring up issues surrounding who has agreed to do what. Who is responsible for performance? Who is responsible for failure? And, are parties clearly defined, which is very important for LEED online reporting?
The counselor’s recommendations on managing risk are:
- Get involved early and pick an experienced team
- Educate your team
- Don’t promise more than you can deliver
- Don’t guarantee the level of LEED certification
- Identify and document participants, their roles and responsibilities
- Don’t tie payment to achieving LEED certification for the project
- Make sure you have adequate insurance in place
- Only take responsibility for delays that you can control
- Address consequential damages
- Specify who will pay for LEED appeals

“I know its hard to develop a team approach when you are bidding on a public works project,” Alexander lamented. “Contractors in the competitive bidding marketplace usually aren’t involved in the conceptual and design phases and can’t always address these issues. This is why contractors must be very aware of their limitations and liabilities when agreeing to perform a green building contract.”

Sheila Coe, Heeter Construction, Inc., outlined the federal HUBZone program and the benefits and requirements of being declared a HUBZone contractor.

The Small Business Administration Reauthorization Act of 1997 created the program with the intention of promoting economic development in historically underutilized business zones by establishing preferences for government contracts. HUBZone is one of SBA’s four subcategories of preferences. The others being women-owned small business, small disadvantaged business and service disabled veteran-owned small business.

“The advantages of having a HUBZone designation is that it gives a 10 percent preference over non-small business firms or provides a set-aside for qualified firms,” said the vice president of accounting for the Spencer heavy/highway contracting firm. “HUBZone contractors can team but there are no joint ventures allowed.”

Most HUBZones are determined by census tracts and include: Inner-city neighborhoods, non-metropolitan counties, qualified military base closure areas, lands within external boundaries of Indian reservations and other designated areas. There are about 25 counties in West Virginia that are designated areas.

“There are number of requirements in becoming HUBZone-certified,” said Coe. “A company must meet the Small Business Administration’s qualification as a small business, must be at least 51 percent owned by a U.S. citizen, the principle office must be located in a HUBZone and at least 35 percent of the employees must reside in that zone.”

Coe, who is a member of the Board of Directors of the HUBZone National Council, noted that in 2009 21.89
percent of all federal prime contracts - $96.8 billion – went to small businesses. The goal was 21.5 percent.

Pat McDonald, CAWV membership director, ended the program with a demonstration of the new CAWV website which allows members to update their contact information, set communication preferences and details the many affiliate programs provide deep discounts on services and products for members.

All the meeting presentations are available on the CAWV website at www.cawv.org by going to the Events tab and choosing Midyear Meeting.

“The business sessions were superb,” stated CAWV President John Strickland, Maynard C. Smith Construction, Inc., Charleston. “We’re in Mexico and national events are brought to us live out of AGC’s Washington, D.C. office. Learning what should be included in our bid strategy and learning the ‘rest of the story’ in our legislative process have provided all of us valuable information,” the president stated.

The meeting contained a number of social networking opportunities including the opening night reception and dinner on the beach at the Fiesta Americana Grand Los Cabos in Cabo San Lucas, Mexico.

Members enjoyed a number of activities including golf on the Ocean Course, which has been ranked #9 on Golf Digest Magazine’s list of “Top 50 Golf Hotels in the World.” Zip-lining and rappelling in the Wild Canyon, deep sea fishing, shopping in the upscale Marina District of Cabo San Lucas, dune buggy and ATV rides through the Baja Peninsula, and the many Mexican restaurants in both Cabo San Lucas and San Jose, were enjoyed by members.

“I thank all the members who made this meeting a success,” said President Strickland. “We’ve gotten numerous requests to return to Cabo for a future meeting. We hope everyone will join us next year when our meeting will return to Aruba, February 3 - 8, 2012.”

Scott Pierson, Greg Gordon, Sonny Johnstone and Scott Pierson joined for a round of golf.

Mike Gianni, Ken Webb, Dave Lanham and Marc Monteleone tee’d off in Cabo San Lucas.

Rick Plymale, John Barefoot, Rob Hamzy and Berry Still enjoyed the ocean front course.

Gene Thompson, Greg Williamson and Tim Crittchfield played golf in Mexico.

Dede, Bobby, Billy and Lee Hunter played golf on the world class course.

The Fiesta Americana Grand Los Cabos is ranked #9 on Golf Digest Magazine’s “Top 50 Golf Hotels in the World.”
Bill Maloney, president of Drill Leader, LLC, Morgantown, detailed his efforts in the successful plan to rescue 33 trapped miners in Chile at this year’s State Meeting held March 23 in Charleston. Over 200 members and guests attended the meeting which was held in conjunction with EXPO. Maloney worked on the successful Plan B which freed the miners after 69 days underground.

“We had wild ideas and we made them work,” Maloney said. “It was truly seat-of-your-pants engineering. We used a down hole hammer drill, which we were initially told ‘no’ because it was ‘unproven technology.’”

The 2010 Copiapó mining accident began on August 5, 2010 as a large cave-in at the San José copper–gold mine in the Atacama Desert outside Copiapó, Chile. Thirty-three men were trapped 2,300 feet underground and nearly three miles from the mine entrance. Eight exploratory boreholes were drilled and 17 days after the accident, on August 22, a note appeared taped to a drill bit saying they were all alive.

Maloney, co-founder of North American Drillers, North American Pump and Supply Company, and Shaft Drillers International, was on vacation with his family when he heard the news.

“Chilean authorities said it would take four months to rescue the miners,” Maloney said. “This was unacceptable by industry standards using demonstrated drilling technologies. I really had to push myself into the situation, and I am glad I did,” he said. “Our plan was the one which reached the miners and led to their rescue.”

The drilling contractor said the experience had a large impact on his life.

“There was no finger pointing,” he said. “The crew was pulled together from throughout the world, and when we needed supplies or equipment, it appeared. It was amazing how things came together to rescue these men.”

Plan B involved a Schramm Inc. T130XD air core, mobile drill used to widen one of the three existing 5.5 inch boreholes previously used to provide the miners with supplies. The drill’s percussion-technology hammer drill is capable of drilling at 130 feet a day by using four hammers instead of one. Once Maloney got to the mine site and Plan B began on September 5 they were drilling 20 foot per hour through 40,000 PSI rock.

“The rock was unbelievable, but we were moving along until a drill head broke on a roof bolt,” he said. “It took us a week to retrieve the damaged 12” hammer reamer. A water driller from Afghanistan fashioned a crude spider basket and we were up and running again.”

Plan B’s 12 inch hole broke through to the miners on September 17. On October 9 the reamed 28 inch hole reached the miners.

“When we reached the miners it was truly euphoric,” Maloney said. “The families were so happy and the media went into a frenzy.”

Rescue efforts began on October 12 following several days of safety checks and testing.

“A MSHA rescue capsule was pulled from the mining museum in Beckley and the Chilean Army built three capsules using it as a prototype,” he said. “All the men were out within 25 hours, and I sweated bullets the entire time.”

Maloney told members that we must learn from this accident and be ready for a rescue on United State soil. He has set up a Mine Rescue Drilling Fund to perform drilling research, preparedness and implementation.

“Remote sensors could have saved the Sago miners,” Maloney said. “They were only 240 feet underground. The Chilean miners were 2,300 feet underground. It’s not easy to quickly marshal all the materials and machinery needed when there’s a mining disaster. If we are ready with the technology we can save lives.”

Maloney hopes to develop a rescue team, complete with all the tools and diagnostic equipment, plus a full staff of experts, to be on call and ready when disaster occurs. For more details on the fund, visit www.fundyourpassion.org/minerescue.

“Being involved in the rescue was truly a life-changing experience - one where I personally witnessed the whole world come together for the good of mankind,” he said. “It was an honor and a privilege to be able to use the knowledge gained through serving the coal industry in West Virginia to play a role in the effort.”

Following Maloney’s presentation, Ron Spradling, Rover Construction, honored Mike Johnson for his 36 years with the WV Department of Environmental Protection. Johnson, who is retiring in May, helped administer the U.S. EPA’s Construction Grants Program from 1973 to 1989. He now directs the WV Clean
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Water State Revolving Fund, which replaced the federal grants program.

"Mike is responsible for the program that brought over $1 billion in grants to build new municipal waste water treatment facilities," Spradling said. "Mike has been an integral part of the West Virginia Utility Contractors Association and the Contractors Association of West Virginia throughout his career with WV DEP. He has been an invaluable counselor, advisor and friend to our industry for 36 years."

Johnson accepted the plaque that noted his distinguished service in improving the quality of life for all West Virginians through the advancement of water and sewer construction in the state of West Virginia.

CAWV President John Strickland presented the “CAWV/WVDOH Quality Concrete Construction” awards. The program recognizes and rewards superior workmanship and performance, and stimulates competition among contractors ensuring that quality construction in the highway program remains a focus of the industry to the ultimate benefit of the public.

The 2010 Concrete Quality Excellence Award for the structural category was presented to MEC Construction Company, Bridgeport, for the Black Fork Bridge in Tucker County. The structural project category is comprised of bridges, retaining walls, precast concrete or any other specialty structural concrete construction.

The project consisted of the construction of a four span structural steel bridge for two lanes of traffic and a 10 foot wide bicycle and pedestrian walkway protected by a concrete median barrier wall on the traffic side and a bronze colored aluminum handrail mounted between concrete...
pilasters. The work included the installation of a modified cofferdam, and the use of architectural concrete on both the median barrier wall and parapet wall to match the design of the original bridge’s parapet walls.

Material suppliers included Alcon, Gerdau Ameristeel and West Virginia Paving. The project amount was $7,076,921. Substantial completion was achieved ahead of the contract completion date.

The Flatwork project category requires creative design or construction procedures used in forming, mixing, placement or delivery that enhances the overall performance or quality of the finished product. The 2010 Concrete Quality Excellence Award was presented to Highway Paving, Inc., Hillard, Ohio, for paving of Route 10 from Taplin to Midway Plaza in Logan County. The project included construction of four and a half miles of four lane divided highway along with barrier walls, drainage and bridge tie-ins. The project was located in extremely isolated, rocky and mountainous terrain near Man. The scheduled completion date was October 15, 2010 with actual substantial completion achieved, even though there were several flash floods and mud slides, on November 9, 2010.

Orders Construction, St. Albans, received an Honorable Mention for their I-81 South to North Martinsburg project located in Berkeley County. The project consisted of six miles of Slip Formed Modified Median Barrier with additional hand formed sections around seven bridge piers. Materials were supplied by Potomac Construction Industries, Martinsburg.

2010 Concrete Quality Excellence Award judges included Todd Rumbaugh, director of Contract Administration - WV Division of Highways, Mike Mance, cement and concrete unit supervisor - WV Division of Highways, and Bert Buchanan, bridge engineer - Federal Highway Administration.

Following the Concrete awards, CAWV Education Committee Chairman Tim Dorsch presented the 2011 scholarship to Jacob Brown, a junior studying civil engineering at West Virginia University. Brown accepted a $4,000 check and thanked the association for the award [see related story].

Occupational Safety and Health Administration Compliance Assistance Specialist Rich Jeffrey and Safety Committee Chairwoman Sara Matheney recognized CAWV members for excellence in safety [see related story].

President Strickland thanked all the guests attending this year’s meeting.

“We are pleased representatives of state and federal contracting agencies could attend our meeting. Many of these representatives are responsible for the design, bidding and award of over $1 billion worth of public works contract annually,” remarked the president. “We greatly appreciate the work they do day-in and day-out to build and maintain West Virginia’s infrastructure of highways, bridges, schools, water and sewer systems.”

By Lindsay Stephens
MEMBERS RECOGNIZED FOR 2010 SAFETY ACHIEVEMENT

During this year’s CAWV State Meeting, the Safety and Crime Prevention Committee presented the 2010 Safety Awards to members who have exhibited excellence in safety performance and promotion in the workplace. Scores are based on a company’s documented safety policies and procedures, commitment and approach to safety and health in the workplace and recorded statistical data for the year. Special marks are given to those companies who offer high quality safety training and demand active employee involvement in their safety process.

Finalists are chosen from the contractor and associate members who achieve an excellent performance rating. Awards were presented to only those members that met or exceeded the program criteria. Safety Committee Chairwoman Sara Matheney, Safety Caution Equipment Company, Charleston, oversaw the selection process. She joined Rich Jeffrey, OSHA compliance assistance specialist, to present each recipient’s award. Winners received a plaque, 24 t-shirts and four superintendent jackets bearing the “Hard at Work” logo.

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Jacob Brown, a junior in the civil engineering program at West Virginia University, is the top winner of the Contractors Association of West Virginia's 2011 scholarship award. CAWV Education Committee Chairman Tim Dorsch, Tri-State Roofing and Sheet Metal Company, Charleston, presented the award at the State Meeting held in conjunction with Expo.

Brown has grown up in the construction industry, having served as a stone mason at The Greenbrier. He also performed a tour of duty in Iraq.

“I am very thankful to win and I thank all the members of the Contractors Association who contribute to the Scholarship Fund,” the Lewisburg native said. “I hope to continue to work in the state of West Virginia as either a contractor or a practicing engineer. I believe I represent the people of West Virginia and the construction industry in a positive way and I plan on continuing to do so for the rest of my life.”

In addition to Brown, the Foundation presented six other scholarships totaling $6,000. Students receiving scholarship awards were: Chris Brumfield and Jessica Meadows from Marshall University; Larry Shea from Fairmont State University; and Kylea DeMarco, Daniel Estep and Elizabeth Tucker from West Virginia University.
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