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On the cover

The McDowell County Courthouse is one of West Virginia’s architectural gems. Built in the early 1900s, the imposing facility holds great stories of the state’s history. Unfortunately, structural issues plague the stately building. A 2003 report suggested nearly $10 million in improvements to the building. The Courthouse Facilities Improvement Authority provides grants to courthouses each year. In an effort to help preserve and maintain more facilities, they are currently trying to increase their funding by seeking bonding authority. Photo by Alan Johnston. For more on the Authority, see page 6.

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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The McDowell County Courthouse is an imposing stone building steeped in history, and it is falling down a hill. Built in 1888, the Lewis County Courthouse is the state’s only Italianate style building. It also has no fire alarm system, sprinkler system or emergency lighting, but neither does the Tyler County Courthouse. The Wood County Courthouse has a fire suppression and alarm system, but is seriously deficient in space requirements.

West Virginia’s county courthouses are architectural gems and feats of construction ingenuity. Most of the handsome and stately structures were constructed around the turn of the century. These facilities are physical reminders of an earlier time, in more ways than one. Stunning masonry and impressive clock and bell towers, marble walls and floors are hallmarks of the state’s courthouses. Unfortunately, so are subpar windows, inefficient HVAC systems and ancient mechanical systems.

Many of the buildings are energy nightmares with serious life safety issues. Cracked and crumbling mortar...
and stone show the age of the once immaculate facilities. Leaky roofs and doors, inaccessibility for handicapped residents and modern data integration issues round out the problems plaguing the state’s courthouse facilities.

In 2001, the West Virginia Legislature created the Courthouse Facilities Improvement Authority (CFIA) to provide county governments with funding assistance for improvements, modifications and new construction at facilities throughout the state. County governments can apply for grants through the program on an annual basis.

“The CFIA is proud of our beautiful and functional courthouses,” said Board Chairman Richard Staton, Wyoming County prosecuting attorney. “Our mission is to keep them that way and maintain them as treasured parts of their communities.”

Staton, CFIA’s founding father, became aware of the facilities issues facing the state’s courthouses while serving in the House of Delegates from 1988 to 2006.

“Officials frequently requested money for repairs and construction at their courthouses,” Staton said. “I knew this was a much larger problem with a statewide application, so we started with a needs assessment and formed the Courthouse Facilities Improvement Authority to start addressing issues with code compliance and structural deficiencies.”

Using fees generated at the county level, CFIA Executive Director Melissa Garretson Smith is focused on preserving the historic facilities and the history they represent.

“The Legislature had the right idea when they created the authority ten years ago,” explained Smith, “but, we are just barely able to help maintain the facilities. We are not getting ahead of the issues that our state’s courthouses face.”

The authority provides about $2 million each year in grants to courthouses, which must complete an application process. All CFIA money is fee driven through various county level applications, such as marriage and weapons licenses.

Tim Critchfield, High Point Construction Group, Buckhannon, has done several small and relatively uncomplicated courthouse projects.

“We are currently removing a stairwell and installing an elevator to increase ADA accessibility at the Pocahontas County Courthouse,” he said, noting that all the courthouses he has worked on.

CFIA funds were used by the Cabell County Courthouse to clean, repoint, repair and seal the 112-year-old masonry. The five-year restoration project was completed in 2010. The project included $400,000 in five annual grants of $80,000 from the authority. Counties must provide a 20 percent match to receive CFIA grant funding, bringing the masonry restoration project total to just over $550,000.
with need improvements, but funding is obviously an issue.

“Our goal is to get each courthouse that is seeking authority funding to really look at their facility and its needs, both short term and long term,” Smith said. “The application process requires them to prioritize issues.”

CFIA puts great emphasis on life safety, following the loss of the Morgan County Courthouse in 2007 as a result of a fire. Many courthouses have little to no fire safety systems.

“Fire alarms, fire suppression and electrical compliance all receive the highest priority for funding,” she said. “The application process requires the county to put more thought into their facility up front. By doing that we are getting much better requests for funding. Certainly we don’t want to repair plaster and leave a leaky roof, but courthouses don’t employ architects and engineers. Typically maintenance personnel - and usually just one person - are trying to care for the entire facility.”

With a clear goal, Smith has worked to revamp the CFIA process to extend help to all the state’s courthouses, even when the finances won’t stretch that far.

“It is a shame to look at these facilities and know that a major disaster would destroy them,” she said. “The McDowell County Courthouse is falling off a hill. $80,000 is not going to go far in that situation. They need millions to fix that issue.”

The authority works to stretch each dollar they receive, with 98 percent of their funding being allocated back to county courthouses. To receive grant funding for a project, the county must match 20 percent of the total, and CFIA can provide up to $120,000 per project.

“With the amount of funding we receive, we are only able to provide band-aid solutions to problems,” Smith said. “And even at that, counties are only doing the projects they can afford, not necessarily addressing their biggest needs.”

Staton reiterated her sentiment, noting that deferred maintenance can result in emergency situations.

“The authority works to stretch each dollar they receive, with 98 percent of their funding being allocated back to county courthouses. To receive grant funding for a project, the county must match 20 percent of the total, and CFIA can provide up to $120,000 per project.
failure and their turrets fell off. Likewise, windows at the McDowell County Courthouse fell out and landed on vehicles,” Staton said, noting that every bit of funding helps repair and maintain the structures.

The Summers County Courthouse’s structural failure cause a turret to fall to the ground. The failure qualifies the courthouse for assistance through CFIA’s emergency program. A project to replace the turrets bid November 4.

With Smith at the helm, CFIA intends to increase the help they are able to provide. The Authority is currently in the process of having a needs assessment completed for each of the state’s 55 county courthouses.

“The last needs assessment was done nearly 10 years ago. At that time, a rough estimate of the cost of improvements over a 20-year period approximated a necessary investment of $300 million. This estimate included the cost of construction of annexes and additions as well as the rehabilitation of existing spaces. It focused greatly on historic preservation rather than utilization and facility needs. With a clear set of priorities, we know where our focus needs to be,” Smith said, noting that in addition to life safety, roof and structural needs are of high importance.

Once a current needs assessment is complete, the Authority will have an accurate picture of exactly what shape the state’s courthouses are in and how much money is needed to fix them.

“This assessment is going to do several things for the courthouses. The obvious outcome is that we will have a definitive answer on the existing needs,” Smith said. “The assessments will be provided to the courthouses so they won’t have to rely on maintenance personnel to know what issues need to be addressed.”

Smith also plans to take the assessment to the Legislature and pursue bonding authority.

“Our statute is very clearly written,” she said. “The only thing they left out is bonding authority. Current rates indicate that $5 million would be turned into about $80 million. I believe that is what we need to make an impact on the problems West Virginia’s courthouse facilities are facing. Bonding authority would allow us to fund many more projects, both in dollar amount and scope.”

Smith has found broad support for her proposal and is hopeful it receives a warm reception from legislators.

“Nobody is wasting money on courthouse facility improvements,” she said, quoting statistics that roughly 70 percent of local taxes are spent on education, with counties trying to run themselves on the remaining 30 percent.
CFIA has come a long way since being formed 10 years-ago by the WV Legislature, with Staton leading the charge.

“The state’s courthouses, and the authority are near and dear to me,” he said. “I am happy to be able to watch it grow and mature. The authority is an excellent example of how a program should operate. The board works hard, the staff is dedicated and we are able to have an impact on the state, from both a historic preservation and structural integrity perspective.”

Staton says there are no delusions about the need, or the funds available to address issues.

“Every county applies for funding every year,” he said. “The need is tremendous and the funds are very limited.”

By Lindsay Stephens

The Summers County Courthouse, located in Hinton, is currently bidding a project to replace the turrets on the nearly century-old building. Recently, structural issues caused a turret to fall from the building. The structural failure qualifies the facility for emergency funding from the authority. The project bid November 4.
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West Virginia doesn’t often make headlines for good news, but on Tuesday, August 30, the Associated General Contractors (AGC) joined the CAWV to announce the Charleston Metropolitan Statistical Area (MSA) had the fifth highest job growth nationwide. Local and national news stations came to the recently completed West Side Elementary School to hear the news.

“It is good to see West Virginia growing and thriving,” said Mike Davis, vice president of G&G Builders, Inc., Scott Depot. “Good news for construction is good news for the economy as a whole because of the ripple effect construction has on an area.”

Davis, who was the general contractor for the nearly $8 million school, took reporters on a tour of the facility which serves also as a community center and features green and state-of-the-art elements.

“The Charleston MSA is adding new construction jobs faster than virtually every other metro area as the local industry added 2,300 jobs, a 15 percent increase between July 2010 and July 2011,” said CAWV President Gene Thompson, Ahern, a Division of Kokosing, South Charleston. “One of the main reasons construction employment is growing in Charleston is because of the public sector investments that are being made at the local, state and federal levels.”

Growth in the Charleston MSA, which includes Kanawha, Putnam, Boone, Clay and Lincoln counties, is attributable to strength in all three of the construction industry's sectors. President Thompson told reporters that school and hospital construction has been strong in Kanawha County, while Putnam County is in the process of constructing four new schools. The Charleston area has seen several large scale bridge projects such as the Oakwood Road bridge renovation and I-64 Dunbar to South Charleston bridge. Water and sewer line extensions are ongoing throughout the area, as Boone and Putnam counties are currently undertaking large waterline extensions.

“While the structures these new construction workers build are sturdy, the jobs they have are still fragile,” Thompson warned. “With federal, state and local budgets tight and..."
growing tighter, there will be a lot of temptation to cut investments in public buildings and infrastructure. That is something we must avoid because it will put people out of work, hurt our economy and cost taxpayers more in the long term.”

In addition to the Charleston MSA, 136 out of 337 metro areas added construction jobs during the past year, helped in part by demand for new schools, bridge repairs and other infrastructure projects. President Thompson added that the public sector projects were not just creating new construction jobs, they were giving a much needed boost to the broader economy.

“Construction activity stimulates demand for construction materials and equipment,” he said. “It puts more money into the economy by increasing sales at everything from the local lunch wagon to retail and technology providers.”

Despite the local gain, construction employment in the Charleston MSA is...
still down from its peak as the industry struggles to regain its foothold.

“The past few years have been very difficult for the construction industry,” the president said. “Nationwide, total spending on construction activity has declined by a third since peaking in March 2006. Over 2 million construction workers have lost their jobs. And the industry’s unemployment rate is now over 13 percent, well above the national average,” he said. “Statewide, construction employment has declined over nineteen percent during the past three years. The Charleston MSA has seen total construction employment decline by seven percent since October 2008. While the trend is heading in the right direction, we are not out of the woods yet,” President Thompson added.

CAWV and AGC were joined by Charleston Mayor Danny Jones and School Building Authority Executive Director Dr. Mark Manchin, who discussed the nearly $200 million being spent on school construction in the area and how it impacts the economy.

“I’m proud of the work that has been done in the area and hope there is a lot more in the future,” Mayor Jones said, noting that school construction, bridge rehabilitation, airport and racetrack projects have added to the construction jobs total.

Dr. Manchin recounted the large school building program which has injected $42 million in Kanawha County and $30 million in Putnam County. The SBA’s investment, coupled with local matches, has resulted in $101 million spent for school construction in the past 12 to 18 months.

“In addition to what is going on locally, there is $700 million being spent right now on school planning, design and construction statewide. Our economy would be much worse without the construction industry and its broad economic impacts,” Dr. Manchin added, noting that every one dollar invested in construction results in three dollars spent in the economy.”

The story was covered by all the major Charleston news stations including WCHS TV, WOWK TV, WSAZ TV, WV Gazette and Charleston Daily Mail.

“We want the fact that places like Charleston are adding construction jobs to be the rule, and not the exception,” President Thompson said. “That is why the Associated General Contractors of America will continue to advocate for measures like tax breaks and regulatory reform, to help stimulate demand for new construction.”

AGC releases construction employment information monthly along with materials price indexes, legislative and regulatory updates on a regular basis. Contact AGC online at www.agc.org for more details on the health of the industry nationwide.

By Lindsay Stephens
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Every year as winter moves into spring and spring into summer, contractors are hard at work raising buildings, building bridges, paving roads, or installing pipe throughout the great state of West Virginia. During this process, odds are that some type of excavations will have to be performed in the form of a drainage ditch, footer, pipeline, roadway or fill. This article is a brief overview of the minimum requirements listed by OSHA in 29 CFR 1926.650 when performing excavation work.

An excavation is defined by OSHA as “any manmade cut, cavity, trench, or depression in an earth surface, formed by earth removal,” and a trench is defined as “a narrow excavation where the depth is greater than the width, but the width is not greater than 15 feet.”

The following are specific excavation requirements outlined by OSHA:

- Surface encumbrances
- Underground installations
- Access and egress
- Exposure to vehicular traffic
- Exposure to falling loads
- Warning system for mobile equipment
- Hazardous atmospheres
- Water accumulation
- Stability of adjacent structures
- Protection from loose rock or soil
- Inspections
- Walkways to be provided

These provisions have to be addressed on all excavation sites and are further explained in OSHA regulations 29CFR1926.651.

With that being said, no matter the type of project or amount of dirt moved, precautions have to be taken to protect employees when working in and around excavations.

First, before any type of excavation is performed, all underground utilities have to be located. In West Virginia a call can be made to Miss Utility of West Virginia by dialing 811 or 1-800-245-4848. Once the call has been made and a ticket has been issued, the excavator has to wait at least 48 business hours excluding weekends and holidays before excavation work.
can proceed. Once utilities have been located excavation work should start within 10 days to prevent deterioration of markings. Also, not all underground utility companies are members of Miss Utility, so additional calls may have to be made to ensure that all utilities have been located.

It is the law in West Virginia to “Call Before You Dig.” Fines can be assessed if an excavation is performed without a call. If a utility is hit or damaged, employees - as well as the general public - can be seriously injured or killed.

Once all utilities have been located excavation can begin. As excavation progresses, remember spoil piles should be placed as far away from the excavation as possible. The base of a spoil pile should be kept a minimum of two feet away from the edge of the excavation. If the area is tight or restricted, provisions must be made to put the soil elsewhere, whether it is wasted or being brought back in as fill material. Spoil piles can add extra weight to trench walls and potentially cause collapse. Material could also roll off the spoil piles and into the trench onto employees.

While working in excavations, once the depth of the excavation reaches four feet, employees have to be provided with a safe means of access and egress for every 25 feet of travel. Proper ladders should be selected for the task and remain in place until all employees have exited the excavation. No ladder should be removed temporarily with employees remaining in the excavation to place materials in the excavation. If a ladder has to be pulled out, employees should exit as well until the ladder can be put back in for use.

When the excavation reaches five feet in depth, a protective system has to be put in to place. One exception to the five foot rule is if there is a potential for cave in, no matter what the depth, employees in the excavation have to be protected.

At no time can an excavation exceed 20 feet in depth unless it has been properly designed by a professional engineer.

Protection for employees is usually accomplished in one of the following ways: sloping, benching, a support system or a shield system.

When using the sloping or benching method, a determination of soil classification has to be made. Soil can be classified into the following categories: stable rock, class A, class B or class C. The angle of the sides of the excavation will change depending on the type of soil. Soil determinations should be made according to the OSHA standards listed in 1926 subpart P appendix A.
In a simple excavation 20 feet or less in depth for type A soil, the angle of the excavation can be on a 3/4-to-1 slope. In a simple excavation of 20 feet or less in depth for type B soil, the angle of the excavation can be on a 1-to-1 slope. In a simple excavation of 20 feet or less in depth for type C soil, the angle of the excavation can be on a 1½-to-1 slope.

Another issue that has to be addressed is performing excavation work in layered soils. When excavations are performed in layered soils and sloping is used as a protection means, the slope of the excavation can vary. The rule to remember in this type of situation is that the slope can never increase (get steeper) it should only stay the same or decrease (shallower). As an example, if work was proceeding in an excavation that had a layered soil of class A soil over class C soil, the slope of the entire excavation would be 1½-to-1 throughout both types of soil. When performing an excavation that has class C soil over class A soil, the slope would be 3/4-to-1 for the class A soil and then sloped back further to 1½-to-1 for the class C soil. Note the slope only decreased with the less stable class C soil over the class A soil. Further examples and details can be found in the OSHA standards 1926 subpart P appendix B.

When classifying soil always remember:

- Soil can deteriorate when exposed to air or water over time
- Previously disturbed soil has to be classified as type C soil
- Soil classification has to be made by a competent person, determined only by the company
- Both visual and manual analysis must be made on the soil
- Environmental hazards have to be considered (rain, wind, vibration, freeze/thaw)

Trench shields or boxes can also be used to protect employees. When utilizing such protective measures always use the device according to the manufacturer guidelines and recommendations. No shield should be exposed to forces or loads exceeding what it was designed to handle. All shields should be installed to prevent lateral movement. In the event of a trench collapse, the trench shield should not move. The greater the gap between the walls of the trench and the shield, the greater the chance the shield could shift or be displaced resulting in potential hazards to employees.

When installed, the top of the trench shield should be at a minimum of 18 inches above the surrounding ground surfaces. If the ground surface is above the trench shield, it should be sloped back at the angle corresponding to the type soil, with a minimum of 18 inches above the toe of the slope. The clearance above the ground will prevent any type of material from falling back down into the excavation.

As employees enter and exit the shield, they have to be protected at all times. Employees should not be allowed to enter from the unprotected ends of the shield box to perform work, nor should they be inside the shield during installation, removal or when it is being moved. When work is completed and the shield needs moved, all employees should exit first. When a shield is in place, the distance between the bottom of the shield and the bottom of the excavation should not exceed two feet, given the shield is designed for such use and there is no indication of soil loss from behind or below the bottom of the shield.

If shoring is selected as the type of protection means there are two main types of shoring systems: timber and hydraulic. Shoring systems are designed to be installed against the walls of the excavation and remain in place during work. They cannot be moved without disassembling the system. Soil classification has to be determined to ensure the proper materials or system components are used. All hydraulic systems have to be installed and removed according to manufacturer’s specifications, which can vary depending on system types and manufacturers. If timber shoring is used, at a minimum the guidelines specified in the OSHA standards 1926 subpart P appendix C have to be used.
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- West Virginia Society of Certified Public Accountants
- American Arbitration Association

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This information is not all encompassing, but to be used as a guideline and refresher on the sometimes forgotten specifics when dealing with excavation work in construction. The complete excavation standard can be found in the OSHA regulations under 29 CFR 1926.650 through 1926.652, including appendices A, B, C, D, and E.

In summary:
- Excavations have to be inspected at least daily before entering, and more frequently depending on weather
- Provisions have to be made to remove water from excavations before work begins
- If an excavation remains open overnight, it has to be protected to prevent persons from entering
- Compressed gas bottles should not be inside the excavation
- All torch leads should be removed after use and when not occupied
- If utilities remain in place, they have to be supported and protected
- Access and egress have to be provided if more than four feet deep and at every 25 feet of lateral travel
- Excavations have to be protected from vehicular traffic
- Depending on hazards that are present, an excavation could be considered a “Permit Required Confined Space”

Make every effort to train employees on the requirements of excavation work, and ensure excavations are supervised by competent persons. A competent person should have experience working with excavations, be able to identify hazards associated with excavation and be authorized to correct hazards to eliminate them. Work must be performed efficiently, on time, and it has to be performed safely.

The CAWV partnered with BrickStreet to offer contractor members a discount on their workers’ compensation insurance. Members are encouraged to contact their insurance agent for full details.

Allan Williams is the safety and loss control specialist for BrickStreet Insurance. BrickStreet provides workers’ compensation coverage in West Virginia, Virginia, Kentucky and Illinois. BrickStreet provides a variety of tools to help employers provide a safe work environment for their employees and minimize losses – including on-site support from our safety specialists, a library of safety resources and ongoing programs, such as their Deductible Program that can help manage costs.
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WHAT MAKES BEST-IN-CLASS CONTRACTORS BETTER?

Setting a goal of operational excellence is more than a mantra. It requires hard work.

By Jim Schug

Many people will recall a comical scene in the movie “Elf” where Will Ferrell takes his girlfriend on a date to a New York City café so that he can treat her to the world’s best cup of coffee. Most of the audience knows that almost every café in New York City has a sign advertising the same. Probably most humorous in the scene is how convincing Will Ferrell is in believing that the coffee is truly the world’s best.

In many ways, contractors fall into a similar trap – fully believing they have great operational processes simply because they rely on overused clichés in their mission statements. This article aims to identify those areas at the root of what great contractors do differently.

OPERATIONAL EXCELLENCE CAN BE MEDIocre AT BEST

Since the onset of the Great Recession, many contractors set operational excellence at the forefront of their company strategy. This is with good reason. The benefits of world-class performance mean more wins on bid day (competing in a low-price market) or more profit at a project completion. Done well, 65% of general contractors feel that they can improve the project schedule more than 5% while more than 70% of subcontractors can save more than 5% on labor costs with the correct management focus on efficiency.

In addition, during this economic malaise, focusing on satisfied customers and well-trained performance by field personnel can ensure consistent and confident processes to complete projects successfully on time and budget. When the economy starts to return, this great operational base will allow expansion into new geographical markets or additional services.

Because having great operations in a competitive market means topping competitors operationally, many contractors ask themselves if they truly are best-in-class. The term itself can mean many things and must tie into a company’s strategy. For instance, a company focused on negotiated private work may want to be best-in-class in quality and timeliness, while another firm competing in a hard bid public market may aspire to be best-in-class in cost management.

Contractors can undertake resource-intensive initiatives to improve operations, without realizing they do not support their strategic goals. Many of the following slogans are found in strategic plans and in the halls of great contractors:

- We are best-in-class in operations
- Operational excellence
- Execution-focused
- Experts in construction operations

I’M IN GREAT SHAPE … OR MAYBE NOT …

Leaders administer the Army Physical Fitness Test semiannually to soldiers. The rules to conduct the test (performance criteria) are specific in nature. While the test is often a gut check to push as hard as possible, it is highly dependent on how well one trained for the tested events. Some find themselves failing one of the three events, typically for lack of specific training. Bench presses may not improve pushup scores, nor would running long distances in cadence necessarily improve two-mile run times. Master fitness trainers often develop rigorous training routines and benchmark the unit’s fitness levels to adjust as performance improves. For individuals preparing on their own, as with anything else in life, it is possible between tests to feel too good about the run time and slack off in training. By adjusting and focusing in the training, a soldier reaches improved results. The example of a physical fitness program is simple and demonstrates how performance can be traced and benchmarked to see if someone is in best-of-class shape.

Measuring performance for an organization that completes many separate and unique projects throughout the year can often be difficult and hard to correlate. Contractors have a much harder time knowing if they are world-class in operations as well as difficulty knowing if they are truly improving operationally over time.

MEASUREMENT OVERLOAD

Some contractors are bogged down with the wizardry of software and attempt to measure everything possible, only to find themselves overrun by minutia. “The data is on the server” is what supervisors hear, even while they struggle to find the correct link to start querying to see their scoreboard for the week. Management meetings are typically just a recitation of data collected that month. A flood of information is not proper management. At the other extreme is a contractor who over-relies on one metric or measurement that is now robust enough to take into consideration the full scope of the business. The challenge with this approach is that it can likewise lead to problems.

Consider the contractor who focuses on customer satisfaction and completing jobs on time, yet fails to consider the additional costs involved to get there. Only measuring outcomes without considering inputs is often detrimental to successful contractors. Having the right mix of data distributed at effective intervals...
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“Companies that have clear and consistent operational procedures (great operations) can measure milestones and support the processes. Without uniform procedures to execute work, companies are unable to measure compliance and performance across several projects.”

reduces the needless flood of data that swamps the field manager and reduces it to the most important focus areas (i.e., what changes would you make with a daily project profitability report?). When this information is presented clearly and distributed to the correct level of management, it provides the field a visual picture of their operations and leads to success.

**FLEXIBILITY WITH DISCIPLINE**

FMI Corporation, a strategic partner of the Associated General Contractors of America (AGC), highlighted the vast difference between the majority of self-identified “On Time On Budget” general contractors versus the “Not Always On Time On Budget” contractors in their 2010 Project Management Survey. More than 80% of the great contractors indicated that they had a tried-and-true company way of doing things and that there was little difference between the processes followed by different project managers. This exceeded the “Not Always On Time On Budget” contractor respondents by more than 40%. This remarkable difference affects company performance in profit margin, timeliness, quality and customer satisfaction. Successful businesses orient their operations processes around a rigorous framework in order to prioritize resources and efforts across the company. Failure to establish clear guidance through project-oriented systems allows a reactive culture.

Discipline in company operational processes results in clear communication between managers. Given some time to be proactive with resources, leaders will actually find more flexibility to complete projects in a timely manner. When the entire company has to surge to complete one project on time, working weekends and 24-hour days to keep the project from running over budget or schedule, surrounding projects suffer. A precedent is established that the company will waste resources in the name of project completion and priorities are not set by proper planning, but rather whichever project is most in need of rescue. This firefighting execution results in a doom loop as margin erosion becomes commonplace to preserve a cowboy culture. In many companies, this culture is bragged about and egos are tied up in “making it happen.”

Companies that have clear and consistent operational procedures (great operations) can measure milestones and support the processes. Without uniform procedures to execute work, companies are unable to measure compliance and performance across several projects. Companies with a lack of consistent project management often have projects that resemble separate companies to clients. The company shop, finance department and even the general superintendent will each inefficiently run the same five projects differently. When this is the cast, it is common to find a large company headquarters having increased staff to support the equivalent of five different companies.

**PERSONA NON GRATA**

Quality processes reach back through the centuries. They have varied through the years, including statistical process control, Quality Circles, teachings of Juran and Demings, TQM, Zero Defects, Six Sigma and Lean. Many of these processes include identifying an operational area to measure and adjusting until desired effects occur. While quality processes usually focus on manufacturing, the principals may often successfully be applied to construction. Much like the army soldier training for a fitness test, drastic improvements are made by measuring the right areas and working to improve them. What loses emphasis with some of these manufacturing-based processes is the importance of people. Construction is a leadership-intensive industry. It is the people that have to make the processes work.

As an organization starts down the road toward excellent operations, most leaders quickly find themselves in the “murky land of human nature and group dynamics.” In fact, the paradoxes alone cause confusion about the proper way to lead organizational change:

- Hire and promote the best versus Grow people and build a great team
- Hold people accountable versus Encourage initiative and responsibility versus Ensure discipline and that standards are followed
- Lead the organization to become action-oriented versus Do not micromanage

In many cases, this push and pull of conflicting actions is what leadership is about. The solution to the challenges above is clearly the tyranny of the “or.” Substituting each “versus” with the word “and” appears easy in writing, but requires emotional intelligence and leadership skills. In other words, hiring and promoting the best while growing people and building a team is a challenge. Bringing new high potentials into the
company can challenge the Steady Eddies that have been loyal performers for years.

Processes and measurement assist leaders in giving clear guidance as well as holding managers and workers accountable. Employees should receive regular feedback (quarterly works well) regarding their performance as they are measured by their personal goals, their professional goals and their ability to execute.

THE CULTURE OF A LEARNING ORGANIZATION

Another leadership task critical to successful operations is cultivating an organization attitude of continuous improvement. This runs counter to the climate of most contractors and to the natural instincts of the people in the company. Because of this, leaders must create an organization that can continue learning and improving. Project managers and superintendents must comfortably discuss mistakes in search of ways to improve individuals as well as project teams. This candid discussion is very difficult because many employees, especially in this economy, fear losing their jobs.

In addition, most field superintendents want to avoid showing any vulnerabilities and hesitate to ask for help. Leaders help people overcome these natural defenses and build a team willing to engage in lively debate regarding the issues that hold the company back. Done well, as each project is completed, the company improves. Over several years, the company begins to recognize great operations. Culture becomes a dominant force in the organization. While strategy and processes are important, if the true culture of the company runs counter to them, expect only grudging compliance to processes and lip service to creating a trusting culture.

BLOCKING AND TACKLING AIN’T EAST

Setting a goal of operational excellence is more than a mantra. It requires hard work. Often senior leaders give little or no guidance, stating that we need to get back to “blocking and tackling.” This casual dismissal fails to recognize the hard and soft skills required to bring a contracting company to world-class status operationally. While watching college football athletes can be inspiring to enjoy their physicality, there is a monumental difference from a graduated college senior and an NFL football starter. The difference can be attributed to the resources available to professional athletes. Professional football players dedicate their time to improvement under the guidance of dieticians, strength trainers, position coaches and improved technology. A year spent on a professional team takes the “simple” art of blocking and tackling to an entirely new level. While there are athletes and companies that are the exception, making operational excellence a way of life requires commitment of resources, of leaders and persistence. By using the ideas discussed, contractors can take actions to achieve greater profitability and improved bid-day results.

Jim Schug is a consultant with FMI Corporation. Article reprinted with permission from FMI Corporation, (919) 787-8400. An AGC of America strategic partner, FMI Corporation offers consulting and investment banking services to the engineering and construction industries. For more information, visit www.fminet.com.
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The economic stability of this state is literally riding on the soundness of its highway system,” Paul Mattox, Transportation Department secretary told attendees of the Asphalt Pavement Association’s Fall Meeting, held September 15-18, 2011 at Snowshoe Resort. “It is vital that our roadways are built intelligently and safely. This large task requires more than the resources of a single body, making partnership with the construction industry incredibly important.”

The Secretary told members attending the business session that one of the state’s goals is to capture any and all available federal funding, to ensure that no financial resources are lost.

“In less than 18 months, we took the highway program from around $350 million annually to more than $500 million and have sustained it at that level since 2006,” he said, noting that cost saving measures have led to the largest program they have ever had. “We increased our STIP completion rate, completing nearly eighty percent of the work we said we would – an incredible increase from nineteen percent when I came in.”

Secretary Mattox told members that he understands that the better they plan their program, the better contractors can plan, and that is a win-win situation.

“This year, we set our total paving program at $189 million and the contract paving program at $136 million. I am pleased to report that more than $100 million of it has been awarded to date,” he stated.

He discussed some of the major projects which have already been let this year, including I-81 widening in the Eastern Panhandle and the 11-mile warranty project on I-79.

“Our successful paving program is merely an illustration of how precisely we are planning our work and are working that plan effectively,” he said. “For 2012, we will continue our secondary road renovation program and keep an aggressive paving program as well. On the federal side, we are planning $30 million in interstate pavement, another $20 million to resurface our corridors, and an additional $25 million in other federal aid monies that will be used to resurface routes across the state.”

Notable projects include $9 million in resurfacing on I-70 in the Northern Panhandle and several $2 million projects including I-64 from Yates Crossing to Milton, I-79 from Servia to Frametown and Big Otter to Servia.

“On the state contract paving side, we are planning a Spring paving program of $10 million and have set the Summer program at $50 million,” he told attendees. “Keeping up our progress from last year, the 2012 paving program totals $135 million.”

The Secretary expressed concerns that uncertainty exists for continuing the paving programs at their current levels. The purchasing power of the agency has dropped nearly 30 percent while revenues have remained stagnant. Government’s desire to cut spending and the absence of a long-term federal transportation funding legislation have made project planning difficult.

“We are working to identify several funding options,” Secretary Mattox said, “including public-private partnerships, to increase revenue so that we can maintain our highway system. We are proposing the option...
of a severance tax on oil and natural gas in excess of the baseline $58.4 million – much like the Coal Resource Transportation System – with fifty percent of the excess to be deposited into the State Road Fund. That money would be directed towards the county route system, which sees the most oil and gas traffic."

Another option the Secretary detailed is the use of tax revenues from sales of tires and batteries as well as vehicle repairs, which would generate roughly $50-55 million per year in additional revenue for the State Road Fund.

"Additionally, we have proposed transferring the Industrial Access Road Program – a program the Division spends $3 million on per year to the Development Office, or authorizing local option taxes at the county level to permit direct financing," he said. "For the long term, indexing vehicle registration and other DMV fees to the Consumer Price Index, increasing the privilege tax to six percent and privatization of the WV Turnpike are all being proposed."

The Secretary stated that a sale of the WV Turnpike at $2 billion with five percent earnings would allocate about $100 million in funds per year that could be used to construct the Coalfields Expressway, East Beckley Bypass and RHL Boulevard, along with other projects in the Turnpike counties.

"Recognizing that more fuel efficient vehicles will be providing less financial contribution to the construction and maintenance of West Virginia's highway system, I have asked our leaders to consider a special registration fee for alternative fuel vehicles and high mile-per-gallon vehicles," he said. "As federal dollars become fewer and fewer as Washington tightens its belt, we must look for ways to not only generate new revenue, but to keep old sources of revenue from becoming obsolete."

In 2010, motor fuel collections were $380 million. By 2013, projections indicate a $30 million decrease.

"A decline like that cannot be ignored," he said. "A decline like that suggests that our current methods of tax collection for our highway systems are antiquated."

Secretary Mattox has proposed increasing the motor fuel excise tax rate and the wholesale tax rate.

"There are also options that can be adopted to take some of the strain off the State Road Fund, but still allow for highway maintenance across the state," he said, detailing S.B. 673, passed during the 2006 session of the WV Legislature.

Known as the Local Powers Act, the bill permits counties to impose, administer and collect voter-approved service fees for the purpose of special infrastructure projects such as highway construction and maintenance. Revenues generated would be used by the Division of Highways to supplement the State Road Fund for use in those jurisdictions. Linking local revenues raised to a state matching program could increase the incentives for passage – something like a dollar for dollar match.

The Secretary also suggested exploration of Tax Increment Financing (TIF) for highway construction and maintenance, and allowing localities to assume financing responsibilities for local roads. He also noted that West Virginia has an outstanding bond rating and issuance of new bonds for highway bridge construction and maintenance should be explored, as should tolling.

"More and more states are turning to tolling to partially finance and construct projects that alleviate congestion and improve safety," he said, noting that nationwide in many cases tolling is the only available means to accomplish the projects.
Sandy Sowell invited members to participate in an unconventional basketball game.

The APA Annual Meeting Business Sessions focused on everything from emerging technology to research.

Bil Lepp tells tall-tales from his childhood to members attending the Saturday dinner.

Jack, Susan and Stephanie Conner enjoy the Asphalt Pavement Association’s 31st Annual Meeting.

Magician Mark Fuller put on a stage show during the Kid’s Program.

Segways were available during the Friday night reception for members to enjoy.

Ms. Loudermilk won a beautiful print during the Saturday evening dinner.

Aaron Gillespie sits in the hot seat for a round of “Jeoparty,” hosted by Sandy Sowell.

Grayson Samples entertained members with music during the Friday reception.

Rick Johnson won the door prize during the Saturday evening dinner.

Isabella Medvick has her face painted by Ziggy during the Kid’s Program.

Morgan Hambel and Sidney Crane had a good time during the kid’s program, which offered something for people of all ages.

Sherry and Monte Caruthers had a good time at the Saturday evening reception and dinner.

Lindsey Johnson and Obie McClanahan enjoyed the meeting and Snowshoe Resort.

A special kids “Jeoparty” round entertained the association’s youth.
The Secretary discussed the Division’s exploration of contractor warranties on projects as an internal cost-saving measure, stating that warranties reduce the time and resources the Division spends inspecting construction projects.

Federal transportation planning was also on the Secretary’s agenda. He discussed the President’s new jobs plan which included $50 billion in immediate highway funding, but was shot down by Congress. The surface transportation bill, he said, has a long way to go as the House and Senate have vastly different versions.

“The House has proposed a six-year, $235 billion bill while the Senate is suggesting a two year, $109 billion bill, which keeps us at existing levels,” he said. “Our nation’s competitiveness and West Virginia’s economy depend on a solid fundamental highway infrastructure.”

The Secretary assured members that the Division will continue striving to improve the program and that he appreciates having the construction and asphalt industry as a partner in their efforts.

Following the Secretary’s remarks, a panel of Division of Highways officials addressed members’ questions and concerns. Assistant Commissioner Howard Mullens, State Highway Engineer Marvin Murphy, Deputy State Highway Engineer – Operations Steve Cole, Materials Control Soils and Testing Director Aaron Gillespie, Pavements Engineer Tom Medvick, Program Planning and Administration Director Rob Pennington and Contract Administration Director Todd Rumbaugh joined together for the panel discussion.

The Saturday business session began with a perspective of the WVDOH’s paving program by Pennington. He outlined the 2011 winter damage program, secondary road renovation program, contract paving and purchase order paving programs. The total 2011 paving program, according to Pennington, will total $189.4 million, consisting of $136 million done by contract and $53.4 million by Purchase Order.

“The 2012 paving program is set at $135 million,” Pennington said. “Contractors can expect $30 million in Interstate paving, $20 million in Appalachian Developmental (APD) paving and $25 million in other federal paving. The state contract paving program for Spring 2012 is set at $10 million followed by a Summer paving program at $50 million.”

Pennington reviewed the Highway Division’s 2012 construction program, which is estimated to be $500 million. The largest category, “Other Federal Aid” includes the $26 million for the East Beckley Bypass, $19 million for Route 9 and $18 million for a project on the Mileground in Morgantown.

Industry representatives welcomed Carlos Rosenberger, who discussed the much anticipated FHWA and Asphalt Institute research report on best practices for constructing and specifying asphalt longitudinal joints. Rosenberger, retired Senior Regional Engineer for the Asphalt Institute, described the seven phases of the research project, while demonstrating how critical longitudinal joint
construction is to the life of the pavement structure. Based on benchmark surveys, a literature review, interview of experts and state department of transportation visits, he explained development of specification recommendations and training tools.

Rosenberger discussed the use of cores and gauges at the joint for density measurement and the critical relationship between density and air void levels, permeability and pavement life expectancy. Joints are permeable below 92% density, he said, and the goal is to build a joint that will last as long as the mat.

Trenton Clark, director of engineering for the Virginia Asphalt Association, gave members an overview of Virginia’s Asphalt Program, including their Superpave specification, key elements of their Quality Assurance Program, their positive experience with Stone Matrix Asphalt (SMA) mixes, “Quiet Asphalt Pavements” and their emphasis on and approach to longitudinal joint construction.

Clark described the growing use of trackless tack in Virginia and their permissive special provision for use of Warm Mix Asphalt (WMA). During the 2010 paving season, he said, over 65% of asphalt produced for the Virginia Department of Transportation used WMA technology. Recycled Asphalt Pavement (RAP) and Recycled Asphalt Shingles (RAS) are allowed in mixes, with RAP use up to 15% in wearing mixes, base mixes up to 35% RAP and they are investigating increasing RAP to 40%. Clark concluded his remarks with a look at the various types of pavement recycling underway in Virginia.

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“A WVDOH Construction and Materials Update” wrapped up the conference’s second business session. Aaron Gillespie and Tom Medvick reviewed elements of a longitudinal joint study, including the use of thin lift gauges, correlation of gauges to cores, control strip testing and development of their shadow specification. Gillespie also announced that West Virginia may be the first state to take advantage of the FHWA Joint Density training program discussed by Rosenberger.

“We have increased the asphalt content in our mixes by lowering our gyratory design levels. We have a new tack specification in place and we are experimenting with Trackless Tack,” Gillespie said.

“We are also working on a proposed specification that will allow us to responsibly increase the use of RAP and WMA,” Medvick added. “The Division hopes to increase and broaden the use of WMA in 2012 over the 35% goal they established in 2011.”

They also told the group that they are working with the CAWV and APA on plans for reconstruction of interstates and training classes for a new Asphalt Field Technician certification.

Todd Rumbaugh focused his construction update primarily on electronic enhancements that are underway at the Division of Highways.

“We are replacing our old Project Record System (PRS) with AASHTO’s software program called SiteManager,” he explained. “This will
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Rumbaugh provided samples of what the new progress and final estimates and change orders will look like, noting how the software will significantly expedite processing of change orders. Rumbaugh estimated it may take three years to totally implement the new web-based program, but that select districts have already begun trying out the construction portion of the program.

Rumbaugh also discussed the evolution of the plan holders list from a mandatory record to its now optional status. He said a new web-based BidXpress program under development should improve the process although it appears it will remain an optional list.

The informative business sessions were coupled with equally fun and entertaining activities. While enjoying Grayson Smith’s guitar playing beside a firepit during the Friday night reception, members had the opportunity to try riding a Segway, Green Zebra or play cornhole. The dinner featured award winning storyteller and comedian Bil Lepp who regaled members with an amazing story from his childhood.

“Bil’s outrageous and humorous tall tales and witty stories make listening to him very enjoyable,” said Lisa Booth, Highway Safety, Inc.. “The crazy stories of his childhood that he shared with us appealed to the entire audience, from the youngest kids to the most mature adults. He had the whole group in stitches.”

Lepp’s stories often contain morsels of truth which shed light on subjects such as politics, relationships, human nature and religion. A retired Methodist minister, Lepp joined the group again for the Prayer Breakfast where he told a touching story with a moral that had members laughing the entire time.

Laughter was the order for the Kid’s Program held on Saturday morning. A magician provided a hilarious stage show for the nearly 60 kids attending the family-focused meeting. Craft and game tables, inflatables, a climbing wall and Eurobungi, face painting, balloon art and snacks were also available. The amazing event was sponsored and chaired by Kelly Osborne-Samples, WV Paving, Inc. The Saturday Evening program continued the theme with Sandy Sowell who led a rousing game of “Jeoparty.”

“Throughout the years the APA Annual Meeting has evolved into such an enjoyable event,” said APA Chairman Willie Crane, WV Paving, Inc. “Our events have become such wonderful networking opportunities for us and our families. We have watched each other's kids grow up at these meetings and made lifelong friendships. The members of the association make the event truly special. They all deserve a very special thank you for donations of time and event sponsorships.”

By Lindsay Stephens

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Peerless Block and Brick expands into Beckley
SAINT ALBANS, WEST VIRGINIA – Peerless Block and Brick has opened a Beckley office. Located on Ragland Road, the new office is the 106 year-old company’s fourth location in the state. Peerless Block and Brick sells coal mine block, big block wall systems, brick, block, stone, wall pavers and other similar items. “We feel this market has a lot of potential, especially with the Boy Scout project,” said Craig Tuemler, director of sales and marketing. “Hopefully, that will help kick start some of the residential market.”

Brown Edwards among nation’s top accounting firms
CHARLESTON, WEST VIRGINIA – Brown, Edwards & Company, LLP has been named by INSIDE Public Accounting’s (IPA) as one of the nation’s top accounting firms. IPA is an industry trade newsletter, and reports a listing of the nation’s largest accounting firms based on fiscal performance. Brown Edwards attributes their growth and success to the dedication and perseverance of the staff. The company is a full-service regional accounting firm with offices in Tennessee, Virginia and West Virginia.

Orders serving on WVU Foundation board of directors
MORGANTOWN, WEST VIRGINIA – Robert O. (Bob) Orders, Jr., chairman of Orders Construction Company, Inc., St. Albans, and past president of the Contractors Association of West Virginia, has joined the West Virginia University Foundation Board of Directors. Orders is a 1972 graduate of West Virginia University with a bachelor of science degree in civil engineering. He will serve a three-year term as a Director on the Foundation. The Foundation, chartered in 1954, is a private, nonprofit corporation that generates, receives and administers private gifts for the benefit of West Virginia University.

ENTRAN becomes Stantec
LEXINGTON, KENTUCKY – ENTRAN and Stantec announced in September they have signed a letter of intent to join together. “The addition of ENTRAN will augment Stantec’s transportation practice in the United States and expands our aviation services into new markets,” said Scott Murray, Stantec’s senior vice president of U.S. East operations. J. David Sigler, P.E., CEO of ENTRAN added, “By uniting ENTRAN with Stantec, we will have access to many new disciplines, expanded expertise in our existing service areas, and the depth of resources and capacity required to deliver high level service.” The merger creates two West Virginia offices for the company – Buckhannon and Charleston.
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