



AGC of Texas

Highway, Heavy, Utilities & Industrial Branch

E-BULLETIN

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June 30, 2009

House SAFETEA-LU Reauthorization Bill Approved in Subcommittee

On June 25, the House Transportation and Infrastructure Subcommittee on Highways and Transit reported out the Surface Transportation Authorization Act of 2009 without amendment. The subcommittee intends to have the full T&I Committee mark up the bill in July. The bill is a six-year reauthorization of the federal highway and transit programs and includes provisions for high speed rail. The bill replaces SAFETEA-LU, which expires on September 30, 2009.

Funding- The legislation calls for investment of nearly \$450 billion, \$337.4 billion for federal highways (a \$110 billion increase) and \$99.8 billion to transit (a \$47.3 billion increase). This 77-23 split between highway and transit funding alters the traditional 80-20 proportions. The measure would also provide \$50 billion for high-speed passenger rail initiatives to be funded outside the Highway Trust Fund. Details on funding levels for various programs and how the funds are to be distributed are not included in the proposal. Also not included in the legislation is how to provide the needed revenue. Jurisdiction for addressing the revenue side of the equation falls with the House Ways and Means Committee which will be holding a series of hearings over the next several weeks.

Reorganization- The proposed legislation reorganizes and consolidates many of the existing transportation programs and creates new offices within the US Department of Transportation. Some 75 programs are consolidated or eliminated. Some programs of specific consideration included in the legislation are:

Office of Intermodalism- A new Office of Intermodalism is created within DOT to administer the Metropolitan Mobility and Access program Projects of National Significance and coordinate activities of different transportation modes.

Metropolitan Mobility and Access Program- Consolidates several existing programs and transfers increased authority to Metropolitan Planning Organizations to transfer funds between transit and highway programs.

Infrastructure Bank- Create metropolitan infrastructure banks to provide federal assistance for local transportation projects.

Freight Improvement Program- Each state will be required to provide list of projects that enhance freight movement to be funded under this program.

Creates within FHWA:

Office of Livability- Responsible for increasing additional transportation options in communities.

Office of Expedited Project Delivery - Speed the delivery of transportation projects to completion.

Office of Public Benefit- Protect the public interest in Public Private Partnerships and projects funded by tolls.

FHWA and Others Seek ARRA "Success Stories"

The Chapter has been contacted several times by reporters and state and federal agencies requesting success stories of contractors and their employees. If you have a good story to tell, or if you have estimates regarding how many employees you have hired, or how many layoffs your company has avoided, please send an email to Kristen Ogden at kgoden@agctx.org.

Bryan District Engineer Bryan Wood Announces Retirement

[Bryan Wood Announcement](#)

After over 26 years of public service, Bryan District Engineer Bryan Wood has announced his

intentions to retire, effective September 1, 2009. The AGC of Texas wishes to extend our thanks to Bryan for his service, and wish him well in his future endeavors. To view the administrative announcement from TxDOT, click on the link above.

2009 IHEEP Meeting Scheduled for September 27 in San Antonio

The 51st Annual International Highway Engineering Exchange Program (HEEP) Conference will be held in San Antonio, Texas this year, September 27 to October 1.

The annual international conference is a great opportunity to share your knowledge and experiences in the transportation engineering technology field with colleagues from around the world. The meeting format will include presentations and demonstrations on the latest technological advances of interest to departments of transportation and their business partners. In addition, vendor partners will demonstrate software and hardware in a vendor display hall adjacent to the meeting facilities. TxDOT invites your organization to participate by sending one or more delegates to the conference. If your organization consults, provides hardware / software, or are a technology solutions provider, IHEEP also invites you to consider sponsoring a booth in their vendor hall.

For more information about HEEP and the conference, visit its web site at <http://www.heepweb.org> or the TxDOT website at <http://www.dot.state.tx.us/iheep2009>.

Grand Parkway P3 Industry Forum Announcement [Grand Parkway Announcement](#)

Harris County, Texas, acting as the representative for a seven-county coalition of Houston region counties, invites all current and potential participants in the Public Private Partnership (P3) Industry to an Industry Forum on the Grand Parkway Program to be held on July 21, 2009, in Houston, Texas. For more information, click on the link above.

DHS Announces E-Verify Data Mining Program

As reported by Foster Quan's immigration update dated June 29, 2009, the U.S. Department of Homeland Security announced plans to mine the E-Verify database for indicators of compliance failures and fraud. This announcement comes even as the Obama Administration further delays implementation of an E-Verify requirement for federal contractors (delayed again until September).

In a 22-page [Privacy Impact Assessment](#) for the new Compliance Tracking and Management System (CTMS), the DHS discloses that the E-Verify database will be data-mined, and describes how the system will be used to identify employers that misuse the system, fail to consistently utilize the system for verification of all new hires, or develop patterns of compliance failures. Evidence of compliance failures obtained through the new data-mining program are to be referred to ICE for purposes of initiating worksite enforcement investigations. Upon notification of compliance failures, ICE is charged with initiating worksite investigations in appropriate cases.

Specifically, government officials will be looking for evidence of the following types of discrepancies and compliance failures:

- Misuse, abuse, and/or fraudulent use of E-Verify occurring at critical infrastructure sites
- Violations regarding employment of unauthorized workers
- Criminal activity (harboring offenses)
- Failure to use E-Verify for all new hires
- Retaining employees after an E-Verify Final Non-confirmation

Companies who participate in E-Verify should consider auditing their Form I-9 and E-Verify compliance policies and records.

AGC Now Accepting Auction Items

AGC is now accepting live and silent auction items for the 2009 Trade and Equipment Show. If you would like to show your company's support of the Scholarship Program, The AGC, and the Trade Show, donating auction items is a great way to do so! Silent auction items range from \$100-\$999 and are featured at the AGC Booth throughout the show, along with the company name of the sponsor. Live auction items range from \$1000 and up and are featured in the Trade Show Program, the auction brochure, and at the Live Auction immediately following the West Texas Contractors' Fish Fry. All sponsors will be featured in the Trade Show Newsletter, distributed to the entire membership on a monthly basis.

Need help thinking of an item? AGC can purchase the item for you. For more information, contact Danielle Kraus at dkraus@agctx.org.

2009 Nominating Committee

In accordance with the chapter constitution and by-laws, the 2009 Nominating Committee has been appointed by President Jack Albert and consists of the seven most recent, active past presidents of the chapter. The 2009 Nominating Committee members are:

Chairman, Tracy Schieffer, A.L. Helmcamp, 903/626-5911
Jim Andoga, Austin Bridge & Road, 214/596-7320
Zack Burkett, IV, Zack Burkett Company, 940/549-0436
Terry Bryant, Jones Bros Dirt & Paving Construction, Inc. 432/332-0721
Art Daniel, A.R. Daniel Construction Services, Inc., 972/291-3304
John R. Weisman, Hunter Industries, LTD, 512/353-7757
Jim Bradley, Capital Excavation Company, 512/440-1717

If you would like to make a recommendation for the chapter board of directors please contact any member of the Nominating Committee. If you would like to present your recommendation to the Nominating Committee, they will meet Wednesday, September 9th at 11:00 a.m. and again at 2:00 p.m. or immediately following the membership luncheon, and again Tuesday, October 20th at 9:30 a.m. All three meetings will be held at the chapter office, 300 Barton Springs Road in Austin. Members are encouraged to contact any of the committee members and make nominations for chapter directors for 2010-2011.

In addition to directors, the chapter Nominating Committee is accepting nominations for Life Members. The chapter constitution and by-laws state: Section 3. The Branch may, by affirmative vote of the members, at the recommendation of the Directors, grant the title "Life Member" to any individual who has ceased to be active in the construction industry providing the individual, firm, or corporation has been an active member for at least five years prior to nomination as a "Life Member".

Please send recommendations to the chapter office by fax, 512/478-7936, mail to P.O. Box 2185, Austin, Texas 78768, or to dkoehler@agctx.org.

June Commission Results

Of the 28 state let highway maintenance and department building construction contracts, all were awarded except 2.

<u>County</u>	<u>Project Number</u>
Navarro	RMC-615763001
Tarrant	RMC-619408001

Of the 28 (Non-ARRA Projects) and 12 (ARRA Projects) highway and transportation enhancement building construction contracts, all were awarded.

July, August, September Letting Estimates

The July 9 and 10 letting is estimated at \$560M, divided between 49 statewide projects valued at \$318M and 19 locally let projects valued at \$242M. The membership luncheon will be held July 7 at the Four Seasons Hotel in Austin. Our guest speaker will be Senator Robert Nichols, who will review the Special Session outcomes, as well as a legislative forecast for the upcoming years.

The August letting is estimated at \$700M and the September letting is estimated to be \$550M. These amounts have not been approved and are subject to change.