

SUMMER | 2006

CROSS SECTION

**MITA Member
in Afghanistan**
SEE CENTERFOLD

MEMBER PROFILE
P.K. Contracting, Inc.
page 12

ASSOCIATE MEMBER PROFILE
Oakland Companies
page 16

Executive Comment
page 21

MITA, Michigan Infrastructure & Transportation Association
P. O. Box 1640, Okemos, MI 48805-1640

PRST STD
U.S. POSTAGE
PAID
Permit #75
Lansing, MI



*Michigan Infrastructure &
Transportation Association*

The Largest Selection of Equipment with 7 Convenient Locations to Serve You.



Michigan **CAT**



Michigan **CAT**

www.michigancat.com

1-888-MICH CAT

Brownstown Twp. Kalkaska Novi
Grand Rapids Shelby Twp. Saginaw Lansing

CAT, CATERPILLAR, their respective logos and "Caterpillar Yellow," as well as corporate and product identity used herein, are trademarks of Caterpillar and may not be used without permission.

Dig Safely

In Four Simple Steps

**CAUTION
Buried
Gas Line**

**CAUTION
Buried
Electric Line**

1. Call MISS DIG at 1-800-482-7171.

Calling MISS DIG before every job that involves digging is your first step toward finishing it safely, on time and on budget. It's *fast*. It's *free*. And it's *the law*!

2. Wait until the flags are raised.

Wait at least three business days for the utilities to raise the flags over their underground lines. When they have time to do their jobs, you can do yours with confidence.

3. Expose utility lines by hand-digging.

Dig by hand to expose underground lines before using power equipment. It's the way to start your job right and finish it safely.

4. Respect the flags.

Stay aware of underground line locations on the job site. And avoid driving heavy vehicles or storing materials over utility lines.

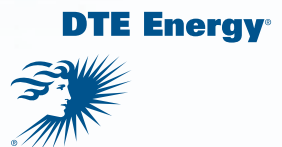
**CAUTION
Buried
Water Line**

**CAUTION
Buried
Cable**



Consumers Energy
Count on Us

Raise The Flags
Before You Dig



CGA
Common Ground Alliance



Did you know that MITA has a contract with most of the major utility companies that goes above and beyond the MISS Dig Act (P.A. 53 of 1974)?

Available only to MITA members who have signed a limited power-of-attorney, the contract allows excavators to recover damages for the utility's failure to comply with the contract and the Best Practices including downtime for failure to mark facilities. The Best Practices include:

- Changing the initial notice to MISS Dig from three working days to 72 hours, but not more than 14 days.
- Ticket life is established at 21 days unless you inform the MISS Dig operator that the job will exceed 21 days, in which case the ticket is good for 180 days.
- Excavation must commence within 14 days of the dig start date.
- Utilities have three hours to respond to no marks or additional assistance if you cannot find the precise location.
- Contractors may excavate to within 60 inches of a mark with powered equipment prior to exposing the facility. Once located, you may proceed with powered equipment.

For complete details and explanation of the MITA/Utility Contract, please call MITA at 517-347-8336.





Michigan Infrastructure & Transportation Association

features

- 21 Executive Vice President Comment
- 22 Vice President of Government and Public Relations Comment
- 23 Vice President of Membership Services Comment
- 24 Vice President of Engineering Services Comment

also in this issue

- 9 Letters to MITA
- 11 Staff Contact List
- 14 We Said It!
- 16 Associate Member Profile
- 18 Associate Member Project Profile
- 25 Director of Safety
- 26 Director of Legislative Affairs
- 27 Director of Technical Services
- 27 Problem Solver
- 28 Toolbox Talks
- 29 Legislative Update
- 31 Legal Issues
- 32 Environmental News
- 34 Presidential Ball Photos
- 35 Did You Know
- 37 Member News
- 42 MITA Partnerships
- 45 Calendar of Events
- 47 ARTBA News
- 48 PR Ideas
- 49 Work Zone Safety
- 54 MDOT News
- 56 MITA PAC Contributors

For Cross-Section Magazine advertising, circulation or editorial inquiries, contact Nancy Hale Brown at: phone: 517-347-8336; fax, 517-347-8344 ; e-mail, nancybrown@mi-ita.com; or by mail at the following mailing address: MITA, P.O. Box 1640, Okemos, Mich., 48805-1640. The address for overnight deliveries is MITA, 3413 Woods Edge Drive, Okemos, Mich., 48864.

© 2006 Cross-Section. All rights reserved. Reprints or reproductions only with written consent of MITA.

Cover photo: Crooks Road project, Oakland County. See page 74 for details.

MITA Board of Directors

- President*
Steve Mancini
Ric-Man Construction, Inc.
- President-Elect*
Brian Slagter
Slagter Construction Co.
- Vice President*
John Fortier
Bacco Construction Company
- Treasurer*
Jim Kloote
J.E. Kloote Contracting, Inc.
- Executive Vice President & Secretary*
Bob Patzer
MITA
- Director*
Jeffrey Ardelean
Interstate Highway Construction, Inc.
- Director*
Michael Catenacci
John Carlo, Inc.
- Director*
Thomas DiPonio
Jay Dee Contractors, Inc.
- Director*
Matthew Doan
Doan Construction Co.
- Director*
Carl Evangelista
Tony Angelo Cement Construction Company
- Director*
Craig Fons
Fonson, Inc.
- Director*
Thomas Irwin
H & D Inc.
- Director*
Steven Jackson
Jackson-Merkey Contractors, Inc.
- Director*
Vance Johnson
Central Asphalt, Inc.
- Director*
Mark Johnston
Ajax Paving Industries, Inc.
- Director*
Darrell Kaltz
Kaltz Excavating Co., Inc.
- Director*
Bruce Lowing
Hardman Construction, Inc.
- Director*
Joseph Malloure
C. A. Hull Co., Inc.
- Director*
Dave Maas
Diversco Construction Co.
- Director*
Robert McQuestion
D. J. McQuestion & Sons, Inc.
- Director*
Chris Peyerik
Dan's Excavating, Inc.
- Director*
Gale Rewa
Milbocker and Sons, Inc.
- Director*
Dennis Rickard
MI Paving & Materials Co.

- Director*
Keith Rose
Rieth-Riley Construction Co., Inc.
- Director*
Chuck Russell
Pamar Enterprises, Inc.
- Director*
Andy Schmidt
Edw. C. Levy Company
- Director*
Peter Scodeller
Scodeller Construction, Inc.
- Director*
Chris Shea
PK Contracting, Inc.
- Director*
Richard Steigenga
Kamminga & Roodvoets, Inc.
- Director*
Thomas Stover
Walter Toebe Construction Company

MITA Associate Council

- Michael Buck**
Association Benefits Company
- Rich Lehman**
Edw. C. Levy Company
- Michael Miller**
Valenti Trobec Chandler

MITA Staff

- Bob Patzer**
Executive Vice President
bobpatzer@mi-ita.com
- Mike Nystrom**
Vice President of Government & Public Relations
mikenystrom@mi-ita.com
- Rob Coppersmith**
Vice President of Membership Services
roboppersmith@mi-ita.com
- Glenn Bukoski, P.E.**
Vice President of Engineering Services
glennbukoski@mi-ita.com
- Nancy Hale Brown**
Director of Communications
nancybrown@mi-ita.com
- Patrick Brown**
Director of Safety & Workforce Development
patrickbrown@mi-ita.com
- Keith Ledbetter**
Director of Legislative Affairs
keithledbetter@mi-ita.com
- Doug Needham, P.E.**
Director of Technical Services
douglasneedham@mi-ita.com
- Nancy Durner**
Engineering/Safety Services Coordinator
nancydurner@mi-ita.com
- Tiya Kunaiji-Akpanah**
Membership Services Coordinator
tiyakunaiji@mi-ita.com
- Danielle Keating**
Events Coordinator
daniellekeating@mi-ita.com
- Mary Moody**
Accounting Coordinator
marymoody@mi-ita.com
- Stacey Morris**
Technical-Web Coordinator
staceymorris@mi-ita.com
- Janis Strang**
External Affairs Coordinator
janisstrang@mi-ita.com



ATSALIS BROS. PAINTING

*Your Answer To Lead-Based
Paint Compliance*



Setting the Standard for Tomorrow

We have the experience, equipment and the best trained work force in the industry.

Atsalis Bros. Painting welcomes the opportunity to discuss your needs and expectations on any interior or exterior job, no matter how large or small. For more information, call or write us.

Atsalis Brothers Painting Co.
22189 E. 14 Mile Road
Clinton Twp., Michigan 48035

(586) 790-0123

Fax: (586) 790-9065



2007 Management Conference



March 3-10
Marriott Frenchman's Reef Resort
St. Thomas, US Virgin Islands

Join us this winter in St. Thomas, a popular vacation paradise in the Caribbean, for a week-long mix of activities and association networking opportunities.

Perched on a cliff overlooking the island's majestic harbor, Frenchman's Reef Resort was recently voted "Best Resort Hotel" and "Best Resort with a View" by readers of Caribbean Travel & Life Magazine. This newly refurbished resort offers casually-sophisticated accommodations, three pools, a swim-up bar, restaurants and lounges, a secluded white sand beach, oceanfront tennis courts, and a health club and spa.

Aside from taking in the many stunning vistas on this mountainous island, there is much to see and do on St. Thomas. Shop in bustling Charlotte Amalie for incomparable duty-free treasures, golf the famed Devil's Triangle at Mahogany Run, visit historical sites like Drake's Seat and Fort Christian, experience breathtaking Magens Bay to discover why it's constantly ranked one of the best beaches in the world, enjoy world-class yachting, sportfishing and diving, or ferry over to tranquil St. John for a memorable day trip.

Registration forms and full conference details are available at

www.mitaconference.com



Slide Rail Systems



Mod Series



Aluminum Hydraulic Shores

IT PAYS TO RENT (OR BUY) THE INDUSTRY'S STRONGEST SHIELDING AND SHORING

Rentals • Sales • Service • Training

Short or long term, whether you're renting or buying, it pays to use the industry's strongest shielding and shoring.

PRO-TEC EQUIPMENT INC.

Two convenient locations



1298 Lipsey Dr.,
Charlotte, MI 48813

1-800-292-1225

Fax (517) 541-0329

22086 Brest Rd.,
Taylor, MI 48180

1-888-292-1225

Fax (217) 541-0329

www.pro-tecequipment.com



High Clearance Arch



Stone Saver



Dura-Base Temporary Road Systems



Street Plates



Steel Trench Shields

Letters to MITA

Dear Rob:

On behalf of the firefighters of the city of Walker Fire Department, I want to express our appreciation for your organization's generosity in assisting us with developing a confined space training prop in conjunction with the construction of our new fire station.

With the aid of your participation, we will be able to construct an actual mock up of a storm sewer underground utilizing actual components. This confined space training prop will allow our firefighters to practice and train in a real life environment, which will better prepare them in the event we need to perform a confined space rescue. This prop will also benefit our Department of Public Works, who are required to have periodic confined space refresher training.

This structure will also be available to any of our neighboring fire departments that want to conduct some type of confined space training.

If your organization would ever have a need to use this training prop, please do not hesitate to contact us.

Again, thank you very much for your support of the Fire Service.

William Schmidt
Fire Chief

City of Walker Fire Department

Dear Mike:

Thank you for contacting me regarding the authorization for the Clean Water Act and H.R. 4560. It is good to hear from you on these issues.

Authorizations for appropriations to support the Clean Water Act expired at the end of 1990. However, the Act's goals and programs have not lapsed and Congress has continued to appropriate funds to carry out the Act. Additionally, Congress has enacted several bills that reauthorize and modify a number of individual provisions in the law.

H.R. 4560, sponsored by Congressman John Duncan of Tennessee, seeks to create a federal clean water trust fund at the United States Treasury for the sole purpose of funding projects under the Clean Water Act. This trust fund would be very similar to the state revolving funds already in place for such projects. This legislation has been referred to the House Committee on Transportation and Infrastructure of which I am a member. However, should this legislation come before me in the 109th Congress, I will be sure to keep your thoughts and concerns in mind.

Again, thank you for your message. If I can be of assistance in the future, please do not hesitate to contact me.

Mike Rogers
Member of Congress

Continues on page 10.

Seize Control



Our newest state-of-the-art wash plant uses a computer controlled density separator that lets us supply consistently superior, virtually lignite-free sand at competitive prices. Controlled quality has made Levy a Pre-Qualified State Aggregate Supplier with:

■ 10 State-Certified Aggregate Technicians

■ 5 MDOT-Certified QC/QA Labs

■ MDOT/ODOT Spec Products

■ 14 Locations in SE Michigan

■ Concrete/Asphalt Aggregates ■ Base/Fill Material

■ Decorative/Roofing Stone ■ USGA Golf Course Sand

■ Septic Stone ■ Road Gravel ■ Mason Sand

Seize your phone and call (313) 429-LEVY.

Or contact our web site: www.edwclevy.com



EDW. C. LEVY CO.

Nothing Builds Better Than Levy.



Dear Rob:

Bacco Construction Company would like to thank you for your presentation at our Annual E.E.O./Safety Meeting held Monday, Feb. 20, 2006 at the Premiere Center in Iron Mountain.

Thank you for your participation. Your presentation was very informative. On the surveys collected the day of the meeting, we had numerous positive comments on your insightfulness and also several requests to have you as a speaker at next year's meeting.

Again, thank you for your time. We look forward to a continued partnership with both you and MITA in the future.

Mary R. Oman
Training Co-coordinator
Bacco Construction Company

Dear Nancy:

The magazine and the article you copied for me were in my mailbox yesterday. Thanks much. Great looking magazine!

Barbara Hicks
Communications Manager
Michigan Department of
Transportation
Office of Communications

Dear Mike:

Thanks to you and your co-workers for the "loot" (MITA sweatshirt and t-shirt). Also, Mike, thanks for taking time from your busy schedule to attend my retirement party.

Jack Young
Retired
Central Asphalt, Inc.



Heavy Machinery Division

Rent Heavy Machinery



D32-D155 bulldozers

- Wheel Loaders
- Backhoes
- Excavators
- Motor Graders
- Bulldozers
- Screeners

- Rollers/Compactors
- Telescopic Forklifts
- Off-Road Dumps
- Hydraulic Hammers
- Water Tanks
- More!



2-6 yard wheel loaders



Moxy MT26, MT30, & MT36
haul trucks



50', 55', & 60' long reach excavators



Screeners

www.aisequip.com

GRAND RAPIDS • TRAVERSE CITY
N.E. DETROIT • SAGINAW • LANSING

1-800-730-1272

After-hours Pager/Message Center: 1-800-AIS-NITE





Michigan Infrastructure & Transportation Association

Staff Contact List

OFFICE NO.: **517-347-8336**
FAX NO.: **517-347-8344**
WEBSITE: **www.mi-ita.com**

Physical Address: 3413 Woods Edge Dr., Okemos, MI 48864 • Mailing Address: P.O. Box 1640, Okemos, MI 48805-1640

ROBERT A. PATZER, Executive Vice President

Contact Bob with questions regarding any business, labor, legal, regulatory, legislative or utility issue. He is also available to discuss any concerns regarding general association business.

Mobile Number: (517) 896-1491

e-mail: bobpatzer@mi-ita.com

MICHAEL A. NYSTROM,

Vice President of Government and Public Relations

Contact Mike with any questions pertaining to state and federal lobbying issues, political action committee activities, public and labor relations, as well as all high-level regulatory involvement. Mike is also promoting adequate state and federal infrastructure and road funding in his role as co-chair of Michigan's Transportation Team. He is also available to address any questions or concerns regarding general association business.

Mobile Number: (517) 896-1493

e-mail: mikenystrom@mi-ita.com

ROBERT M. COPPERSMITH, Vice President of Membership Services

Rob oversees the services that are offered to MITA members, including (but not limited to): MIOSHA appeals, jobsite inspections, utility locating issues, educational opportunities, meetings and social functions, etc. Additionally, he participates in lobbying efforts on behalf of the industry.

Mobile Number: (517) 896-1495

e-mail: roboppersmith@mi-ita.com

GLENN J. BUKOSKI, P.E., Vice President of Engineering Services

Glenn brings 32 + years of transportation related experience to MITA. He served for 30 years in various professional capacities at MDOT, accumulating experiences in engineering automation, materials testing, design, research, specifications, construction and asset management. Glenn is a licensed Professional Engineer, and received his Bachelor of Science Degree in Civil Engineering from Michigan State University.

Mobile Number: (517) 256-0741

e-mail: glennbukoski@mi-ita.com

NANCY HALE BROWN, Director of Communications

Nancy oversees all member communications, such as the membership directory, quarterly magazine and all other print material for the association. She is your best contact for questions pertaining to public relations issues as well as placing news about your company and advertising in MITA's publications.

Mobile Number: (517) 896-1456

e-mail: nancybrown@mi-ita.com

PATRICK BROWN, Director of Safety & Workforce Development

Pat is a former Ingham County sheriff's deputy, firefighter and paramedic. He is the go-to-person for MITA jobsite inspections, training opportunities, and assisting Rob Coppersmith, MITA Vice President of Membership Services, with MIOSHA appeals. He will be building on an already impressive skill base, which includes confined space, trench rescue, crisis intervention, Hazmat training and much more.

Mobile Number: (517) 896-4753

e-mail: patrickbrown@mi-ita.com

KEITH LEDBETTER, Director of Legislative Affairs

Keith will be assisting Mike Nystrom, MITA Vice President of Government and Public Relations, in all political areas. Focusing on legislative staff and elected officials, he will work toward building stronger association relationships in an effort to communicate MITA's position on industry-important issues. In addition, Keith will work towards strengthening the MITA PAC.

Mobile Number: (517) 214-0386

e-mail: keithledbetter@mi-ita.com

DOUG NEEDHAM, P.E., Director of Technical Services

Doug will assist Glenn Bukoski, P.E., MITA Vice President of Engineering Services, as they oversee all engineering, specification, and technical matters for the association. He will focus significant effort on expanding and strengthening MITA's relationships within the local agency owner communities working with and through the County Road Association of Michigan (CRAM) and the Michigan Municipal League (MML). Doug will represent and advocate the industry's interest on committees at various levels.

Mobile Number: (517) 896-6186

e-mail: douglasneedham@mi-ita.com

NANCY E. DURNER, Engineering/Safety Services Coordinator

Nancy will handle all administrative duties for the Engineering Services Division as well as the safety / MIOSHA services. This will include all MIOSHA appeals that are being handled by the association, corporate safety programs, and all MDOT letting and spec issues that the association deals with on a regular basis. She will also act as the executive assistant for the staff of the Engineering Division as well as the Safety Director.

e-mail: nancydurner@mi-ita.com

TIYA KUNAIYI-AKPANAH, Membership Services Coordinator

Tiya coordinates the association's membership services. She is responsible for assisting prospective members through the joining process, as well as creating awareness of the different types of services available to MITA members. She is the go to person for various types of member services such as MISS DIG complaints, blue book rates, membership verification etc.

e-mail: tiyakunaiyi@mi-ita.com

DANIELLE R. KEATING, Events Coordinator

Danielle will work with Rob Coppersmith, Vice President of Membership Services, to help manage the variety of member services being offered by the association. She will also organize each of the MITA's many social, leadership and educational events.

e-mail: daniellekeating@mi-ita.com

MARY E. MOODY, Accounting Coordinator

As our controller, Mary handles all questions pertaining to invoicing of dues, advertisements, registration fees, etc.

e-mail: marymoody@mi-ita.com

STACEY L. MORRIS, Web-Technical Coordinator

Stacey handles the database, e-mail addresses, company information, and mailings sent from MITA. She is the person to call if you have any changes in your company contact information. She is also the MITA contact for all MITA website related inquiries. As Bob's assistant, she is the person to contact if you need to reach him immediately and he is not available.

e-mail: staceymorris@mi-ita.com

JANIS STRANG, External Affairs Coordinator

Janis will assist administratively in all legislative, regulatory, public and labor relations issues that face the organization. As Mike's assistant, she is the person to contact if you need to reach him immediately and he is unavailable.

e-mail: janisstrang@mi-ita.com

Member Profile

Introducing P.K. Contracting, Inc.

We've all heard about the Give 'em a Brake safety campaign, but for employees of P.K. Contracting, Inc., who are in immediate proximity of traffic working without concrete barriers, the whole concept takes on a new meaning.

Going home at the end of the day alive.

It is extremely dangerous work, company owners Chris and Jim Shea agree. Workers are in open traffic setting up lane changes before road construction. After road construction is completed, workers use pavement marking equipment that creeps along at 15 mph, while unforgiving traffic roars by anywhere between 20 and 100 mph. That 70 mph speed differential is what makes this work so hazardous, Jim says.

Jim and Chris take their safety mission very seriously every day, and each day is vastly different from the day before. The only thing that stays the same is that P.K. Contracting's goal is to get in and get out of a road job quickly so the prime contractor can get the job started and finished, and the motoring public can see the orange barrels disappear. P.K. Contracting, with offices in Troy and Kalamazoo, is the first in, and last out of every job, which this year involves most every major freeway project in Michigan.



"In the morning, we get our 'oops' calls, which are companies that forgot to call the day before, so we revamp our schedule on the fly," says Chris.

To an outsider, it may look like a scheduling nightmare, but Chris and Jim wouldn't call it that. On top of Chris's desk is a very organized, and elaborate computer system that resembles four computer screens stacked on top of each other. This is the detailed daily schedule that juggles jobs for 30 crews daily. His son, Aden, handles the juggling. In

the not so distant past, before the computer age, the company did all the scheduling by hand on paper and used a pay phone to call to handle scheduling and all those "oops" calls.

Chris, Jim and Aden aren't the only Shea family members involved in this company, which has an employee list that resembles a Shea family tree. Jim's son, Kurt, is the vice president/manager of the Kalamazoo office. He runs that office and the southwestern portion of the state efficiently, juggling many jobs and crews on a daily basis.

Other brothers joining Chris and Jim are Bill Shea, controller; and Brian Shea, personnel manager. Many other Shea family members are among the 100 employees at the peak of the season. The following employees have been with the company since its inception: Key Field Superintendents Doug Myer, Ed Divirgilio, and John Dolinshek; and Estimator Larry Schlafly.

"They really aren't employees, they are family, even if they are not related to us," says Jim, who focuses on designing innovative and cost-effective equipment, while brother, Chris, focuses on all non-equipment issues.

Being innovative with equipment means that Jim is adept at negotiating with manufacturers to transform his custom designs into actual equipment. The better the equipment, the less time it takes to get the job done and bring crews back home alive.

For Chris, focusing on non-equipment issues has meant, besides day-to-day company issues, being at the forefront of the merger of the former Associated Underground Contractors and Michigan Road Builders Association to form MITA in 2005.

"Since the merger, there has been a tremendous improvement in the way the highway community can relate to MDOT," Chris says. "One voice is stronger, and I have not heard one bad thing about the merger since it took place."

"MITA is the arm that can deal with the government, and every individual who owns a company in this industry should feel obligated to support that voice."

Currently, MITA is addressing one issue that is very important to P.K. Contracting – hours of service for truckers.

"The laws regarding hours of service have been made stricter, whereas in the past there was a construction-related trucking exemption," Chris says. "This makes it challenging for us to fulfill our obligation to the prime contractor. The rules need to change."

The most rewarding aspect of the business for Chris and Jim has been and always will be family, since way back in 1976 when Jim started the company in Rosebush, Mich. Two days after Chris graduated from high school, he started working with his brother. They painted lines on





Back row from left to right: Chris Shea, Brian Shea, Dan McWilliams, Sandy Haines, Bill Shea, Larry Schlafley, Rich Beurge, Aden Shea and Jim Shea.

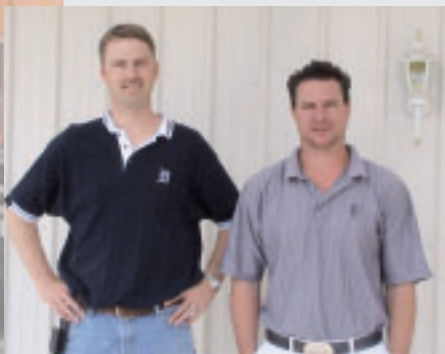
Front row from left to right: Kelly Ker, Carol Soulard, Karen Bissonette and Shirtina Spencer.

county roads and in 1982 they moved to Troy. At this time there was an upsurge in highway reconstruction, and the brothers expanded into setting up pavement markings to help maneuver traffic through construction zones. They were the first Michigan company to undertake this type of work.

"As have all the companies in the road building industry, we have worked so hard and it is amazing to stand back and see the next generation come up and be a part of it," says Chris, the father of three sons, one already following in his footsteps and the other two who, at one time or another, have worked for the company.



From left to right Field Superintendents: Ed Divirgilio, Doug Myer and John Dolinshek.



From left to right Kurt Shea, vice president of the Kalamazoo office; and Kevin Shea, Troy shop yard superintendent. Kurt is the son of Jim Shea, owner. Kevin is the son of Bill Shea, controller.

MITA Buyer's Guide Category:

94 (Sign Installation, Pavement Marking)

MDOT Prequalifications:

N3 (Pavement Marking); N96I (Raised Pavement Markers)

OWNERS:

Chris Shea and Jim Shea

VICE PRESIDENT/MANAGER

KALAMAZOO:

Kurt Shea

CONTROLLER: Bill Shea

PERSONNEL MANAGER: Brian Shea

TROY SCHEDULING: Aden Shea

CONTRACTS ADMINISTRATOR:

Sandy Haines

ESTIMATING: Larry Schlafley

ESTIMATING: Dan McWilliams

EQUIPMENT MANAGER: Tom Smith

HEAD MECHANIC, EQUIPMENT

DESIGN: Rich Beurge

FIELD SUPERINTENDENTS: Doug Myer,

Ed Divirgilio, John Dolinshek and

Dave Lehner

CONTACT INFORMATION

P.K. Contracting, Inc.

www.pkcontracting.com

1965 Barrett Rd.
Troy, Mich. 48084
Phone: (248) 362-2130
Fax: (248) 362-4969

CONTACT INFORMATION

P.K. Contracting, Inc.- Kalamazoo

8139 Douglas Ave.
Kalamazoo, Mich. 48009
Phone: (269) 385-3222
Fax: (269) 385-3264



INSURANCE & BONDING

General Insurance • Surety Bonds

1175 West Long Lake Rd. Suite 200 • Troy, MI 48098

248-828-3377

Fax 248-828-4290 - Bonding

248-828-3741 - Insurance

e-mail: mmiller@vtcins.com

www.vtcins.com

Del Valenti

Bob Trobec

Al Chandler

Mike Miller

Ian Donald

Rod Gawel

Timothy O'Malley

Joe McIntyre

Kathy Irelan

Tom Skuza

Jason McLelland

Jeff Chandler

Todd Kramer

Jeff Lehnertz

Jim Boland

Julie Rourke

Ken Boland

Teresa Casey

Tom Morris



Michigan Infrastructure &
Transportation Association



**You should join
the more than
750 Michigan
companies that
call MITA
their home.**

Michigan Infrastructure & Transportation Association (MITA) is a statewide construction trade association formed in 2005 through the merger of Associated Underground Contractors and the Michigan Road Builders Association. The membership consists of Michigan companies representing numerous construction disciplines such as road and bridge, sewer and water, utility, railroad, excavation and specialty construction.

At MITA you are not just a number. We take pride in the personal, prompt and professional manner in which we service our members. From the day to day nagging problems with bureaucracy to the monitoring of legislation we are there for you.



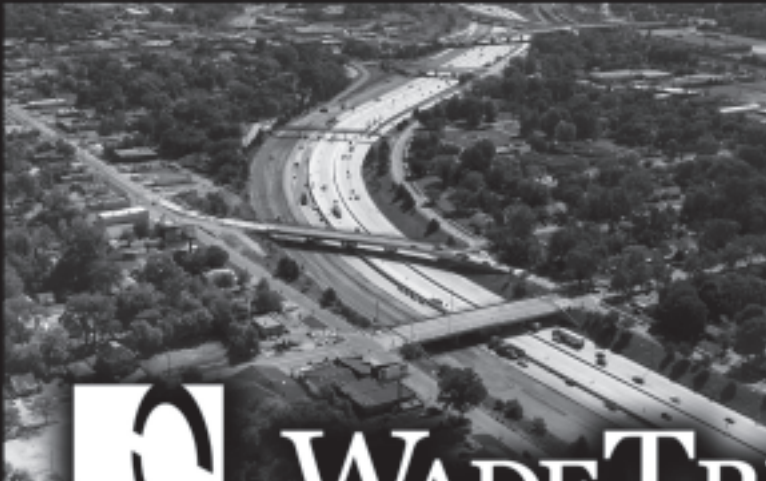
*Michigan Infrastructure &
Transportation Association*

For more information, contact MITA today.

P.O. Box 1640 • Okemos, Michigan 48805-1640 • 517-347-8336 • Fax: 517-347-8344

www.mi-ita.com

Trusted professionals delivering America's infrastructure solutions



WADETRIM

Construction Engineering | Highway Design | Bridge Design | Transportation Planning | Surveying
Context-Sensitive Solutions

800.482.2864 | www.wadetrim.com

Associate Member Profile



Introducing Oakland Companies

From left to right: Barry L. Hunt, John G. Growney, Cory French and Rochelle H. Miller.

Oakland Companies recently went above and beyond the call of duty to achieve a prestigious certification that emphasizes its commitment to customer service.

The insurance agency, based in Troy, achieved International Organization for Standardization (ISO) certification, which places the agency in an elite position of being not only the first full-line insurance agency in the state to achieve this certification, but also one of less than six insurance-related firms in U.S. to embrace the ISO operating system.

"With increased importance placed on risk management and the need to provide assurance of 'best in class' insurance services, we used this standard to identify and integrate best practices in our company," said John Growney, president of Oakland Companies. The agency provides specializes in providing corporate insurance, surety bonds, personal insurance and employee benefits to construction companies.

The ISO certification process was undertaken by Vice President of Operations Rochelle Miller to help Oakland Companies go above and beyond the expectations of their customers.

"This process was also a way for us to manage growth and foster a

CONTACT INFORMATION

OAKLAND COMPANIES
www.oaklandcompanies.net
888 W. Big Beaver, Ste. 1200
Troy, Mich. 48084
Phone: (248) 647-2500
Fax: (248) 647-4689

continuous improvement," said Barry L. Hunt, vice president. "It also provided us a way to develop a structured plan that allows our young, vibrant staff to meet the changing needs of our customers."

The ISO process did not end when Oakland Companies became certified, Growney added. In order to maintain the certification, each company employee goes above and

beyond the call of duty on an ongoing basis. Being ISO certified is not just a plaque, it is a lifelong commitment, and requires the company to have a performance audit every six months, he said.

"It means each employee is not just doing his or her job," he said. "They are seeing how they can improve their job, the office as a whole, and coming up with positive enhancements that are tied to customer benefits."

Construction Specialist Cory French, who interacts with MITA members on a regular basis at golf outings and other events, said the company surveys customer satisfaction once a year with a random, electronic, anonymous survey.

"We ask our customers to tell us what we are doing right and what we are doing wrong," said French, who joined Oakland Companies in 2004 after managing the state of Michigan for Merchants Bonding in Iowa.

Apparently Oakland Companies has been doing a lot of things the right way since it was founded in 1969 by John Growney's father, who retired in 2000. His father's company, John Thomas Mayfair Insurance, was located in Birmingham. The younger Growney followed in his father's footsteps and became a licensed agent at the age of 18 before graduating from Michigan State University. He and Barry Hunt (a University of Michigan graduate), bought the agency in 2000 and changed the name to Oakland Companies. In 2005 the company moved to their current office on the corner of Crooks Road and West Big Beaver Road in Troy.

With a staff of just 13 employees in 2000, the company rapidly grew to its current force of 43 employees, including 38 licensed agents. All of this growth, Growney said, has

been possible without merging with or buying other companies.

The commercial insurance department has tremendous background handling claims, risk management and loss prevention programs in 44 states, French said. "We know how insurance costs affect the bottom line," he said, "and we help our customers control costs. On the bond side, we know what it takes to manage a large bond account and are among the top five companies in the state for bond volume."

As an associate member of MITA, Oakland Companies wants to be more than just "another member," French said. "We don't just pay our dues and run our advertisement in the magazine. We try to become a critical part of the association by being as active as possible."

MITA BUYER'S GUIDE CATEGORIES:

**07(Bonds, surety); 54
(Insurance, Self Insured
Programs, Administration)**

JOHN G. GROWNEY, CIC, LIC
President
jgowney@oaklandcompanies.net

BARRY L. HUNT
Vice President
bhunt@oaklandcompanies.net

ROCHELLE H. MILLER
Vice President of Operations
rmiller@oaklandcompanies.net

CORY FRENCH
Construction Specialist
cfrench@oaklandcompanies.net

MISSION STATEMENT

Our mission at Oakland Companies is to increase each client's profitability and financial security by delivering professional and meaningful insurance and surety services.

To accomplish this mission, we maintain a highly trained, professional staff to market a wide range of quality products and services, and provide an unsurpassed level of service to our clients. Each associate at Oakland Companies is dedicated to serving you.

ISO CERTIFICATION

Oakland Companies proudly maintains ISO certification. This process ensures that our customers receive state of the art customer service. Our quality management guidelines reinforce our commitment to providing our customers with premier service, security and satisfaction.



*Attorneys Representing Management
in Labor Law, Employment Litigation and
Employee Relations Matters*

- Handbooks & Policies
- Drug/Alcohol Testing Policies
- Employment Law Compliance
- Employment Agreements
- Disability & Safety
- Staff Planning
- Employment Claims/Lawsuits
- Union Organizing
- Collective Bargaining
- Workers' Compensation
- Seminars & Training
- Public & Private Sector
- Wage & Hour Compliance

For more information contact:
Steven J. Fishman • Donald H. Scharg
Paul D. Kramer
40950 Woodward Avenue, Suite 350
Bloomfield Hills, Michigan 48304
(248) 258-8700
Toll Free (800) 572-7100
E-Mail: info@fishmangroup.com

We serve MITA as labor counsel

© The Fishman Group, 2005

Associate Member Project Profile

UNDERGROUND


PRO-TEC Equipment, Inc.

ROAD TO PRODUCTION

PRO-TEC's Dura-Base Temporary Road System played an important role in a 100,000 cu. yd. retention pond excavation at the new Michigan headquarters of TCF Bank in Livonia, Mich. To tackle a project of this size, the site work contractor, A.G. Excavating of Berkley, Mich., decided to dig the pond in lineal sections. Five 400-foot long access roads would need to be built for each section in order for the loaded trucks to export the soil.

"The most common method of building a temporary access road is to lay down 1" x 3" crushed rock," said Stan Bowling, superintendent of A.G. Excavating. "We felt that the crushed rock would have sunk in the soft soil and would be too contaminated with mud to reuse for the next haul road. Putting down new rock for our five different access roads would have been too expensive. That's why we talked to PRO-TEC about the Dura-Base mats."

Dura-Base Composite Mats permit building temporary access roads over soft soil and environmentally sensitive areas without laying down stone, crane mats or other stabilizing materials. Each mat is 8 feet



A.G. Excavating, Berkley, Michigan, used a CAT 385 hydraulic excavator to move over 100,000 cu. yds. of material to create a pond for TCF Bank's headquarters in Livonia. A CAT crawler dozer and a wheel front-end loader were also used.

long by 14 feet wide by 4 ¼ inches thick and made from high density polyethylene. The mats can be pinned together to form a solid, stable surface.

An average of 26 gravel trains running round trip rolled smoothly in and out of the job site, keeping A.G.'s CAT 385 busy, even on days that normally would have been rained out. A.G. Excavating was able to export nearly double the yardage out of the job site that they had expected because of a solid overall game-plan.

"The Dura-Base temporary road was one of keys to the success of this job," Bowling said. "It did what we needed it to do. It provided a stable road for heavy traffic. We were able to take it apart and put it

STUART,
FRANEY,
MATTHEWS &
CHANTRES, P.C.

Construction Industry Specialists
Accounting
Business and
Tax Planning

Certified Public Accountants

28525 Orchard Lake Road
Farmington Hills, MI 48334
(248) 324-2200 Fax (248) 324-8888

www.sfmc-pc.com

back together quickly. It kept 6 Mile Road and Haggerty Road clean and was very cost effective compared to the old way."

Developed by Soloco, LLC, an oil-field and environmental construction company based in Louisiana, Dura-Base mats prove to be durable, easy to use, and much more efficient to transport when compared to the wood crane mats or crushed rock that Soloco had previously used to access swampy areas.

"Since we were already supplying vertical ground support to our customers with our trench shields and shoring products, it made sense to supply horizontal ground control to the same people," said Frank Balluff, president of Pro-Tec Equipment, Inc., which has locations for manufacturing and rental in Charlotte, Mich. and rental in Taylor, Mich. Dura-Base has been a good fit."



Both tandem and end-dump haulers carried excavated material from the job site over unstable ground conditions that were made passable using the Dura-Base temporary road system.



Overall look of the Dura-Base temporary road system in place with the newly excavated pond on the right. The system was taken up and put down several times as the job progressed.



With the Dura-Base temporary road system laid over an athletic field track, dump trucks were able to reach the job site without tearing up the cinder track.

GRIFFIN, SMALLEY & WILKERSON

INSURANCE AND BONDS FOR THE CONSTRUCTION INDUSTRY

Terry Griffin
Terry J. Griffin
Tom Statly
Fred Ternes
George Provo
Steven Brandon

Charlene Brady
Lillian Durham
Bill Pirret
Jeff Hamlin
Dale Goodson

Tom Torzewski
John Budde
Dick Thomas
Mike Osmer
Pat Williams



37000 Grand River, Suite 150
Farmington Hills, MI 48335
(248) 471-0970
FAX (248) 471-0641

Associate Member Project Profile

UNDERGROUND

G2 Consulting Group Engineers

SINKING OF MASSIVE CONCRETE PIPE

G2 Consulting Group of Troy recently engineered the sinking of a 20-million-pound concrete pipe 95 feet below ground. This is one of the world's largest sinking caisson projects, and will help prevent sewage overflows into the Rouge River in Dearborn Heights, Mich.

The caisson will help reduce raw sewage discharges into the Rouge River during heavy rains by redirecting excess storm water into a huge underground holding tank. It is part of a major combined sewer overflow (CSO) remediation project underway in Dearborn, which will provide underground storm water retention, screening and disinfection to control the amount of untreated sewage discharged into the Rouge.

G2 is providing geotechnical engineering services for several phases of Dearborn's CSO project, including being retained by Posen Construction to engineer the sinking caisson.

A caisson is a hollow, water-tight concrete cylinder – in this case,



Both tandem and end-dump haulers carried excavated material from the job site over unstable ground conditions that were made passable using the Dura-Base temporary road system.

one with a 123-foot diameter that extends vertically 95 feet below the ground surface and bears on the bedrock. The caisson is constructed and sunk in stages; in Dearborn, each segment measured 12 feet high with a wall thickness of 6.5 feet.

The caisson sinks under its own weight, with the sinking carefully controlled by pumping lubricant materials around the caisson's perimeter and the amount of soil excavated from the center of the caisson.

G2 performed detailed calculations to prepare the construction sequence of the caisson, including slope stability evaluations to determine the proper depth for the caisson starter pit. G2 also designed ground improvement techniques to control the critical caisson launch.

The caisson successfully sank within the range predicted by G2's settlement calculations in every stage of the process. The third stage hit G2's prediction right on the nose, with the caisson sinking exactly the 4.5 feet calculated by G2 during placement of the 2.5-million-pound concrete section.

Mark Smolinski, P.E., a G2 founding principal, gave this detailed explanation:

"Soils are never perfectly homogeneous, so we take soil borings to determine what's below the surface. We develop

Continues on page 50.

Build *a Better Future*

**Distinctive
Degrees for
Construction
Leaders**



Lawrence Tech offers over 60 undergraduate, master's, and doctoral programs in Colleges of Architecture and Design, Arts and Sciences, Engineering, and Management.

ASSOCIATE

Construction Engineering Technology
Electrical Contracting Technology

BACHELOR'S

Civil Engineering
Construction Management
Engineering Technology
Facility Management

MASTER'S

Civil Engineering
Construction Engineering Management
Engineering Management

**LAWRENCE
TECHNOLOGICAL
UNIVERSITY**

The Future in the Making

21000 West Ten Mile Road
Southfield MI 48075-1058
800.CALL.LTU
www.ltu.edu

Executive Vice President Comment

Ramblings from the Executive Vice President

ACCOUNTABILITY

There's an old saying that there are two things you do not want to watch being made – sausage and laws. Although somewhat sarcastic, it still has relevancy today.

A case in point is highlighted by a recent interview aired on WJR with a Republican member of the Michigan House. In their push to pass a minimum wage increase, the Legislature eliminated the overtime exemptions for several classes of workers. When questioned as to why this happened, the representative repeatedly used the word “they.” They made a mistake, they rushed the process. Am I missing something here? Isn't the interviewee one of “them?” This comment distancing this elected official from his colleagues clearly illustrates the lack of accountability in the Legislature.

DEQ

Several years ago this association successfully passed a ballot proposal positioning the state to issue \$1 billion in general obligation bonds for sewer construction projects. Unfortunately we have been frustrated by the fact that municipalities (the same people who lamented the lack of funds for sewers) will not sign up and take the money.

The irony of this dilemma is that the Department of Environmental Quality (DEQ), the agency charged with eliminating pollution, is not providing any motivation for municipalities to clean up their sewage delivery systems. From my perspective, this is simply a matter of enforcement priorities.

For example, let one of our members spill a gallon of hydraulic fluid and DEQ sends four agents out in moon suits and notifies the media who immediately dispatch a couple of choppers to the “crime scene,” providing fodder for the 6 o'clock news. Statements from the DEQ threaten the criminal contractor with a \$25,000 a day fine, alleging that every child born within a square mile may suffer from birth defects.

The same agency that engages their SWAT team for this heinous act allows the city of Detroit to dump billions of gallons of raw sewage and industrial contaminants into the Detroit River (sewer) by permit! The closings of Metro Beach and others simply highlight this bastardization of priorities.

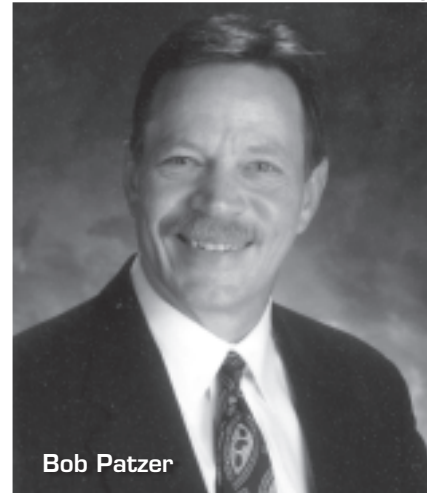
SBT

Many legislators and others feel

that the elimination of the Single Business Tax (SBT) will somehow spark a revolution in terms of increased business activity in our state. Just to keep things in perspective, Michigan takes in about \$1.9 billion per year in SBT revenue. In comparison, one company, General Motors, underestimated its 2005 fourth quarter loss by \$2 billion. Can the rhetoric! Does anybody really believe GM gives a “you know what” about the SBT?

Throughout the entire SBT debate no one has or will address the most onerous assessment on contractors – the personal property tax. Unlike manufacturers, we have little, if any, inventory. Our capital investment is the heavy equipment we own that is necessary to perform highway, underground and utility projects. We pay use tax when we rent it, sales tax on its purchase, and to top things off, pay a local unit of government personal property tax for the privilege of parking the equipment in their locale as of Dec. 31. Whew!

Continues on page 52.



Bob Patzer



Contractors Insurance
Pension Plans • Bonds



(248) 355-4411

Zervos Group, Inc.

24724 FARBROOK RD. • P.O. BOX 2067 • SOUTHFIELD, MICHIGAN 48037-2067

Staff of 40 to Provide “Service with Zervos”

Gus E. Zervos, CEO Steve M. Zervos, President

Vice President of Government & Public Relations Comment

Upcoming Elections Could Shift Balance of Power at State Capitol

The 2006 elections are quickly approaching. In addition to choosing the governor, secretary of state and attorney general, all 148 state legislative seats will be up for grabs this year.

With such a monumental election on the horizon, the balance of power at the state capitol has the potential to shift dramatically this fall. The state Democrats believe they have an excellent chance of winning both chambers. The Republicans, on the other hand, feel they have a candidate running for governor who may have an opportunity to unseat the standing Democratic leader of our state. Only as November arrives will we know the ultimate outcome. However, it is important to understand the lay of the land in terms of possible scenarios and how they might affect our industry.

Republicans currently control the state Senate 22-16. Republican incumbents are vacating three seats in key areas because of term limits. In addition, they have seven incumbents considered to be vulnerable. Of these seats, Republicans can maintain their majority by re-electing all of their incumbents, plus they must win at least one of three open seats GOP incumbents are vacating. In this term limit era, there have been few incumbents who have been ousted, giving a slight edge for the Republicans to maintain control. However, opportunity abounds for the Senate Democrats.

In the House of Representatives, Republicans currently have the advantage 58-49 (which includes three vacancies). There are currently 48 relatively "safe" Republican seats and thus, in order to maintain control of the chamber, Republicans will need

to win eight other races. They could do so by returning every one of their eight vulnerable incumbents. If they are not successful in returning each of their incumbents, Republicans face pick-up opportunities in two GOP-leaning open seats, three open Democratic seats or attempting to knock off four vulnerable Democratic incumbents. Despite relative weakness of Republicans across the country, it would take a significant seismic shift in the political landscape to change partisan control in the House.

Once these elections take place in November, several changes could take place as far as leadership positions in Lansing. At the top, obviously there is a very tight race for Governor between incumbent Democrat Jennifer Granholm and the Republican challenger Dick DeVos of Amway acclaim. At this point, DeVos has surprised many by taking an early lead in many of the recent polls that have been done across the state. However, there is plenty of time for Michigan's current governor to make up ground. This race will be very interesting to watch and will ultimately have a major impact on the future of our industry no matter which way it falls.



Mike Nystrom

With regards to the Senate leadership of the future, the clearest race seems to be on the Democratic side where Senator Mark Schauer (Battle Creek) has emerged as the front-runner to replace current Senate Democratic Leader Bob Emerson, who is termed out at the end of this legislative session. Schauer is currently the Democratic Floor Leader and has had a solid history of supporting the goals and ideas of the construction industry. Senator Schauer does have some competition from a few of his colleagues, including Mike Prusi (Ishpeming), Gilda Jacobs (Huntington Woods) and Michael Switalski (Roseville). However, most political insiders in Lansing seem to think that those individuals will ultimately line up behind Schauer as part of an overall leadership team. On the Republican side of the aisle, the race for leadership seems to be a three person sprint with Senators Jason Allen (Traverse City), Mike Bishop (Rochester) and Wayne Kuipers (Holland) all vying for the opportunity to replace Senate Republican Leader Ken Sikkema, as he is forced to step down due to

Continues on page 52.

SPARTAN SPECIALTIES LTD

SOIL STABILIZATION SOLUTIONS

— GROUTING TECHNOLOGIES —

FOUNDATION GROUTING
COMPACTION GROUTING
CHEMICAL GROUTING
MICRO FINE CEMENT

— CONCRETE REPAIR —

PREPLACED AGGREGATE
EPOXY INJECTION
FABRIC FORM GROUT BAGS
GUNITE

• PILES —

MINI PILES
SOIL NAILING
EARTH & ROCK ANCHORS

586-826-8811

6250 SIMS STERLING HEIGHTS MI 48313

Vice President of Membership Services Comment

EVOLUTION

Writing articles used to be easy. I could simply grab onto a hot button MIOSHA topic and away I would go with the ins and outs and ramifications of the issue and how it would impact your field operations. No longer is that my only domain. I am guiding your new Safety Director, Pat Brown, on these issues so he can develop the skills needed to accomplish association goals within the MIOSHA and training arena. My job is evolving and so must I. Unfortunately, it is not terribly interesting to hear about attrition clauses for travel events or my troubles related to finding a speaker worthy of our annual meeting or staffing issues that relate to office continuity. Not even the inner workings and nuances of a MIOSHA grant would grab my attention, but, you as members need to know a bit about all of the various issues and how they may impact you whether it be in the form of an event opportunity or a regulatory issue that could change your way of doing business.

PRESIDENTIAL BALL

For those who attend the Presidential Ball, I am looking for input into this event. Since the merger this event is basically misplaced or a little out of step with regard to association business and even when the event should be held. Some have said the event should be moved and held in conjunction with the Annual Meeting which takes place at the end of January. For those who have not attended the annual meeting the event essentially ushers out the past president and introduces the new. With a prominent keynote speaker and many MDOT and legislative representatives invited, the event features presentations and panel discussions on industry issues. Historically the event draws between 600-700 attendees, which would be a good building block for a Presidential Ball. It is difficult at best to mess with history, and I'm sure there are a few members who shudder just at the introduction of this potential move. However, our association needs to evolve with your input. All responses are welcome.

MIOSHA TRAINING GRANT

We are currently in the process of reapplying for a MIOSHA training grant. Last year I was successful in obtaining a \$60,000 training grant, which helped subsidize some of our training activities around the state. I am currently in the process of making a similar request and hope to be successful. However, with the state's current financial troubles, you never know when grant monies will dry up. Stay tuned.

GIVE 'EM A BRAKE

If you haven't heard our new Give Em' A Brake radio public service announcement, either turn up your radio or stop talking on the phone. I have heard numerous positive responses with regards to the message and its frequency of play. Major donors were solicited and tag lines were added to a radio ad that urges motorists to look, locate and lower speeds in construction zones where workers are present. As a founding member of the coalition, I am proud to say that we raised \$120,000 for our current radio advertising purchase and hope to build on that amount for the future.

METRO GOLF OUTING

We have just completed the mother of all golf outings: the Metro Golf Outing with Silent & Live Auction, which is only made possible based on the generosity of members. The event boasts an annual turn out of 500 plus people

who come to see and be seen. Golf is secondary to the event and the non-dues revenue benefits all members with regard to association budget. All of this year's golf outings have been well attended, successful events designed to bring associate members and contractor members together in a setting other than the traditional sales call. I want to personally thank each hole, beverage, and cash donor for his or her gift. Please support these individuals who support us. A thank you ad has been placed in this magazine to acknowledge the efforts of our current event sponsors.

Continues on page 57.



Rob Coppersmith



**Ebony
Construction
Company, Inc.**

Asphalt Paving

Milling

Material Supply

Certified in Michigan, Ohio & Indiana

8(a), DBE, MBE, SDB, EDGE, NOMBC

419-841-3455 [phone]

419-841-7845 [fax]

ebonyco.com [website]

3510 Centennial Road, Sylvania, Ohio 43560

Vice President of Engineering Services Comment

What We Can Do for You

The engineering division of MITA stands ready, willing, and able to advocate for our industry interest and work diligently in pursuing the resolution of issues that affect our members on a daily basis. The addition of Doug Needham, as Director of Technical Services, adds a professional staff resource with proven technical, administrative, and leadership qualities that will have an immediate positive impact on those efforts. A former MDOT employee, Doug brings to MITA many professional experiences from within that owner agency with perhaps the most noteworthy being the years he served as a manager in the local agency programs area. As a manager in the local agency programs arena, he proved himself to be a leader building rapport and establishing positive relationships with the numerous county road associations he worked with.

Together Doug and I bring to MITA over 40 years of professional engineering experiences with established rapport and relationships within MDOT, the MDEQ, the FHWA, and the leadership and members of the County Road Association of Michigan (CRAM). Our engineering experiences include bridge and road design, specifications, research, materials

testing, construction, engineering automation, project and program administration, and asset management.

So what does this all mean for the MITA organization and its membership?

What this means to the MITA organization is that you have at your disposal knowledgeable, well experienced, proven professional resources available to assist and work for you on issues that impact you and our industry. As we build on the relationships already established, broaden our professional networks, and expand our spheres of influence to all owner agencies (the CRAM membership, the Michigan Municipal League membership, and the county drain commissions (see Doug's article about those efforts), we will be yet in a better position to pursue and protect our industry interests.

We are available to help and assist you with any concerns and issues you encounter as you bid and build projects for any owner agency. Call us if you have questions or issues involving:

- MDOT prequalification
- MDOT's DBE program
- MDOT's subcontracting process
- Retainage
- Payment
- Contract modification status
- Claims
- Permits
- Specifications
- Warranties
- Utility issues
- Project proposal and plan issues
- Project administration/oversight issues

In closing I want to update you on the status of an important industry issue, the transport permit process. As many members experienced this construction season, the response time associated with the MDOT transport permit process for acquiring annual cab cards, and more importantly single move permits, grew significantly. A permit process that in the past returned a permit within 2-3 hours of the application being submitted suddenly now required 24 to 48 hours for a permit to be issued.

Responding to MITA's expressions of concern about this extended response time issue, MDOT acknowledged that permit response times may have increased as a result of computer software and staffing issues they had experienced. In a meeting with MITA on this matter MDOT reported that they believed the computer software issues were resolved and that additional staff resources were being dedicated to



Glenn Bukoski, P.E.

One Team. Infinite Solutions.



Providing professional services in:

Interchange Planning & Design
Rural/Urban Road Planning & Design
Water Treatment
Wastewater Treatment
Watershed Planning
Mechanical & Electrical Engineering
Site Surveys
GIS

In Michigan, call (734) 761-1010

Offices throughout North America
and the Caribbean
stantec.com



Stantec

AD-CA-MIC-2006MAY24P201

Continues on page 57.

Director of Safety & Workforce Development Comment

Safety is a Top Priority at MITA

Although safety is the primary focus of my job title, I do wear other hats.

Years ago, the former AUC conducted a wage and benefit survey for non-union members. With the creation of MITA, non-union companies account for more than half of our membership. Union companies set their wages and benefits through contract negotiations. Non-union companies sometimes find it challenging to retain employees unless they have something to compare themselves to among other non-union companies.

There is stiff competition in the heavy construction industry right now for work. This survey will allow companies large and small to see just where they stand among their peers. The survey contains information such as average dollars per hour, vacation/holiday pay or time off, health insurance and retirement plans to name a few.

Like any valuable information, MITA intends to keep this information updated on a bi-annual basis.

JOB SITE INSPECTIONS

With the heavy construction season in full swing, MITA members are adjusting to new jobs, new employees and new challenges. Work is scarce in some areas and with that, companies are getting involved in work they do not normally do or have not done in quite some time. But when you dabble in uncharted waters, you run the risk of taking on water.

For its part, MIOSHA knows which companies perform a particular type of work and when they see a bridge contractor digging trenches that raises red flags. MITA provides a service to its members in helping prevent potential problems.

With a MITA inspection we will come to your job site(s) and do a full inspection including photographs. This preventative safety measure keeps you ahead of the game and better prepares you for a MIOSHA inspection. It also gives MITA staff first hand knowledge of what the current trends are and how they may relate to MIOSHA standards. If you have not taken the opportunity to schedule a MITA job site inspection, now is the time to call.

CPR UPDATE

An issue that is not normally talked about but is something that is very important both at work and home is cardiopulmonary resuscitation (CPR). First of all it is a MIOSHA requirement that there be at least one person trained in first-aid and CPR on every job site. I see more and more citations related to this issue everyday. The changes put in place are pretty significant and might make some people scratch their head, but when you take a look at the big picture it will all make sense. One of the biggest comes in the area of "checking an ill or injured person," where a caregiver used to open the airway, look, listen and feel. The change now requires a responder to "check for signs of life." If you do not detect signs of life, give two breaths. If the breath goes in, start chest compressions at 30 compressions

for every two breaths. If you noticed I never mentioned checking a pulse or rescue breaths at one every five seconds. Still confused? Don't worry. MITA will be updating all members to the new standards through its normal refresher training.

Remember that safety is a top priority at MITA and should be at any company involved in the heavy construction industry.

To contact Pat Brown, e-mail him at patrickbrown@mi-ita.com or call 517-347-8336.



EJIW EAST JORDAN

IRON WORKS EST.1883

We Cover the Infrastructure®

EJIW is a leading manufacturer of construction castings, drainage products, valve boxes, utility castings, tree grates, fire hydrants, airport & port authority castings, detectable warning plates, and more. Insist on high quality EJIW products, made in the USA.

Michigan sales offices are located in:
East Jordan, Grand Rapids, Lansing & Detroit



Made in USA 800-626-4653 www.ejiw.com

Director of Legislative Affairs Comment

Election Year Swings MITA into High Gear

The Legislature has recessed for the summer and there will be few legislative session days between now and the election. Regardless, MITA's legislative operations have been in high gear and we are now shifting much of our focus on helping candidates who will support our industry as state and federal policymakers beginning in January.

MITA Fights for our Industry at the State Capitol

MITA was heavily involved in the state budget process this spring. We fought hard to protect road dollars from being diverted to various state agencies. We also successfully eliminated a proposed crumb rubber pilot project. We realized that such an initiative was only a precursor to a statewide mandate, which would increase material costs as much as 30 percent while allowing us to pave even fewer roads.

In addition, we added an amendment to the state budget that requires federal dollars swapped between counties to be spent as originally intended—not allowing locals to purchase snow plows with money designated to build roads.

MITA is also working on legislation important to the underground industry, joining AT&T in supporting their \$500 million initiative to compete with the cable TV industry by offering video services for Michigan residents. If successful, AT&T expects to invest millions in new infrastructure, a potential windfall of business to MITA members.

We have also been working to help the underground industry by encouraging local units of government to utilize low-interest loans to upgrade water and sewer systems. We are convening a new clean water group which is comprised of members representing local and state government, environment, industry and others to find new ways to encourage local units of government to take the leap and begin the crucial water projects.

MITA Gets Political

Election year is upon us and that means our industry must engage in the political process. MITA has been busy identifying candidates who share our vision

and we are working to support them with our financial resources. At the same time, our PAC contributions are down significantly from last year, even while we are in the most crucial time period in the election cycle. For that reason, we encourage our members to continue sending in PAC contributions. The fact is, we can either engage in the political process or sit out while our competitors do.

Because of the stature of the ongoing governor's race, we felt it was important to share our industry's thoughts and concerns with both Governor Granholm and Dick De Vos. We have recently had meaningful conversations with both candidates and have shared with them the difficulty our industry is having in the current economic environment. We have advocated strongly the need to increase revenue for our state's infrastructure in order to provide a stronger Michigan.

Ballot Proposals Could be a Blow to State Infrastructure

There are two issues likely on the November ballot, which are of significant concern to MITA. The K-16 proposal hurts the state and dries up money for all but educational programs by increasing spending by \$1 billion and requiring automatic inflationary increases

Continues on page 58.



Keith Ledbetter



**Boring and Jacking
Pipe Jacking
Tunneling**

Scott Bazinet or Dick Lowe

2535 Bader Road • Horton, Michigan 49246 • Office (517) 529-9406

Director of Technical Services Comment

MITA is Committed to Growing the Industry

Emphasizing the need to build relationships and open lines of communication with other owner agencies beyond MDOT, MITA initiated various meetings this past spring with the County Road Association of Michigan (CRAM), Michigan Municipal League (MML), and Michigan Association of County Drain Commissioners (MACDC). The MITA theme repeated to each of these associations was a dedication to promoting, protecting, and growing the heavy construction industry in Michigan.

MITA kicked off the round of meetings in April when we sat down with the executive staff of CRAM to discuss current issues and concerns from the perspective of both the owners and contractors perspective. CRAM indicated they were working on two "hot issues". The first issue deals with increasing the percent received from MDOT when the counties exchange their federal funds for state funds. By exchanging these funds, counties have greater design and construction flexibility with fewer regulations. Currently MDOT buys back the counties' federal aid at \$0.75 on the dollar. CRAM's goal is to increase that rate of return to no less than \$0.95 on the dollar. The second issue deals with increasing the dollar limit for which a county can elect to utilize the "Non-Competitive Bidding Process" (force account) from \$100,000 to \$500,000. Increasing the dollar limit would allow a county to do more work with their forces, thereby bypassing the competitive bid process and reducing the amount of work available to our industry. MITA expressed concern with increasing the force account threshold from the current \$100,000. We will continue to advocate our interests relative to both of these issues with CRAM and MDOT.

Next, MITA had meetings with MML at their office in Lansing and their headquarters in Ann Arbor. Speaking to MML's Transportation Policy Committee in Ann

Arbor, we presented an overview of the MITA organization and our current funding priorities at both the federal and state level. At the state level we promoted the 2002 Proposal 2, State Revolving Fund (SRF) loans that are available to communities to repair or replace aged and ailing sewer systems.

With lines of communication opened with CRAM and MML, we focused our attention on the MACDC. First we met with Pat Lindemann, MACDC president and Ingham County Drain Commissioner, to discuss ways our associations could better interact and effectively communicate on issues important to our respective memberships. To start with, we agreed to exchange introductory articles for the fall publication of the MITA "Cross-Section" and the MACDC "Pipeline". Further MACDC interaction occurred at their Northeast District meeting in Sebawaing and the Southeast District meeting in East Lansing. During these meetings, we focused our efforts on introducing MITA and discussing the funding made available by Proposal 2.

Continues on page 58.



Doug Needham, P.E.

Problem Solver Trucking Issues



MITA often receives phone calls from members regarding trucking related issues and concerns. In particular, many members often call regarding concerns over hauling permits, specifically single move permits that are needed immediately. Obviously, for most companies these single move permit needs arise on a regular basis, but do not allow for much pre-planning. However, when the permitting agency does not process these single move permits in a timely manner, it can cause significant problems for the affected company.

This was the case for a MITA member who recently called the association. The contractor had applied for a handful of single move permits with a permitting agency and had not received a response in over a day and a half after submitting them. Once staff at MITA had been notified, contacts were made with the agency and by the time a call was made back to the member firm, the permits that were needed had been e-mailed to them.

If you are in need of assistance on a permit or any other question that might arise, the staff at MITA stands ready to serve. One of the biggest assets your association has established is a relationship with individuals at both the state and local level who can help to resolve those nagging everyday problems that you might encounter. Please don't hesitate to call the MITA office anytime you are in need of assistance.



TOOL BOX TALKS

“General Directions for First Aid”

Before you get started:

There are five safety tips that apply to the whole industry. If you practice these five things, you could make a difference.

- KNOW YOUR JOB.
- BE ALERT.
- EXPECT THE UNEXPECTED.
- USE GOOD JUDGEMENT.
- ALWAYS THINK SAFETY.

These tool box talks have been designed to include all of the information your company should be able to include in a five-minute session. MITA suggests that you document this activity with the sign in sheet provided and keep it on file for future reference.

First-aid is nothing more than the “first” treatment given to a victim until professional help arrives on the scene. Improper first-aid treatment can lead to even more pain, injury or even permanent bodily damage.

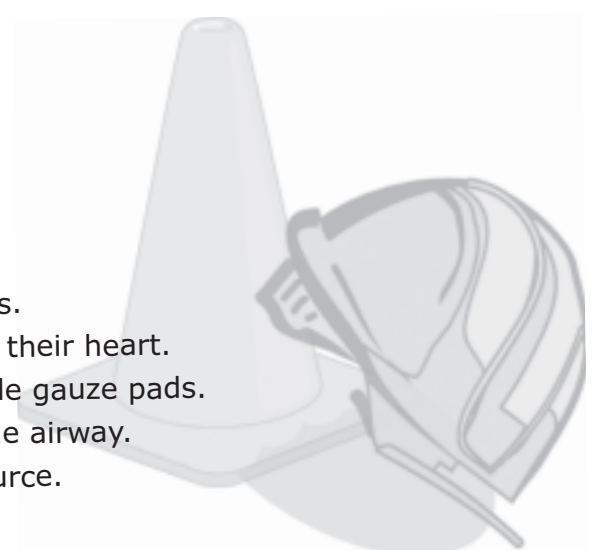
We recommend that every employee and supervisor enroll in a first-aid training class. Most areas have Red Cross chapters or fire departments which regularly sponsor these classes. MITA can also provide the proper training required. Check these out— they may be valuable for your personal benefit as well.

Recommendations for common injuries:

- * Overview the scene for potential hazards.
- * Use personal protective equipment when available.
- * Keep the injured person lying down.
- * Do not give liquids to an unconscious person.
- * Control bleeding with direct pressure.
- * Dilute swallowed poison with water.
- * Keep broken bones from moving.
- * Cover burns with loose clean or sterile dry dressings.
- * If someone has fainted, keep their head lower than their heart.
- * For eye injuries, cover both eyes with clean or sterile gauze pads.
- * Never remove an impaled object unless it effects the airway.
- * For heat/cold related illness, remove them from source.
- * Provide reassurance— it has a calming effect.

The above-listed first-aid suggestions are elementary yet important. Remember, you are not a doctor, but the slightest bit of knowledge may be very valuable someday.

Your employer is an equal opportunity employer and as such welcomes applications from qualified female and minority applicants.



BILL #	SUBJECT	DATE INTRO.	SPONSOR	MITA POSITION	STATUS
HB 5607, 5979 and 4437	Replace Michigan's "old blue" license plates, cracking down on those counterfeiting current tabs	1/24/06	LaJoy	Support	Signed into law
HB 5895	Streamlines franchise fee process to help spur \$500 million for AT&T to invest in cable and video markets	3/21/06	Hoogendyk	Support	Pending in House Energy and Technology Committee
HB 5795	Omnibus appropriations bill including transportation spending	3/1/06	Hummel	Neutral; Want additional dollars for MTF; oppose excessive IDGs to various departments; oppose crumb rubber initiative; added language forbidding local governments from using swapped federal road dollars for snow plows or other unrelated expenses	Pending in Conference Committee
HB 6255	Requires traffic to change lanes to avoid stationary road maintenance vehicles	6-22-06	Hummel	Support	Pending in House Transportation Committee
HB 5743	Eliminates the Single Business Tax by the end of 2007	2/22/06	Drolet	Support; Would like to see personal property tax savings as part of any business tax overhaul	Vetoed by the governor
SB 1132/1192	Helps local governments capture \$320 million in federal funding by providing \$80 million local match	3/14/06	Prusi/ Gilbert	Support	Signed into law
SB 242	\$20 million supplemental transportation funding for previously vetoed road projects	2/23/05	Johnson	Support	Signed into law

BIG PICTURE PROBLEM SOLVING:

MITA Legislative Initiative Tackles Payment Protection Issues Head On

By Jim Urban
Butzel Long

We have thousands of laws on the books. But, on a daily basis, four Michigan statutes in particular directly affect the operations and livelihood of every Contractor involved in public works infrastructure construction: The Differing Site Conditions Act (DSC Act); the Public Works Performance and Payment Bond Act (Public Works Bond Act); the Retainage Act; and, the MDOT Performance and Payment Bond Act (MDOT Bond Act).

Driven largely by the recent, troubling trend of governmental owners inserting private Construction Managers into the contracting chain between the Contractor and the Owner on public works, MITA once again took charge and attacked the problem head on at the legislative level. In mid 2005, MITA's Executive Director, Bob Patzer, and Vice President of Government and Public Relations, Mike Nystrom, gave my partner Eric Flessland and me our marching orders - - "These are the issues that are creating problems for MITA members. We will resolve these problems on a state wide legislative basis. Provide the analysis and statutory amendments needed to accomplish this for our members. We will take it from there."

MITA did indeed take it from there. Consistent with its leadership role in the industry, MITA brought together other associations representing different facets of the construction industry community. MITA presented its legislative proposals and negotiated the concurrence of those interested groups in MITA's proposed legislation.

The result of this MITA initiative is a package of five bills that will be soon introduced by Representative Dan Acciavatti (R) 36Th District. As most of those

reading this article already know, Representative Acciavatti is astutely aware of and actually understands the issues facing both contractors and owners involved in the construction of public works in Michigan. He has not been shy in supporting measures that will benefit both sides of the table. His forthcoming introduction of this MITA initiated legislation demonstrates his continuing commitment to improving the laws affecting this industry.

Having described the path leading to where we are, it's time to look at the "what and why" of the proposed legislation.

As mentioned above, the primary driver of MITA's legislative initiative was the troubling trend of governmental owners to use the services of private Construction Managers in the procurement of public works construction. From one perspective there are legitimate reasons for a public owner to utilize the services of a private Construction Manager. The public owner may not have the resources, personnel or the expertise needed to adequately manage and administer a project. Traditionally, a private consulting engineer acting as the project engineer provided Owners with that assistance, but it was not inserted into the contract chain between the Contractor and the governmental owner. A private Construction Manager can also fill that "resources" gap for the public owner. However, the dynamics change when the public works owner engages an "at risk" private Construction Manager. This type of Construction Manager administers the competitive bidding of the project and directly enters into the contract with the Contractor who will actually construct the project. Whether intended or not, insertion of the private Construction Manager into the contractual chain between the Contractor and the governmental owner leads to potentially wicked results and an arguable evasion of the protections afforded to infrastructure contractors under three existing Michigan laws.

THE DSC ACT

Few involved in this industry are not already familiar with the groundbreaking DSC Act legislation secured by MITA's predecessor AUC. Michigan was the first state to enact a state law affording contractors statutory protection when differing site conditions are encountered on public works projects. The DSC Act imputes a differing site conditions clause (modeled after the well established clause used in federal government construction contracts and which had appeared in substantially the same form in MDOT's contracts for years) into every contract for the construction of a public work in excess of \$75,000 between a contractor and governmental owner in Michigan. Thus, regardless of efforts by a municipal owner's sharp-penciled attorney to excise such clauses from the municipality's form contracts, the protections of the DSC clause are statutorily imposed on every such contract.

How does the use of a Construction Manager potentially impact the statutory protection provided to a Contractor by the

Pumps, Tanks, Pipeline & Filtration Rentals - Nationwide

New & Used Pumps for Sale

Rain for Rent's
engineering team
can design cost
effective solutions
for all your liquid
handling projects.

When you have an
emergency situation,
bypass, or any other
unexpected circumstance
where you need
to pump, store, filter
or dewater liquids -
call Rain for Rent.

Featuring:
PUMPS
TANKS
PIPELINE
PUMPS

DV-150i Dry Vacuum Pump

Michigan Office:
20101 Sibley Road
Wyandotte, MI 48192
734-479-1892

800-742-7246
rainforrent.com

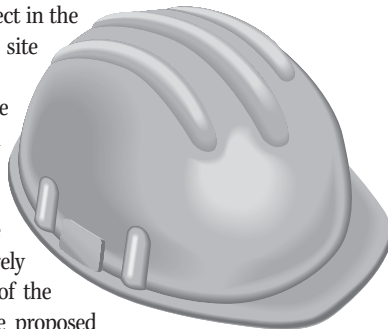


DSC Act? The DSC Act, at Section 2, imputes the DSC clause to every "... contract between a contractor and a governmental entity for an improvement that exceeds \$75,000.00..." The argument becomes obvious - - "Sorry Mr. Contractor but I am a Construction Manager, not a governmental entity. Since you have a contract with me as the Construction Manager and not with my customer the governmental owner, your DSC statute does not impute a DSC clause into our contract." Whether such a blatant effort to circumvent the requirements of Michigan's DSC Act would be sanctioned by a court remains to be seen. Although it is more likely than not that a court (whether directly or indirectly) would see to it that a Contractor was ultimately afforded the remedies otherwise available under the DSC clause in a properly pleaded and argued case, such an exercise, even if successful, is destructive. While this may sound odd coming from construction litigators who make a living winning construction claim battles for Contractors one at a time, why should a Contractor be required to invest the resources and carry the inevitable negative baggage associated with litigating against a public customer and its Construction Manager in order to enjoy the contractual protections that Michigan law expressly provides? Obviously, he shouldn't. Moreover, the public owner's best interest dictates that the scenario be avoided.

Since the DSC clause has been in effect at the federal level for approximately 80 years, the reasons for the creation of the DSC clause may have become lost to current public owner institutional memory. Prior to the creation of the DSC clause, bidders on federal government contracts did one of two things: they either included large contingency amounts in their bids to cover unforeseen changes from assumed physical conditions or they didn't. On projects where there was no change in conditions, the "contingency amount bidders" enjoyed unearned windfall gains. On projects where the change in conditions were encountered (which coincidentally seemed to go to the "non-contingency bidders" more often than not) the non-contingency bidders were suffering business failures. Both circumstances - - - inflated contract prices/unearned windfall profits and a diminishing pool of qualified bidders --- were deemed unacceptable to the federal agencies procuring infrastructure construction services. Therefore, these public owners set out to correct this situation.

The solution came in the form of the DSC clause which removed the need for bidders to include contingency amounts as well as the risk of business failure for those bidders that didn't. The essence of the DSC clause is relatively simply. The Contractor submits a bid price for the project conditions represented in the bidding documents or for the conditions normally inhering in the type of work provided for in the contract. If those conditions materially change, the governmental owner agrees that the contract price and time will be equitably adjusted in line with the additional cost and time incurred to construct the project under those changed physical conditions. The DSC concept has been remarkably successful for over 80 years at avoiding the problems it was initially conceived to address. The governmental agencies procuring construction services and the Contractors providing those services have both benefited. The public owner pays for the cost of constructing a project in the conditions actually encountered on its site - no more and no less.

The proposed bill to amend the DSC Act is relatively simple and generally addresses two issues. First, the arguable hole created by the recent use of Construction Managers in the public works contracting chain is securely plugged. Without quoting every part of the amendment language, Section 2 of the proposed bill imputes the DSC clause to every contract "...between a



Continues on page 59.

WE'RE BUILDERS, TOO. OF PROFITS.

And the tools we use? Tax consulting and audits. Strategic planning. Operations reviews. Mergers and acquisitions. Succession planning. Technology strategies. And many others.
Tom Doyle 248.223.3402
plantemoran.com



CPAs / Business Advisors

THRIVE.

Illicit Discharge Elimination Program

DEFINITIONS

PSD – A point source discharge (PSD) is an outlet from a drainage system to waters of the state, or a point where the storm water drainage discharges into a system operated by another public entity. Examples include a structural outfall, constructed swales, or a pipe discharging to another entity's drainage system.

Illicit Discharge – Any discharge (or seepage) to the separate storm water drainage system that is not composed entirely of storm water or uncontaminated groundwater.

Storm Water – Storm water is water that accumulates on land as a result of rainfall events.

Waters of the State – The Great Lakes and their connecting waters, all inland lakes, rivers, streams, impoundments, open drains, and other surface bodies of water within confines of the state.

Illicit Discharge Examples

Dumping...

- Motor vehicle fluids
 - Detergent
 - Leaf litter
 - Sewage
 - Industrial waste
 - Or Animal waste
- ...into the drainage system

Acceptable Non-Storm Water Discharges

- Water line flushing
- Landscape irrigation runoff
- Diverted stream flows
- Rising groundwater
- Uncontaminated groundwater infiltration
- Pumped groundwater
- Discharges from potable water sources
- Foundation drains
- Air conditioning condensate
- Irrigation water
- Springs
- Water from crawl space pumps
- Footing drains
- Lawn watering runoff
- Water from non-commercial car washing
- Flows from riparian habitats and wetlands
- Residential swimming pool discharges and other de-chlorinated swimming pool discharges
- Residual street wash waters
- Discharges or flows from emergency fire fighting activities.

By: The MDOT Storm Water Management Team and its consultant, Tetra Tech, Inc.

MDOT's statewide NPDES Phase II Storm Water Permit became effective on April 1, 2004, and the agency continues to move ahead to more closely manage sources of transportation-related storm water pollution. In an effort to share information with its partners in the transportation construction industry, this is the second in a series of articles MDOT is contributing to the MITA Cross-Section. For more information about MDOT's StormWaterProgram, please visit www.michigan.gov/stormwatermgt <<http://www.michigan.gov/stormwatermgt>>.

One component of MDOT's Storm Water Management Program is the Illicit Discharge Elimination Program (IDEP). MDOT's Storm Water Management program is helping to prevent pollution of Michigan's waterways by identifying, reporting and eliminating illicit discharges to the storm drainage system. The most common pollutant sources found connected to storm drains include sanitary sewer taps and washing machine hook-ups connected through a sump pump. The several components to MDOT's IDEP program include: inventorying storm water Point Source Discharges (PSDs), mapping PSDs, educating the general public and job-related staff, and tracking the removal of illicit discharges.

Why do we care about storm water?

As storm water runs off of the land, it picks up pollutants such as oil and grease from cars, sediment from construction sites, and bacteria from pet feces. All of these materials end up in Michigan's surface waters, causing environmental degradation. Storm water pollutants may affect water quality, recreational activities, aesthetic value, wildlife habitat, and the normal life cycle of organisms and animals.

Identifying Illicit Discharges

An illicit discharge is the discharge of pollutants or non-storm water materials to storm water drainage systems via overland flow or direct discharge of materials into a storm drain. Some examples of illicit discharges include the overland drainage from a commercial carwash, or dumping used motor

Continues on page 33.

Safety Specialists

Training
Equipment Sales
Rental/Repair

Call for a free catalog!
(800) 873-0456

www.Argus-Group.com



Argus Supply • Enviroair Consultants • ASC • Master Tek

Eye/Face/Head/Hand Protection • Confined Space Entry
Fall/Rescue Equipment • Gas Monitoring • Instruments
Protective Clothing • Respiratory Protection • Rentals
Repair/Service • Regulatory Compliance • Ventilation

Ask about our custom Hard Hat Program!

Illicit Discharge Elimination Program *Continued from page 32.*

oil in or around a catch basin. An illicit connection is the discharge of pollutants or non-storm water materials into a storm sewer system via a pipe or other direct connection.

Illicit discharges are often found during routine fieldwork, including road, bridge or sewer construction, maintenance and repair, and surveying work. So, as a contractor in the field, you play an important role in identifying and reporting problems in MDOT's storm water drainage system. The following is a list of the most common problems field staff may encounter and the pollutant or observations associated with each discharge.

- **Sanitary connections** – Sanitary flow has a distinct sewage odor. There may be visible evidence of sanitary waste, such as toilet paper, opaque or gray water, and black staining in the pipe.
- **Oil Sheen** – Oil sheen on water surfaces can be both from natural and man-made sources. Natural oils are often secreted from plants and the oil will separate if swirled or disturbed, where as man-made products like petroleum will re-attach when swirled or disturbed.



Continues on page 64.

MDOT is closely managing these examples of storm water pollution.

Mississippi Valley Equipment Company. . . the *DRIVING* force behind your next project

*F*or more than 70 years, MVE has offered MKT's complete line of pile driving and drilling equipment to **Michigan Contractors**.

Services:

- Knowledgeable equipment applications support
- 24/7 parts and service support
- Custom design and fabrication

Equipment:

- MKT Hydraulic Vibratory Driver/Extractors
- MKT Diesel Hammers
- **MVE Diesel Hammers**
- MKT Hydraulic Auger Systems
- MKT Swinging and Fixed Lead Systems
- MKT Air Hammers



A Winning Team!

Mississippi Valley Equipment Company
1198 Pershall Road • St. Louis, MO 63137
phone 800.325.8001 • *fax* 314.869.6862
www.MVE-STL.com



Left to right: Louise Alderson and Tom Hoisington, Linda and Bob Patzer, Steve and Lisa Mancini.



Left to right: Mike Kelleher, Wolverine Tractor & Equipment Company; Craig Spencer, National Waterworks; and Reggie Greenslade, LGL Construction Company, Inc.

Presidential Ball 2006



Pat and Lucy Dunigan, Dunigan Brothers.



Lisa and Steve Mancini, Ric-Man Construction Inc.

▶ In May, nearly 250 MITA Members attended the Presidential Ball at the Dearborn Inn honoring Steve Mancini. The event included a cocktail reception, dining, dancing and Monte-Carlo style games.



Left to right: Paul Marsh, The Premarc Corporation; Todd Schrader, Hardman Construction, Inc.; and Rick Fons, Fonson, Inc.



Steve Mancini (Ric-Man Construction, Inc.) and his mother, Jilda.



Jack and Helen Stonehouse. Helen is Bob Patzer's retired executive assistant.

Did You Know?

MITA Begins Summer Student Intern Program

MITA instituted a Summer Student Intern Program for 2006. This program was designed for students who have an interest in working in the road, bridge, or underground construction industry. Hiring interns can be a valuable tool for our industry as we face shortages of skilled workers and more compressed and expedited construction schedules.

During the internship, students combine the value of academic knowledge with practical situations in the various aspects of the heavy construction industry.

This year the following universities were targeted: Eastern Michigan University, Ferris State University, Lawrence Technological University, Michigan Technological University, Michigan State University, University of Michigan, Saginaw Valley State University, and Western Michigan University.

To apply for the program, students were asked to submit a short application along with a description of their career objectives to MITA. In turn, MITA forwarded the applicants to members who had expressed an interest in hiring summer interns.

This year we had 20 students apply to the program. Next year we hope to have many more, so be on the look out next spring.

We are working to revise the student application process as well as the distribution to our members for the 2007 program. If you have any suggestions regarding this program, please contact the MITA office.

For information regarding the MITA Student Summer Intern Program, contact Doug Needham at douglasneedham@mi-ita.com or 517-347-8336.

Christopher Abbott has joined Michigan Paving & Materials this summer as a student intern to experience the real world as it relates to his Construction Management Major. Chris is currently a sophomore at Ferris State University and brings to Michigan Paving & Materials the basic knowledge of construction practices and principles along with material properties and testing procedures. Although he is new to the heavy construction industry, Chris has a couple years of experience in the home construction industry and is an active member of the Associated Construction Students (ACS). His duties this summer include work in the Quality Control Lab testing asphalt, field density and general paving principles.



Chris Abbott, student intern,
Michigan Paving & Materials Co.

SALES

SERVICE

PARTS

RENTAL

PARTNER[®]

Concrete & Masonry
Cutting Equipment



**ACE
CUTTING
EQUIPMENT**
& Supply, Inc.

Phone: (248) 449-4944 Fax: (248) 449-4946

25806 NOVI RD., NOVI MI 48375
WWW.ACECUTTING.COM
E-MAIL SALES@ACECUTTING.COM

DO MORE WORK. BURN LESS FUEL.

GET A VOLVO.

Volvo wheel loaders are the most fuel efficient, most productive loaders you can put on the job. They deliver (1) higher productivity, (2) higher performance, and (3) lower fuel costs.



www.volvoce.com

Call Wolverine Tractor for more reasons to get a Volvo.

More care. Built in.

WOLVERINE TRACTOR AND EQUIPMENT COMPANY

Brighton

866-573-4WTE

Casco (East Side)

866-576-4WTE

Detroit

866-577-4WTE

Lansing

866-575-4WTE

Grand Rapids

866-574-4WTE



VOLVO

Member News

The Doan Companies www.doancompanies.com

The Doan Companies, which operates eight ready-mix concrete production facilities throughout southeast Michigan, has acquired the assets of Redi-Mix Concrete Company of Adrian.

"We are excited to build upon the reputation that Redi-Mix Concrete Company has established in the Adrian market," said Dennis Doan, president of the Doan Companies. "This offers us a great opportunity to expand and better service our customer base in the Lenawee County area."

Efficiency Production, Inc. www.epi-shields.com

NEW HIRE



Kevin Pitcole

Kevin Pitcole is Efficiency's Southeast Michigan sales representative. Pitcole joins Efficiency with an extensive range of sales experience in Michigan's construction industry. Most recently, he has served as sales representative for Sky-Reach, Inc., and previous to that, United Rentals in Taylor, Mich.

Pitcole will serve as the customer-relations specialist in Southeast Michigan representing Efficiency Produc-

tion's extensive line of trench shielding and shoring equipment. Pitcole can be contacted directly by mobile phone at: (586) 615-0231; or e-mail at: kpitcole@epi-shields.com.

Efficiency Production, Inc., "America's Trench Box Builder™," provides a wide selection of standard and custom trench shielding and shoring systems. Efficiency's versatile products are designed specifically for safe and cost effective installation of utility systems and infrastructure improvements. All products are P.E. certified to meet OSHA and MIOSHA standards.

G2 Consulting Group www.g2consultinggroup.com

LICENSE

Amy Schneider, a project engineer with G2 Consulting Group in Troy, Mich., has passed the Michigan Professional Engineers exam to earn her professional engineering (PE) license in Michigan, announced Mark Smolinski, G2 principal.

Schneider, a G2 employee for seven years, earned a bachelor's degree in civil engineering from Tri-State University in Angola, Ind. She lives in Royal Oak, Mich.

G2 Consulting Group (www.g2consultinggroup.com) is a full-service engineering firm serving Fortune 500 companies, major utilities, property owners, government agencies and leading architectural, engineering and construction firms across the United States. Based in Troy, Mich., G2 also has offices in Detroit and Chicago.

Continues on page 38.

Trac Trenching & Dirt Works

Erosion Control Silt Fence Installation

Light Pole
Bases

Hole Augering
18, 24, 36 Inch

Installed Around
Wetlands

Underground
Conduit Installation

Best Install Around



Call for Pricing
& Large
Quantity
Discounts

Electrical &
Communication
Trenching

Robert Cochran

2627 E. Kimmel, Jackson, MI 49201

Office: 517-782-8328 • Cell: 517-206-0662

Member News

Continued from page 37.

NEW OFFICE

G2 Consulting Group has opened an office in Brighton, Mich., to handle growing work in Washtenaw and Livingston counties, and to shorten the commute for employees living in metropolitan Detroit's western suburbs.

Four G2 employees will work in the 2,600-square-foot engineering office at 9436 Maltby Road. Like G2's Troy, Mich., headquarters and suburban Chicago location, the new office will provide geotechnical, environmental and construction engineering services for retail, residential, municipal and industrial construction projects, says Mark Smolinski, P.E., a G2 founding princi-



From left: Dave Wanlass, geotechnical project manager, and Chris Nicol, project manager, outside G2 Consulting Group's recently opened Brighton engineering office.

pal. Future Brighton expansion plans include adding staff and a full-service laboratory for testing soils and concrete, he says.

"Over the last several years, our work in Livingston and Washtenaw counties has grown so much that it made sense to have a permanent presence there," Smolinski said. "We also did it to help keep good people and help them be more productive. We have valuable engineers and environmental consultants who live in the area, and they'll be more productive without a three- or four-hour commute to and from our Troy office."

Dave Wanlass, P.E., a geotechnical project manager who lives in Howell, will oversee Brighton operations. Others working there include Chris Nicol, P.E., a project manager who lives in Milford; Lorraine Sprague, an environmental scientist who lives in Fenton, and Ken Nowak, a senior technician living in Howell.

G2 employs a total of 50 people in its three offices, and places a high priority on recruiting and retaining high-quality engineers, environmental experts and technicians.

The Brighton office phone number is (810) 224-4330; its fax line is (810) 229-1720.

PROJECT UPDATE

G2's current and recently completed projects in Livingston and Washtenaw counties include geotechnical design work for the Ashley Terrace and Glen Ann developments; the Ann Arbor Research Park, and the East Medical Center bridge widening in Ann Arbor; the Brighton City Hall expansion;

Continues on page 39.

For FANATICAL Rental Service



RENTAL RESPONSE TEAM

1-800-783-RENT



www.klochko.com

the Faulkwood Shores and Genoa Woods residential developments in Genoa Township; the River Bluffs development in Howell Township; the MHOG water treatment facility expansion in Howell; the Mission Hills mixed-use development in Green Oak; and the Orchard Park, Oceola Village and Maplewood Square residential developments in Oceola Township. G2 also performed hydrogeological investigations in conjunction with several of these projects.

Klett Construction – Division of Michigan Paving & Materials

The Ferris State University Board of Trustees conferred an honorary doctoral degree on James Klett, of Klett Construction, during spring commencement ceremonies.

Klett has been an effective advocate on behalf of his industry in both Lansing and Washington, and he has served as president of Klett Construction for many years.

Throughout his career, Klett has been deeply involved with Ferris' construction programs. He is the current chairman of the College of Technology's Construction Technology and Management Advisory Committee. In September 2004, he was the construction industry representative for the American Council for Construction Education's site visit for re-accreditation of the university's bachelor of science in construction management.

In 2003, Klett donated significant funds on behalf of his family for the procurement of state-of-the-art equipment in the materials laboratory within the Granger Center for Construction, and his personal efforts generated additional funds for the lab from industry partners. In recognition of his efforts, on April 14, 2004, the university officially dedicated the Klett Family Materials Laboratory.

Klett has been chairman of the National Asphalt Paving Association Research and Education Foundation Scholarship Program Committee since 2002, and he currently serves on the Workforce Development Committee of Western Michigan. He has served in numerous other important construction industry association leadership positions.

Northern Concrete Pipe, Inc. – Charlotte

www.ncp-inc.com

AWARD

Northern Concrete Pipe, Inc., recently received a Silver Award from MIOSHA for an outstanding safety and health record.

MIOSHA Director Doug Kalinowski presented the award to William Washabaugh Sr., president; and Tim Phillips, director of safety. Northern Concrete has a facility in Charlotte and Bay City. The Bay City facility received the Silver Award in 2004.

Northern Concrete Pipe's outstanding safety and health record came from several areas, including significant employer commitment, an active safety and health committee,

Continues on page 66.

VANDERLIND & SON

Sewer Pipe
Drainage Pipe
Water Pipe

Sales
Service
Solutions
Satisfaction

3 Locations and 25 Years of Experience to serve you

★ 654 West Bluestar Drive
Suite A
Traverse City, MI 49684
(231) 943-4092

★ 1649 Century S.W.
Grand Rapids, MI 49503
(616) 247-0307

★ 1110 133rd St.
Wayland, MI 49348
(269) 792-7473

We represent the following companies' quality products:

Antigo Construction, Inc. in



Editor's note:

This is the second in a three-part series regarding Antigo Construction's involvement in a USAID project in Afghanistan to rebuild the Kandahar-Herat Highway, a 345-mile stretch of road that connects the southern and western parts of Afghanistan. The process used to rebuild the road is known as rubblization. Rubblization is a cost-effective way of rehabilitating deteriorated concrete pavements. The concrete is broken into pieces and then is overlaid with asphalt. The rubblized pavement becomes a strong but flexible base material, which is left in place.

Since the first-part of this series ran in our spring issue, violence in the region has escalated substantially. However, luckily, Antigo is done with work in the region until next year when they begin a new project.

Antigo Construction President George Shinnars, a specialist in this type of overseas work, answered the following questions. We are grateful for his interest in sharing his unusual story with our readers.

– NHB

Q. How are things going now (in June 2006) based on the recent upsurge in violence?

A. There is definitely more concern in areas north of Kandahar than last year. Travel by car is not recommended, which led me to cancel a visit scheduled for early June. We finished rubblizing June 26, with 265 miles completed in 18 months. In a side note, our rubblizing technology on the Kandahar to Herat Road was recently selected as the outstanding construction methodology in this year's worldwide competition by the International Road Federation. Strange that it has to happen in Afghanistan, but it definitely will give rubblization with an asphalt overlay widespread attention.

Q. Tell us about security incidents.

A. While there have been a number of serious security incidents on the jobs we were involved in, none of our workers were ever directly involved. Of more concern were traffic accidents – heavy traffic consisting of grossly overloaded trucks (200,000 pounds gross), buses, taxis and private vehicles that drive down the gravel temporary roads with little regard for safe-driving rules. Our vehicle was sideswiped twice by trucks passing where they shouldn't – quick action by our driver prevented what easily could have been a deadly accident. A traffic accident in Section 3 caused the death of our South African

security manager and the serious injury of our American project manager. In March 2005 an Afghan commercial airliner flying from Herat to Kabul flew into a mountain during a sudden snowstorm.

Among the dead were several very close friends from Section 4 including the American project manager, Turkish project superintendent and young Turkish engineer assigned to our rubblizing operation.

Q. How did the workers feel about what they were doing? How did people you came in contact with feel about what you were doing for them in terms of fixing their road?

A. The management staff clearly understood the importance of repairing the road. The hourly workers, both Afghan and ex-patriot, understood to varying degrees but were probably more appreciative of having a decent job and having the opportunity to learn Western road building techniques. Through our interpreters' comments and the friendly way in which the local Afghans treated us, it was clear that they appreciated what was being done to reconnect them with the rest of Afghanistan and the surrounding countries, which were their traditional trading partners.

Q. How did you handle the language barrier?

A. The Turkish and Indian contractors for the most part understood English. They interpreted for us, or an interpreter assigned to a security manager helped. In other cases, an engineer or driver handled it. We also get by with a lot of sign language. For instance, we showed the operator physically how to operate the equipment. You can't show them the operator's manual, because it is in English, but you can show them the pictures.

Q. How was the process of performing the work different from a similar project that you performed in the United States?

A. In the U.S. everything needed to perform our rubblizing work is readily available – equipment, operators, fuel, housing, trucks, construction materials and secure working conditions. In Afghanistan we started with



George Shinnars (fifth from the left) with some of the many people he has met and worked with in Afghanistan.

STAN

Part Two

BACKGROUND ABOUT

Antigo CONSTRUCTION INC.

www.antigoconstruction.com

2520 N. Clermont St.
P.O. Box 12
Antigo, Wisc. 54409
Phone: 715-627-2222
Fax: 715-623-7073

George Shinnners, president
Matthew Shinnners, secretary
Christopher Shinnners, vice president
Jason Jansen, operations manager

According to the USAID Web site (www.usaid.gov), many of Afghanistan's institutions and much of its infrastructure have been destroyed as a result of neglect and unrest. USAID is building and refurbishing infrastructure to boost economic growth and agricultural yields, connect rural Afghans to services, and provide facilities, education, healthcare, a civil society and local governance.



nothing – the roadway and work camps had to be demined, mobilization of equipment took at least three months, work camps as well as crushing, asphalt and pre-cast concrete plants had to be hauled in and erected, wells had to be drilled, our supplies and spare parts had to be delivered to the work camps, operators had to be trained, security “shut-downs” stopped work for days, and the work day was reduced by as much as three hours because travel from the camp to and from the work site was only allowed during daylight hours.

Q. What unique aspects of the process did you appreciate the most? The least?

A. I appreciated the opportunity to introduce the rubblizing procedure to a diverse group of pavement design engineers, paving contractor managers, machinery operators and U.S. and Afghan government officials. Also, I enjoyed the opportunity to use my 40 years of road building experience to participate in the decisions of the project managers to modify the construction procedure to take advantage of available local materials and to overcome changing site conditions and frequent shortage of equipment.

The unique aspects that I wish did not exist were the difficulty at times of communicating the proper rubblizing procedures to both managers and hourly employees, due either to language barriers or the inability or unwillingness of some managers to understand and accept the mechanics of the rubblizing procedure.

Q. What out of the ordinary costs and procedures were involved in performing this type of work in Afghanistan?

A. The most unusual procedure involved the months of discussions and e-mails necessary to prepare contracts and the time and effort it took to prepare the breakers and assemble and crate up the \$120,000 in supplies and spare parts going with the breakers. Once the paperwork was signed, we entered phase two, a three-month mobilization of equipment from Antigo to the job sites. Antigo hauled the breakers to Baltimore where they were put on ships to either Turkey or Pakistan. The ocean voyages took about 45 days and customs clearance another 10. The truck haul from western Turkey crossed Iran and arrived at the northern Afghanistan city of Herat after a month. The trucking time from Karachi took almost as long. The one-way transportation cost was roughly \$30,000 per breaker.

Other unexpected costs and procedures included cash flow issues due to a four-month payment process, lack of maintenance awareness on the part of the Turkish and Indian operators, which led to added maintenance costs, and the extensive management effort required to ensure that the rubblization was done properly. I had not anticipated the need to hire a full-time manager. In addition, I was in Afghanistan on the jobs 10 times for a total of 130 days between November 2004 and November 2005. I will probably return twice between April and the end of June of this year when the fourth section should be rubblized.

Stay tuned for the final part of these series in which Shinnners will talk about whether he would recommend this type of international construction experience to other contractors.

The company has 44 full-time employees located in Antigo, Wisconsin; Boise, Idaho; and Oxford, England. The company has handled thousands of jobs in the United States and Canada (in 44 states and three provinces so far) and will work anywhere in the world where there is concrete pavement to be broken.

Matthew and Christopher Shinnners manage the day to day operations of the company, while George Shinnners concentrates on international business with a special emphasis on the United Kingdom, China and Afghanistan at present.

Founded in 1977, Antigo Construction, Inc. is a full-service concrete pavement breaking specialist equipped to provide concrete pavement rubblization, cracking & seating, and breaking for removal.





MITA Partnerships

MITA continually partners with other industry organizations on many fronts to help bring about positive change for the heavy/highway construction industry.

Here is a brief look at current partnership activity. Visit the listed Web sites for more details.

Construction Quality Partnership

<http://www.mi-ita.com/news>

At the State Transportation Commission meeting April 27, 2006, MITA President Steve Mancini, joined with seven other association presidents and agency representatives in signing the Michigan Construction Quality Partnership (CQP) charter. Signing the CQP charter in the presence of the State Transportation Commission, the state's transportation policy body, was a significant public demonstration of the commitment the eight industry partners maintain to the quality vision and goals of the CQP initiative. The eight industry partners signatory to the CQP charter are:

- American Council of Engineering Companies of Michigan (ACEC-M)
- Asphalt Pavement Association of Michigan (APAM)
- County Road Association of Michigan (CRAM)
- Federal Highway Administration (FHWA)
- Michigan Concrete Paving Association (MCPA)
- Michigan Department of Transportation (MDOT)
- Michigan Infrastructure & Transportation Association (MITA)
- Michigan Road Preservation Association (MRPA)

MITA has been on this CQP journey for well over a year now so everyone should know that the goal of CQP is total and continuous quality process improvement throughout all elements, within all disciplines, and at all corporate and agency levels within the transportation industry. The journey to that goal will involve the implementation of a comprehensive training and skill development initiative that will ultimately affect every aspect of our industry. However, CQP is not just contractor quality; CQP is "construction" quality involving the owner agencies, the contractors, and the consulting engineer community who perform as owner representatives in the industry.

Unlike other traditional quality efforts that tend to focus primarily on materials, the Michigan CQP initiative will focus on skills development and the process strings from project scoping to post-construction feedback. Training people and developing a skilled workforce that maintains a quality focus and a commitment to continuous improvement is the first objective. Ultimately,



MITA Board President Steve Mancini signs the Construction Quality Partnership charter April 27, 2006 at a meeting of the State Transportation Commission. Looking on, from left to right, are Ted Wahby, chairman of the State Transportation Commission; and Glenn Bukoski, P.E., vice president of engineering services for MITA.

mandatory personnel and corporate certifications will ensure everyone in the industry (owners, consultants, contractors), in all disciplines and at all levels, attains and maintains the knowledge, skill sets, and commitment needed to deliver the quality transportation products our customers demand.

This CQP initiative involves a significant paradigm shift as it involves a move in focus from end-product inspections and the imposing of post-construction warranties to continual quality process control at all stages (scoping, design, bidding, construction) by all participants involved in the process (MDOT, consultants, contractors).

Give 'em a Brake

<http://www.mi-ita.com/giveemabrake/geab.html>

MITA has been heavily involved with the Give 'em a Brake campaign for many years running, and 2006 was no exception.

This year's campaign included a press conference, new and improved bumper sticker/radio commercial which both highlighted the new "Where Workers Present 45" speed limit sign.

The following organizations were funding partners of this year's Give'em a Brake campaign:

Michigan Laborers' District Council

Gary Jorgensen
Business Manager
(517) 321-2349
ghj355@mi-laborers.org

Operating Engineers Local 324

Dennis Gillow
Infrastructure Division Director
(734) 462-3665
dennis.gillow@iuoe324.org

Michigan Building & Construction Trades Council

Pat Devlin
Chief Executive Officer
(313) 965-5080
tapnilver@yahoo.com
Shorty Gleason
President
(517) 484-8427
mibldgtrds@ameritech.net

Michigan Department of Transportation

Bob Felt
Communications Specialist, Office of Communications
(989) 731-5090
feltb@michigan.gov

Michigan Infrastructure & Transportation Association

Nancy Hale Brown
Director of Communications
(517) 342-8336
nancybrown@mi-ita.com

Rob Coppersmith
Vice President of Membership Services
(517) 347-8336
roboppersmith@mi-ita.com





Other members of this year's coalition include: representatives from the Michigan State Police, Michigan Office of Highway Safety Planning, Michigan Center for Truck Safety, Michigan Highway Traffic Safety Alliance, Michigan Secretary of State Office, NES Traffic Safety and Sara Nelson, a highway safety advocate.

Rob Coppersmith, MITA's vice president of membership services, spoke at the Give 'em a Brake Press Conference on May 11, 2006, which was held at the state capitol.

The Give 'em a Brake Press Conference May 11 was well attended by the news media. Here, Rob Coppersmith of MITA was interviewed by Channel 53 (ABC) television.



Michigan Transportation Team Drive MI www.drivemi.org

The Drive MI Web site (www.drivemi.org) is a powerhouse of news, bulletins, and reports about the Drive MI Campaign, which is aimed at increasing funding for Michigan's transportation system.



With transportation needs increasing and available funding not able to keep pace with the growing demands of the state's transportation network, the Drive MI Campaign represents a comprehensive strategy for fully funding Michigan's transportation system in the 21st century. The Drive MI Campaign is fully supported by the Michigan Transportation Team (MTT) – a partnership of businesses, associations and citizens linked with the common goal of improving Michigan's transportation infrastructure.

In addition to MITA, the following groups are members of MTT:

- Aggregate Carriers of Michigan, Inc.
- American Council of Engineering Companies of Michigan

- Asphalt Paving Association of Michigan
- Associated General Contractors - Greater Detroit Chapter
- Associated General Contractors - Michigan Chapter
- Associated Petroleum Industries of Michigan
- Bricklayers & Allied Craftworkers, Local 9
- Construction Association of Michigan
- County Road Association of Michigan
- Dean Transportation
- Detroit Regional Chamber of Commerce
- Grand Rapids Area Chamber of Commerce
- International Brotherhood of Teamsters
- International Union of Operating Engineers, Local 324
- Kalamazoo Regional Chamber of Commerce
- Laborers' Local 1191
- Lansing Regional Chamber of Commerce
- Michigan Aggregates Association
- Michigan Agri-Business Association
- Michigan Association of Counties
- Michigan Association of Home Builders
- Michigan Chamber of Commerce
- Michigan Department of Transportation
- Michigan Equipment Dealers Association
- Michigan Farm Bureau
- Michigan Licensed Beverage Association
- Michigan Manufactured Housing, RV & Campground Association
- Michigan Manufacturers Association
- Michigan Municipal League
- Michigan Public Transit Association
- Michigan Regional Council of Carpenters
- Michigan Retailers Association
- Michigan Road Preservation Association
- Michigan Sheriffs' Association
- Michigan State Building and Construction Trades Council
- Michigan Townships Association
- Michigan Trucking Association
- Midland Area Chamber of Commerce
- Road Commission for Oakland County
- Troy Chamber of Commerce
- Ypsilanti Area Chamber of Commerce



Mike Nystrom, MITA vice president of government and public relations, was interviewed by Lansing's leading political print and television news commentator Tim Skubick after a press conference June 27, 2006 at the Michigan Chamber of Commerce. The press conference highlighted a recent report by The Road Information Program (TRIP) that highlighted the 50th anniversary of the interstate highway system and pointed out the continued need for increased funds to improve the system.

Continues on page 65.



thanks

to our golf sponsors

On this page you will see a list of the sponsors and donors that helped make the MITA 2006 golf outings possible. Members sponsored holes and beverage services for each of our golf outings and they donated items for our annual auction, which was held at our Metro Region Golf Outing on July 26, at Fox Hills Country Club.

Action Traffic Maintenance
Adamo Demolition Company
Advanced Drainage Systems, Inc.
Advanced Underground Inspection, LLC
AIS Construction Equipment
Ajax Paving Industries
Al's Asphalt Paving
Anderzack-Pitzen Construction
Anson H. Rowley Contractor, Inc.
Armand Drilling & Dewatering Company
Armond Cassil Railroad Construction, Inc.
Association Benefits Company
Atsalis Brothers Painting
Barrett Paving Materials, Inc.
Peter A. Basile Sons, Inc.
Capital Contracting Company
Carrier & Gable, Inc.
Champagne & Marx Excavating, Inc.
CIT Equipment Finance
CMR Solutions, Inc.
Co-Pipe Products, Inc.
Colwell Equipment Company
Contech Construction Products, Inc.
Cordes Excavating
Cougar Contracting Inc. - Concrete Sawing & Drilling
CSI/Geoturf, Inc.
Wm. R. Curtis, Inc.
D & R Earthmoving, LLC
L. D'Agostini & Sons, Inc.
Diversco Construction Co., Inc.
Dunigan Bros., Inc.
Eagle Excavation, Inc.
East Jordan Iron Works, Inc.
Ebony Construction Co., Inc.
ERSCO Construction Supply
Etna Supply Company
Fisher Contracting Company

Fonson, Inc.
Giannetti Contracting Corporation
Grand Valley Concrete Products
Great Lakes Aggregates
Griffin Smalley & Wilkerson, Inc.
Hancor, Inc.
Hardman Construction, Inc.
Highway Service Company, Inc.
Hubbell, Roth & Clark, Inc.
C. & D Hughes, Inc.
C. A. Hull Co., Inc.
Hunters Ridge Hunt Club
Angelo Iafrate Construction Company
Inland Waters Pollution Control, Inc.
J & M Construction Corp.
J & R Underground Contractors, Inc.
J. J. Jinkleheimer & Company, Inc.
Jackson-Merkey Contractors, Inc.
Jackson Bulldozing Company
Jay Dee Contractors, Inc.
JDE Equipment Company
Kaltz Excavating Company, Inc.
Kennedy Industries
Kerkstra Precast, Inc.
Klochko Equipment Rental Company
E. C. Korneffel Company
Edw. Levy Company
Lowe Construction Company
Man Con of Michigan, Inc.
MARSH USA, Inc.
Yalmer Mattila Contracting, Inc.
MBJ Equipment Transport, Inc.
McGuirk Sand-Gravel, Inc.
MCM Management Corporation
D. J. McQuestion & Sons, Inc.
Meridian Asset Management
Mersino Dewatering, Inc.
Michigan CAT

Michigan Pipe & Valve, Inc.
National Waterworks
NES Traffic Safety
Northern Concrete Pipe, Inc.
NTH Consultants, Ltd.
The Oakland Excavating Company
Oakland Insurance
Orchard Hiltz & McCliment
P. K. Contracting, Inc.
Pamar Enterprises, Inc.
Parsons Brinkerhoff
Premarc Corporation
T. R. Pieprzak Company, Inc.
Price and Company, Inc.
Pro-Tec Equipment, Inc.
Rauhorn Electric, Inc.
RMB Equipment, Inc.
Ric-Man Construction, Inc.
South Hill Construction Co.
Spartan Specialties Ltd.
St. Regis Culvert, Inc.
Stante Excavating Company, Inc.
Stoneco, Inc.
Sunset Excavating, Inc.
Superior Excavating, Inc.
T & M Asphalt Paving, Inc.
Tenmile Creek Excavating LLC
Testing Engineers & Consultants, Inc.
Trench Tech, Inc.
URS Corporation
U. S. Concrete
Valenti, Trobec, Chandler, Inc.
VanderLind & Son, Inc.
Weiss Construction Company
Wolverine Tractor & Equipment Company
Zervos Group, Inc.
Zito Construction

Calendar of Events 2006

Watch your e-bulletins and visit
www.mi-ita.com for updates, details,
maps and registration information.

AUGUST

Aug. 10-13

MITA Summer Conference

Grand Hotel, Mackinac Island

SEPTEMBER

Sept. 15

Northern Michigan

Golf Outing

The Rose, Le Roy,
9 a.m.

OCTOBER

Oct. 17

MITA Board Meeting

Hunter's Ridge, Oxford, 9 a.m.

DECEMBER

Dec. 8

Holiday Open House

Grand Rapids, 11:30 a.m.,
The BOB

Dec. 15

MITA Board Meeting

Lansing Country Club, Lansing,
8:30 a.m.

Dec. 15

Holiday Open House

Lansing Country Club, Lansing,
11:30 a.m.

Dec. 22

Holiday Open House

Detroit, 11:30 a.m.,
location to be determined

2006 MDOT BID LETTINGS

All bid lettings will be held in the MDOT Building
(Van Wagoner Building on Ottawa St. in Lan-
sing), first floor, one-west conference room.

Friday, Jan. 6	Friday, July 7
Friday, Feb. 3	Friday, Aug. 4
Friday, March 3	Friday, Sept. 1
Friday, April 7	Friday, Oct. 6
Friday, May 5	Friday, Nov. 3
Friday, June 2	Friday, Dec. 1



INFRASTRUCTURE SPECIALISTS SINCE 1927

MANUFACTURING

Our manufactured product line includes all shapes and sizes of concrete sanitary and storm sewer pipes, manholes, catch basins, wet wells, and pump stations. Our bridge products include concrete box culverts, prestressed bridge beams and CON/SPAN®, our three-sided arch bridge system.



ENGINEERING

Our in-house engineering team is dedicated to making sure our products, and your order, are flawless. With over 65 years of engineering experience in the industry, you can feel confident knowing that quality is our top priority.



SALES SUPPORT

With over 125 years of combined experience, our knowledgeable and dedicated sales team will be with you every step of the way. From educating you about our full line of infrastructure and manufactured products to making sure you have complete satisfaction after an order, we won't stop working for you.



**TO BETTER SERVE YOU, OUR PLANTS
AND OFFICES ARE LOCATED
THROUGHOUT THE GREATER MICHIGAN
AREA. FOR INFORMATION CALL**

1-800-968-2662

www.premarc.com



Full Service Milling / Profiling Company
Tenmile Creek Excavating, LLC
(313) 963-4263

www.wecanmillit.com

407 E. Fort Street Suite 407 ~ Detroit MI 48226

email: Juddlickert@wecandigit.com

Fax # 313-964-8835



Our crews log over
one million square yards
of combined experience per year.

We have two Wirtgen 2000 Pavement
Profilers and the only one in the area equipped
with a FLEXIBLE CUTTER SYSTEM capable of 2', 3', 4', 6'-7"
or Full width 7'-3" wide cuts up to 13" deep with one pass.

**Offering
superior
service**

**No job
too small
or too big**



M.D.O.T.
Pre-Qualified

MITA
Member

O.D.O.T.
Pre-Qualified



Founded in 1902, ARTBA is the only national association that exclusively represents the collective interests of all sectors of the U.S. transportation construction industry before the White House, Congress, federal agencies, media and the public. Information about the association can be found online at www.artba.org.

N E W S

www.artba.org

Safety = Profits (Shhh! The Secret is Ergonomics)

By Brad Sant

Reprinted with permission from ARTBA and Transportation Builder Magazine

It has been several years since we've heard much from the Occupational Safety and Health Administration (OSHA) about "Ergonomics"—the science of fitting the workplace to the worker. Some employers in the road and bridge construction industry may have issued a sigh of relief, thinking, "We dodged a bullet on that regulation!"

The truth of the matter is, if an employer or agency is still not doing anything to address ergonomic issues on roadway construction sites, they are likely to be struck by the ergonomics bullet anyway.

Whether or not you think OSHA should issue an ergonomic regulation, there should be no question as to the need for implementing an ergonomic program at your company or agency. A good ergonomic program provides many benefits, not the least of which is increased profits.

A recent analysis by CNA Insurance of claims for employers in the roadway construction industry revealed 28 percent of all injury claims resulted from ergonomic injuries—sprains and strains (primarily to the back, shoulders and wrists).

These injuries cost employers lost work time, replacement worker recruiting and training expenses and, of course, higher insurance premiums. These costs are quite

well known to most employers. What is less well known are the costs resulting from workplace inefficiency that could be corrected by a good ergonomics program.

Ergonomics and Construction Workers

Two independent studies on construction workers—one in Ontario, Canada, and one at the University of Texas—revealed that on average, construction workers only spend about 32-34 percent of their work day performing fully productive work. Some 26 percent of their time was spent on ineffective activities, and 20 percent was spent on manual materials handling.

By implementing a program to improve ergonomics, employers have been able to increase direct production rates from 32 percent of a workers' day to 52 percent.

Ergonomic programs not only reduce injuries and insurance claims, they can significantly improve production, thereby improving profit margins.

Importance of Demographics

Such gains are particularly important when looking at age demographics for our country. In 1980, about 30 percent of the working population was age 45 to 64; by 2000 that percentage rose to nearly 34 percent. Analysts project by 2020, nearly 37 percent of the U.S. workforce will be age 45 to 64; by 2015, 55 million workers will be age 45 or older.

Continues on page 70.

GUY HURLEY BLASER & HEUER LLC
INSURANCE AND SURETY SERVICES

1080 KIRTS BLVD. • SUITE 500 • TROY, MICHIGAN 48084
248.519.1400

Does your agent read the fine print in your
insurance policies and construction contracts?
We do. Call or visit us at www.ghbh.com



Public Relations Ideas

Send a Winning Message

By Gretchen Dunham, Creative Marketing Associates

Imagine running a business without a company name. It's a faceless feat that would create a sticky situation real fast.

And it's essentially what happens when image advertising is done haphazardly.

Your company needs an effective image that will sell with the same gumption you put into tackling your toughest challenges in the field. A lot of blood, sweat and tears went into starting your business. You don't want to lose momentum now. Right?

An image advertisement is your company's solution to creating awareness, establishing credibility and building trust literally in the eyes of numerous clients—current and potential. It's a staple in any healthy advertising plan.

To help you send a winning message, here are some pointers that are certain to put your company on the fast track to exponential growth.

First, the technical information. Image advertising complements product advertising and should make up approximately one third of an advertising budget.

Onto the creative stuff.

You'll know an effective image ad when you see it, because you'll be able to answer the following three questions:

1. Who is the company?
2. What does the company do?
3. Why is this company the best choice?

The answers can be found in the four parts of an image ad, which are the headline, body copy, call to action and contact information.

Each of these components is created to target your demographics, a specific group of people that represents your typical clientele. By all means, reach the right market! Do this first by catching the attention of

your demographics with a catchy headline.

The headline is there to make a bold statement, ask a thought-provoking question or lead into the main message with a key selling point. The headline should pique readers' interest and help set the tone for your entire ad and, therefore, your company's image.

What's after the headline? Readers asking, "What's in it for me?" So naturally your ad has to answer them. In the body copy, explain why your company's services are

better than your competitors'. Convey what a new customer has to gain by employing you. Your reader has no reason to believe the claims in your ad, so back them up with persuasive distinction, whether it's distinguishing your company as the area's only fourth-generation milling company or touting your service department's 150 combined years of experience.

Whatever it is you have to say, make the message concise, meaningful and unique. And, as hard as it is, try straying from overused edicts like "The leading concrete distributor" or "Your premier excavator." Tap into your readers' senses with compelling descriptions (Sit behind one of our reliable wheel loaders and feel its powerful buzz) or stick to the point with short blurbs (MDOT Certified, Serving 6 Counties). Third-party testimonials from satisfied clients are also valuable assets (just make sure to get written permission to use quotes and names).

In addition to being easy to read, an effective image ad should also be easy to look at. After all, your ad's goal is to keep your readers' eyes moving through your company's benefits and down to the phone number.

So don't use random capitalization (distracting). Refrain from bolding or italics (decreases comprehension by 50 percent). And avoid reverse print, which is white font on black background (harder to read).

Do use serif typefaces, which are regarded as the most legible. The darker the font the better the comprehension, especially on a tinted background. Match the graphics to your message. Lure readers by offering coupons with expiration dates. And keep the layout clean; a tried-and-true layout is photo or illustration over headline over body copy.

Here are some other cardinal rules when it comes to putting your company's best face forward.

--Continuity is key to branding an image and building familiarity and trust. This deliberate link from ad to ad leads to heightened market visibility, awareness among potential customers, and, most importantly, effective use of your marketing budget.

--With that said, make sure the tone and look of your image advertising is consistent with your product advertising. This means use the same logo (have on hand a four-color logo, two-color logo, and black-and-white logo in high and low resolution files), the same corporate colors, the same typeface, the same call to action, the same contact information, and the same slogan or tagline if applicable. You're not being redundant; you're being a smart marketer.

--And to make sure everyone in your company is adhering to your new image standards, institute a simple style sheet. This will curb any self-starters from changing the logo colors or penning an unsuitable tagline because of personal preference.

--If you have a small budget, start with a print ad in your local paper. If you have a hefty budget, place long-running ads in the paper alongside a television or radio spot. Or employ a marketing firm, such as Creative Marketing Associates, to launch a direct-mail campaign, which involves sending a customized brochure to a targeted list of potential clients.

Keep in mind: the size and frequency of your image ad are important factors to its effectiveness. The more your potential customers see your message, the more return you'll likely see on your investment.

So go put a face on your company. And make it memorable.

This article was submitted by Creative Marketing Associates (CMA), a marketing firm specializing in helping residential and commercial construction companies grow their businesses. CMA welcomes any inquiries from members of MITA—just mention this article! For more information, contact Brian Butterworth, president, at 1-800-435-2610 or visit www.4-cma.com.



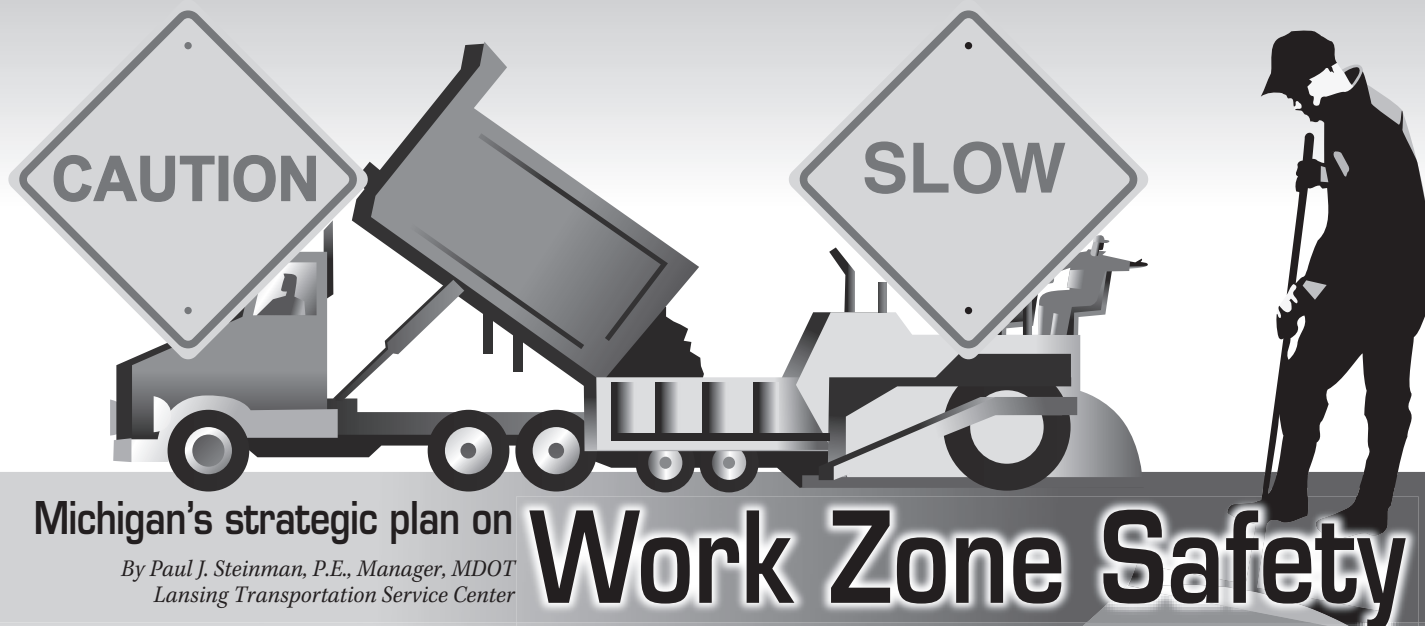
Your image. Our job.

THE PROFESSIONAL STAFF AT CREATIVE MARKETING ASSOCIATES CAN DESIGN AND PRODUCE UNIQUE MARKETING TOOLS FOR YOUR COMPANY TO ASSIST IN GAINING THE CONFIDENCE OF PROSPECTIVE CLIENTS, AS WELL AS SHOWCASE YOUR FINEST WORK. HIGHLIGHTING THE AREAS THAT SET YOUR COMPANY APART FROM THE COMPETITION, CREATIVE MARKETING ASSOCIATES GIVES YOU THE NECESSARY TOOLS TO MAXIMIZE YOUR SELLING OPPORTUNITIES WITH CORPORATE IDENTITY BROCHURES, WEB SITES, INTERACTIVE CD-ROMS, LOGO DEVELOPMENT AND MARKETING CONSULTATION.

MANY BUSINESS OWNERS ARE EITHER NOT AWARE OF THE ADVERTISING DOLLARS AVAILABLE FOR THEIR USE, OR ARE JUST TOO BUSY TO PRODUCE HIGH-QUALITY MARKETING MATERIALS FOR THEMSELVES. IN EITHER CASE, CREATIVE MARKETING ASSOCIATES HAS THE EXPERIENCE AND NETWORK NECESSARY TO MAKE YOUR MARKETING PORTFOLIO TRULY WORLD CLASS, WHILE KEEPING YOUR COSTS TO A MINIMUM.

1-800-435-2610
www.4-cma.com

CREATIVE MARKETING ASSOCIATES



The Issue: Work Zone Safety

The roadway infrastructure continues to age and deteriorate at a rate faster than our funding levels for rehabilitation and expansion can address system need. As a result, congestion on Michigan roadways is becoming an increasing problem as the vehicle miles traveled continue to increase. The Federal Highway Administration (FHWA) reports that between 1982 and 2002 vehicle miles traveled increased by 79 percent while the highway lane miles increased at a rate of 3 percent during the same period nationally.¹

What does this mean to the average driver? In an effort to maintain and rehabilitate this aging infrastructure, motorists are being exposed to more work zones as road crews try to share the road with the motoring public. On average 23,745 miles of roadway received improvements per year from 1997 to 2001 nationally². This translates to more than 11 billion vehicle miles of estimated travel through active work zones during the 2001 construction season³. According to the Michigan Department of Transportation (MDOT), over 2,200 miles of road and bridge improvements were completed on state trunkline routes during the 2004 construction season, at a cost of more than \$700 million⁴. The end result of increased work zone activity is increased motorist and worker exposure, additional pressure on congested roadways, elevated driver road rage, and negative impacts to Michigan businesses due to lost productivity.

Road agencies have tried a number of creative work zone strategies to provide safe seamless zones that provide mobility while combating delay. The use of public relations campaigns, educational seminars for both workers and drivers, incentive contracts, peak hour work restrictions and the use of intelligent transportation systems have all been used to offer some relief. Yet crashes in work zones, nationally, have been slowly increasing. The Michigan State Police statistics detail that for the 2004 calendar year 6,584 crashes occurred in Michigan work zones, causing 1,827 injuries and 22 fatalities⁵. These numbers represent 1.8 percent of the total number of crashes that occurred during 2004 on Michigan roadways.

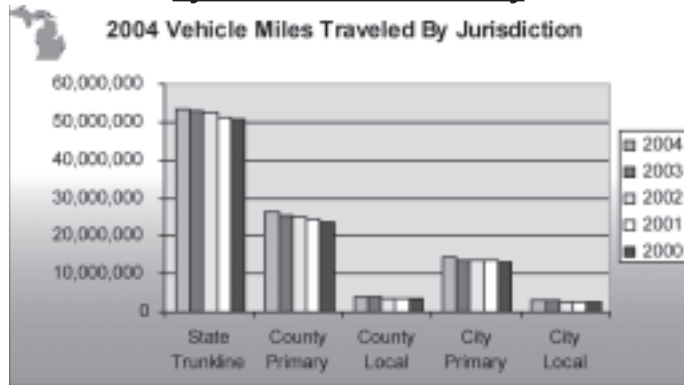
In an effort to determine how to reduce the overall crash numbers in Michigan work zones, an understanding of how and why these crashes are occurring was completed. A breakdown of the road classification, crash type, environmental conditions, roadway geometry, vehicle type and the driver characteristics involved in each crash type was conducted. The objective was to quantify the crash information and use the trends as a guide to improve the design, functionality, and implementation of work zones across all agencies in Michigan. In the end, the objective is to provide safe passage through the zone, minimize motorist delay and

offer the appropriate protection for the employees working in the zones. A summary of the full study is detailed here.

Michigan Roadway System Mileage and Work Zone Crash Data

The Michigan roadway system mileage and work zone crash data has been compiled and summarized in graphical format. This information quantifies five years of data in various formats to look for trends that can be used to improve the overall safety in all types of Michigan work zones.

Analysis of the Total Vehicle Miles Traveled by Jurisdictional Authority



- The state trunkline system, which represents 8 percent of all the roads in the state, carries 53 percent of the total traffic.
- The county primary system, which represents 22 percent of all the roads in the state, carries 26 percent of the total traffic.

Continues on page 71.

CORRIGAN OIL CO.

Fuels • Diesel, Gasoline, Kerosene
Home Heating Oil • Industrial Lubricants
24-Hour Towing

775 N. Second St.
Brighton, MI 48118

1-800-FAST-OIL
(3278-645)

Associate Member Project Profile

Continued from page 20.

formulas to calculate the sinking rate, based on the caisson's weight, the subsurface conditions – for example, soft clay reacts differently to pressure than sand – and the actions planned to aid the sinking process. We provide a range of the expected settlement for each stage, and we're usually close, within plus or minus six inches. But this time we were dead on. That's exciting to engineers."

G2 Consulting Group (www.g2consultinggroup.com) is a full-service engineering firm serving Fortune 500 companies, major utilities, property owners, government agencies and leading architectural, engineering and construction firms across the United States. Based in Troy, Mich., G2 also has an office in Chicago.



G2 Consulting Group recently engineered the sinking of a 20-million-pound concrete pipe 95 feet below ground. This will help prevent sewage overflows into the Rouge River in Dearborn, Mich.



Lensen BRIDGE & SUPPLY CO.

**CORRUGATED STEEL PIPE
WATERMAN GATES
GEOTEXTILE FABRICS**

SANDUSKY

400 Stoney Creek Drive
Sandusky, MI 48471
810-648-3000
Fax: 810-648-3549

GRAND RAPIDS

3520 36th Street S.E.
Grand Rapids, MI 49512
616-940-2660
Fax: 616-940-0169



GET ROLLING IN 2006

Now more than ever, it makes complete sense to enroll your group in the Michigan Infrastructure and Transportation Association sponsored (MITA) Blue Cross Blue Shield of Michigan (BCBSM) insurance program.

Quick, Easy Rollover into Association Program

Existing BCBSM groups participating through another association or chamber, or direct with BCBSM, can now quickly and easily roll into MITA's association program. Your group maintains the same benefit design, same group numbers and your same agent.

Broader Range of Benefit Plans

Groups enrolled through an association sponsored program have more options to choose from.

Competitive Rates

If you are insured through another group health carrier, now is the time to reconsider BCBSM. Through small group reform legislation, BCBSM's rates are more attractive than ever. For a comparative quote, contact your independent insurance agent. You may wish to mention to your agent that in some cases, they may earn greater commission just for rolling them into our program!

We Work with All Agents

If you currently have an agent, we complement your agent to bring you the most comprehensive service.

***For more details about the above options,
or to obtain your free, no-obligation quote,
please contact Sherrian Greenwood, Group Health Services Administrator,
toll-free at (800) 782-0712.***



Association Benefits Company
24600 Northwestern Highway, Southfield, MI 48075
(248) 356-3366 • (800) 782-0712
www.association-benefits.com



MITA

In case you haven't noticed, the family of MITA staff has grown. The staff additions were born out of necessity with the sole purpose of providing you with the representation that you have come to expect.

In addition, I have been instructed by the MITA board to purchase property and prepare plans for a new building. This has resulted in the sale of our current building (a minor miracle given the Lansing real estate market), the purchase of approximately two acres a short distance from the existing location, and the preparation of bid plans and documents for the construction of a new MITA headquarters.

The proposed two-story structure will contain slightly less than 20,000 square feet, including basement space, with MITA occupying the first floor.

This will result in an expansion from our current facility of approximately 2,000 square feet and increased space for training and meeting facilities. The second floor will be leased to Michigan Concrete Paving Association, Asphalt Paving Association of Michigan and, we hope, the Michigan Aggregate Association at a future date.

The inclusion of these industry related associations fulfills the board's desire relative to the construction of an "industry" building.

In my opinion, the new headquarters will send a message of strength, professionalism and dedication to our industry and beyond. It is designed to instill an image of pride to our members and respect from those with whom we interact. We welcome MCPA and APAM in their desire to join us in an effort to once again fulfill the purpose of MITA in a display of industry cooperation and unity.

ONE MORE JAB

Just couldn't resist one more body punch to our elected officials. Seems that every decision in Lansing of any substance is predicated with "we can't deal with this – didn't you know it is an election year."

I would be willing to bet that this excuse will be put forward, once again, on January 2, 2007 when yet another election cycle takes place. The desire to get elected or re-elected has leap frogged the duty to handle tough public policy decisions. Part of the blame rests with term limits.

It's a fact that, the longer liberals and conservatives are in office, the more they gravitate towards the middle of the political spectrum. Term limits have destroyed this natural tendency and, unfortunately, encouraged political and partisan based decisions as opposed to sound public policy decisions. In my 30 years as a lobbyist, I have never witnessed the degree of partisanship that is present today.

To contact Bob Patzer, e-mail him at bobpatzer@mi-ita.com or call 517-347-8336.

VICE PRESIDENT OF GOVERNMENT & PUBLIC RELATIONS COMMENT

Continued from page 22.

term limits. Any one of these men are in a good position to lead their caucus and every one of them have consistently been on board with promoting and protecting the interests of the MITA membership.

In the House of Representatives, current Speaker of the House Craig DeRoche (Novi), will continue his rein over the House Republicans. DeRoche has done a wonderful job of leading his caucus over the past two years after becoming the youngest speaker in Michigan history. DeRoche has been a leading advocate for increased infrastructure investment since his arrival in Lansing nearly four years ago and that drumbeat is expected to continue after next fall's election. The toughest leadership race by far to gauge at this point is the House Democratic leadership position, where Representative Diane Byrum will leave as well due to term limits. At this point, five challengers are vying for the leadership role, including Andy Dillon (Redford), Paul Condino (Southfield), Barb Farrah (Southgate), Steve Tobocman (Detroit) and Andy Meisner (Ferndale). Of these possible Democratic leaders, two of them, Representative Tobocman and Representative Condino have served on the House Transportation Committee and Representative Dillon has worked closely with MITA on a couple of important endeavors over the past two years.

So, as the saying goes, only time will tell! However, MITA staff will not just sit back and wait to see what happens. As in the past, we will watch how these leadership candidates maneuver and back those horses that we believe will help to bring Michigan's economy back the fastest through increased investment in our state's infrastructure.

MITA PAC Needs Your Participation

In order for MITA to stay in the leadership position we hold in Lansing and in Washington, we need your help and we need it today! These tough economic times have put a real pinch on the revenues that are flowing into our political action committee. Not only are the contributions that we receive significantly down compared to last year, they are lower than in any of the last five years. This comes at a time when every state official

Continues on page 53.

TESTING ENGINEERS & CONSULTANTS, INC.



Engineering Client Success

- Geotechnical Services
- QA/QC Testing/Inspection
- Pavement Consulting/Design
- Environmental Studies

1-800-835-2654

email: tec@tectest.com
www.testingengineers.com

Offices in: Ann Arbor, Detroit & Troy
A Certified WBE/DBB



2006
40th
ANNIVERSARY

is up for election this year, thus making it the most expensive campaign ever!

If you have given regularly each year or you have contributed periodically in the past, thank you! If there is any way possible to increase your level of giving, that would be a great help. One idea that several companies are now using is to ask upper management from your firm to contribute to the MITA-PAC even a small amount such as \$250 each. These individuals benefit as much as anyone else when public money is flowing and work is prevalent. Several small contributions add up very quickly and are beneficial to the overall health of the PAC account.

The MITA-PAC is no different than other PACs in that we receive 80 percent of our contributions from 20 percent of our members. If we could get \$250 to \$1,000 combined from the individuals at each of our 750 member firms annually, we would have over \$500,000 in our PAC, making the MITA-PAC one of the largest, if not the largest, PACs in the state. Even at half of that level, money talks in Lansing and offers access and thus would allow this organization more of an opportunity to promote and protect your business. So, if you have never given to the MITA-PAC or haven't given in some time, please consider investing even a small amount. It can and will make a difference.

Your money is and will be spent wisely. MITA-PAC has a very well thought out annual budget that focuses on the leadership of each chamber of the legislature as well on the committee members that are most important to our industry such as Transportation, Utilities and Appropriations. While some members have expressed concern over the fact that we give to elected officials from both sides of the aisle, as far as the construction industry is concerned that is just smart business. No personal political opinions come into play with regards to the money that is spent. Bob Patzer, Keith Ledbetter and I, along with our multi-client lobbying firm, Public Affairs Associates, put a significant amount of time, thought and experience into whom we ultimately give PAC dollars. The smart money in Lansing is given to those politicians who understand the issues and are willing to stand up to the pressure when times get tough. In the end, MITA gives to both Republicans and Democrats because both caucuses have value when it comes to the promotion and protection of your interests as a heavy construction industry business owner or manager.

If you have any questions or would like to know more about the MITA-PAC or our political initiatives, please feel free to contact Mike Nystrom at (517) 347-8336 or e-mail him at mikenystrom@mi-ita.com.

Senate Elections 2006

(20 needed for majority)

Safe Dems (16)

Safe GOP (12)

GOP Swing open (3)

32 (Goschka), 17 (Hammerstrom),
13 (Johnson)

Swing GOP incumbent (7)

6 (Toy), 34 (Van Woerkom), 25 (Gilbert),
20 (George),

36 (Stamas), 7 (Patterson), 29 (Hardiman),

House Elections 2006

(56 needed for majority)

Safe Dems (44)

Safe GOP (48)

Dem Vulnerables (4)

83 (Espinoza), 103 (Sheltrown),

107 (McDowell), 55 (Angerer),

GOP Vulnerables (8)

91 (Farhat), 39 (Law), 97 (Moore),

108 (Casperson), 64 (Baxter), 81 (Pavlov),

65 (Mortimer), 99 (Caul)

Dem Swing Open (3)

110 (Brown), 56 (Kehrl), 67 (Byrum)

GOP Swing Open (2)

75 (Kooiman), 94 (Kahn)

To contact Mike Nystrom, e-mail him at mikenystrom@mi-ita.com or call 517-347-8336.

Top quality precast products for every job.

UNDERGROUND PRODUCTS

- Pre-cast Sanitary & Storm Manholes
- Catch Basins
- Valve Chambers
- Septic Tanks
- M.D.O.T. Certified Temporary Median Barriers with new JJ hook connections



- Floor/Roof Plank
- Wall Panels For:
 - Industrial
 - Commercial
 - Institutional
 - Office
 - Educational
 - Recreational
 - Housing
 - Retail
- Beams and Columns

BUILDING SYSTEMS

Contact a sales representative today for more information!

1330 Chicago Drive • Jenison, Michigan 49428 • 1-800-434-5830 • www.kerkstra.com • e-mail: kerkstra@kerkstra.com

The Contractor Use of Field Manager Story

By Cliff Farr

MDOT Field Manager Business Engineer

How to effectively communicate progress information for contracts under construction has been a persistent and perpetual issue. Michigan's contractors have long sought a way to receive accurate and timely information about estimate payments, contract changes, and work item/material statuses on MDOT-let contracts. And while the technology continually improves, especially over the last 20 years, photocopies, voice mails, and faxes have proven to be less than ideal solutions.

In 2002, the Michigan Road Builders Association and the Associated Underground Contractors (prior to the merger of the two organizations into the Michigan Infrastructure and Transportation Association or MITA), approached MDOT management to see what could be done to improve this situation. After some discussion, MDOT decided to explore the possibility of using its automated construction management tool to improve the flow of information. This tool, called Field Manager, had been implemented at MDOT in 1999.

On the surface, having contractors use the Field Manager software made sense. Field Manager had drastically improved efficiencies on the MDOT side, so the potential to do the same, at least in some measure, for contractors was there. With Field Manager, contractors could look at a significant volume of data in an electronic format, including estimates, contract modifications (draft, pending approval and approved), inspector daily reports (IDRs), and dozens of inquiries. Field Manager's item lists and material lists contained a large volume of relevant status information. As an added benefit, contractor personnel could install the software and begin using it all in the same day. Additionally, it made sense to have a standard tool for statewide use.

The possible benefits were many. With Field Manager, contractors would

be able to pinpoint issues, which would greatly help the efficiency of status meetings and finalizing contracts. Contractors would be aware of problems in a more timely fashion instead of trying to track them down months later. Additionally, contractors would have contract information at their fingertips instead of having the delays experienced with mailings, faxes and sometimes forgotten voice mails.

While all of this made the potential use of Field Manager by contractors an exciting prospect, it didn't take too long before contractors and MDOT Transportation Service Center (TSC) personnel raised issues significant enough that Field Manager could be eliminated as an option.

For example, contractors would have to lease the software. What would this expenditure buy them? How easy would the software be to use? What guarantee would contractors have that TSCs would provide the Field Manager information in a timely manner? Would the software actually provide enough benefit to pay for itself, or, better yet, save money? What about the stability and integrity of the product? Would there be technical support? How much would system upgrades cost? Finally, if the software was used exclusively for "read-only" purposes, why would contractors have to be charged the full licensing fee?

While those on the MDOT side found the envisioned benefits to be attractive, they also had issues. Wouldn't providing this information actually increase the number of telephone calls instead of reduce them? Would it adversely affect the TSC inspector's documentation in comments areas on Inspector Daily Reports (IDRs)? Would it open the door to misunderstandings when corrections were made? Perhaps using Field Manager was not practical after all.

MDOT took the contractor and TSC concerns seriously and decided to run a pilot program for the 2002 construction season. The purpose of the pilot program was to accumulate data directly related to the potential problems that had been expressed by the contracting community and TSCs. It was also meant to uncover any new benefits/issues that had not been previously identified. The mix of participants included a cross-section of various managing offices (TSCs, locals, consultants) and at least a dozen contractors. To gain sufficient feedback, it was decided to include contracts that totaled over \$500 million in the pilot program.

To make the pilot program feasible, willing participants were needed. Contractor volunteers had to agree to license the full Field Manager suite of products in spite of the potential consequences. A critical factor for contractor participation was that pilot program companies had to be motivated to find a better way of doing business. Field Manager sitting on a shelf would not do anyone any good; contractors had to use the software. Managing offices - whether TSCs, locals or consultants - had to supply the electronic contract read-

Specializing in:
Pipe Jacking
Soft-Ground Tunnelling
Rock Tunnelling
Shafts and Caissons
Underground Concrete Structures

Jay Dee Contractors, Inc.
38881 Schoolcraft Road
Livonia, MI 48150
734-591-3400
Fax 734-464-6868



only files in a timely manner. Contingencies were put in place to address any show stopper issues.

By May 2002 the pilot program was set to go. It included \$584 million worth of work on 24 contracts. Twelve contractors participated, including Kamminga & Roodvoets Inc., P.K. Contracting Inc. (on 12 of the contracts), Tony Angelo Cement Construction Company, Ajax Paving Industries Inc., Hardman Construction Inc., C. A. Hull Inc., E. C. Korneffel Co., Anlaan Corporation, Kelcris Corporation, Angelo Iafate Construction Company, Prince Bridge and Marine, and Driesenga & Associates. The pilot contracts were managed by 11 TSCs, six MDOT consultants, one local agency and two consultants for local agencies.

During the pilot, the volume of contractor read-only activity was extensive. All participants were occasionally polled to get periodic status updates. It was interesting to note that, despite the pre-pilot concerns, the feedback received was positive with none of those anticipated issues surfacing. By the end of the 2002 construction season, both contractors and managing offices had accumulated significant contractor read-only experience.

In the fall of 2002, questionnaires were sent to each of the participants and the data received was accumulated, summarized and documented. The outcome was that the Field Manager contractor read-only pilot significantly reduced the number of phone calls, faxes, and mailings related to contract item/material status. Meetings were more efficient with contractors coming to the table already knowing where a problem existed instead of just stating that there was a problem somewhere.

The results of the pilot program were stunning. In spite of the up-front

► *"Posen Construction, Inc. utilizes the Read Only Version of Field Manager to track progress, payments, and materials for M.D.O.T. projects."*

"Using the Read Only version of Field Manager provides Posen Construction an opportunity to review the item quantities and locations of placement for that item each estimate period based on Inspectors Daily Reports. This is an improved method for balancing quantities during job progress and not waiting until the project is complete to final items."

Mike Krostue,
Posen Construction, Inc.

anticipated problems, the vote to adopt Field Manager was unanimous. Contractors and TSCs alike had voted to make Contractor Read-Only a permanent business practice in Michigan.

To get a better perspective on how contractors viewed Contractor Read-Only, contractors were asked what their reaction would be if MDOT abandoned the Contractor Read-Only program. The responses to this question, repeated below, sent a clear message to MDOT:

- "The goal is to streamline the system. Please do not go back."

Continues on page 73.



Construction Materials

Providing All grades of Construction Limestone & Materials

**Ottawa Lake • Maybee • Monroe
Coldwater • Newport • Ann Arbor • Ida**

**Monroe - (734) 241-8966 • Ida/Ann Arbor (734) 241-8966
Maybee - (734) 587-7125 • Newport - (734) 586-2659
Ottawa Lake - (734) 856-2257 • Zeeb Road - (734) 761-3112**

Limestone	AG Lime
MDOT Pre-Qualified	Rip Rap
Topsoil / Sand	Recycled Concrete
Natural Gravel	Material Delivery

(734) 241-8966
www.stoneco.net



The formation of the Michigan Infrastructure & Transportation association in early 2005 brought the opportunity for the heavy construction industry to have a single voice representing the industry on all fronts.

One specific area of representation that has a significant impact on your business is in the legislative arena. Your staff at MITA has made it a point to keep an eye on the over 3,000 pieces of legislation, which are introduced every legislative session, to ensure that we are strongly supporting legislation that might be helpful to

your business, and aggressively lobbying against any legislation that would be harmful to your business. We have made it a top priority to make sure the revenues that are available for public works are ultimately and actually spent in that area and not diverted for other government budget balancing.

In order for us to be successful, however, we need to have a strong Political Action Committee (PAC) to support our cause. We need to be able to financially support those elected individuals who understand and sympathize with the needs of our industry. It is for that reason that we are asking you to consider supporting the MITA PAC by sending in a contribution (personal check or money order) today. Please consider an investment in your company's future. Thank you in advance for your contribution.

CONTRIBUTION FORM



Yes, I will support MITA's effort to elect candidates who will fight for contractors.

Enclosed is my personal contribution of :

- ☐ \$10,000
- ☐ \$ 5,000
- ☐ \$2,500
- ☐ \$1,000
- ☐ \$500
- ☐ \$200
- ☐ \$100



Name _____

Business Name _____

City _____

State _____ Zip _____

Phone _____

Fax _____

E-mail _____

Make personal checks payable to: MITA PAC, P.O. Box
1640, Okemos, MI 48805-1640

We encourage MITA member-owners and upper-management to give at the \$200 level or higher. We also encourage all other managers and salaried employees to contribute at whatever level they feel is appropriate. Non-salaried, non-managerial, and union members are prohibited by law from contributing to MITA PAC.

Contributions to MITA PAC 2006

Ace Cutting Equipment & Supply, Inc.	E. C. Korneffel Company
Angelo Iafrate Construction Company	Edw. C. Levy Company
Anlaan Corporation	Lowe Construction Company, Inc.
Atsalis Brothers Painting	L.S. Engineering, Inc.
Bacco Construction Company	M.J.C. Golf, Inc.
Balkema Excavating, Inc.	M & M Excavating Company, Inc.
Buist Electric, Inc.	E.T. MacKenzie Company
Centurion Insurance Agency	Macleam Construction Company
Champagne & Marx Excavating, Inc.	Matzak, Inc.
Cordes Excavating	McGuirk Sand-Gravel, Inc.
Corrigan Oil Company	Mersino Dewatering, Inc.
D'Alessandro Contracting Group	Michigan CAT
Darrow Bros. Excavating, Inc.	Midwest Bridge Company
Di Ponio & Morelli	Milbocker & Sons, Inc.
Construction Company	My-Con, Inc.
Dunigan Bros., Inc.	P. K. Contracting, Inc.
Jack Dykstra Excavating, Inc.	Pamar Enterprises, Inc.
Eagle Excavation, Inc.	Peters Construction Company
Fonson, Inc.	Pro-Tec Equipment Inc.
Give 'Em A Brake Safety	Rathco Safety Supply, Inc.
H & D, Inc. -	Rohde Bros. Exc., Inc.
Division of Rieth-Riley	Service Construction LLC
Construction Company	Slagter Construction Company
Hardman Construction, Inc.	Sova & Sons Contracting, Inc.
C.A. Hull Company, Inc.	Timmer Construction Company, Inc.
Kalin Construction Company, Inc.	Walter Toebe Construction Company
Kaltz Excavating Company, Inc.	Triangle Excavators, Inc.
Kamminga & Roodvoets, Inc.	V.I.L. Construction, Inc.
Katterman Trucking, Inc.	Lee Wood Contracting, Inc.
J.E. Kloote Contracting, Inc.	Zito Construction Company

Please note: MITA would like to express our appreciation to those members who contributed after the printing of this publication.

MANAGEMENT CONFERENCE

Another event that is well past the pre-planning stage is the MITA annual management conference, which is scheduled for March 3 through March 10. This year the conference will visit the Marriott Frenchman's Reef Resort at St. Thomas, US Virgin Islands. Last year's conference drew nearly 100 attendees from all segments of the heavy construction industry and I sincerely trust that a good time was had by all based on the feedback I received. The resort is perched on bluff overlooking a majestic harbor. The property was recently renovated and voted best resort hotel. A Web site has been established at www.mitaconference.com for registration and resort information. If you have never traveled with the MITA group you are missing out on a unique and memorable experience.

In closing, I've touched on many points of

VICE PRESIDENT OF ENGINEERING SERVICES COMMENT

Continued from page 24.

the permit process.

At that same meeting MDOT presented information about a new web-based transport permit process they are testing in anticipation that it could be implemented in the late summer or early fall after the appropriated training had been conducted. MDOT believes this web-based permit process will significantly reduce the permit response times from hours to minutes or even seconds for a number of permit applicants. We will keep the MITA membership informed on the status of the upcoming training sessions and the ultimate implementation of this new permitting process.

By the way... Did you know that you can go to any MDOT region office or Transportation Service Center (TSC), submit your single move transport permit application, pay the application fee with cash or a check (credit cards not accepted at these locations), and have the permit issued most times within the hour? Need a single move permit quickly, try the walk-in permit services at a region office or TSC.

As this article started, the engineering division, as well the entire MITA staff, stand ready, willing, and able to work for you. Give us a call and get us in the action!

To contact Glenn Bukoski, P.E.,
e-mail him at glennbukoski@mi-ita.com
or call 517-347-8336.

interest but only scratched the surface regarding association activity. I encourage you to visit our website, read our weekly e-bulletins, stop by the office or simply call us with your topic of interest or concerns.

To contact Rob Coppersmith,
e-mail him at roboppersmith@mi-ita.com
or call 517-347-8336.



DEWATERING & SPECIALIZED TRENCHING

Revolutionary pipe laying service
lays up to 5,000 ft. of rigid or flexible pipe per day.



- Makes your projects more profitable
- Reduces dewatering needs up to 90%
- Up to 24" D.I.P.
- HDPE installation
- Nationwide service capability
- Full service dewatering
- Sock tile up to 20' deep
- Pump rental available
- Griffin pump sales, service and rental

TRENCH TECH, INC.
16580 144th Ave. Spring Lake, MI 49456 PH: 616.842.8655
www.trenchtechinc.com

DIRECTOR OF LEGISLATIVE AFFAIRS COMMENT *Continued from page 26.*

with no extra accountability. We are particularly concerned that locking in these increases for education will lock in decreases in other areas of state spending like revenue sharing used for local road and sewer projects.

Another ballot proposal, the "Stop Over Spending" (SOS) plan, limits state spending to the inflation rate + population growth. What seems to be a relatively innocuous proposal would have strong detrimental effects on all areas of state and local government.

The SOS proposal would make gas tax increases more difficult in the future, which is how we provide even inflationary increases to roads in Michigan today. Under this proposal, suspension of the state's revenue or spending limits require two-thirds vote in the Legislature as well as a statewide vote of the people. Getting a gas tax increase is difficult enough when we need a mere half of each house voting for it. The additional burden of requiring two-thirds vote support and then going to the voters would certainly make that even more unlikely.

This proposal would also put a stranglehold on local infrastructure projects by requiring a municipal-wide vote even on neighborhood

special assessments for drains, sewers, roads, etc. In addition, revenue sharing is the last major pot of discretionary money in the state and those monies would likely be raided very quickly, as local governments are told the state will no longer subsidize them to the same degree as they have historically.

The Michigan Transportation Team Lobbies Congress

Over 30 members of the Michigan Transportation Team converged on congressional offices in Washington D.C. in mid-May, meeting with congressmen or staff members from every Michigan congressional office to discuss our needs and concerns. One of our main focuses was on the issue of federal hours of service changes for truck drivers in the construction industry. We also spoke in depth about the numerous misguided gas tax holiday proposals and the Clean Water Trust Act. Our meetings were very useful in providing information to our state's congressional delegation.

To contact Keith Ledbetter, e-mail him at keithledbetter@mi-ta.com or call 517-347-8336.

DIRECTOR OF TECHNICAL SERVICES COMMENT *Continued from page 27.*

We learned from our discussions with MML and MACDC that many of the facility owners are reluctant to apply for the SRF funds because they are loans and not grants. Even though the interest rate is low, many communities and facility owners are hesitant to pursue the loans because of their revenue uncertainties. When the S2 grant program (a spin off of Proposal 2 to help fund the design) was discussed, we learned that underscoring the reluctance to utilize these funds was the caveat that a SRF loan must be used to cover the construction costs.

These initial meetings proved to be very valuable for MITA

and the three owner agency associations. We opened lines of communication, explored and planned avenues of interaction, and committed to staying engaged to ensure the interest of our respective memberships are best served. MITA will continue our efforts to grow these relationships and advocate our interest with these important owner agency associations.

If you have any questions about our effort with CRAM, MML, or MACDC, please do not hesitate to contact me at the MITA office: 517-347-8336; cell 517-869-6186; or by e-mail at douglasneedham@mi-ita.com.

GBM RECYCLED CONCRETE, CO.

Plant Locations

- Whitmore Lake Road, Whitmore Lake
- Chilson Road, Howell
- Kensington Road, Brighton

7644 Whitmore Lk. Rd. • Brighton, MI 48116
phone: 810-231-5188 • fax: 810-231-5404



contractor and a governmental entity or a construction manager acting for or on behalf of a government entity for an improvement that exceeds \$75,000.00 ..." Any argument that a DSC clause is not imputed in a contract due to interposing a Construction Manager into the contractual chain between the Contractor and the governmental owner is precluded, and the continued mutual benefit enjoyed by the government owner and Contractor derived from the DSC clause is assured.

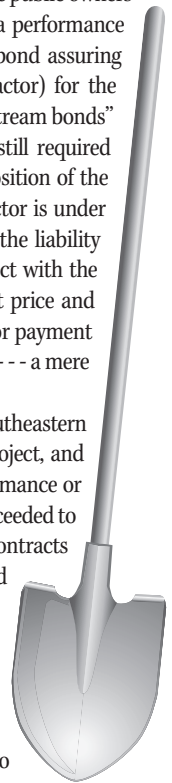
The second issue addressed by the proposed bill deals with the somewhat inexplicable efforts by governmental owners or their consultants to circumvent the DSC clause by including clauses in the bidding documents that the information contained in the bidding documents upon which the Contractor must base its bid are not part of the contract documents. The misguided intent of such disclaimers is that if the information upon which a DSC scenario would be based is excised from the "contract documents" the Owner can somehow avoid the application of the DSC clause. Again, given the history of, and benefits derived from the DSC clause combined with the unequivocal declaration of the Michigan legislature that DSC provisions are mandatory in public works construction contracts, the efforts to circumvent application of the clause are indeed inexplicable. Nevertheless, the proposed bill adopts reasoned judicial rulings striking such disclaimers of the type described here and provides at Section 2 (e) that "...the improvement contract shall be deemed to include information representing, depicting, describing or concerning physical conditions present on, in or under the site of the proposed improvement, or information from which such conditions can be reasonably derived, which the governmental entity, construction manager, or its representative provided or offered for inspection to the bidders prior to the submission of bids, notwithstanding any disclaimer or disavowal of such information elsewhere in the improvement contract." Again, the mutual benefit enjoyed by the governmental owner and the Contractor from application of the DSC clause remains assured.

THE PUBLIC WORKS BOND ACT

The potentially pernicious impact of the insertion of Construction Managers into the public works contracting chain is not limited to the DSC Act. The Public Works Bond Act is similarly impacted. The Public Works Bond Act has been in effect since 1963 and requires that the Contractor on a public works project must provide the governmental owner with a performance bond assuring the complete performance of the contract and with a payment bond assuring that those persons or entities furnishing labor, supplies, materials or equipment to the construction of the public works project will be paid. When the Contractor's

contract is with the governmental owner and the Contractor is possessed of the contractual right to directly hold the governmental owner to the requirements of the contract, including the requirement to timely pay for the work performed, the Contractor's liability on the performance and payment bonds is controllable and the process works reasonably well. However, enter the Construction Manager who furnishes little, if any, of the labor, materials, equipment or supplies incorporated into the construction of the project and whose contractual relationship with the governmental owner is much different than that of the Contractor who is investing the resources and incurring the debt to construct the project. While the Act arguably requires the public owner to obtain performance and payment bonds from the Construction Manager, in practice, it appears that the public owners are neither requiring the Construction Manager to provide a performance bond to assure completion of the contract nor a payment bond assuring payment to those with whom he contracts (i.e. the Contractor) for the construction of the project. Notwithstanding the lack of "upstream bonds" furnished by the Construction Manager, the Contractor is still required to furnish the statutorily required bonds. The unenviable position of the Contractor in this scenario is quickly apparent. The Contractor is under the compulsion of his performance bond and is exposed to the liability of his payment bond even though he does not have a contract with the governmental owner source of the funds to pay his contract price and even though he has no payment bond to look to as security for payment of his contract price. You think the concern is too speculative --- a mere jumping at shadows? Think again.

Actual case in point: A school district owner in southeastern Michigan engaged a Construction Manager to oversee its project, and did not require the Construction Manager to furnish a performance or payment bond on the project. The Construction Manager proceeded to let the various trade divisions of the project as multiple prime contracts with each "prime" being required to furnish 100% payment and performance bonds on its scope. The school district overspent its budget on the project and was financially embarrassed when payment became due for the work contractors performed. The Construction Manager naturally pleaded lack of payment from the owner and pointed to the "pay if and when paid" clause in its contracts with the Contractors. Meanwhile, those who supplied materials, labor, supplies and equipment to the various



Continues on page 60.

SWAD & COMPANY

Certified Public Accountants

**"Serving the accounting, auditing, and taxation needs
of Michigan's construction industry."**

*Edmond A. Swad, CPA
James W. Forkner, CPA
Edmond A. Swad Jr., CPA
Gary M. Blanck, CPA*

Call (734) 462-9333 to schedule an appointment.

38701 Seven Mile Rd., Ste. 245, Livonia, MI, 48152

Contractors filed claims upon the Contractors' payment bonds and clamored for payment. Absent the Construction Manager occupying the position between the Contractors and the school district, pursuit of the Contractors' contractual remedies directly against the school district would have been a relatively simple matter. With the Construction Manager interposed between the public entity and the Contractors, the Contractors' pursuit of their remedies was shaping up to be a protracted and very expensive legal battle. Fortunately, the Construction Manager conducted itself in an honorable fashion and facilitated a payment settlement between the parties. While the Contractors agreed to installment payments over time, the settlement avoided the protracted, expensive litigated pursuit of the Contractors' remedies.

The foregoing school project example is merely illustrative of the fact that the Public Works Bond Act in its current form does not contain the provisions necessary to fully effectuate the underlying purpose of the Act in view of the trend toward the use of Construction Managers on public works. The proposed bill to amend the Public Works Bond Act cures this deficiency and further levels the playing field in the litigation of payment bond claims. Section 1 (B) of the proposed bill provides: "When the governmental unit elects to enter into a contract with a construction manager, the construction manager shall, at its own expense, furnish to the governmental unit performance and payment bonds as provided in subsection (A) above. The governmental entity shall fix the amount of the bonds as provided in Sections 2 and 3 based upon the greater of the total estimated cost of the work, guaranteed maximum price, or the actual aggregate dollar value of all agreements entered into by the construction manager for the complete construction, alteration, demolition or repair of the public facility of the governmental entity. The bonds furnished by the construction manager to

the governmental unit shall comport with, and be subject to, the requirements of Sections 2, 3, 4 and 5." With this amendment, and related amendments in the proposed bill, the Construction Manager on a public works project will be required to furnish the same type of payment security required of the Contractors actually constructing the project.

The proposed bill to amend the Public Works Bond Act also provides in Section 7 (B) that "...In any action brought pursuant to subsection (A) above, the prevailing party shall be entitled to recover from the non-prevailing party the reasonable costs and attorney fees incurred in the action. If, in such action, it is determined by the court or jury that there was no good faith basis for the non-payment of the amount sought by the claimant, the claimant shall be entitled to recover interest at the rate of 12% per annum on the amount found to be due by the court or jury from the date such payment was due until fully paid."

The benefits of the proposed amendment are obvious. From the claimant's perspective, whether the claimant is the Contractor pursuing a claim upon a Construction Manager's payment bond or a subcontractor pursuing a claim upon the Contractor's payment bond, if payment was legitimately due and the claimant was forced to resort to litigation to collect the payment and successfully does so, the claimant's recovery of the costs incurred to collect the payment, result in placing the claimant in a reasonably close to net position. If the claim is not valid, the principal on the bond (Construction Manager or Contractor) will be able to recover the costs incurred to defend its legitimate position of refusing payment. The underlying principal of returning a legitimate payment claimant to a position reasonably close to net is similar to the provisions of the Michigan Construction Lien Act which governs the statutory "payment security" afforded Contractors of all tiers and their suppliers on private construction projects.



www.washtenawengineering.com
e-mail: weco@wengco.com

**CIVIL ENGINEERS – PLANNERS – SURVEYORS
LANDSCAPE ARCHITECTS – TRANSPORTATION ENGINEERS**

**3250 W. Liberty • P.O. Box 1128
Ann Arbor, Michigan 48106
734-761-8800 • Fax 734-761-9530**

**130 W. Chicago Blvd.,
Tecumseh, Michigan 49286
517-424-4714 • Fax 517-424-7844**

New Members

Accurate Excavators
Alfred Benesch & Company
C.I. Contracting
Cooper Excavating
Eastlund Concrete Construction, Inc
Good Harbor Financial Group
Mauldon Construction
Parsons Transportation Group of Michigan
Rockworks
Stiles Landscape
Strategic Planning Concepts
TLM Construction



*Michigan Infrastructure &
Transportation Association*

THE RETAINAGE ACT

The Construction Manager on public works scenario has a similar and equally negative impact on the protections afforded Contractors under the Retainage Act. As in the DSC Act, the applicability of the Act is tied to the definition of "contract" in the Act. In the Retainage Act, a definition of "contract" similar to that in the DSC Act appears in Section 1: "Construction Contract" or "contract" means a written agreement between a contractor and a public agency for the construction, alteration, demolition, or repair of a facility, other than a contract having a dollar value of less than \$30,000.00 or a contract that provides for 3 or fewer payments." Is the concern too speculative --- another exercise in jumping at shadows? As before, think again.

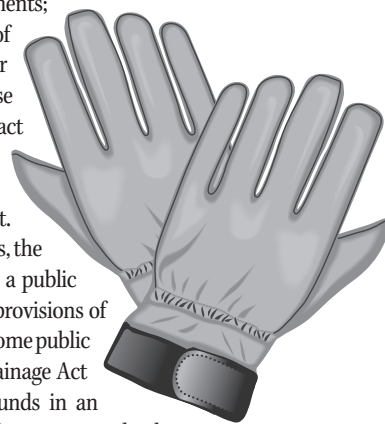
MITA members have reported on more than one occasion, where a municipal owner has interposed a Construction Manager between the municipal owner and the Contractor on a public works project, of being brusquely advised that the Retainage Act did not afford the Contractor any protection because the member's contract was with the private Construction Manager and not with the governmental agency and that neither the Construction Manager nor the municipal owner had any intention of complying with the provisions of the Act. Such blatant circumvention of the intent and requirements of the Retainage Act is addressed in the proposed bill to amend the Retainage Act. Section 1 re-defines "contract" as follows: "Construction Contract" or "contract" means a written agreement between a contractor and a public agency or between a contractor and a construction manager acting for or on behalf of a public agency for the construction, alteration, demolition, or repair of a facility, other than a contract having a dollar value of less than \$30,000.00 or a contract that provides for 3 or fewer payments." The circumvention of the intent and requirements of the

Retainage Act via the use of Construction Managers on public works contracts will be precluded by the proposed bill.

There's more. Much like when the mechanic you hired to fix one problem in your vehicle slides out from under the vehicle and asks "While I'm under here do you want me to also fix your worn out", the pending proposal to amend the Retainage Act provided the impetus to further enhance the payment protections for Contractors. For that purpose, the proposed bill: a.) specifies more stringent requirements for the timely processing of progress payments and imposes strict requirements upon Construction Managers to timely process Contractors' payment requests to the public agency; b.) identifies a specific interest rate assessable on tardy payments;

and, c.) precludes a recent practice of some municipal owners and their consultants to arbitrarily increase the amount of retainage on a contract by requiring additional security for completion of the work beyond the retainage security specified in the Act.

In addition to these amendments, the proposed bill provides sanctions for a public agency's refusal to comply with the provisions of the Act. Hard as it may be to accept, some public agencies, when advised that the Retainage Act required the deposit of retainage funds in an interest bearing account and for the interest earned to be



Continues on page 62.

MEETING YOUR NEEDS FOR BONDS AND INSURANCE

(517) 371-2300
615 N. CAPITOL AVE.
LANSING, MI 48933

(616) 942-6978
550 CASCADE WEST PKWY S.E.
GRAND RAPIDS, MI 49546

*Affiliations: NASBP, AGC, ABC, MITA
Serving Michigan Since 1933*



**MOURER
FOSTER**
Bonds & Insurance

*Service Beyond the
Contract Nationwide*

paid to the Contractor upon release of retention, responded with "We don't do that and will not do that." The proposed bill at Section 6 provides: "Upon the failure or refusal of a public agency to comply with the provisions of Sections 3(3) and 3(4), the contractor shall be entitled to recover interest on the retained funds at the rate of two times the rate payable on money judgments..." and, "...In any proceeding to enforce the provisions of this Subsection (6) a prevailing contractor shall be entitled to recover the sum of \$500.00 or the reasonable actual amount of costs and attorney fees incurred in such proceeding, whichever is the greater." While those agencies refusing to comply with the requirements of the Act are few, the proposed amendment will provide sufficient incentive for all agencies to comply with the requirements of the Act. For the majority of public agencies who already comply with the provisions of the Act, the proposed amendment is a non-issue.

Finally, the proposed bill provides for the payment to subcontractors of their pro rata share of the interest earned on retainage and paid to the principal contractor. This amendment affords every Contractor involved in the construction of the public works project its pro rata share of the interest benefit conferred by the Act.

While dealing with the potential effects of the Construction Manager phenomena provided the initial impetus for MITA legislative initiative, the project focus evolved to concentrate on further strengthening the construction industry's right to be timely paid for work satisfactorily performed. The amendments discussed earlier all involve measures to facilitate and to protect the right to receive timely payment for work performed on public works projects by removing the potential impediments to timely payment created by the use of Construction Managers on public works projects. The legislative initiative built on that initial momentum to move on to addressing inadequacies in two other relevant existing statutes.

THE MDOT BOND ACT

The next bill in this five-bill legislative initiative package also involves the payment stream on public works projects. The MDOT Bond Act has been in effect since 1905 and in its present form since 1927. Unlike the Public Works Bond Act, the MDOT Bond Act does not require that those furnishing labor, equipment, or materials to an MDOT construction project provide an up front notice to the principal Contractor that they are furnishing part of the improvement. As many prime contractors are painfully aware, the lack of an upfront notice of furnishing requirement in the MDOT Bond Act creates the opportunity for those furnishing labor, materials, supplies or equipment to subcontractors to remain essentially invisible to the prime contractor during the progress of the work while the prime contractor is dutifully paying the subcontractor. Should the subcontractor fail to pay its laborers and suppliers, the prime contractor is inevitably served with "surprise" payment bond claims after the subcontractor has been fully paid and

is no longer readily or reasonable available to discharge that liability. When that happens, the prime contractor is faced with the wonderful prospect of paying for the same work twice on the same project.

There is no ready explanation for this anomaly in the MDOT Bond Act nor is there any legal or procedural impediment to requiring up front notices of furnishing as a pre-requisite to pursuing a payment bond claim on an MDOT project. The Public Works Bond Act requires up front notices of furnishing on all other public works projects in Michigan. In the private construction arena, the Michigan Construction Lien Act requires the same type of up front notice of furnishing. The requirement makes sense and does nothing more than afford the principal contractor (and higher tier subcontractors who are contractually obligated to indemnify the principal contractor against unpaid lower tier debt claims) the opportunity to monitor the payment process and attempt to assure that lower tier debt on a project is timely paid as the work and interim payments on the project progress. In this view, the notice of furnishing requirement is a win-win scenario in the payment process on MDOT projects. Timely payment of lower tier debt will be facilitated to the benefit of lower tier laborers, suppliers and materialmen. Principal contractors (and higher tier subcontractors) will be afforded a reasonable opportunity to avoid paying the same bills twice.

For these reasons, the final bill in the MITA legislative initiative is a bill to amend the MDOT Bond Act. The first proposed amendment to the Act requires the same up front notice of furnishing present in the Public Works Bond Act as follows: "Within 30 days of first furnishing labor, materials, supplies or equipment for performance of the public works provided for in the contract, served on the principal contractor a written notice informing the principal contractor of the nature of such labor, materials, supplies or equipment being furnished or to be furnished by him, the identity of the party contracting for such labor, materials supplies or equipment, and the site at which such labor, materials, supplies or equipment have been or will be furnished..."

As discussed above, the proposed notice of furnishing in the MDOT Bond Act presents a clear enhancement to the payment security process applicable to MDOT projects while at the same time providing the principal contractor with a fair opportunity to guard against paying the same bills twice.

THE BUILDING CONTRACT FUND ACT

Also known as the Builder's Trust Fund Act, the Act has been in effect in Michigan for over 70 years. However, the Act, by its express terms has never applied to public works projects. In general, the Act imposes a trust on funds paid for work performed on a construction contract in favor of those furnishing labor, supplies, materials, or equipment for the construction of the project to the party receiving the payment. Under the Act, the party receiving payment for the construction, regardless of whether the party is the Contractor, a subcontractor or



Gail & Rice

Leslie Rice, Vice President, Special Events & Entertainment

248.799.5015 • lrice@gail-rice.com

Event Planning • Bands • Custom Themes

• DJs • Stage Shows • Entertainment

• Corporate Comedy Club • Decor

• Aces High Casino • Mystics & Magic

• Golf Outing Models • Raffle Models

**Creative Solutions for
Special Events**

Est. 1931

lower tier subcontractor, is deemed a trustee of the funds for the benefit of those engaged by him to furnish labor, materials or equipment for the construction of the improvement. As a trustee of the funds, the party receiving the payment may not appropriate the funds to any purpose until his subcontractors and suppliers for the project have been paid. Misappropriation or fraudulent detention of the funds is prohibited by the Act and may give rise to civil and criminal liability.

The Act has been interpreted by Michigan's courts to allow a claimant to "pierce the corporate veil" of a Contractor or subcontractor misappropriating contract funds in violation of the Act and pursue the individual principals or officers of the Contractor or subcontractor who authorized, caused or permitted the misappropriation of the funds with the intent to defraud those entitled to payment. Because the contract funds are deemed to be trust funds held for the benefit of those engaged by the Contractor or subcontractor receiving the payment, the courts have held that liability for misappropriated funds cannot be avoided by a bankruptcy petition since the contract trust funds never actually belonged to the bankrupt debtor and did not become part of the bankrupt debtor's estate.

A bill in the MITA legislative initiative package proposes amending the Act to make the Act applicable to public works in Michigan. Additionally, the Act specifically includes Construction Managers as an entity receiving building contract funds in the payment stream on a construction project and who will be held liable as a trustee of those funds for the benefit of those engaged by him to furnish labor, equipment or materials to the construction of the public work project.

The proposed amendments to the Act go on to codify the interpretation of the Act by Michigan courts by expressly providing for a civil cause of action against the violating party and its individual officers and representatives by those damaged by a violation of the Act. The proposed amendments to the Act conclude with providing that the prevailing party in any litigation involving a claimed violation of the Act shall be entitled to recover, in addition to their actual damages, the lump sum of \$500.00 or the reasonable actual amount of their costs and attorney fees incurred in the action, whichever is greater.

The amended Act will provide benefits to all of the contracting parties typically involved in the flow of good, services and payments on public works projects. For prime Contractors who responsibly pay their subcontractors and suppliers with funds received from the owner or who withhold those payments only for legitimate and contractually justified reasons, the application of the Act to public works projects will present no concern. Conversely, subcontractors will have powerful additional statutory avenues to collect payment from those who do not conduct business in that fashion.

For prime contractors and, perhaps higher-tier subcontractors, who may face payment bond claims from a subcontractor's lower-tier subcontractors or suppliers after the subcontractor has been fully paid, the prime contractor will be possessed

of additional, powerful legal remedies against the defalcating subcontractor not currently available under Michigan law, including the ability to avoid the effects of bankruptcy of the subcontractor and the ability to pursue individual liability of the subcontractors' principals and representatives who fraudulently misappropriate contract funds. Note also that Construction Managers will be added to the list of trustees holding contract trust funds. Consequently, Contractors performing work on public works projects under contracts with a Construction Manager will be possessed of the same range of legal remedies provided under the proposed amendments to the Act.

The net effect of amending the Act and providing for its application to public works projects in Michigan should be to encourage and enforce timely payment for work performed on these projects.

CONCLUSION

The five bills comprising MITA's current legislative initiative all focus upon issues which have been or are becoming problematic in the administration of the payment process on public works projects in Michigan. The issues vary as do the nature of the problems addressed.

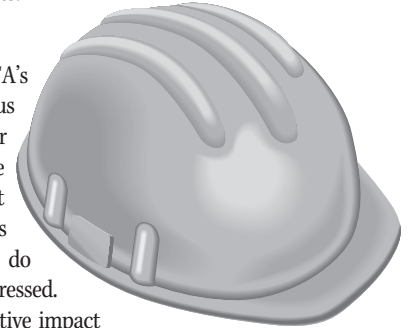
Common to all however is a negative impact on the rights of Contractor to receive and retain payment received for work performed on public works projects. The proposed bills meet these issues head on and provide fair and workable legislative solutions that will inure to the benefit of all involved in the construction of public works Michigan. Thanks are due to Representative Acciavatti for his commitment to improving the system governing public works infrastructure construction in Michigan and most especially to MITA for its tenacious commitment and effort to bring this legislative initiative to the point where it can be introduced in the legislature with a base of support that extends far beyond the ranks of the MITA family.

James J. Urban, Butzel Long

110 West Michigan Avenue, Suite 1100, Lansing, MI 48933

Direct: (517) 372-4385, Fax: (517) 372-6672

E-mail: urban@butzel.com



NATIONAL CONCRETE PRODUCTS COMPANY

Concrete for Permanency



Concrete Pipe

930 South Mill Street • Plymouth, MI • 48170
(734) 453-8448 • (248) 476-3900 • FAX (734) 453-1590

Illicit Discharge Elimination Program *Continued from page 33.*

- **Suds** – Soap suds are often a result of commercial car washing or washing machine connections. Natural suds also exist; however, they are very dry and non-slippery to the touch.
- **Dry Weather Discharges** – When no rainfall has occurred for 72 hours or more, the storm drainage system should be dry. If dry weather flow exists, an illicit discharge may be present.

The presence of these observations does not guarantee that an illicit discharge exists; rather it warrants further investigation by trained personnel. To track IDEP issues, MDOT uses a database to record correspondence and investigations related to an issue.

Note: Sediment, a major pollutant in Michigan, is also considered an illicit discharge when it is washed into a waterbody. As construction sites are potential sources of sediment discharge, MDOT has in place a Soil Erosion and Sedimentation Control Manual which helps to minimize sediment discharges and addresses any problems that arise. Contractors are expected to deal with soil erosion and sedimentation problems according to this manual.

I see an Illicit Discharge...now what?

As a contractor in the field, if you come across or suspect an illicit discharge, notify the MDOT lead site inspector or the MDOT project engineer. MDOT has a system in place to track and follow-up on reported illicit discharges. If the situation is an emergency, call 911 or call the Pollution Emergency Alerting System (PEAS) at 1-800-292-4706. Individuals reporting an illicit discharge should gather the following information about the discharge:

- A description of the problem and why an illicit discharge is suspected.
- Where the discharge is located.

- An estimate of the extent of the problem. For example, is it a slow steady trickle of flow or is it significant?
- Ideas (if you have them) on what will need to be done to clean it up or stop the problem.
- A photograph of the problem (if possible).

If you suspect a problem or illicit connection, do not touch the flow stream and make sure to follow all proper health and safety procedures.

MDOT's Storm Water Management Program is contributing to the prevention of pollutants being discharged to Michigan's waterways through its Illicit Discharge Elimination Program. MDOT is counting on you to report any suspicious or potential illicit connection to an MDOT employee, and to call 911 or PEAS in an emergency situation. More information and materials about illicit discharges are available online at www.michigan.gov/stormwatermgt - click on "Illicit Discharge" or "Educational Materials."





MITA Partnerships

Continued from page 43.

Michigan Transportation Team Washington Fly-In

MITA joined other members of the Michigan Transportation Team May 16-18 to visit one on one with Michigan's congressional delegation.

The key message during the fly-in was to reinforce the following mission statement: The top priority of MITA is to secure adequate, long-term funding Michigan's road, bridge and underground systems. Other topics included truck drivers' hours of service.

The following individuals participated in the fly-in:

- Gerry VandeVusse. . . . AIS
- Steven Trombly Anderzack-Pitzen Construction, Inc.
- John Fortier Bacco Construction
- Don Swartzlander Balkema Excavating Inc.
- Dick Reynolds Carpenters
- Rich Lehman. Edw. C. Levy
- John Cunningham. . . . Edw. C. Levy
- William Gentner Gentner Trucking, Inc.
- Thomas Irwin H & D
- John Midgley. Ingham County Road Commission
- Rusty Tripp. IUOE Local 324
- Dennis Gillow IUOE Local 324
- Scott Bazinet. Lowe Construction
- Earl LaFave, Jr.. Metro Transport
- Michael Frederick MI Concrete Paving Assoc.
- Mike Fikes MI Laborer's District Council
- Bradley Comment. . . . Michigan Association of Counties
- Jay Frost Michigan CAT
- Jack Frost. Michigan CAT
- Rich Studley Michigan Chamber of Commerce
- Aram Kalousdian Michigan Contractor
- Arnold Weinfeld. Michigan Municipal League
- Michael Nystrom MITA
- Keith Ledbetter MITA
- Jim Ryan PAA
- Steve Mancini Ric-Man Construction
- Al Loomis Robert W. Baird
- Andy O'Connor Slagter Construction
- Brian Slagter Slagter Construction
- Martin Leavitt Sullivan & Leavitt, PC
- Michael Miller Valenti Trobec Chandler
- Ian Donald Valenti Trobec Chandler



Members of the Michigan Transportation Team visited Washington May 16-18.



Left to right: Arnold Weinfeld, Michigan Municipal League and Congressman Peter Hoekstra.



Left to right: Congressman Mike Rogers and Mike Nystrom of MITA.



Keith Ledbetter of MITA, Congressman Dale Kildee and various industry representatives.



Members of MTT meet with Congressman Joe Knollenberg.

job safety analysis (JSA) to identify hazards, near-miss hazard reports, and regular safety and health training.

Testing Engineers & Consultants, Inc. www.testingengineers.com

RECOGNITION

Testing Engineers & Consultants, Inc. (TEC) was recently selected as a finalist for the Environmental Achievement Award by the Environmental Management Association. The project that earned recognition was the City of Troy Police Department (Troy PD) Indoor Gun Range Lead Cleanup Project.

The Troy Police Department serves a population of approximately 83,000 with 136 sworn officers and 66 civilian personnel. To protect their own, the department engaged TEC to investigate potential lead exposure to officers using their indoor gun range at the City Municipal Complex.

TEC's investigation determined that while the officers were not being over-exposed when using the gun range, inefficiencies in the range air handling system resulted in lead dust migrating through breaches in the range walls and ceiling and settling in other areas of the building. Furthermore, an extensive amount of bulk lead was found in the bullet trap of the range.

Although there was no regulatory standard identifying acceptable levels of lead for this type of facility, TEC designed remedial specifications using the stringent EPA lead standard 40 CFR, Part 745 (for residential dwellings) as a target for the cleanup. The result was the remediation of three tons of bulk lead from the range bullet trap and settled lead dust throughout the area.

In order to maintain the acceptable levels once remediation was completed, a long-term range control/management plan was designed and implemented

by TEC to address the aforementioned concerns. The enforcement of a lead-free (frangible) ammunition policy while using the range, along with periodic air quality control analysis by TEC, ensures adherence to the EPA target.

Given the complexity of identifying widespread lead contamination and the absence of an applicable regulatory standard, TEC's ingenuity, plus facility engineering and environmental know how, culminated in improved indoor air quality for the Troy officers. The successful collaboration between the Troy Police Department and TEC makes this case study a remedial blueprint for other law enforcement agencies, municipalities and engineering consultants in tackling future challenges of gun range lead exposure.

With offices in Troy, Ann Arbor and Detroit, TEC provides professional engineering consulting services in the environmental, geotechnical, building and infrastructure engineering, and construction materials testing and inspection fields.

U.S. Concrete www.us-concrete.com

ACQUISITION


U.S. Concrete, Inc. recently announced it has completed the acquisition of Kurtz Gravel Company, which produces and distributes ready-mixed concrete in northern Oakland County, the greater Flint and Port Huron market areas.

The purchase includes six concrete production facilities located in Flint, Holly, Port Huron, Vassar, Lapeer and Capac, one sand and gravel plant, 100 concrete mixer trucks and related support equipment. The facilities will become part of U.S. Concrete's Detroit area subsidiary, Superior Materials, Inc. The acquisition is expected to add over 300,000 cubic yards of annual production capacity to U.S. Concrete's current operations in Michigan and will expand the company's service capabilities to include all of Oakland County and into the Flint and Port Huron metropolitan areas. Other Michigan operations for U.S. Concrete are located in Detroit, Lansing and northwestern Michigan.

"We view this acquisition very positively," said Jeff Spahr, U.S. Concrete's regional president. "It will significantly increase our business in Michigan. Most importantly, we can now provide our customers the same high quality products and services in the Flint and Port Huron market areas that they have come to rely on in Detroit, Lansing and up north."

U.S. Concrete provides ready-mixed concrete and related concrete products and services to the construction industry in several major markets in the United States. Including these acquisitions, the company has 106 fixed and seven portable ready-mixed concrete plants, nine pre-cast concrete plants, three concrete block plants and three aggregates quarries. During 2005, these facilities produced approximately 6.6 million cubic yards of ready-mixed concrete, 5.3 million eight-inch equivalent block units and 1.9 million tons of aggregates.

For more information on U.S. Concrete visit www.us-concrete.com.



Natural Stone Installation
Commercial
Municipal
Residential
&
Wholesales Stone Sales
Landscape
Building Stone
Crushed Decorative Gravels
www.rockworksllc.com
Rockworks
[800]497-3339

Wade Trim
www.wadetrim.com



Tim O'Rourke, P.E.

APPOINTMENT

Tim O'Rourke, P.E., was appointed to Wade Trim's board of directors. He serves as Wade Trim's corporate lead for water resources projects and works in the firm's Cleveland office.

For over 21 years, O'Rourke has provided wastewater solutions, from facility planning through operations, for clients in the midwest. He specializes in designing combined sewer overflow (CSO) control projects that incorporate innovative technologies and processes. He has assisted the

Northeast Ohio Regional Sewer District (NEORS) in Cleveland and Wayne and Oakland counties in Michigan with their CSO programs and has participated in a national wet weather demonstration program to evaluate the effectiveness of various CSO control alternatives.

Wade Trim has over 400 professional and support staff in 12 offices in Ohio, Michigan, Indiana, Pennsylvania and Florida. They provide engineering, surveying, landscape architecture, planning, operations, and construction services for transportation, water resources, private development and municipal government projects.



Thomas Suszek, P.E.

EXPANSION

Thomas Suszek, P.E., and **Ed Schrader** have joined Wade Trim's Detroit office to expand the firm's water system services including planning, design and construction management for water distribution and treatment projects.

With 26 years of experience, Suszek provides senior technical expertise for projects involving water treatment and distribution; wastewater collection, transport and treatment; evaluation of treatment processes; construction contract administration and construction-related activities. He holds a bachelor's degree in civil engineering from Michigan Technological University.

Schrader has 30 years of experience designing heating, ventilation and air conditioning (HVAC) systems, as well as plumbing systems for water and wastewater treatment facilities. He also provides selection and layout of chemical feed and odor control equipment. He holds an associate's degree in pre-engineering from Lansing Community College.



Ed Schrader



Mark Kellenberger

NEW HIRE

Mark Kellenberger, AICP, joined Wade Trim's Taylor office as a professional planner where he will provide community planning services to municipal government clients.

Kellenberger has a decade of planning experience in the public and private sector. Most recently he held the position of Planner III with the Charter Township of Waterford in Oakland County where he coordinated economic development activities and facilitated the creation of their Brownfield

Redevelopment Authority. He was instrumental in developing the Waterford Township Master Plan and contributed to the zoning ordinance update. He recently facilitated the process to redevelop the southwest corner of M-59 and Telegraph Road.

Kellenberger holds a bachelor of science degree in urban and regional planning from Michigan State University. He is a member of the American Institute of Certified Planners and the Michigan Economic Developers Association. He currently resides in West Bloomfield.

Continues on page 69.

**PERFORMANCE
+
RESPONSIVENESS**

CUSTOMER SATISFACTION

Make CRA part of your success equation

- Underground Engineering*
- Earth Retention Design*
- Vibration Monitoring & Consulting*
- Geotechnical & Structural Instrumentation*
- Tunnels*
- Slope Stability Studies*
- Geotechnical Investigations*
- Deep Foundation Design & Monitoring*
- Construction Materials Testing*



CRA ENGINEERING INC.
GEOTECHNICAL GROUP
14496 Sheldon Rd., Suite 200
Plymouth, MI
734-453-5123
www.CRAworld.com

A Member of the Conestoga-Rovers & Associates Family of Companies



Julie Hartwell, an Apprentice out of Laborers Local 998 in Lansing considers MLTAI and the apprenticeship program an important part of her professional growth. Hartwell stated,

"I learn something new on the job every day. The on-the-job training I receive each day combined with the classroom training required by the apprenticeship program will prepare me to eventually move up the professional ladder."

Michigan Laborers' Training and Apprenticeship Institute provides training to Apprentices and Journeypersons alike. Our instructors have a wide range of field expertise to provide our members with top-notch training and cutting edge technology. Our state-of-the-art training facilities located in the City of Wayne, Perry, and Iron Mountain, accommodate on average 2500 members annually. Courses range from 2 hours to 120 hours in length and include environmental training, construction training, life skills courses and on-line courses.

Persons reaching Journey worker status will receive 64 of the 96-quarter credits required at Baker College to earn an Associate of Applied Science Degree in Industrial Technology.

Union trades are similar to many other professions in the sense that each trade has specialized work areas and jurisdictions. Just as a heart specialist wouldn't attempt brain surgery, a Construction Craft Laborer wouldn't attempt to perform an Electrician's job duties. MLTAI and the Construction Craft Laborers Apprenticeship Program produce Laborers skilled in their field, dedicated and trained.

While Ms. Hartwell enjoys her current position and the challenges that each day brings, she expects to someday pursue one of the many career paths open to those Construction Craft Laborers that have good work ethic and a commitment to education.

Union wages and benefits are among the best in the nation. If great money and benefits are of interest to you, contact a Laborers Local Union in your area or contact the Michigan Laborers Training and Apprenticeship Institute.



6525 Centurion Drive • Lansing, MI 48917
Toll Free: 877-645-2267 • Ph.: 517-321-7502 • Fax: 517-321-7508



Shawn Keough, P.E.

PROMOTIONS

Shawn Keough, P.E., was recently named a vice president of Wade Trim. He is a project manager in Wade Trim's Taylor office where he works with municipal and land development services clients.

A Professional Engineer, Keough has more than 13 years of experience coordinating and designing road reconstruction, water main and distribution, and sanitary sewer projects. As a client representative he has provided ongoing engineering services for the city of Plymouth since 1997 on a variety of infrastructure improvement programs. He is also providing civil design services for the major expansion of the NorthRidge Church facility in Plymouth Township, including master plan activities, storm water management, utility design, traffic study and site plan preparation.

Keough received his bachelor of science degree in civil engineering from the University of Michigan in 1992. He is a member of the National Society of Professional Engineers and the American Public Works Association.



Timothy Truax

Timothy Truax, operations and maintenance manager in Wade Trim's Traverse City office, was named a vice president of the firm. He is responsible for developing operational cost estimates, management standards, operability and maintainability reviews, process optimization and bottleneck identification for clients.

With over 27 years of experience in wastewater treatment plant operations management, Truax serves as the project manager for the city of Hart, which is implementing a new sewer use ordinance.

He also supervises Wade Trim staff working at the village of Kingsley, including the DPW foreman and manager of the new wastewater treatment plant. Additional projects include the treatment plant at Wal-Mart in Cadillac and operability reviews of the Linden and Marlette wastewater treatment plants.

Truax has a Michigan B wastewater certificate, Illinois Class 1 Operator's Certificate, and an Arizona Grade 4 Operations License. He is a member of the Michigan Water Environment Association and International Facilities Management Association.

Windemuller Electric, Inc. www.windemuller.us

HURRICANE HELP

Windemuller Electric, Inc. is among many MITA members who have worked down south during the aftermath of hurricanes last year. The company worked in Mississippi to help police officers restore their homes.

CURRENT NOTABLE PROJECTS

Completing international bridge in Sault St. Marie, which is a homeland security project.

Working on two separate ethanol plants in Lake Odessa (Woodbury), and Albion.

Numerous traffic signal work, signage and electrical work.



Windemuller Electric, Inc. of Wayland, Mich., is among many MITA members who contributed their efforts to hurricane relief last year.

Associate Member Products

Rain for Rent

For more information,
call 800-742-7246 or visit www.rainforrent.com.

ANDRU BOX (ANALOG DATE RESPONDING UNIT)

The Analog Data Responding Unit, AnDRU Box, is specifically designed to control pumps and alarms based on a 4~20 mA analog input. The basic model controls three pumps, but is expandable to control more units and it works with a variety of flow, pressure, level, and other sensors. This unique unit is easy to set-up and will send signals to start equipment or trigger telemetry alarms. The AnDRU box is designed for outdoor use and is powered by 120 VAC. The AnDRU Box is one of many instrumentation rental products available exclusively through Rain for Rent.

ALARM AGENT WIRELESS TERMINAL UNIT

The Alarm Agent from Rain for Rent monitors pumps, tank levels, and filtration equipment 24 hours a day, seven days a week. This remote terminal unit has totally wireless web-based communication and alerts personnel via cell phone, email, text message or pager. The Alarm Agent works with a variety of flow, pressure, level and other sensors and is powered by a 12-24 VDC or by solar panel with a 24 hour back-up battery. The Alarm Agent is one of many instrumentation rental products available exclusively through Rain for Rent.



This age demographic raises concerns as this segment of the population is more likely to experience a lost work day injury, particularly from overexertion resulting in sprains and strains. Nevertheless, in many instances this segment of the workforce is more valuable than younger workers as their experience results in better quality work with fewer defects and less need to "rework" a project.

With net profits generally in the single digits for many transportation construction projects, savings on labor costs (reduced injury and insurance costs coupled with improved productivity) will have a direct, positive impact on the bottom line.

Improving Ergonomic Performance

There are three areas in the construction industry that most often offer good opportunities for improving worker performance:

- Staging (storing) of materials and equipment;
- Manual materials handling; and
- Work method techniques.

Let's look at each of these areas briefly and discuss common solutions that improve worker health and productivity.

Staging of Materials: The key to success in this area simply requires a bit of planning—making an effort to place materials in close proximity and at an appropriate height as to where they will be used. A simple, observational analysis of a job site will reveal the amount of time and effort that is wasted as workers walk between the locations where materials and tools are stored and where they are using them.

By locating tools and materials next to workers, and placing them on pallets, tables, planks, etc. to reduce the need for bending or turning to retrieve them, an employer can change unproductive retrieval time into productive work time while minimizing the risk of injury.

In addition to storing tools and equipment in convenient areas, it is also important to have equipment readily on hand to move heavy materials.

Employers should take a few minutes at the beginning of each shift to determine what materials they will need, find a suitable location to conveniently store them, create or locate a table, rack, etc., to place materials at a convenient height for the worker to quickly and easily access them, and have equipment on hand, when necessary, to move heavy, awkward or bulky materials.

Manual Materials Handling: If a safety officer or supervisor is looking for proof in support of implementing an ergonomics program, try this exercise: Spend a day recording how long it takes a person to bend over to retrieve tools and materials, or to perform a task. Multiply that time period by the number of workers performing the task, and the number of times in a day, week, month and year that task is repeated. After one day of observing inefficient materials handling procedures, one can easily document the amount of lost, unproductive time a worker experiences in manually handling materials.

Next, figure out how or if the work could be performed more ergonomically correct by moving the work to waist height, getting stored materials up from the ground, and locating materials to reduce twisting, turning and bending. If the work is such that the environment cannot be changed, look for opportunities to change the tools, such as providing shovels with handles, using equipment to move heavy materials, and automating or using improved tools for tedious tasks.

Work Method Techniques: Another quick way to improve ergonomics on a road construction site is to evaluate work techniques and look for opportunities to improve them. Techniques can be improved by understanding what postures are most stressful and alternative postures that can be substituted. For example, if a crew is spending a lot of time performing a task by bending at the waist, look for ways to allow them to sit or kneel comfortably, removing stress from the back and arms.

Improved techniques may require purchasing new equipment or retrofitting old equipment with seats, handles, etc. to reduce vibration and noise, or to minimize stress on joints and muscles.

Don't forget your workers! A great approach to solving ergonomic problems on job sites is to get workers involved in identifying opportunities for improvement and solutions. They are the experts on their jobs and have ideas on ways the work could be improved ergonomically. Setting up a small task force or committee may be helpful.

How Do You Begin?

The first step for most organizations to implement an aggressive ergonomics program is to quantify the problem. Begin making measurements to set a baseline of where your opportunities for improvement are right now. Establish basic criteria for measuring those improvement opportunities.

Next, share the results of your observations with management and seek authority to implement some of the easier ergonomic interventions. Look for the "low hanging fruit" where you can show success quickly.

The third step is to implement several changes in work processes and measure those interventions using your established criteria. Compare the improvements against the baseline you established at the beginning. It is a good idea before you make improvements to determine whether the change is really an improvement or may create other problems.

Fourth, quantify the results in terms of efficiency, time and money. Share that information with your company leadership.

Remember, a good ergonomics program is not a one-time procedure; rather, it's a continual process of observation, measurement, intervention, analysis and quantification.

When that program you have initiated demonstrates quantified benefits, both you and your company will be in a position to reap the economic benefits of a good ergonomic program.

ARTBA, in partnership with CNA Insurance, has developed materials and training to assist employers and agencies in the transportation construction industry develop and improve ergonomic programs. For more information, visit ARTBA's Web site at www.artba.org or call (202) 289-4434. Also check out the LHSFNA Web site at www.lhsfna.org for information and links to hundreds of tip sheets.



ENGINEERS-CONTRACTORS
IRON MOUNTAIN, MI 49801
An Equal Opportunity Employer

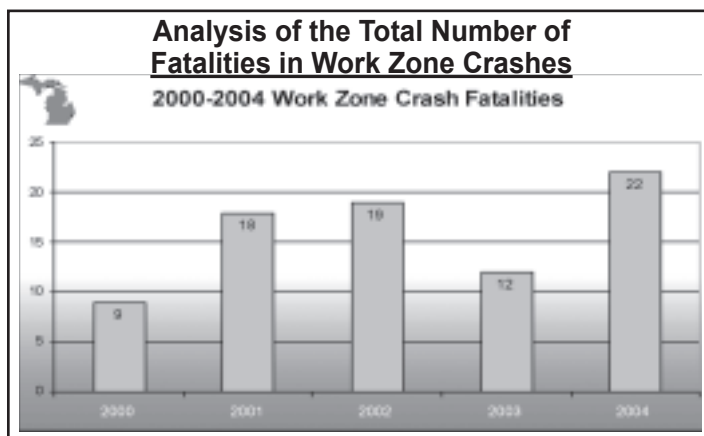
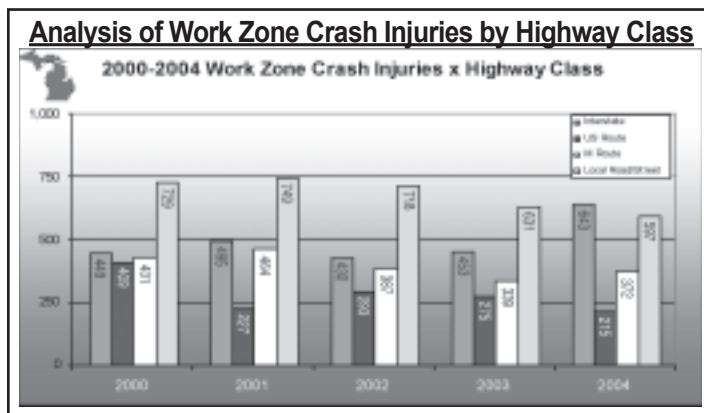
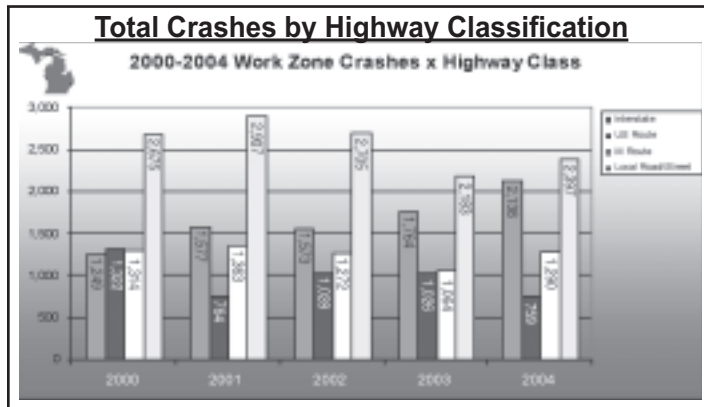
Highway Construction
Site Development
Private Drives
& Parking Lots
Concrete Construction
Bituminous Paving
Earth Moving
Sewer and Water Construction

MEMBERS
Michigan Infrastructure & Transportation Assn.
Wisconsin Transportation Builders Assn.
MI Associated General Contractor
Michigan Asphalt Paving Assn.
National Asphalt Pavement Assn.

WORK ZONE SAFETY *Continued from page 49.*

The county local system, which represents 53 percent of all the roads in the state, carries 4 percent of the total traffic.

- The city primary system, which represents 5 percent of all the roads in the state, carries 14 percent of the total traffic.



- The city local system, which represents 12 percent of all the roads in the state, carries 3 percent of the total traffic.
- In 2000, of the nine fatalities, three involved construction personnel. The remaining six were motorists.
- In 2001, of the 18 fatalities, two involved construction personnel. The remaining 16 were motorists.
- In 2002, of the 19 fatalities, six involved construction personnel. The remaining 13 were motorists.
- In 2003, of the 12 fatalities, two involved construction personnel. The remaining 10 were motorists.

In 2004, no construction personnel were killed in work zones. The 22 fatalities were motorists.

Michigan Strategies for Improved Work Zone Safety

The strategy that has been developed for an improving the State of Michigan's work zone safety has three primary elements:

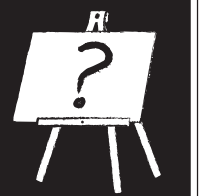
First, we must improve our educational efforts with motorists and all government, industry and utility partners. The traffic control in our work zones must be easily understood and send a clear consistent message regardless of who deploys the devices. Our educational effort must focus on providing a base knowledge level to the motorist on how to negotiate a work zone and we must ensure that all transportation partners have trained staff to ensure the uniformity in the deployment of traffic control devices. This will minimize the risk to both the motorists who pass through the work zones and to the employees working in these zones.

Second, we must work together with all transportation partners to engineer work zones that maximize mobility while minimizing the exposure of employees. A recent example of this partnership in action is the revision of the work zone speed limit signing that went into effect for the 2006 construction season. The "Where Workers Present 45 MPH" sign is a good example of how positive change can be accomplished when industry, law enforcement and transportation officials work together. This new work zone speed limit sign reduces speed differential in work zones which will result in fewer rear end crashes. Fewer crashes in work zones reduce the number of injuries that motorists receive and improves the overall safety of the zone for the workers. It also provides for smoother traffic flow within the zone by reducing delay and allowing for increased mobility for

Continues on page 72.

**WE'RE
ENGINEERS.
WE HATE
SURPRISES.**

**GEOTECHNICAL
ENVIRONMENTAL
CONSTRUCTION
ENGINEERING**



All of us at G2 share a single-minded obsession with unearthing every obstacle and opportunity on your site.

We design precise solutions that make it all work – before you're in too deep.



G2

CONSULTING GROUP, LLC

Troy, MI: 248.680.0400
Brighton, MI: 810.224.4330
Chicago, IL: 847.353.8740
www.g2consultinggroup.com

UNEARTHING POSSIBILITIES

WORK ZONE SAFETY *Continued from page 71.*

the motorists. Technological advancements in both work zone devices and the vehicles driven through the work zones will continue to provide opportunities for work zone safety improvements in the future.

Third, all transportation partners must work together to develop coordinated public relations plans that provide our end users timely seamless work zone information. We must explore various opportunities to utilize technology to enhance how information is provided to motorists through the use of Web sites, global positioning systems, live feed cameras, and real time changeable message boards in an effort to allow motorist options when choosing the route they travel. By improving the method and frequency of how we deliver work zone information to our end users, we can reduce capacity deficiencies caused by the implementation of work zones, increase mobility, and reduce the dangers associated with traveling within work zones for both the motorist and field personnel.

The State/Industry Construction Zone Review Team (S/ICZRT) is a partnership between the Michigan Department of Transportation, the Michigan State Police and the Michigan Infrastructure and Transportation Association that has been formed to address work zone safety issues. This team has worked together to develop these strategies for improved work zone safety in Michigan. S/ICZRT meets quarterly to discuss current statewide work zone issues. Past discussions have included everything from work zone speed limits, to the installation of temporary lane marking tape, to the crash testing of NCHRP 350 compliant temporary traffic control devices. If you have work zones questions or possible improvements that S/ICZRT should consider, please contact one of the members listed below. If you would like to learn more about Michigan's Strategic Plan for Work Zone Safety, please e-mail me at

steinmanp@michigan.gov and I will forward a copy of the full report.

In conclusion, the backbone of Michigan's economic vitality depends upon the ability to move people, goods and services timely. All transportation partners must recognize that as we work to modernize our system for tomorrow, our end users expect that we will implement our work zones to provide safety and mobility for today.

State/Industry Construction Zone Review Team

Rob Coppersmith-MITA robcoppersmith@mi-ta.com

Patrick Brown-MITA patrickbrown@mi-ta.com

Thad Peterson-MSP petersot@michigan.gov

Brian Zimmerman-MDOT zimmermanb@michigan.gov

Paul Steinman-MDOT steinmanp@michigan.gov

Resources

- 1) Federal Highway Administration: <http://fhwa.dot.gov/wz/resources>
- 2) Federal Highway Administration: <http://fhwa.dot.gov/wz/resources>
- 3) Federal Highway Administration: <http://fhwa.dot.gov/wz/resources>
- 4) Michigan Department of Transportation: <http://www.michigan.gov/mdot/>
- 5) Michigan Office of Highway Safety Planning: <http://www.michigan.gov/msp/>

Roadway System Information:

The Michigan Department of Transportation Planning Division

Work Zone Crash Data:

The Michigan Office of Highway Safety Planning



Kotz, Sangster, Wysocki and Berg, P.C. *Construction Law Specialists*

- LITIGATION
- ARBITRATION
- CONTRACT ADMINISTRATION
- EMPLOYMENT AND LABOR
- CORPORATE TRANSACTIONS
- REPRESENTING
 - General Contractors
 - Sub-Contractors
 - Developers
 - Owners, and management companies

"Solving corporate and litigation problems for the construction industry"

Detroit

400 Renaissance Center, Suite 2555
Detroit, Michigan 48243-1675
Telephone: (313) 259-8300
Facsimile: (313) 259-1451

Mt. Clemens

20 South Main Street, Suite 118
Mt. Clemens, Michigan 48043
Telephone: (586) 468-6142
Facsimile: (586) 468-6144

Birmingham

300 Park Street, Suite 865
Birmingham, Michigan 48009
Telephone: (586) 468-6142
Facsimile: (586) 468-6144

WWW.KOTZSANGSTER.COM

THE CONTRACTOR USE OF FIELD MANAGER STUDY *Continued from page 55.*

- "On a few contracts with multiple subs sharing pay items, without this {Field Manager} capability we would be lost."
- "Very disappointed. It is very nice to have all that information at my fingertips. But I can honestly say that the Read-Only files help the contractor much more than they help MDOT. I hope MDOT will keep up on this good thing they have started."
- "M6 projects – We wouldn't be able to keep track of items of work with our sub-contracts. We check IDRs daily on items of work."
- "I would not want this to happen."
- "We had only one project not covered under the pilot program this year. The frustration level with that particular project was very high due to the lack of information. However, that job highlighted the benefit of the software in that once you have something; it's difficult to do without."
- "It is very beneficial to have Field Manager at our fingertips."

The evidence was quite convincing, but contractors did identify two issues

that needed solutions. The first was a technical issue; while most contracts imported into Field Manager within seconds, very large contracts took too long to import. The second issue involved pricing; while some contractors had chosen to license the Field Manager software to track their contracts as well as receiving the Contractor Read-Only files; other contractors wanted Field Manager for Contractor Read-Only purposes only. MDOT committed to get solutions to both of these issues.

Once both issues had been addressed, MDOT issued Bureau of Highway Instructional Memorandum 2003-11 on September 16, 2003, making Contractor Read-Only a statewide policy on MDOT let contracts.

Today, 47 contractors are licensing Field Manager in Michigan. In response to requests from the contracting community, MITA is establishing a Contractor Field Manager Users Group that will hold its first annual meeting later this fall.

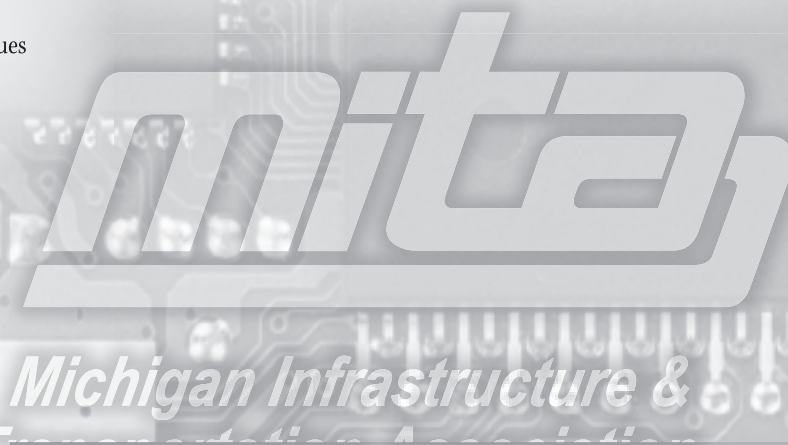
► *MichMex attended a Field Manager Seminar sponsored by the DBE Program. We thought this would be a great asset to our company, so we had it installed in April 2003. This has turned out to be one of the best software investments that our company has made. Our field personnel are able to track our items of work more timely and accurately. Field Manager has helped us cut back on extra time spent remeasuring and verifying these quantities with job inspectors as they are completed. It has also helped cut down on over/under billings in our accounts receivable department for year end.*

In 2006, Field Manager added an upgrade called "Field Net". This is an e-mail system that imports the biweekly transmissions that are made to Lansing directly to our computer as well. The construction managers and local TSC offices have added us as a "RECIPIENT" during this transmission. This feature has eliminated excessive phone calls and e-mail messaging back and forth between offices to get current updates to be imported into the Field Manager System.

Each year MDOT works hard to make upgrades to better serve the industry's needs and concerns. I highly recommend this to those who do not know about its existence or features

When I attended a Field Manager's User Group Meeting this past March, I was shocked at the number of users. It was very low compared to the number of contractors listed in your Annual Directory Book.

Missi Hulst,
MichMex Contractors Inc.



- **Concrete Pipe/Manholes/Catchbasins**
- **Concrete Sumps/Inlets/Gatewells**
- **Pre-cast Concrete Junction Chambers**
- **PVC and ABS Truss Pipe and Fittings**
- **Ferncos 4"-24"/Connection Saddles**
- **Manhole Block/Brick/Adjustment Rings**
- **Manhole Steps/Connection Boots**
- **Manhole Rehabilitation Products**
- **Preco Plug/Butyl Rope**
- **Steel Culvert/N-12 HDPE Pipe**
- **SCH 40/SDR 35/SDR 26 Sewer Pipe**
- **Clay Pipe and Fittings/Inserta Tees**
- **Copper Water Pipe and Fittings**

Co-Pipe Products, Inc.

20501 Goddard Road, Taylor, MI 48180

Phone: (800) 521-3514 • Phone: (734) 287-1000 • Fax: (734) 287-8132

Hours: Monday-Friday 7 am-5 pm; Saturday 8 am-12 pm

www.copipe.com



Crooks Road



Project Profile

- **Project Name:** Crooks Road Widening Project, Square Lake to M-59
- **Project Location:** Troy and Rochester Hills
- **Prime Contractor:** Sunset Excavating, Inc., Livonia
- **Description:** The Road Commission of Oakland County (RCOC) is widening Crooks Road to a four-lane divided boulevard. The project will take two years to complete and will include improvements at the Crooks/Auburn and Crooks/South Boulevard intersections. The reconstructed road will be safer and more efficient and the boulevard design is expected to result in significantly fewer traffic crashes. Congestion will be reduced because the new road will be able to handle considerably more traffic than the current road.
- **Length in Miles:** 2.5 miles
- **Approximate Cost:** \$22 million, making it the single most expensive project ever undertaken by the RCOC. Eighty percent of the cost will be paid for with state and federal funds. RCOC will pay 10 percent of the cost, and the cities of Troy and Rochester Hills the remaining 10 percent.
- **Project Timeline:** May 2006 to November 2007. The project is divided into three phases.

Photos by Tom Albert.

WE'RE THE LIGHTWEIGHTS IN OUR INDUSTRY. AND PROUD OF IT.



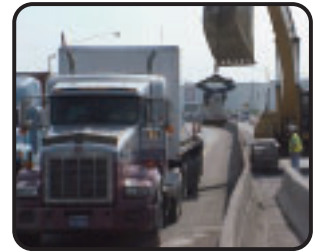
At James Burg Trucking Company, our lightweight equipment can scale over 115,000 pounds. Which means

you could save time and money by reducing the number of trips it takes for us to haul your job. We've been serving the construction industry with Michigan flatbeds for over



14 years moving concrete products, brick, bagged cement, steel sheathing, and trench boxes efficiently throughout Michigan, northern Ohio, northern Indiana, and Ontario.

In fact, our on-time delivery ratio exceeds 99%. So whether



you need one truck for one load or twenty trucks for two weeks, call us. Because when it comes to superior customer service and on-time delivery, we're the heavyweights.



On time. Time and again.

Did You Know?



BRIDGING THE GAP. PAVING THE WAY.
WAYS DIGGING DEEPER.

“LAST YEAR MITA STAFF LOGGED OVER 6,000 MAN-HOURS OF TRAINING IN PREVENTATIVE MEDICINE FOR CONSTRUCTION WORKERS”



INDUSTRY COMING TOGETHER - BUILT TO LAST

BULLETIN INDEX

Visit www.mi-ita.com to view or print these bulletins

LEGISLATIVE

6/28/2006	Legislative Update: Underground Issues Surface at the State Capitol
6/21/2006	June Legislative Update
6/7/2006	Legislative Update
5/24/2006	Legislative Update
5/4/2006	Michigan Transportation Team Kicks-Off Drive MI
4/27/2006	Legislative Update

MDOT

7/19/2006	MDOT Plans DBE Workshop
7/12/2006	MDOT Update - July 12, 2006
7/6/2006	MDOT Update - July 5, 2006
6/21/2006	MDOT Update - June 20, 2006
6/15/2006	Reminder - Work Zone Traffic Control Equipment Must Meet NCHRP 350
6/8/2006	MDOT Update - June 8, 2006
5/11/2006	MDOT Update - May 11, 2006
5/9/2006	MDOT Establishes Design-Build Policy
5/4/2006	Technical Update - May 4, 2006
5/4/2006	Michigan Transportation Hall of Honor
4/27/2006	Construction Issues/Concerns with Increased Focus

4/18/2006	MDOT Implements
4/18/2006	MDOT Update - April 18, 2006
4/13/2006	MDOT Weight/Load Restriction Bulletin #7

SAFETY

7/7/2006	Safety Update
7/6/2006	Appeals Update
6/29/2006	How Safe Are You?
6/22/2006	New Installment of Tool Box Talks Now Available
6/22/2006	Gasoline vs. Diesel Fuel - Requirements Comparison
6/12/2006	MIOSHA Citation Appeal Service Update
6/7/2006	Inspection or Not
6/1/2006	Recent Appeals
5/19/2006	Update your MMUTCD
5/15/2006	Formal Hearing Averted
5/11/2006	Large Appeal . . . One Contractor
5/9/2006	Large Appeal . . . One Contractor
5/3/2006	Give 'em a Brake Press Conference Set for May 11
5/3/2006	MITA Aids City of Walker
4/27/2006	Late Appeal=Full Penalty
4/27/2006	MIOSHA Citations

Ace Cutting Equipment & Supply.....	35	Michigan CAT	IFC
AIS Construction Equipment Corporation	10, BC	Michigan LECET	68
The Argus Group.....	32	Mississippi Valley Equipment Company	33
Association Benefits.....	51	Mourer Foster, Inc.....	61
Atsalis Brothers	6	National Concrete Products	63
Bacco Construction Company.....	70	Oakland Companies	64
James Burg Trucking Company	75	Operating Engineers Local 324 JATF	IBC
Consumers Energy.....	3	Operating Engineers Local 324 LMEC.....	IBC
Co-Pipe Products, Inc.	73	Plante & Moran.....	31
Corrigan Oil Co.	49	Premarc.....	45
CRA Engineering.....	67	Pro-Tec Equipment, Inc.....	8
East Jordan Iron Works, Inc.....	25	Rain for Rent	30
Ebony Construction Co., Inc.	23	Rockworks	66
Efficiency Production, Inc.	78	Spartan Specialties LTD.....	22
The Fishman Group.....	17	Stantec	24
G2 Consulting Group LLC.....	71	Stoneco, Inc.	55
GBM Recycled Concrete.....	58	Stuart, Franey, Matthews & Chantres, P.C.	18
Gail & Rice	62	Swad & Company, CPA's.....	59
Griffin, Smalley & Wilkerson, Inc.....	19	Ten Mile Creek	46
Guy Hurley Blaser & Heuer LLC.....	47	Testing Engineers & Consultants, Inc.....	52
Jay Dee Contractors, Inc.	54	Trac Trenching.....	37
Jensen Bridge Contractors, Inc.	50	Trench Tech, Inc.	57
Kerkstra Precast, Inc.	53	Valenti Trobec Chandler, Inc.	11
Klochko Equipment Rental Co.....	38	VanderLind & Son, Inc.....	39
Kotz, Sangster, Wysocki and Berg, P.C.	72	Wade-Trim	15
Lawrence Technological University	20	Washtenaw Engineering Company	60
Edw. C. Levy Co.	9	Wolverine Tractor & Equipment Company	36
Lowe Construction Company, Inc.	26	Zervos Group, Inc.	21

BULLETIN INDEX

Visit www.mi-ita.com to view or print these bulletins

4/25/2006 Fatal Trench Cave-in

MEMBERSHIP

7/20/2006 Get a Sneak Peek of this Year's MITA Metro Golf Outing Silent & Live Auction Items.

7/20/2006 Stolen Equipment Notice

7/12/2006 Reminder to Metro Golf Outing Participants

7/6/2006 Summer Conference Room Block Being Released!

6/29/2006 New MITA Headquarters Building Going Out for Bid

6/28/2006 In Memoriam

6/28/2006 Utility Best Practices

6/26/2006 In Memoriam

6/15/2006 Stolen Equipment Notice

6/12/2006 In Memoriam

6/12/2006 Memoriam Update

6/7/2006 2006 Metro Golf Outing with Silent & Live Auction

6/7/2006 Member Voice

6/6/2006 In Memoriam

5/31/2006 MITA Open Registration Reminder

5/31/2006 Donations Still Needed

5/25/2006 Stolen Equipment Notice

5/24/2006 MITA Welcomes New Members

5/24/2006 Supreme Court Reverses Appeals Court Decision on Differing Site Conditions Law

5/19/2006 Stolen Equipment Notice

5/17/2006 2006 MITA Annual Golf Outing & Auction

5/16/2006 MDOT/Kellogg Foundation Partnership Extends Good Will Invitation

5/12/2006 Stormwater Management Practices

5/9/2006 Associate Member Council Meeting, May 22, 2006

5/4/2006 Clarification Memorandum

5/3/2006 MITA Aids City of Walker

5/2/2006 Stolen Equipment Notice

4/27/2006 Increase Scrutiny for Industry by the EEOC

4/27/2006 MITA and Seven Industry Partners Sign CQP Charter

4/27/2006 Construction Issues/Concerns with Increased Focus

4/21/2006 MITA Praises Transportation Agreement

4/18/2006 Stolen Equipment Notice

4/13/2006 In Memoriam

America's Trench Box Builder™

Efficiency Production, Inc.

Michigan Contractors' Choice for Trench Boxes, Statewide!

Michigan's Underground Contractors choose us for our 30 years of experience and our professional equipment and services.

- Largest selection of shielding and shoring equipment available.
- Custom shields built to your specs.
- Fast delivery to your jobsite.
- Site-specific engineering.
- Jobsite installation assistance.
- MIOSHA Qualified Person Training.
- State-of-the-art manufacturing plant with innovative robotic fabrication.
- Factory Direct Sales & Rentals from our central location 10 miles south of Lansing on US 127.
- Efficiency Production, Inc. knows that our success is based on your success!



Steel Trench Boxes



Manhole Shields



Stone Mizer®



Porta Tank™



Aluminum Build-A-Box™



Slide Rail System

*Meet OSHA/MIOSHA
excavation requirements
with our PE certified Trench
Shielding and Shoring*

www.epi-shields.com

**EFFICIENCY
PRODUCTION, INC.**
America's Trench Box Builder™

*Call us for Factory Direct
Sales & Rentals*

800-552-8800

685 Hull Rd. Mason, MI 48854

Construction Contractors and Project Owners Do You Want More?

More - Productivity?

More - Zero Accident Job Sites?

More - On Time Completions?

More - Return On Investment?



Operating Engineers Local 324 Has The Solutions!

Local 324 Officers, Agents, Staff and most importantly, the Membership are highly motivated to be the best **VALUE** in the Construction Marketplace!

Our JATF Training Center located on 500+ acres in Howell, MI sets the industry standard for producing the most highly skilled, technically competent and safety conscious Construction Equipment Operators to be found anywhere!

Our Labor-Management Education Committee stands ready to facilitate positive interaction between Labor, Contractors and Project Owners. This committee also actively markets and promotes the use of Signatory Contractors in all types of construction projects.

All of us at **TEAM 324** are committed to providing the highest level of Productivity and Value to our Contractors and Project Owners.

We invite non-affiliates to join us for a **MUTUALLY PROFITABLE** partnership!



Labor-Management Education Committee
37450 Schoolcraft Rd. Ste. 150
Livonia, MI 48150
734-462-2312
www.324lmecc.org



Local 324
37450 Schoolcraft Road Ste. 110
Livonia, MI 48150
734-462-3660
www.iuoe324.org



Training Center
275 E. Highland Road
Howell, MI 48843
517-546-9610
www.oe324jatf.org

WA200-5, WA250-5, WA320-5

The Latest in Wheel Loader Technology



Powerful
Quiet
Smooth
Aggressive

- **powerful** 6-cylinder Komatsu diesel engine
- super **quiet** full-size cab with air conditioning
- **smooth** Komatsu ECCS (ride control)
- **aggressive** Komatsu HST transmission
- 2.6 - 3.5 cubic yard buckets



KOMATSU

See it to believe it!

Call 866-301-5335 today for a demonstration, ask for Bob or Byron.



GRAND RAPIDS (616) 538-2400
TRAVERSE CITY (231) 267-5060
N.E. DETROIT (586) 727-7502
SAGINAW (989) 777-0090
LANSING (517) 321-8000
DETROIT (866) 205-0888



AIS Technical Hot Line: 1-877-AIS-0400
After-hours Pager/Message Center: 1-800-AIS-NITE
Mon-Thur 6am-10pm • Fri 6am-6pm • Sat 8am-4pm

www.aisequip.com