

# CROSS SECTION

WINTER 2010

## COVER STORY: Annual Conference Photos

Page 36

ASSOCIATE MEMBER PROFILE:  
Professional Service Industries, Inc.  
page 14

MEMBER PROFILE:  
Mersino Dewatering, Inc.  
page 48

PRST STD  
U.S. POSTAGE  
PAID  
Permit #515  
Lansing, MI

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

**mita**  
Michigan Infrastructure &  
Transportation Association

# A new direction in health care



**affordable  
flexible  
simple**



**The Blues have a unique benefit approach called BlueCore Plus<sup>SM</sup> that offers:**

- Basic coverage providing a 30 to 40 percent savings over comprehensive PPO plans
- Immediate in-network coverage for routine services - up to \$200 on office visits and up to \$400 on diagnostic services annually
- 100 percent paid urgent care services for accidental and medical emergencies
- \$250 copayment for ER visits

As business demands change, you can count on the Blues to provide small business with affordable solutions at around \$250 per person per month.

Call Association Benefits Company, MITA's Blue Cross Blue Shield of Michigan and Blue Care Network Administrator, for more solutions to saving your health care dollars 248.356.3366.



Blue Cross Blue Shield of Michigan and Blue Care Network are nonprofit corporations and independent licensees of the Blue Cross and Blue Shield Association

association

benefits

company

**Services, Savings, Solutions, Simplicity**

The Authorized Administrator for the Michigan Infrastructure and Transportation's Blue Cross Blue Shield of Michigan and Blue Care Network Health Insurance Program



# 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.

Introducing...

# FieldManager® Contractor

All of the functionality of FieldManager® Read-Only, plus:

- Create discrepancy reports
- Create a daily progress discrepancy by item
- Establish the basis of a subcontract
- Easily calculate a subcontractor total dollar amount
- Import your Expedite™ Bid (.ebs) file
- Track costs of personnel and equipment per day
- Create payment reports for subs



Available  
Spring  
2009

*info*  
**TECH**

Bid Express®

FieldManager®

FieldManager Read-Only®

Estimator™

AASHTO Trns•port®

[www.infotechfl.com/products/fieldmanager](http://www.infotechfl.com/products/fieldmanager) • [info@infotechfl.com](mailto:info@infotechfl.com) • 352-381-4400

**WORKING FOR YOU**

# CROSS SECTION

## features

- 17 Executive Vice President Comment
- 18 Vice President of Membership Services Comment
- 19 Vice President of Engineering Services Comment

## also in this issue

- 9 Letters to MITA
- 10 Legal Issues
- 11 Member Voice
- 14 Associate Member Profile
- 16 Where Has Your MITA Hat Been?
- 20 Director of Safety & Workforce Development Comment
- 21 Director of Legislative Affairs Comment
- 24 Director of Technical Services Comment
- 25 Toolbox Talks
- 26 MITA in the News
- 28 MITA Press Releases
- 30 How we Got Here
- 32 Member News
- 36 Annual Conference Photos
- 42 ARTBA News
- 44 New MITA Members
- 47 Partner News
- 66 MITA Calendar
- 69 Ad Index, Bulletin Index

Cover Photo: Jim Kloote, P.E., president of J.E. Kloote Contracting, Inc., and MITA's new board president.

For Cross-Section Magazine advertising, circulation or editorial inquiries, contact Nancy 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.

© 2009 Cross-Section. All rights reserved. Reprints or reproductions only with written consent of MITA.



Michigan Infrastructure & Transportation Association

### MITA Board of Directors

**President**  
**Jim Kloote**  
J.E. Kloote Contracting, Inc.

**President-Elect**  
**Bruce Lowing**  
Hardman Construction

**Vice-President**  
**Chris Shea**  
P.K. Contracting, Inc.

**Darrell Kaltz**  
**Kaltz Excavating Co., Inc.**  
Treasurer

**Executive Vice President/Secretary**  
**Mike Nystrom**

### Directors

**Robert Adcock**  
Angelo lafrate Company  
Director at Large

**Jeff Ardelean**  
Interstate Highway Construction, Inc.  
Concrete

**George Atsalakis**  
Atsalis Brothers Painting  
Specialties

**Dan Babcock**  
Give 'Em a Brake  
Specialties

**Scott Bazinet**  
Lowe Construction Company, Inc.  
Director at Large

**Michael Catenacci**  
John Carlo, Inc.  
Concrete

**Frank DiPonio**  
DiPonio Contracting, Inc.  
Underground

**Tom DiPonio**  
Jay Dee Contracting  
Past President

**Jim Doescher**  
Dan's Excavating, Inc.  
Director at Large

**Pat Dunigan**  
Dunigan Bros., Inc.  
Utilities

**Craig Fons**  
Fonson, Inc.  
Utilities

**Cheryl Hughes**  
C & D Hughes, Inc.  
Director at Large

**Stephen Jackson**  
Jackson-Merkey Contractors, Inc.  
Director at Large

**Vance Johnson**  
Central Asphalt, Inc.  
Bituminous

**Mark Johnston**  
Ajax Paving Industries, Inc.  
Past President

**Dave Maas**  
Diversco Construction Co., Inc.  
Excavating

**Michael Malloure**  
C.A. Hull Co., Inc.  
President Appointment

**Michael Marks**  
E.T. MacKenzie Co.  
President Appointment

**Al McQuestion**  
D.J. McQuestion & Sons, Inc.  
Excavating

**Kurt Poll**  
Kamminga & Roodvoets, Inc.  
Underground

**Keith Rose**  
Rieth-Riley Construction Co., Inc.  
Bituminous

**Andy Schmidt**  
Edw. C. Levy Co.  
Director at Large

**Tom Stover**  
Walter Toebe Construction Co.  
Structures

**Tom Wagenmaker**  
Anlaan Corporation  
Structures

### MITA Associate Member Council

**Brad Poggi**  
Pinnacle Insurance

**Ric Simon**  
Alta Equipment Company

**John Washabaugh**  
Northern Concrete Pipe, Inc.

### MITA Staff

**Mike Nystrom**  
Executive Vice President  
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 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

**Nicole Cook**  
Outreach Coordinator  
nicolecook@mi-ita.com

**Danielle Coppersmith**  
Events Coordinator  
daniellecoppersmith@mi-ita.com

**Tiya Kunaiyi-Akpanah**  
Membership Services Coordinator  
tiyakunaiyi@mi-ita.com

**Anita Lindsay**  
Web/Data Coordinator  
anitalindsay@mi-ita.com

**Mary Moody**  
Accounting Coordinator  
marymoody@mi-ita.com

**Janis Strang**  
External Events Coordinator  
janisstrang@mi-ita.com



## **MERSINO** **THE ONLY FULL-SERVICE SOLUTION**



### **DEWATERING. BYPASS PUMPING. ONE-PASS TRENCHING. POWER GENERATION.**

MERSINO is the only full-service solution able to handle your entire project.

Design | Engineering | Installation | Service | On-site Project Management

We have decades of experience to assure that we can meet your needs.

Nationwide fleet of Global Pumps™, the most fuel efficient pumps on the market.

Emergency Response with on-call personnel available 24/7.

**COMMERCIAL CONSTRUCTION | LANDFILL | POWER PLANTS  
MARINE | DISASTER RELIEF | STEEL MILLS | MUNICIPALITIES  
PETRO CHEMICAL | ENVIRONMENTAL | CIVIL CONSTRUCTION**



1.866.MERSINO [www.mersino.com](http://www.mersino.com)

**MERSINO** 

# Jobsite Analysis

Take a proactive approach  
to jobsite safety

Contact MITA to sign up for this helpful opportunity, 517-347-8336.

Grant funding provided by: MITA and Michigan Occupational Safety and Health Administration.



*Michigan Infrastructure & Transportation Association*



Slide Rail Systems



Versa Bridge Portable Temporary Bridge System



Dura-Base Temporary Road Systems



Street Plates



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.

NOW **three** convenient locations

**PRO-TEC EQUIPMENT INC.**



1298 Lipsey Dr.,  
Charlotte, MI 48813  
1-800-292-1225  
Fax (517) 541-0329

25086 Brest Rd.  
Taylor, MI 48180  
(313) 827-0010  
or 1-888-292-1225  
Fax (313) 827-0012

**New Location:**  
5460 36th St. SE  
Grand Rapids, MI 49512  
1-877-292-1225  
Fax (616) 285-5886

[www.pro-tecequipment.com](http://www.pro-tecequipment.com)



High Clearance Arch



Stone Saver



Steel Trench Shields

# you said it

## Letters to MITA

Dear Mike:

On behalf of the 2009 MSAE Diamond Awards committee, thank you so much for volunteering your time to judge the Government Relations Project entries. We greatly appreciate it.

Annie Taggart

*Michigan Society of Association Executives*

Dear Bob, Mike, Rob:

I just wanted to drop you guys a quick line of thanks for the work that you all put into making the Future Leader Program a success. I know that I personally benefited greatly from my experience and know that many others in the group had great things to say also.

Bob, good luck in retirement. Rob and Mike, I look forward to working with you in the years to come.

Again, job well done and thanks again.

Nick DiBartolo, AIC, CPC

*Estimator/Project Manager  
Barrett Paving Materials, Inc.*

# 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](http://www.edwclevy.com)



**EDW. C. LEVY CO.**

**Nothing Builds Better Than Levy.**



## Legal Issues

## Paying the Same Bills Twice: The Problem and the Cure

By Jim Urban  
Butzel Long

To many of you reading this article, the subject should be familiar. You may have attended one of the seminars we have presented at an AUC or MITA Superconference or you may have read an earlier article in the old AUC "Spreadsheet" about setting up a Collections and Payments System at your company to maximize collections and reduce the risk of double payment exposure. Based on our admittedly unscientific observations in matters we handle for many of MITA's members, the problem of being faced with paying the same bills twice on your projects has not gone away and the risk has actually increased for those of you constructing MDOT projects due to regulatory developments initiated at the federal level in 49 CFR 26.29 as part of the federal regulations governing DBE participation on federally funded projects and adopted by MDOT in the form of the "Special Provision for Prompt Payment", 03SP109(A), which applies to all contractors working on MDOT projects regardless of tier or status.

So, folks, it is certainly time for an update and a "booster shot" in recognizing and avoiding the risk of paying the same bills twice on your projects. This risk is present whether you are a prime contractor or a subcontractor and must be recognized at all levels in the contractual chain for a project.

The classic scenario was unfortunately repetitive. You have been doing business with Subcontractor X. On your current project, you have paid him

\$200,000 of his subcontract price and have about \$35,000 left to pay under the subcontract for work "satisfactorily completed" by the Subcontractor. Subcontractor X has now abandoned the work or has completed the work and is looking for payment. You now learn that claims are presented by unpaid suppliers totaling \$200,000. You learn that Subcontractor X is upside down on the subcontract and is not sufficiently solvent or uncollectible to pay the unpaid downstream debt. Whether you are the prime contractor or a first tier subcontractor on a bonded project or on a private project subject to the Construction Lien Act, you face the strong possibility of paying over \$100,000 of bills on this project twice. Under the Prompt Payment Special Provision, the risk has been enhanced by the creation of additional regulatory impediments to implementing the established protocols for assuring proper payment of downstream debt.

When the Michigan Legislature re-wrote the Michigan Construction Lien Act in 1982 (MCL 570.1101 et seq), they devised an ingenious and effective procedure for both owners and contractors to assure that the debts for constructing the project (improvement) were properly and fully paid and that both Owners and Contractors were able to avoid the risk of paying the same bills twice. That procedure remains applicable today on private construction projects subject

*Continues on pg. 45*



**Champions don't believe in the off-season.  
Be ready to dig with our Winter Service Specials.**

**Save Up  
to 50%  
On in-shop  
service.**

**Oil Changes, inspections, filter and belt check, diagnostics,  
Certified Rebuilds, steam cleaning, parts discounts, MI OSHA Inspections.  
We Got You Covered. Call us today to be ready to win jobs tomorrow.**

888-MICH-CAT

**Michigan CAT**

[www.michigancat.com](http://www.michigancat.com)

## Member Voice

From time to time we ask MITA members questions about issues of importance to the industry. Some of the answers are then published in this magazine.

Our Member Voice question this time was: Are you in favor of government run health care? Over 100 people responded, the most ever for a Member Voice, and 91 percent said NO. Since the yes votes were in the minority, we will print a few of those first, then share some of the no responses. Thank you to all those who participated in our survey.

Yes, I am in favor of government run healthcare.

It is a right.

**Larry Libbrecht**  
*CSI Geoturf*

Only if the government officials themselves have the same coverage as everyone else.

**Dawn Plantz**  
*Genesee-Bay Constructors, Inc.*

I want all I can get from the government as long as it doesn't cost my company any extra.

**Ken**  
*Carnwath Excavating Co.,*

To stop the abuse of health care providers so ALL Americans can have a chance of a healthy life. We are one of very few civilized countries who do not help people who are sick.

**Raymond Chyla**  
*TEC*

No, I am not in favor of government run healthcare.

The government cannot run what they have their hands on now. Look at Medicare – which is a near-bankrupt – fraud-ridden mess. At the state level, Medicaid is no better. The solution for health care cost containment is NOT another government program. There is no doubt that reforms are needed, but not by taking away the free enterprise system upon which our

country became strong, innovative, and revered for our health advances.

**Leslie Loftus**  
*Veritas Benefits Group LLC*

I am not comfortable with more government intervention or involvement in any area of my life.

**Jacquie Katterman**  
*Katterman Trucking, Inc.*

The health care system needs revisions, possibly a complete overhaul, but a government-controlled system will be less efficient than what we have now.

**Don Timmer**  
*Timmer Construction*

Multiple reasons: 1. Government hasn't shown me they can do anything well. 2. The bill that recently came out of the Senate is a classic example of a bill desired by a few, support by many, but at a very steep price to taxpayers. 3. The current focus is on providing broader coverage - no a bad goal - but lacking anything resembling true reform. No cost savings anywhere (if you exclude the phantom savings we will supposedly realize when more people have their bills paid – by us.

**Brad Poggi**  
*Pinnacle Insurance Partners*

I do not believe government can run anything honestly, efficiently or better than private industry.

**Cheryl Hughes**  
*C & D Hughes, Inc.*



*Professional Engineers providing reasonable solutions to real problems*

### **SITE ASSESSMENT**

Drilling - Soil Characterization

Environmental - Environmental Assessments

Geotechnical - Soils Engineering

Hydrogeological - Groundwater Evaluations

### **Construction Materials Testing and Inspection**

Asphalt - Concrete - Soils - Steel

#### **SE Michigan Office**

21355 Hatcher Avenue

Ferndale, MI 48220

Office: (248) 399-2066

Fax: (248) 399-2157

#### **Mid Michigan Office**

3730 James Savage Road

Midland, MI 48642

Office: (989) 496-3610

Fax: (989) 496-3190

*Please visit our website at*

**[www.mcdowasc.com](http://www.mcdowasc.com)**

*Continues on pg. 52*

## Member Profile

**F**ounded in 1973, M&M Excavating is a privately held general contracting firm located in Gaylord which specializes in site development, highway/road construction, underground utilities, wastewater treatment plants, landfills and airport construction throughout lower Michigan and the Upper Peninsula.

Brothers Matthew and Mark Nowicki left behind city life in Detroit in the 1970s to start a new life for their young families up north. When they rented a bulldozer to clear land for their homes and finished the clearing in just a few days, a business opportunity arose. With a significant portion of time left on their unlimited rental agreement, the brothers sought permission to use the equipment for other jobs. Fortune was on their side as the booming oil and gas industry was seeking contractors to assist in clearing land for exploration and drilling. By 1977, the company was MDOT prequalified, and the rest is history.

Today, the union company is moving into its second generation. This time, though, cousins are taking the reigns: Ken Nowicki, son of Matthew; and Brandie Meisner, daughter of Mark. Both grew up in the business and worked their share of summers. Ken graduated from Michigan State University in 1991 with a degree in construction management and serves as the president handling estimating and project management. Brandie officially joined the family business in 2003 upon the retirement of Matthew. As chief financial officer, she runs the administrative end of the business. John Landrie rounds out the management team for the second generation. Although not a relative, John has grown into a member of the family.

John graduated from Central Michigan University in 1995 with a degree in management, with an emphasis on construction. Following graduation, John joined the company as an assistant supervisor and currently serves as the vice president of operations for M&M. Mark remains heavily involved in the business overseeing strategic planning, field operations and equipment maintenance and acquisition. Elaine Nowicki, Brandie's mother, is the Corporate Secretary.



*From right to left: Ken Nowicki, Mark Nowicki and his daughter, Brandie Meisner.*

"Many of our core employees have been with us for years, some well over two decades," said Brandie, who is proud of the hardworking, quality-conscious workforce of 50+ employees. "M&M credits its ability to build quality projects to its loyal workers, including Superintendent Bill Burrick and Foremen Dan Slivinski and Rico Iannucci.

"The mix of work changes from year-to-year, depending on available projects and funding. For us, 2009 was 100 percent MDOT work in the underground and road building areas. We have worked on several stimulus projects as both the prime contractor and a subcontractor. In spite of the recession and slim margins, it has been a busy year for M&M."

Projects in 2009 included the I-75 crossover in Gaylord. The \$9 million dollar job involved bridges, two miles of I-75 reconstruction and one mile of county road reconstruction to create a cross-over to improve traffic congestion. The job began in 2008 and was completed in November 2009. To secure the project in their own backyard and be an integral part of building the highly anticipated project in their community, M&M utilized its experience to develop unique value-engineering suggestions which were implemented by MDOT.

M&M generally handles projects within a 150-mile radius of Gaylord, occasionally working as far south as Berrien Springs and north to Sault Ste. Marie and the Upper Peninsula. Their website displays a wide variety of project photos and summaries: a Lowe's in Petoskey, Alma Middle

School, a Multi-Purpose Tank Range at Camp Grayling, construction of three miles of new divided highway on US-31 in Berrien Springs, a combined sewer overflow project work in Sault Ste. Marie, a new landfill cell in Montmorency County, and construction of ramps, taxiways and runway extensions for Cherry Capital Airport in Traverse City.

Ken commented that future work for M&M and the entire industry will depend heavily on what "Obama and the state Legislature does. However, the conservative nature of how we run our business has sustained us during this downturn and others in our history. As a result, M&M is well positioned to capitalize on both current and future opportunities."





### What has MITA done for M & M?

A member of MITA since 1994, Ken said the association has helped them in countless ways, especially ensuring and improving the safety of operations and preventing MIOSHA citations before they happen. Both Ken and Brandie are involved in many MITA activities and committees: Ken serves on the Labor Negotiation Board for MITA; Brandie was a member of the 2009 Future Leader Development Program.

**M&M Excavating Company, Inc.**  
[www.m-mexcavating.com](http://www.m-mexcavating.com)

17 Old State Rd.  
Gaylord, MI 49735

Phone: **989-732-6277**  
Fax: **989-732-9650**

**President:** Ken Nowicki  
[ken@m-mexcavating.com](mailto:ken@m-mexcavating.com)

**Vice President:** Mark Nowicki

**CFO:** Brandie Meisner  
[brandie@m-mexcavating.com](mailto:brandie@m-mexcavating.com)

**V.P. of Operations:** John Landrie  
[jclandrie@charterinternet.com](mailto:jclandrie@charterinternet.com)

**Specialties:** Excavation, Earthwork,  
Site Development, Land Clearing,  
Water and Sewer

**MDOT Prequalifications:**  
Grading, Drainage Structures,  
and Aggregate Construction  
Bridges and Special Structures  
Pump Stations  
Seeding and Sodding/Turf  
Establishment  
Sewers and Watermains  
Clearing

# Associate Member Profile

**P**rofessional Services Industries, Inc., (PSI) is one of the largest engineering companies in the U.S. and is consistently listed in Engineering News-Record as a top engineering firm. The firm specializes in geotechnical, environmental and construction materials testing with 125 offices nationwide and a successful history of serving clients since 1881.

Whether a project is large or small, on one site or in many locations, PSI, with Michigan offices in Plymouth, Lansing, Grand Rapids, Kalamazoo, Auburn Hills and Saginaw, will provide the necessary resources and solutions. PSI has a staff of over 2,000 engineers, geologists and various other technical personnel who handle projects across the U.S.

"Because of our multiple locations in Michigan and throughout the nation, we can handle large clients with multiple projects throughout the United States," said Dan Wisinski, department manager of PSI's Geotechnical Services. "This is important for our clients because we can give them similar pricing and reporting for the entire country and it helps local clients who also work out of state. We are 'one company, one call.'" PSI typically represents owners, architects, civil/structural engineers and construction managers.

Wisinski oversees geotechnical operations for a territory that includes all of Michigan and northern Indiana with the exception of the Detroit metro area. He also handles several international clients. "I'm 50 percent business development and 50 percent technical consultant," said the graduate of Grand Valley State University, husband to wife Courtney and father of two (Luca, 5, and Ella, 2).

"Geotechnical consulting typically consists of preparing detailed construction recommendations for foundations," Wisinski said, "retaining wall and pavement design as well as sub-

grade stabilization, fill placement, unsuitable soil removal and groundwater control. These recommendations are based on an extensive field investigation performed with a drill rig and a laboratory analysis. I'm also often responsible for addressing problems that occur during the actual construction of the project."

A few examples of projects Wisinski has completed include the Eastwood Towne Center Parking Structure in Lansing, The Life Sciences Addition at Michigan State University, Bridgman Schools, United Solar Ovonic Facility in Greenville, Bay County Wastewater Treatment Plant and the General Motors Delta Township Assembly Plant. "I've worked on most everything from water towers to hotels to bridges," Wisinski said.

An avid outdoorsman, golfer and runner, Wisinski stays involved with MITA as a member of the PAC and MDOT committees. He said being a member of MITA has its advantages. The MITA engineering staff has provided PSI with prompt assistance regarding MDOT issues, and the MITA Best Practices Contract has saved PSI thousands of dollars over the years. When Wisinski tells a utility company that PSI is signatory to the MITA Best Practices Contract, they show up! "I am one of the top MISS Dig ticket callers in the state, and it is certainly comforting to know that MISS Dig related delays are no longer a problem."

And regarding that troublesome topic, the economy, Wisinski commented optimistically: In years past, we have had plenty of commercial and industrial work and we are lucky that we partnered with MDOT and other clients that were well positioned for stimulus work. We are still going strong, with big projects coming for spring. We are expecting to see the turnaround come in late spring, early summer although that might be a bit overly optimistic."



*Dan Wisinski, department manager of PSI's Geotechnical Services, pictured with CME-55, which was purchased new by the PSI Lansing office in 2009.*

**Professional Services Industries, Inc. (PSI)**  
[www.psiousa.com](http://www.psiousa.com)

3120 Sovereign Dr., Ste. C  
Lansing, Mich. 48911

Phone: **517-394-5700**  
Fax: **517-394-5796**

**Contact:**  
Dan Wisinski  
Department Manager  
Geotechnical Services  
[dan.wisinski@psiousa.com](mailto:dan.wisinski@psiousa.com)

**Specialties:** Consultants: Geotechnical Engineering; Environmental, Transportation; Soils and Concrete Testing; Environmental Drilling and Sampling; Civil Engineering, Structural Underground Design, Traffic Design, Testing & Inspection, Scheduling, Claims, etc.

*MITA member since 2007*



# Where's Your MITA Hat Been?

Send your photos to [nancybrown@mi-ita.com](mailto:nancybrown@mi-ita.com).



*Darrell Kaltz of Kaltz Excavating on a recent hunt.*

*Trusted professionals delivering America's infrastructure solutions*



## WADETRIM

Construction Engineering  
Highway Design | Bridge Design  
Transportation Planning | Surveying

800.482.2864 | [www.wadetrim.com](http://www.wadetrim.com)



## Executive Vice President – Same Direction, New Heights

**A**fter 38 years of involvement in the heavy construction industry, Bob Patzer is now settling into a much-deserved retirement. I now have the huge responsibility of taking over the helm of Michigan's heavy construction association.

Looking back at 17 years ago when I first interviewed with Bob, he literally told me that he was looking for his successor. It is quite a statement when you consider that he was only 45 years old at the time. Whether he knew it or not, Bob was laying the groundwork for a succession plan that I am hopeful will ultimately succeed and flourish. Bob laid the foundation for the staff at MITA to build upon and move the industry forward in the future. We look forward to having Bob Patzer's continued involvement through a consulting arrangement with MITA well into the future, so plan on seeing him periodically show up at meetings and in our magazine giving guidance to the industry that he held so dearly.

Ultimately change in any organization is inevitable, and I feel that Bob has prepared me well over the years to jump into the shoes that he has left behind. I know that he did not want to build the organization that MITA has become and then look back on it and say that we got everything right except for the succession plan.

My goal is to stay on course with the direction that Bob Patzer has set for the organization. We will not deviate from the aggressive and passionate representation that has been our reputation for years. However, you can also expect that MITA will continue to evolve to fully represent the companies that are members of MITA. We will try new things and yet we will hold true the fundamentals that helped to build the organization that we are today. I firmly believe that was the goal of the Board of Directors and of Bob himself when I was chosen to become the next Executive Vice President of MITA... stay on course and yet strive to become better than ever! This is my challenge, and I commit to every single entity that we represent that this is also my goal as well.

Staying with a familiar leader from the inside means consistency for the staff. I firmly believe

that we at MITA have a fantastic team put together that brings so much potential to the table that as far as representing the construction industry here in Michigan, the sky is truly the limit.

I know most people know the staff that we have available to our members, but I feel it is my responsibility to highlight what these individuals have to offer to your companies.

Rob Coppersmith and Glenn Bukoski are the other two MITA Vice-Presidents. Having been with the organization for nearly 16 years, Rob is as closely tied to the membership as anyone on staff. He oversees our member services and continues to be involved in our safety/MIOSHA programs, and on a daily basis is becoming more involved with me in the management of the association. Glenn has been with us since the inception of MITA in 2005 after having served 30 years with MDOT. His tactical approach is often helpful as MITA staff walks the tightrope of many difficult engineering and technical issues. Glenn will also be involved in many of the management issues facing the association.

The next level of staff here at MITA are our four Directors. Each of these individuals offers a different personality and a unique personal touch to our membership.

Nancy Brown, our Director of Communications, oversees the in-house production of arguably one of the best industry magazines in the nation. She also helps to oversee most of our other communication tools and public relations efforts.

Pat Brown (not related to Nancy Brown), is our Director of Safety and Workforce Development. He does a wonderful job of dealing with the members out in the field with regard to MIOSHA, safety and utility issues. Pat is also becoming very well known throughout the industry for his training on a variety of fronts.

Keith Ledbetter is the MITA Director of Legislative Affairs. Keith deals speci-

*Continues on pg. 54*



Mike Nystrom

**CORRIGAN PROPANE**  
A Division of CORRIGAN OIL CO.  
Home Heating • Construction Heat  
Propane Dispensing Stations and Cylinder Exchange Service  
775 N. Second • Brighton, MI 48116  
(810) 229-6323 • (800) FAST-OIL  
Fax (810) 229-4970

## Vice President of Membership Services



Rob Coppersmith

## Annual Conference 2010

If you missed it, you missed a lot. The Annual Conference held at Soaring Eagle Casino January 20-22, gathered 850 people representing all facets of heavy construction and from all corners of the state of Michigan. The following is a sampling of what you missed.

On the first day of the conference the Michigan Utility Coordinating Conference kicked off the annual meeting with an opportunity for contractors, engineers and owners to weigh in and learn about the developments in that arena. Fruitful roundtable discussions brought a new dimension to the event.

That afternoon, in a packed room, Jim Urban and Eric Flessland of Butzel Long presented a case study regarding a troubled project. The intent was to identify problems that occur on project and provide productive solutions to remedy them or avoid them in the first place. This session went an hour longer than intended due to questions from the audience.

In a competing time slot, our friends at Info Tech demonstrated the latest innovative upgrades to FieldManager. FieldManager is rapidly becoming the industry norm and members' input into the program is critical in maintaining this system.

Big thanks are now in order for JDE Equipment for hosting the DBE Cocktail reception. A couple of hundred travelers arriving for the event took advantage of this hospitality room that offered a chance to win a flat screen HDTV at the end of the

conference.

The second morning started out with many opportunities for attendees from FHWA regarding good faith efforts: Understanding Labor contracts presented by Frank Mamat of Foster, Swift, Collins & Smith; a roundtable discussion with MDOT brass; a MIOSHA enforcement initiatives presentation; and an employee benefits program presentation by Association Benefits.

Following the morning classes was the opening of the Trade Show with 57 vendors demonstrating their wares to the group. I repeat time and time again the importance of supporting those who support us. If not for the vendors present the price of the conference would be astronomical. As previously mentioned, JDE sponsored the DBE cocktail reception, while Alta Equipment (the former Wolverine Equipment) sponsored Friday's breakfast; and, last but not least, Michigan CAT covered the beverages at the strolling lunch in the vendor area. All very big commitments! If you get a chance, please thank any or all of the vendors for their participation and support. A complete list can be found near the center spread of this magazine.

Our keynote speaker, Lt. General Russel Honore (Ret.), pulled double duty. He first spoke to the MITA Future Leaders group in an hour-long private session. His emphasis during that time was explaining the difference between management

*Continues on pg. 55*

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](http://www.sfmc-pc.com)

## Michigan's Tragedy

**A**t their January 28 meeting the State Transportation Commission passed a resolution approving MDOT's 2010-2014 Five-Year Transportation Program. In passing that resolution the Commission approved a five-year MDOT investment plan that includes significant potential reductions in capital expenditures for trunkline road and bridge rehabilitation and replacement. Commenting to the Commission after their passage of the approving resolution, Mike Nystrom, MITA's vice president of government and public relations, made the somber, yet realistic analogy, "The approval of this five-year plan, with the potential disinvestment it includes due to our state's inability to provide the matching money we need to retain all the federal transportation dollars we receive each year, is our Minnesota I-35W tragedy, without the sadness of lost lives, but certainly with the tragic loss of a livelihood for thousands of Michigan residents who make their living in the construction industry."

In breaking down the 2010 to 2014, \$5.88 billion transportation program strategy, we see that MDOT is projecting an investment of approximately \$3.89 billion in their highway program, \$0.62 billion in aviation, and \$1.37 billion in their bus, marine, and rail programs. Although the investments in the multi-modal programs continue to be reduced because of declining state revenues, the most significant and drastic reduction in investments are projected in MDOT's Highway Program.

Supplemented with approximately \$150 million in American Recovery and Reinvestment Act (ARRA) funds, MDOT's 2010 Highway Program will be slightly smaller than their 2009 Highway Program. Notwithstanding the ARRA fund impacts, the 2010 investments in the Highway Program continue the steady annual decline in highway investments that started in 2006.

The real tragedy in MDOT's Highway Program starts with their 2011 fiscal year investment projections and carries on through their 2014 fiscal year investment projections. The Michigan Department of Treasury is currently projecting a shortfall of state revenue of approximately \$90 million in each of those four years that would serve as MDOT's "match" for federal-aid. U.S. Department of Transportation regulations require that state departments of transportation provide "matching state funds" on projects funded with federal-aid transportation dollars. Typical "state match" scenarios include, 20% state/80% federal, and 10% state/90% federal, depending on the program template.

That \$90 million per year shortfall in state revenue translates into approximate \$520 million in federal-aid that MDOT will be unable to match and spend each year on road and bridge projects in Michigan. The \$520 million in federal-aid MDOT will be unable to spend each year will be redistributed to other states who have the state matching funds to fix their roads and bridges. The motorists in those states will enjoy the benefits of an improved road and bridge network on the dime of our Michigan residents.

So, how does this shortfall of state revenue and the corresponding loss of federal-aid starting in 2011 impact our industry and your business? Considering the potential annual loss of federal-aid MDOT is projecting a total Highway Program investment of approximately \$613 million per year for fiscal years 2011 thru 2014. Subtracting funds for routine maintenance (snow plowing, mowing, etc.) performed by the department, early preliminary engineering (project scoping), preliminary engineering (design), construction engineering, right-of-way acquisition, and other non-discretionary programs from this \$613 million total Highway Program investment leaves a balance of just over \$200 million in road and bridge project lettings. This projected letting dollar volume

*Continues on pg. 56*



Glenn Bukoski, P.E.

**PATZER LLC**

**BOB PATZER  
HEAVY CONSTRUCTION  
CONSULTING**

OFFICE: (517) 545-8268 CELL: (517) 896-1491

e-mail: [bobpatzer@mi-ita.com](mailto:bobpatzer@mi-ita.com)

## Director of Safety & Workforce Development



Patrick Brown

### MIOSHA Fines on the Rise?

If you attended the MITA Annual Conference this year, you not only had the pleasure of bidding farewell to a great man in Bob Patzer, but also were able to hear how state and federal OSHA programs are going to step up enforcement AND raise penalties for citations.

Thank you to those that attended the MIOSHA roundtable during the Conference. This was an informative session at which time, Patricia Meyer of the Construction Safety and Health Division told the group about upcoming enforcement initiatives and current trends. The number one area that MIOSHA will be looking at in the upcoming year is falls and for good reason – falls continue to be the leading cause of death in construction. She also let us in on the fact that MIOSHA is re-evaluating its penalty system and looks to have it model the federal structure.

At the federal level, the House of Representatives have introduced a bill to amend the Occupational Safety and Health Act of 1970 (H. R. 2067). The bill, which MITA has dubbed the “sleeper” bill,

was referred to subcommittee early last year and that was the last major movement. What causes the most heartburn out of this bill are the civil penalties associated with citations issued for violating the standards and the criminal penalties that owners are subjected to. For example, the maximum penalty for an Other than Serious (OTS) would go from \$5,000 to \$8,000. A Serious would go from \$7,000 to \$12,000 and a Willful from \$70,000 to \$120,000. A Willful citation issued as a result of a fatality would carry a maximum \$250,000 and not less than \$50,000 penalty.

That is all on the civil side – the bill makes changes in the criminal arena as well. The amendment reads, “Any employer who willfully violates any standard, rule, or order promulgated pursuant to Sec. 6 of this Act, and that violation caused death to any employee, shall, upon conviction, be punished by a fine in accordance with ... Or by imprisonment for not more than 10 years, or both.” A second conviction of this same magnitude would double the penalty and or jail time.

MITA is opposed to these proposed changes and will monitor the situation closely. If you have any questions or wish to comment, contact myself or a MITA staff member.

On a positive note, MITA is seeing an increased number of companies taking advantage of MITA safety training. In case you missed it, there were no Super Conferences this year. Rob Coppersmith and myself have been traveling around Michigan and even into other Great Lakes states to train construction workers. The key focus this year is falls and job site analysis. Pro-active vs. Reactive work practices are what are going to save time, money and reduce potential injuries or even deaths. Another hot topic is the OSHA 10-hour construction class. OSHA 10 is not required in Michigan unless it is required by contract, which many general contractors are requiring. The class covers everything from the record keeping to falls and how to implement the standards into

*Continues on pg. 56*



Contractors Insurance  
Bonds • Pension Plans  
Group Health & Life

(248) 355-4411



## Zervos Group, Inc.

24724 FARMBROOK 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	
Angelo G. Zervos, VP	Michael G. Zervos, VP	
Don Burden	Jim Gargaro	Dave Lange
Al Peterson	Larry Polec	Dominic Nicita



Keith Ledbetter

## Tunnel Vision

### Underground Industry Rebound Seen in the Distance

People often ask the question, when can we expect a rebound in the underground industry?

During difficult times like these, it is not easy to see the light at the end of the tunnel. It would be nice to forecast a strong economic rebound right around the corner. Unfortunately, things did not get bad overnight and the problems are not likely to go away overnight either. For the near future, the industry is likely to be characterized by strong competition and slim margins.

There are several key factors likely to be involved in turning around the underground industry.

#### 1. Recovering Real Estate Prices

The collapse of the real estate market over the last few years has brought new home and commercial development to a virtual dead stop. Why would a consumer pay to build a new home or building when they could purchase an existing one for pennies on the dollar? The dirt and utility work that accompanied those new developments disappeared. Contractors accustomed to that work expanded their scope and began bidding on projects in other areas, increasing bid lists and creating cut-throat competition.

The return of demand for new homes and commercial developments requires the sell-off of existing inventory. Although many of the foreclosed properties have been sold in the past 18 months, experts predict another bump in 2010 as

adjustable rate mortgages adjust upwards at the same time consumers are pinched by job losses and wage freezes.

Although it may be years before Michigan sees a return of 2005 property values, the prices are likely to stabilize and even rise in 2011 and beyond.

*Continues on pg. 57*

## 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**

# Legislative Update



## MITA Companies Cause Surge in Legislative Calls

**M**ore than a dozen MITA companies have answered the challenge to have their employees help lobby for more transportation funding, tallying over 1,000 calls to date. About a dozen more companies have agreed to do an upcoming call day and are in the pipeline.

In many cases, MITA member companies set up a 20-minute companywide employee meeting where MITA staff explained the funding crisis that could cut transportation dollars by two-thirds by next year. In a number of cases, employees were provided donuts, coffee, juice or pizza. After the meetings, employees made calls to their legislators using a new toll-free number established by MITA.

Your company can get involved by e-mailing Keith Ledbetter, MITA's director of legislative affairs, [keithledbetter@mi-ita.com](mailto:keithledbetter@mi-ita.com) or calling him at 517-347-8336. He will schedule a half hour block of time to visit your office in person, or via a conference call, to give your employees a quick "how-to" explanation regarding MITA's toll-free number (888-719-3087). After callers input their home zip code, the phone number connects them to their state senators and representatives. The system also includes a tracking device, so MITA can track the number of calls being made on a specific day or calls to a specific legislator.



*Staff from Give 'Em a Brake Safety in Grandville were among many MITA companies who joined MITA's legislative call effort in 2009. Many other companies are currently participating in the program. Pictured here are GEAB staff listening to a brief presentation from Keith Ledbetter, MITA's director of legislative affairs.*

Your participation is important because without legislators hearing from their constituents, there will be no voice for the transportation industry. If legislators do not act, jobs in the construction industry will continue to vanish at alarming rates. As many as 20,000 construction-related jobs are estimated to have been lost in less than five years because of cuts to the state's highway program. And, an upcoming dramatic funding cut could slash as many as 20,000 more unless state policymakers act.

Now is the time to do your part to help save jobs and increase transportation funding, which will ultimately impact all MITA members in the road and underground industries. If you don't stand up for your job, then who will?



**Call Your  
Legislators  
888-719-3087**

**Tell Them  
You Support  
More Stable  
Infrastructure  
Funding**

**MITA's In-House  
Legislative Call Days  
Completed as of  
March 19, 2010**

**Give 'Em a Brake Safety  
(Grandville and Saginaw locations)  
Wade Trim  
(multiple locations  
via video teleconference)  
C2AE**

**C & D Hughes, Inc.  
East Jordan Iron Works  
(multiple locations  
via teleconference)**

**Florence Cement Company, Inc.  
Anlaan Corporation  
J.E. Kloote Contracting, Inc.  
AIS Construction Equipment  
Corporation  
JDE Equipment Company  
Michigan CAT**

**Wolverine Tractor & Equipment Co.  
John Carlo, Inc.  
Lowe Construction Company, Inc.  
Dunigan Bros., Inc.**



## **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](http://www.trenchtechinc.com)

## Director of Technical Services



Doug Needham, P.E.

## Utility Coordination - Improving One Step at a Time

On January 20, 2010 as a kick off to the 6th Annual MITA Conference in Mt. Pleasant at the Soaring Eagle Casino and Resort, the 2nd Annual Michigan Utility Coordination Conference (MUCC) took place and was a huge success. With close to 250 people in attendance, the participation at this year's conference is demonstrated evidence that improving Michigan's utility coordination process is worth taking time out of one's busy schedule. In today's business climate it is often too easy to stay in the woods to keep cutting wood and forget about sharpening the ax. The conference participants didn't stay in the woods; they came out, sharpened the ax, and have taken the progressive steps to move forward.

The theme of the 2nd Annual MUCC was "Ways to Improve the Overall Utility Coordination Process". After a high-level kick off by MITA's Vice President of Engineering, Glenn Bukoski, P.E., and MDOT's Bureau Director of Development, Mark VanPortFleet, P.E., the sleeves were rolled up and the round table discussion began.

Based on feedback received after last year's conference, it was obvious that the participants wanted to get more involved and make an impact on the process. So, new this year, a mock project exercise was introduced that focused on various utility coordination steps ranging from preliminary design to active construction. After a brief

*Continues on pg. 58*

The background of the advertisement features a scenic mountain landscape with snow-covered peaks and a clear blue sky. In the center, there is a logo for Pinnacle Insurance Partners, which includes a stylized mountain peak icon above the text "PINNACLE INSURANCE PARTNERS" and the tagline "A Better View." Below the logo, the text "Construction Industry Specialists" is prominently displayed in a large, bold, black font.

**Construction Industry  
Specialists**

**Contract Bonds**

**Safety Programs**

**Insurance Programs**

**Claims Management**

**Captives and Self Insurance**

**Employee Benefits**

**Construction Team:**

**Brad Poggi**

**bradp@pipgrmi.com**

**Mike Poggi**

**mikep@pipgrmi.com**

**Penny Kirk**

**pennyk@pipgrmi.com**

1430 Monroe NW, Suite 100, Grand Rapids, MI 49505 t: 616.458.8990 f: 616.913.3301 [www.pinnacleinsurancepartners.com](http://www.pinnacleinsurancepartners.com)



# TOOL BOX TALKS

## Power Lines & Heavy Equipment

### Before you get started:

There are five basic safety tips that apply to the whole industry. If you practice these five tips, 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 that has been provided and keep it on file for future reference.

Overhead power lines can present serious hazards to workers if proper precautions are not taken. Electrocutation caused by inadvertent contact with energized lines is a major contributor to workplace fatalities. The following list of precautionary points are key in the prevention of power lines & heavy equipment contact hazards.

- All heavy equipment should be substantially blocked or cribbed to prevent falling or shifting during use.
- A copy of an annual inspection should be available in the field and daily inspections should be performed on all lifting and digging equipment prior to use.
- Be sure to tag "out of service" on all pieces of equipment awaiting repairs.
- Exercise complete caution when working in close proximity to energized lines. The following chart indicates the safe working distances for operating machinery depending upon voltage.

To	Voltage	Clearance with Boom Raised
	50 kV	10'
	69 kV	10' - 7.6"
	120 kV	12' - 4.0"
	138 kV	12' - 11.2"
	345 kV	19' - 10.4"
	765 kV	33' - 10.0"

- Have electrical lines de-energized or sleeved whenever possible. Though de-energizing is the most effective method, it is seldom practiced. Sleeving does not negate the 10' rule but greatly contributes to worker safety.
- Designating a spotter is a must. The role of the spotter is to observe line clearance and give timely warning for all operations where it is difficult for operators to maintain the desired clearance by visual means.
- The designated spotter should stand in a place where they can clearly see the lines and make good visual contact with the operator.
- The designated spotter should be well versed regarding equipment hand signals.
- Where appropriate/possible incorporate the use of overhead power line signage.

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

# MITA In the News

The following are excerpts of media coverage generated by MITA. Visit the news section of [www.mi-ita.com](http://www.mi-ita.com) to read entire stories.

1/28/2010 Associated Press:

## Lawmakers propose raising fuel tax to repair state's roads

Two state lawmakers on Tuesday proposed higher taxes on gasoline and diesel fuel to raise money for Michigan's road system.

The bills are the latest attempt to raise more road money and prevent Michigan from losing federal matching money for road construction because the state doesn't spend enough of its own money on projects.

The bills would raise the state's 19-cent per gallon gas tax to 23 cents this year and to 27 cents in 2013. Michigan's 15-cent per gallon diesel tax would increase to 21 cents this year and 27 cents in 2013.

It's estimated the measures would raise an additional \$480 million a year in state revenue once fully implemented. The additional money would be put into a fund exclusively for roads and transportation projects with the state, counties and some local governments getting shares. Recipients would have to report how the money was spent.

Most lawmakers agree Michigan's roads and bridges need more attention, particularly as potholes pop up in winter and some counties opt to turn previously paved roads back to gravel because they're running short on money. But proposals to raise significantly more money for Michigan roads have fizzled in recent years in large part because of opposition to tax increases...

12/8/2009

## MDOT Project Delay Press Release Receives Statewide Attention

Battle Creek Enquirer and numerous other media:

The Michigan Department of Transportation announced last week a statewide revenue shortfall is crippling the state's ability to come up with its share of cash to procure \$475 million in federal road funds.

MDOT said certain road and bridge projects may have to be delayed or canceled because of its \$84 million revenue loss for 2011...

11/10/2009

## MITA's Worst Roads Press Coverage

More than 40 articles resulted from MITA's "Worst Roads" press release yesterday, including the Associated Press article shown here.

Associated Press and numerous other media

One-third of Michigan roads were in poor condition in 2008, a percentage that could climb dramatically in coming years if lawmakers don't pump more money into transportation, road advocates said Monday.

The Michigan Infrastructure and Transportation Association put out a list of cities and counties with the largest amount of bad roads.

Detroit led the list, followed by Grand Rapids and Ann Arbor.

Wayne and Oakland counties had the most miles of federally funded roads in poor condition, although their actual percentage of bad roads was in the middle of the pack at around 25 percent.

Oceana, Osceola and Calhoun counties had the largest percentage of roads in poor condition, all topping 50 percent. Genesee County had the third-largest number of miles of bad roads and the ninth-highest percentage, 45 percent.

"Michigan's local road systems are collapsing because funding continues to plummet," MITA lobbyist Mike Nystrom said in a statement. "This isn't a case of road agencies not doing their jobs."

The findings were based on the Michigan Asset Management Council Annual Report of Roads and Bridges. The council was created by lawmakers after a transportation funding report in 2000...



*Landscaping Michigan's  
Upper and Lower Peninsula  
Design • Build • Maintain*

**Heavy - General Landscape Installation  
Roadside and Site Restoration**

**Brillion and Hydroseeding Services**

**Grading • Topsoil Installation • Erosion Control**

**Bulldozer • Excavator • Loader Work**

**Greenscape and Hardscape Installation**

**Earth Retaining Walls**

Bradley Lubahn - Proprietor  
Office: 106 Locust St.  
Big Rapids, MI 49307

Ph: 231-796-7777  
Toll Free: 877-455-7778  
Fax: 231-796-7778  
Cell: 616-819-0936

Visit the news section of [www.mi-ita.com](http://www.mi-ita.com) to read entire stories.

10/30/2009 Michigan Information and Research Service:

## **New study predicts transportation job losses**

Michigan could lose up to 25,000 jobs due to a lack of transportation funding, a new University of Michigan study concluded.

Job losses began in 2006 and will continue until 2014, due to cuts to the Department of Transportation (MDOT), which had previously provided the state with 30,824 jobs. The report states that the state will lose 7,000 jobs in 2010 and 9,000 jobs in 2011 due to losing \$600 million in federal funds. By 2014, the state is expected to only have 5,944 road jobs.

The study states that MDOT has been losing \$3 billion in funds each year, which has resulted in many road projects being postponed and canceled.

"Job providers in agriculture, tourism and manufacturing all rely heavily on an efficient transportation network. Economic growth and recovery will not happen in Michigan if we continue to stand by while our infrastructure suffers decades of neglect," said Michigan Infrastructure and Transportation Association vice president Mike Nystrom...

10/26/2009 WLAJ TV Lansing:

## **Michigan Looking for New Ways to Pay for Roads**

A new plan could be in the works to help fix our state's crumbling roads.

Right now drivers pay a 19 cents per gallon gas tax along with vehicle registration fees that help pay for our road maintenance, but as Michigan's roads continue to crumble, lawmakers are looking for other ways to bring in revenue.

The future of Michigan's roads looks grim.

"We have a significant lack of funding for our roads and bridges here in the state of Michigan so we need to look for alternative methods," said Keith Ledbetter, Director of Legislative Affairs of the Michigan Infrastructure and Transportation Association.

Ledbetter, says one alternative lawmakers should consider is the use of a public private partnership.

"Under an idea like a public private partnership what we are doing is we're asking the private sector to spend their money and build our roads and our bridges and then they would be able to toll those," said Ledbetter.

10/26/2009 Michigan Information and Research Service:

## **Private Companies Take Over Roads Under Plan**

The Department of Transportation (MDOT) would turn over

state-run highways and facilities to a private company, which could, in turn, set up tolls to either build new roads or expand capacity on existing roads, under a proposal presented to a joint House-Senate transportation committee today.

Michigan could save money under this arrangement and the state's roads could improve, according to the two presenters who advocated this approach.

10/26/2009 Detroit Free Press:

## **Road projects should be ending, but many are just beginning**

Drivers like Erik Kuszynski of Livonia are feeling crushed by the huge amount of roadwork starting later and lasting longer this year...

...It's a lot of roadwork to handle, but Mike Nystrom, spokesman for the Michigan Infrastructure and Transportation Association, or MITA, said the money available to keep the state's roads in good condition is far below what's needed, even with the stimulus...

Michigan's reliable traffic safety specialists for over 25 years.

### **CAPITOL BARRICADING, INC.**

Providing:

- Full service traffic control
- Temporary and permanent signing
- Equipment rental and sales
- Message and arrow boards

We have a solid reputation for providing outstanding service and reliability. And, we have quickly become the company of choice for bridge scoping lane and shoulder closures.

**Contact us today!**

Phone: 517.372.1291

Fax: 517.694.6123

Offices in Mid-Michigan



**Capitol  
Barricading,  
Inc.**

# MITA Press Releases



## 1/28/2010 MTT Reacts to Transportation Funding Legislation

The Michigan Transportation Team (MTT) commends State Rep. Richard Ball, R-Bennington Township, and State Rep. Pam Byrnes, D-Lyndon Township, for introducing revenue bills to help resolve Michigan's transportation funding crisis.

For years, Michigan business and labor leaders have called on state legislators to make a real investment in updating Michigan's aging infrastructure, providing a significant boost to the state's economy and helping create much-needed jobs.

"Rep. Ball and Rep. Byrnes have made fixing Michigan's crumbling infrastructure a top legislative priority," said Mike Nystrom, vice president of government and public relations for the Michigan Infrastructure and Transportation Association (MITA), and co-chair of the Michigan Transportation Team (MTT). "This is a matter of doing what's right for Michigan drivers, businesses and taxpayers. Providing safe transportation is a core service of government, and one that our state can no longer afford to ignore. It's time for our elected officials to follow the lead of Rep. Ball and Rep. Byrnes; there are no more excuses."

The package of bills would help address Michigan's looming transportation funding shortfall, an estimated \$3 billion annually, by raising \$1.4 billion in state revenue and capturing more than \$2.46 billion in matching federal aid.

"Rep. Byrnes and Rep. Ball should be commended for addressing Michigan's crumbling transportation network," said Nystrom. "Investment in better, safer roads and public transportation is not only important to drivers, but vital to making Michigan more business-friendly. It will spur economic growth and help create thousands of good-paying jobs."

The bipartisan package of bills, aimed at restructuring Michigan's motor fuel taxes, follow the recommendations of the Transportation Funding Task Force (TF2) to address Michigan's critical funding needs.

"With hybrid technology cars and alternative fuels on the rise, it is clear Michigan cannot rely solely on gas tax revenues forever," said Nystrom. "This legislation will bridge the gap until we can find a reliable, long-term funding solution."

The legislation would create a commission charged with studying and recommending long-term replacements for the current cents-per-gallon motor fuel taxes. The group will also examine methods of alternative technology that may be applied to the tax restructuring.

"Rep. Ball's and Rep. Byrnes' creative reform ideas, including creating a lock box for the new money to be guaranteed to be spent on transportation, will secure Michigan's transportation funding future," Nystrom said.

Michigan residents can voice their concerns about road funding by calling a toll-free number, 888-719-3087, set up by MTT. Callers simply enter their five-digit ZIP code to be connected

## Build a Better Future

### Distinctive Degrees for Construction Leaders

#### Associate

Construction Engineering Technology

#### Bachelor's

Architectural Engineering  
(combining bachelor's and master's studies)  
Civil Engineering  
Construction Management  
Engineering Technology

#### Master's

Civil Engineering  
Construction Engineering Management  
Engineering Management



Explore nearly 100 undergraduate, master's, and doctoral programs in Colleges of Architecture and Design, Arts and Sciences, Engineering, and Management.

**Lawrence  
Tech**  
Leaders in the Making

Lawrence Technological University  
21000 West Ten Mile Road  
Southfield, MI 48075-1058  
800.CALLLTU • [ltu.edu](http://ltu.edu)

Visit the news section of [www.mi-ita.com](http://www.mi-ita.com) for more press releases.

with their legislative offices.

MTT is a broad-based, bipartisan partnership of business, labor, local government, associations and citizens with the common goal of improving Michigan's transportation infrastructure. The DriveMI campaign is committed to promoting the development and maintenance of a safe, convenient and efficient transportation network that serves the public, private and economic development needs of Michigan. Please visit [www.drivemi.org](http://www.drivemi.org) for more information on transportation funding or follow them on twitter@drivemi or YouTube at [www.youtube.com/user/FixMIRoads](http://www.youtube.com/user/FixMIRoads).

## 12/7/2009 MDOT Delays More than 240 Road and Bridge Projects

The Michigan Department of Transportation (MDOT) has been forced to delay 243 road and bridge projects due to continued declines in state gas tax revenues and now the state's inability to match federal dollars. This is in addition to the 137 road and bridge projects MDOT delayed in the spring.

MDOT's new updated draft 2010-2014 Five-Year Transportation Program (attached) lists the statewide projects that have been delayed, including road preservation projects, bridge preservation projects and new roads and capacity improvement projects, because of an estimated \$800 million cut, a nearly 60 percent decline.

The report shows that due to the reductions for the 2011-2014 time period, road conditions are expected to decline from 91 percent "good" in 2008 to just 25 percent "good" in 2020.

"Michigan's transportation funding system is in a state of crisis," said Mike Nystrom, vice president of government and public relations for the Michigan Infrastructure and Transportation Association (MITA), and co-chair of the Michigan Transportation Team (MTT). "These postponed projects represent critical improvements that impact every community across Michigan. Our legislators' failure to invest in our transportation system is forcing the state to neglect our roadways and will ultimately lead them to fall into deplorable conditions and increase the cost of repairs."

In the plan, 243 projects, 128 bridge replacements and rehabilitations, 105 road rehabilitations and reconstructions, eight new roads and two capacity improvements, have been delayed (a full list is attached).

"Public safety and the recovery of our state economy should be a top priority for lawmakers," said Nystrom. "Clearly legislators can no longer ignore Michigan's crumbling infrastructure and allow the state to forgo nearly 300 construction projects that will provide safer roadways and thousands of jobs to Michigan residents."

As Michigan faces an estimated \$3 billion annual shortfall of funds (based on local road agencies and state agencies' inability to match federal aid), The legislature is exploring bills that would increase road funding over the next five years. The plan is expected to yield an additional \$1.8 billion annually in transportation revenue.

MDOT is in the process of seeking public comment on its draft 2010-2014 Five-Year Transportation Program. Comments should be e-mailed to [MDOT-Five-Year-Program@michigan.gov](mailto:MDOT-Five-Year-Program@michigan.gov). The draft 2010-2014 Five-Year Transportation Program is available on the MDOT Web site at: [www.michigan.gov/mdot5yearplan](http://www.michigan.gov/mdot5yearplan).

Michigan residents can voice their concerns about road funding by calling a toll-free number (888-719-3087), set up by MTT. Callers simply enter their five-digit ZIP code to be connected, at no cost to them, with their legislators' offices.

MTT is a broad-based, bipartisan partnership of business, labor, local government, associations and citizens with the common goal of improving Michigan's transportation infrastructure. The DriveMI campaign is committed to promoting the development and maintenance of a safe, convenient and efficient transportation network that serves the public, private and economic development needs of Michigan. Please visit [www.drivemi.org](http://www.drivemi.org) for more information on transportation funding or follow them on twitter@drivemi or YouTube at [www.youtube.com/user/FixMIRoads](http://www.youtube.com/user/FixMIRoads).

*Continues on pg. 60*

## PRI PAVEMENT RECYCLING INC

IMLAY CITY, MI 48444 • PHONE: 810-724-8200

Pavement Recycling: In-Place

Asphalt Pulverizing

Base Stabilizing

- Asphalt
- Cement
- Lime



Gary VanHevel  
President

# How we got where we are



By Thomas Doran, P.E.  
Hubbell, Roth & Clark, Inc.

Because water is plentiful and inexpensive in Michigan we can easily overlook its value. We can also succumb to a form of chauvinism in which we judge our forebears based on today's knowledge and perspective.

Detroit is not unlike many cities and regions that began building their water and sewer infrastructure over one hundred years ago. Even though we now consider early 20th-Century practices to be unacceptably primitive, many of the most pressing needs of that era were met with these public works projects.

In the 1900s to 1920s, when diseases like typhoid were chronic problems, the public health need was to remove sewage from neighborhoods by the most expeditious means. In the 1920s to 1930s, bigger sewers were built to convey combined sewage and storm water more efficiently to the rivers. Unfortunately, these combined sewers later made it prohibitively expensive to treat all the water during heavy rain events.

In the 1940s to 1960s, treatment of dry weather and modest storm flows was implemented, but water containing sewage from heavier rain events was discharged untreated. In the 1970s to 1990s, advanced purification processes were implemented but higher storm flows still bypassed treatment.

Since the late 1980s, many Michigan communities have separated storm and sanitary flows so that sewage isn't discharged during heavy rain events, or provided a minimum level of treatment for the combined flows. Combined Sewer Overflow facilities have been built and are operating in Michigan communities from southeast Michigan to Grand Rapids to Saginaw. Michigan is years ahead of many other states that are just beginning to address combined sewers.

Next: The state of storm water art today.

---

*Thomas Doran is a professional engineer and a Principal with Hubbell, Roth & Clark, Inc., a Michigan company founded in 1915. The founder of the firm, Clarence W. Hubbell (for whom a Detroit street was named), was instrumental in implementing the earliest city-wide sewer infrastructure and wastewater treatment projects in Detroit.*



Thomas Doran, P.E.



**Boring and Jacking  
Pipe Jacking  
Tunneling**

**Scott Bazinet or Dick Lowe**

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



# Call Your Legislator

1-888-719-3087

## Your Family's Livelihood May Depend on It.

Good roads are necessary for a strong economy. They also create good jobs for those who help build them.

**Jobs in the construction industry are vanishing at alarming rates. As many as 20,000 construction-related jobs are estimated to have been lost in less than five years because of cuts to the state's highway program.** And, an upcoming dramatic funding cut could slash as many as 20,000 more unless state policymakers act.

Is the next lost job yours?

Let's face it—those in the heavy construction industry aren't accustomed to talking to their elected leaders. We work hard on the job. We provide for our families. We're no-nonsense kind of people. But, **if you don't stand up for your job, then who will???**

### MAKE THE CALL

Transportation revenues have dropped by a third since 2006. After four years of MITA pushing for a funding increase, legislators continue to sit on their hands and do nothing. They say they aren't hearing complaints from their constituents.

#### **Protect your job. Speak out.**

Spend 5 minutes. Call the toll-free number today, provide your 5-digit zip code, and we will route your call to your legislator. Tell them that it's time to fix our roads. Your family and your coworkers' families' livelihoods may depend on it.



At the MITA Annual Conference, Lake Agency of Grand Blanc gave a Wii away to a winner that placed a business card in their random drawing for a Wii. The winner was Deb Edgecomb (above), president of Sanches Construction in Lansing.

## Diamond Concrete Sawing

[www.diamondconcretesawing.com](http://www.diamondconcretesawing.com)

A feature story about Diamond Concrete Sawing, located in Grand Rapids, was published recently in the Grand Rapids Press. The story highlighted the company's involvement in helping to update and expand the Northrop-Grumman Shipyard in Pascagoula, Miss. The expansion will allow the Navy and Coast Guard to build larger vessels. Diamond provides a wide array of technologically advanced concrete swing, demolition and subsurface imaging services. For more information, call 800-968-3745.

## G2 Consulting Group

[www.g2consultinggroup.com](http://www.g2consultinggroup.com)

*G2 Consulting Group 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 Brighton, Mich.*

### Award

Jason Stoops, P.E., a project manager in the geotechnical group at G2 Consulting Group in Troy, has been named Outstanding Young Civil Engineer of the Year by the Southeastern Michigan Branch of the American Society of Civil Engineers (ASCE).

The award recognizes Stoops for his role serving as chair of the society's legislative affairs committee, his lobbying efforts in Washington, D.C., on behalf of the civil engineering community and his work with G2 on the ITC headquarters project in Novi.



Jason Stoops, P.E.

Stoops, a G2 employee since 2001, is a licensed professional engineer in Michigan and earned a master's degree in civil engineering and a bachelor's degree in civil and environmental engineering from the University of Michigan. He is a member of ASCE, ASCE's Geo-Institute geo-legislative committee and Chi Epsilon Society at the University of Michigan. He lives in Livonia.

### New hires

Ken Schaub, of Shelby Township; and Alan Scott, of Linden, have been hired as staff engineers for G2's construction engineering services groups.

Both Schaub and Scott earned bachelor's degrees in civil engineering from the University of Detroit Mercy and are working towards master's degrees there. Both were also summer interns at G2 for two years.

## Orchard, Hiltz & McCliment, Inc (OHM)

[www.ohm-advisors.com](http://www.ohm-advisors.com)

*Orchard, Hiltz & McCliment, Inc. (OHM) is a firm of engineers and architects committed to advising government and other public organizations on built environment issues. They opened their doors in 1962 and have been advancing communities ever since. Their corporate office is located in Livonia, with branch offices throughout Michigan, Ohio and Tennessee.*

Engineering and architectural advisory firm, Orchard, Hiltz & McCliment, Inc., (OHM) recently announced three new shareholders of the firm. Tracie Williams, PE; Stephen Dearing, P.E., PTOE; and James Stevens, PE, were all elected new owners of the 60-year-old consulting company.

Tracie Williams, a licensed professional mechanical engineer, manages OHM's northern Michigan office, located in Houghton. A LEED accredited professional, Williams focuses on facility design services, primarily for public use. Her recent projects include major additions and renovations at Hancock Public Schools and Lake Linden Public Schools in the upper peninsula, as well as a 51,000-square-foot design/build project for the U.S. Army Corps of Engineers at Ft. Campbell, Kentucky.



Tracie Williams, P.E.

Stephen Dearing, a licensed professional engineer and certified traffic operations engineer, directs OHM's Traffic Engineering group. He focuses on transportation planning and traffic engineering services to improve driver and pedestrian safety and traffic flow. A frequent presenter on traffic innovations such as roundabouts and diverging diamond interchanges, Dearing has been quoted in major metropolitan



Stephen Dearing, P.E., PTOE

newspapers, such as The Detroit News and Kansas City Star. He delivered a national webinar on interchange designs for the American Society of Civil Engineers in February.

James Stevens, a licensed professional engineer in OHM's corporate office, works extensively with cities and townships on funding, capital improvement and infrastructure programs/projects. Representing municipalities that serve a combined 100,000 residents, Stevens is also a director of the Southeast Michigan Water and Sewer Utilities Association.



James Stevens, P.E.

*Continues on pg. 34*



[www.washtenawengineering.com](http://www.washtenawengineering.com)

e-mail: [weco@wengco.com](mailto:weco@wengco.com)

CIVIL ENGINEERS – PLANNERS – SURVEYORS  
LANDSCAPE ARCHITECTS – TRANSPORTATION ENGINEERS

3526 W. Liberty • P.O. Box 1128  
Ann Arbor, Michigan 48106  
734-761-8800 • Fax 734-761-9530

## Rain for Rent

[www.rainforrent.com](http://www.rainforrent.com)

*For sales and rental inquiries, call 800-742-7246 or visit [rainforrent.com](http://rainforrent.com). Complete solutions... Proven results.*

## New Products

### HD6 PIPELINE PUMP

Rain for Rent introduces the newest product to join their fleet, the Premier Pump HD6 Pipeline pump, complete with exclusive features designed specifically for the rugged cross country pipeline market.

The HD6 Pipeline pump is an all purpose 6-inch pump producing flows past 2,700 GPM, heads to 165-feet, and able to pass 30-inch solids. This pump has hydraulic efficiency at BEP of 80 percent, which correlates to lower fuel costs and a smaller carbon footprint than other pumps in the market.

The galvanized fuel tank and protection cage help protect the pump at remote, rugged locations where it may be frequently moved by crane or lift. The 70 gallon fuel tank is galvanized, so it will never rust, and the capacity's 24-hour-plus run time keeps refueling down to no more

than once per day. Self contained galvanized drag skids hold any liquids that may drip from the radiator, fuel tank, or engine, helping to keep the surrounding environment clean.

The HD6 is fully automatic; it primes from totally dry conditions and will continue to draw a vacuum when re-priming is required. If low liquid levels prevent this, the pump will continue to run without damage until liquid levels are high enough for re-priming.

Combine the HD6 with Rain for Rent Spillguards and tanks for a complete solution to your liquid-handling problems. Installation and engineering teams are available 24/7.

### DV-600C 24-INCH POWER PRIME(TM) PUMP

Rain for Rent is pleased to announce their newest high-flow pumping innovation, the DV-600c Power Prime (tm) pump. This portable, centrifugal 30x24-inch pump is the largest flow pump available for rent or sale in the U.S.

With flow rate up to 28,000 GPM, the DV-600c Power Prime (tm) pump is perfect for large pumping projects. This pump produces 96-feet of head, suction lifts up to 28-feet, handles solids up to 5.25-inches, and is 87 percent efficient. With a footprint of 170-square feet, smaller than some lower volume pumps, the DV-600c can be easily transported by truck. A 430-gallon integral fuel cell allows for 22-hour run time.

Combine the DV-600c with Rain for Rent tanks and pipe for a complete solution to your liquid-handling problems. Installation and engineering teams are available 24/7.

### Construction Related Engineering Services

- Vibration Monitoring
- Value Engineering
- Temporary Shoring/Support Design
- Design-Build Engineering
- Foundation Investigation/Design
- AASHTO Accredited Laboratory
- Construction Engineering & Testing
- Environmental Testing & Design
- Geophysical investigations
- Subsurface Utility Engineering

## EverydayBrilliance

Brilliant engineering solutions - delivered daily.



**NTH Consultants, Ltd.**

Infrastructure Engineering  
and Environmental Services

(800) 736-6842  
[www.nthconsultants.com](http://www.nthconsultants.com)

## Wade Trim

wadetrim.com

*Wade Trim has more than 350 professional and support staff in 21 offices throughout Michigan and seven other states. They provide engineering, planning, surveying, operations, landscape architecture, and construction services for transportation, water resources, land development and municipal government projects.*

### Certification

Jason Smith, AICP, a community planner and community development professional in Wade Trim's Detroit office, recently earned his American Institute of Certified Planners certification by passing the Comprehensive Planning Examination and completing more than four years of planning work experience.

Smith has worked on a wide variety of planning projects in Michigan communities. He has worked with local governments to develop strategic plans, zoning ordinances, parks and recreation master plans, state-mandated master plans and other special studies. Smith's expertise includes many federal funding programs including

the Neighborhood Stabilization Program, Community Development Block Grant, and Energy Efficiency and Conservation Block Grant.



Jason Smith, AICP

Smith earned his bachelor's degree in public administration from Eastern Michigan University and is pursuing a master's degree in urban and regional planning from the university. He is a member of the American Planning Association and Michigan Association of Planning. Smith joined Wade Trim in 2006.



Lake Orion  
(248) 370-0000



Toll Free:  
(866) 597-0716



*Serving Michigan's Municipalities Since 1951*

# MITA 2010

## ANNUAL CONFERENCE

Thanks to all of our sponsors and exhibitors who made the 2010 MITA Annual Conference the largest ever with over 800 persons attending. The speakers were top-notch, the sessions were dynamic; and, if you weren't there, mark your calendar for next year. The 2011 MITA Annual Conference will be held January 19-21, 2011 at the Soaring Eagle Casino & Resort.



### 2010 MITA Annual Conference Sponsors

#### MAJOR SPONSORS

AIS Construction Equipment Corporation  
Association Benefits Company  
Info-Tech, Inc.  
Laborers Local 1191  
Laborers Local 1076  
Michigan CAT  
Michigan LECET  
Michigan Regional Council of Carpenters  
Operating Engineers Local 324

#### CO-SPONSORS

Butzel Long  
JDE Equipment  
Edw. C. Levy Company

#### PATRON SPONSORS

Alta Equipment Company  
Doeren Mayhew  
Guy, Hurley, Blaser & Heuer  
Klett Recycle, Inc.  
Pinnacle Insurance  
Pro-Tec Insurance  
Ritchie Brothers  
Southeastern Equipment Co.

#### SUPPORTER SPONSORS

Advanced Drainage Systems  
East Jordan Iron Works  
Jensen Bridge & Supply Company  
St. Mary's Cement, Inc.



# Soaring Eagle Casino and Resort



## EXHIBITORS

Advance Concrete Products  
 Advanced Drainage Systems  
 AECOM  
 AIS Construction Equipment Corporation  
 Alta Equipment Company  
 Association Benefits Company  
 BCT Benefits  
 Bell Equipment Company  
 Carrier & Gable  
 M. L. Chartier  
 Convey of Flint  
 Corrigan Oil Co.  
 Cougar Sales & Rental  
 Decorative Concrete Resources/Armor-Tile  
 Driesenga & Associates, Inc.  
 East Jordan Iron Works  
 Efficiency Production, Inc.

Godwin Pumps  
 Guy Hurley Blaser & Heuer, LLC  
 Info-Tech, Inc.  
 JDE Equipment  
 JDE Equipment  
 Jeffers Crane Service  
 Jensen Bridge & Supply Company  
 Kerkstra Precast, Inc.  
 Michigan Laborers Training Institute  
 Lake Agency  
 Mapes Insurance  
 Michigan Department of Transportation  
 Michigan CAT  
 Michigan Fair Contracting Center  
 Michigan Highway Signs  
 Michigan Laser  
 Michigan Pipe & Valve  
 MISS DIG System, Inc.

ND Industries, Inc.  
 Non-Destructive Testing Services  
 Operating Engineers Local 324 JATF  
 Pinnacle Insurance Partners  
 Plante & Moran  
 Pro-Tec Equipment  
 Quick Fuel Fleet Services  
 Rain for Rent  
 Ritchie Bros. Auctioneers  
 Site Precision  
 Southeastern Equipment Co.  
 T. Daniels Consulting  
 Tenser International Corp  
 Titan Equipment Co.  
 TTL Associates  
 Van Manen Petroleum Group

*Continues on pg. 38*



# Thank you...

I would like to  
 thank all the  
 speakers, advertisers  
 and friends for  
 participating in my  
 retirement send  
 off. It was truly  
 memorable and...

*a night I will  
greatly cherish.*

## Bob Patzer

## ANNUAL CONFERENCE

*Continued from pg. 37*



Reps. Dick Ball and Pam Byrnes publicly unveiled their new gas tax legislation for the first time during the MITA Annual Conference at Soaring Eagle. House Bills 5768-5770 would phase in an 8-cent increase in the fuel tax and provide diesel tax parity by 2013, providing roughly \$480 million per year in added transportation investment. Keith Ledbetter, MITA's director of legislative affairs (pictured below, far right), provided a brief introduction of the representatives before they presented the legislation to MITA members during the conference.



Bob Patzer, MITA's outgoing executive vice president, introduced Honorary Members of MITA during the annual conference. From left to right, John Osmer, Michigan Road Builders Association; Bob McNutt, Wolverine Tractor; Wayne Simon, Wolverine Tractor; Jack Fortier, Bacco Construction; and Gale Rewa, Milbocker & Sons.



# Bob Patzer's Retirement Celebration

**B**ob Patzer, MITA's executive vice president, retired as of March 1, 2010. He was given a retirement party to end all parties, complete with video tributes from dignitaries, such as Governor Granholm, and live speeches from colleagues, friends and family. He will truly be missed, and the mark he left on the industry will never be forgotten.

A special thanks to the following advertisers who made the "Bob Patzer 2010 Retirement Tribute Magazine" possible.

Linda Patzer

Tiffany Patzer

Shane Patzer Adamo Group Inc.

Ajax Paving Industries, Inc.

Association Benefits Company

Blue Cross Blue Shield of Michigan

Butzel Long

M.L. Chartier, Inc.

Construction Industry Resources, Inc.

Corrigan Oil Co.

Dan's Excavating, Inc.

DiPonio Contracting

DiPonio & Morelli Construction

Eagle Excavation, Inc.

Florence Cement Company

Genesee-Bay Constructors, Inc.

Guy Hurley Blaser & Heuer

Hardman Construction, Inc.

C & D Hughes, Inc.

C.A. Hull Co., Inc.

Hunter's Ridge

Angelo Iafate Construction Company

Jackson-Merkey Contractors, Inc.

Jay Dee Contractors, Inc.

Kaltz Excavating Company, Inc.

Lowe Construction Co.

Mersino Dewatering, Inc.

Michigan CAT

Michigan Laborers' District Council

Operating Engineers

Pamar Enterprises Inc.

T.R. Pieprzak Co., Inc.

Pinnacle Insurance Partners

Premarc

Public Affairs Associates

Ric-Man Construction Inc.

The Rossman Group

Seizert Capital Partners

Ten Mile Creek Excavating, LLC

United Actuarial Services, Inc.

Zervos Group, Inc.



# WORK HARD. REST EASY.



## MORE CARE. BUILT IN.

Getting the job done and sleeping soundly just got easier. With the new partnership of **Volvo Construction Equipment** and **Alta Equipment Company**, you can now buy some of the most fuel-efficient machines in the industry from a dealer committed to service. Work hard and rest easy knowing Alta is behind you.

Visit **Alta Equipment Company** now to learn more – and see for yourself how we will help you reach greater profits through lower operating costs.



## ALTA EQUIPMENT COMPANY

[www.altaconstructionequipment.com](http://www.altaconstructionequipment.com)

**Battle Creek**  
269-965-1269

**East Detroit**  
586-716-2982

**Grand Rapids**  
616-878-7450

**Kentwood**  
616-698-2960

**Lansing**  
517-272-5033

**Metro Detroit**  
248-356-5200

**Muskegon**  
231-798-8754

**Romulus**  
734-641-8238

**Saginaw**  
989-752-9400

**Sterling Heights**  
586-977-6000

**Wixom**  
248-449-6700

**Zeeland**  
616-748-4108

# Additional MITA Membership Directories and Buyer's Guides Available

If you are a MITA member, by now the main contact in your organization has received a copy of the 2009-2010 MITA Membership Directory and Buyer's Guide. Additional copies are available to you at no cost. Call Nancy Brown at 517-347-8336 to order, or e-mail her at [nancybrown@mi-ita.com](mailto:nancybrown@mi-ita.com).



**mita**  
Michigan Infrastructure & Transportation Association

**2009-2010**  
**MEMBERSHIP**  
**AND DIRECTORY**  
**BUYER'S GUIDE**

## Analysis of the Obama Administration's FY 2011 Budget Proposal

### Executive Summary

The Obama Administration FY 2011 budget proposal is largely a stay the course plan—at least in the short-term—for the federal transportation programs. The February 1 document includes basically status quo levels of investment for the federal highway, transit and aviation infrastructure programs. This approach appears to be more a function of the fact that multi-year authorizations of each of these programs is overdue and major policy decisions in each of these areas is closely linked to generating new revenues.

The budget proposal indicates President Obama is preparing to work with Congress to develop a "Jobs Bill," that among other things will "upgrade and build infrastructure." The plan, however, includes no specifics on what policies that measure will include or the levels of infrastructure investment it may provide. While the House has passed a jobs measure, Senate Democrats are still hammering out the details of their plan. It is worth noting that the three-year discretionary spending freeze

proposed in the Administration's budget would go into effect in FY 2011. As such, it appears any jobs legislation enacted in 2010 would not be subject to these new constraints.

The budget requests an FY 2011 total of 78.8 billion for the U.S. Department of Transportation, which would be a 2.3 percent total increase over the amount enacted in FY 2010. The proposal includes \$41.3 billion for the core highway program (a \$200 million increase), \$10.8 billion for public transportation (a \$67 million increase), \$1 billion for high speed rail (a decrease of \$1.5 billion), and \$3.5 billion for airport construction (the same amount as in FY 2009). The budget also requests \$4 billion for a new National Infrastructure Innovation & Finance Fund, which appears to be the latest version of the National Infrastructure Bank concept President Obama and many congressional leaders have embraced.

The budget also sends a sobering message about the ability of the Highway Trust Fund to maintain current levels of highway, bridge, and public transportation investments in the future. While the document

acknowledges the situation, it includes no recommendations for either raising new revenues or shifting to an alternative method of funding these programs.

It is important to recognize the Administration's budget proposal is not binding, but rather represents the first step in the annual budget process. Federal spending decisions for each fiscal year are not finalized until the enactment of the 12 individual appropriations bills.

A more detailed analysis of the budget's transportation funding recommendations is provided on the following pages. Please contact ARTBA's Dave Bauer or Hank Webster at 202-289-4434, with any questions about the content of this analysis.

### Highway Program

The Obama Administration's FY 2011 budget requests \$41.36 billion for the core highway program, which is roughly \$200 million above the FY 2010 level. The budget would essen-

**Michigan's Largest Selection of  
Concrete Sawing and Coring Equipment**

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

*Concrete & Masonry Cutting Equipment*

- SALES
- SERVICE
- PARTS
- RENTALS

**DIAMOND  
PRODUCTS** **CORE  
CUT**

**'WHATEVER IT TAKES'**



**25806 Novi Road Novi, MI 48375  
248-449-4944**

VISIT US ONLINE AT: [www.acecutting.com](http://www.acecutting.com)



Established in 1902, ARTBA represents the U.S. transportation design and construction industry before Congress, the White House, federal agencies, news media and general public.

tially keep the major elements of this program intact. The Administration's budget acknowledges the federal surface transportation programs are in limbo due to the stalled multi-year reauthorization bill. The Administration's budget calls for an extension of these programs through March of 2011 to "craft thoughtful legislation." This is an unchanged goal from when the Administration launched the extension debate in June of 2009.

The most interesting policy modification proposed in the highway area is the reallocation of \$200 million from elsewhere within the Federal Highway Administration to the agency's "Livable Communities Program." The program is described as a "competitive capacity building program" to help urban and rural transportation agencies promote transportation projects that are consistent with sustainable land use, coordinated with Housing investment, and help conserve natural resources. The program will be coordinated with the U.S. Environmental Protection Agency and the Department of Housing and Urban Development. The \$200 million for this new initiative would come from the Secretary of Transportation deducting funds from the Surface Transportation, Congestion Mitigation and Air Quality, National Highway System, Interstate Maintenance, and Highway Bridge Programs.

It should also be noted that one of the 126 federal program terminations proposed by the Administration to save \$23 billion throughout the federal government is in the highway area. The budget proposes eliminating the "Surface Transportation Priorities" that Congress included in FY 2010 to

*Continues on pg. 63*

## GUY HURLEY BLASER & HEUER LLC

INSURANCE AND SURETY SERVICES

Does  
your  
agent  
read the fine print?

We Do.

[www.ghbh.com](http://www.ghbh.com)  
248-519-1400



## VERITAS BENEFITS GROUP LLC

EMPLOYEE BENEFIT SPECIALISTS

# New MITA Members

## New Contractor Members

American Excavating Ltd.  
Asphalt and Stone, Inc.  
Blaze Contracting, Inc.  
Britton Associates, LLC  
Carol's Excavating, Inc.  
Civil Landscape Constructors, Inc.  
D'Angelo Bros. Inc.  
Erie Construction LLC  
F and M Construction Co. LLC  
Pyramid Paving Contracting  
R. Smith & Sons Trucking, Inc.  
Skyline Contractors Inc.  
Tom Co Asphalt, Inc.  
Ultimate Epoxy.Com, LLC  
Verdeterre Contracting, Inc.

## New Associate Members

AECOM  
Cougar Sales and Rental Inc.  
ECO-SISS  
The Guarantee Co. of N. America USA  
Michigan Programmers/Shimberg Insurance Agencies



# MICHIGAN BASED FAMILY OWNED

*Since 1951*

## RENTAL

Equipment available with or without operators  
Fully staffed service departments with round the clock response  
Ask about **1-2-3 Month Rental Programs for First Time Renters**

## SERVICE

"I have always been happy with the excellent service and rental equipment from Klochko."  
*- George M., Livingston County Road Commission*

"We have used Klochko Equipment for a number of years and are very satisfied with their response to our needs in equipment rental."  
*- Jack C., DPW Superintendent, City of Ferndale, MI*

## SALES

Log on now to  
**klochko.com**  
for great prices on  
Pre-Owned Equipment

**RENT KLOCHKO**  
**800-783-RENT(7368)**  
**www.klochko.com**

Convenient  
Branch  
Locations

Fair Haven  
586.725.4860

Howell  
517.545.1761

Melvindale  
313.386.7220



## Legal Issues

*Continued from pg. 10*

procedure was equally effective on MDOT projects prior to the implementation of the Prompt Payment Special Provision. In today's post - Prompt Payment Special Provision environment on MDOT projects, the procedures can still be effective but additional hurdles, some of which defy the logic of the long established procedures under the Construction Lien Act, must be cleared and, if not recognized, can create serious consequences for the unsuspecting contractor.

On a bonded project, there will undoubtedly be an indemnity agreement under which your company, its principals, or both, are obligated to reimburse the surety for any Payment Bond claims paid. On private projects, it is routine to find provisions in the general contract requiring the general contractor to indemnify and hold harmless the owner (or the subcontractor to indemnify and hold harmless the contractor) from liens asserted by unpaid subcontractors and suppliers. Consequently, failure to assure that your project is free of unpaid downstream debt can result in paying the same bills twice and wiping out any profit you may have made on the project, even though you collected full payment from the owner. The function of the Sworn Statement and Lien Waiver procedures under the Michigan Construction Lien Act and a contract payments system in your office modeled on those procedures is to prevent this from happening.

A short refresher on these procedures should be helpful. The payment system procedure begins when subcontracts are issued and becomes a series of standard entries in each subcontract file for the project. The effect of the Prompt Payment Special Provision as interpreted by the FHWA and in turn by the MDOT will be discussed in more detail following the following short refresher on the Payment System.

Sworn Statement and Lien Waivers are provided for by the Construction Lien Act but, the bonding statutes do not contain such provisions. Thus, your standard subcontract "Payments" clause should contain (and, for years, has been contained in most subcontracts worth the paper consumed to print them) provisions requiring Sworn Statements and Lien Waivers as a condition precedent to the release of any progress payment to a subcontractor or vendor.

As stated, implementing the payment system commences when the subcontracts are issued. The ideal system begins with a cover letter to the subcontractor when the subcontract is issued for signature. In this standard cover letter you advise the subcontractor of the Sworn Statement and Lien Waiver requirements that will be imposed upon progress payments and final payment. The subcontractor will be provided with a blank Sworn Statement form and required to return a Master Sworn Statement reflecting anticipated contract amounts for all sub-subcontractors and suppliers. This Master Sworn Statement is to be returned to you with the signed subcontract. The System Clerk will save this Master Sworn Statement in each subcontractor's contract or payment file as a baseline reference. The Master Sworn Statement is not required by the Construction Lien Act but is not prohibited by it either. However, the absence of an up front Notice of Furnishing requirement in the MDOT Bond Act requires that some steps be taken to identify potential payment bond claimants in a formal and reliable way at the beginning of the subcontract. The Master Sworn Statement fulfills that need and since it is not prohibited by either the Construction Lien Act or by the Public Works Bond Act governing non-MDOT projects, making it a standard

to the Construction Lien Act and, while not statutorily imposed, is equally effective on non-MDOT public works projects. With only slight modifications, that same

requirement of all of your subcontracts assures consistency and lessens the chances of one of your projects falling through the cracks. You simply apply the same procedures the same way every time.

On private projects and on non-MDOT bonded projects, your subcontractor's sub-subcontractors and suppliers are required to submit Notices of Furnishing advising you that they are furnishing labor, materials, or supplies to your subcontractor for the project. Upon receipt of these Notices of Furnishing, your System Clerk is to cross reference these Notices of Furnishing to the subcontractor's Master Sworn Statement to determine whether the subcontractor has omitted any sub-subcontractor or supplier from his Master Sworn Statement. If undisclosed sub-subcontractors or suppliers are discovered, no payment should be released to the subcontractor until a corrected Sworn Statement is submitted.

For all progress payments the subcontractor will be required to provide a Sworn Statement accurately reflecting the debts incurred to sub-subcontractors, suppliers, and labor during the period covered by the progress payment. In theory, the subcontractor can be required to submit Partial Unconditional Waivers of Lien from each listed sub-subcontractor or supplier for the amount reflected in the Sworn Statement as a condition of receiving the progress payment. In practice, this does not always happen because the subcontractor is often unable to finance advance payment to its sub-subcontractors and suppliers prior to receiving the progress payment. Consequently, the subcontractor is often afforded a "one draw lag" in submitting Partial Waivers of Lien. Under this approach, the subcontractor submits its Sworn Statement for the progress draw period along with its Partial Unconditional Waiver of Lien for the amount of the progress payment. Your System Clerk files these documents in the subcontractor's payment file.

*Continues on pg. 46*



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.*

## Legal Issues

*Continued from pg. 45*

Waiver of Lien for the amount of the progress payment and Partial Unconditional Waivers of Lien from each sub-subcontractor or supplier shown on the Sworn Statement for the preceding progress payment. Your System Clerk will compare the Partial Unconditional Waivers of Lien received to the preceding Sworn Statement to assure that your subcontractor has used the preceding payment to pay his sub-subcontractors and suppliers. Once your System Clerk has verified that Partial Unconditional Waivers of Lien have been submitted for all downstream debt reflected on the preceding Sworn Statement, the current progress payment may be released to the subcontractor. Your System Clerk then follows the same procedure for successive progress payments.

The benefits of this system are obvious. At each progress payment, your System Clerk is verifying either that downstream debt is being paid or that a problem exists with any given subcontractor. Upon discovery of such a problem concerning non-payment of downstream debt, you can take steps to protect yourself from subsequent Lien or Payment Bond claim exposure. Such steps can include withholding further progress payments until all required Partial Unconditional Waivers of Lien are submitted; implementing mutually agreeable joint check arrangements; or, if necessary (and authorized by the terms of your subcontract), terminate the subcontract and cure or partially cure the payment defaults with payments withheld from the subcontractor and seek reimbursement of any deficit. The system serves the function of providing you

Upon presenting its application for the next progress payment, the subcontractor will again be required to submit its Sworn Statement, Partial Unconditional

early notice of potential non-payment problems in the downstream supply of improvements to your project and, in doing so, allows you to take corrective steps early in the subcontract payment stream.

The limitations of the "one draw lag" are equally obvious. If your project provides for only one, two, or three payments, the "one draw lag" could enable the subcontractor to collect more on early draws than you have left in the subcontract and you could face exposure for the discrepancy. This is particularly dangerous if the subcontractor's schedule of values or contract pay items have been "front loaded" to skew the majority of subcontract revenue toward early pay items or estimates.

Communication between your Project Manager and System Clerk is essential for the payment system to provide its full benefit to you. Particularly on MDOT projects where Notices of Furnishing are not required, your System Clerk has no way of verifying the completeness of the subcontractor's Sworn Statement. However, the Project Manager generating the progress estimate to the subcontractor will have, or should have, a relatively close estimate of the type and amount of work performed during the current estimate period. Additionally, the Project Manager should be aware of the more visible subcontractors and suppliers appearing on the project site. For example, if your subcontractor is on your MDOT project site with shiny new equipment bearing placards saying "Leased from ..." and no equipment lessor is reflected on the Sworn Statement, you know you have a problem. Similarly, if your subcontractor is not submitting up to date information in the Sworn Statement reflecting fringe benefit debt to the involved unions, you know you have a problem. It is certainly not news that money is extremely tight in the current economy. It is also not news that when the project starts turning upside down for any given subcontractor in the chain, the fringe benefits seem to be the first debt that gets "deferred".

Your System Clerk should review any questionable Sworn Statements with the Project Manager on private and non-MDOT bonded projects and each Sworn Statement on MDOT projects. In this way, the Project Manager's factual knowledge of the project and the status of the subcontractors' work can be brought to bear on identifying discrepancies or omissions from the Sworn Statements and hopefully, nip potential downstream non-payment problems in the bud. Subject to the new hurdles discussed later, No Sworn Statement should be accepted or payment released upon a Sworn Statement unless, at a minimum, the Sworn Statement reflects all parties providing Notices of Furnishing on private or non-MDOT public projects and all parties either known or reflected in the Master Sworn Statement on MDOT projects.

**FINAL PAYMENT:** Once final payment is released to your subcontractor, there is no longer any readily available and inexpensive recourse against the subcontractor for payment discrepancies. Should such discrepancies arise in the form of Payment Bond or Lien claims after final payment to the subcontractor, legal action is the only recourse and legal action will only be as effective as your subcontractor is collectible. The proposed final estimate to the subcontractor and the subcontractor's Sworn Statement should be reviewed with the Project Manager for apparent discrepancies.

Prior to releasing final payment to the subcontractor, Full Unconditional Waivers of Lien from the subcontractor and each sub-subcontractor and supplier should be obtained. If the subcontractor does not or cannot provide Full Unconditional Waivers of Lien in advance of receiving final payment, payment should not be released until other arrangements are made to assure that all inchoate Lien or Payment Bond claims are cut off. Such arrangements can include joint checks or withholding the subcontractor's

*Continues on pg. 50*



**Ebony  
Construction  
Company, Inc.**

**Asphalt Paving**

**Milling**

**Material Supply**

**Certified in Indiana, Michigan & Ohio**

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

**419-841-3455** [phone]

**419-841-7845** [fax]

**ebonyco.com** [website]

3510 Centennial Road, Sylvania, Ohio 43560

An equal opportunity employer

## Partner News

### Michigan Civil Engineer Association Elects Officers for 2009-2010

Godley elected  
to lead ASCE  
Michigan Section

The American Society of Civil Engineers (ASCE), Michigan Section, has elected a new president and Board of Directors for 2009-2010.

At ASCE Michigan's recent annual meeting, Gerrad A. Godley, P.E., of C2AE in Lansing, was inducted as the association's new president. Godley is a project manager for C2AE's transportation team. He has more than 13 years of experience, specializing in transportation design, including highway reconstruction, municipal roads, water, and sewer improvement projects, as well as bridge inspections.

While attending Michigan Technological University, Godley became involved with ASCE by joining the student chapter. He founded the Saginaw Valley Branch in 2003, was inducted as ASCE Michigan treasurer in 2005, and became president-elect in 2008.

ASCE Michigan also elected the following members to the board of directors for 2009-2010:

- *President Elect* – Michael Thelen, P.E., Soil and Materials Engineers, Inc., Lansing
- *Vice President* – Michael Guter, P.E., URS Corporation, Grand Rapids
- *Secretary* – Daniel Lewis, P.E., Prein & Newhof, Kalamazoo.
- *Treasurer* – Ronald Goldie, P.E., Opus International Consultants, Inc., West Bloomfield.

ASCE Michigan Section is comprised of more than 2,500 public and private civil engineers. ASCE Michigan Section is a local unit of the American Society of Civil Engineers (ASCE).

For more information, please visit [www.sections.asce.org/michigan](http://www.sections.asce.org/michigan).



NEED  
HELP  
MEETING YOUR  
DBE GOALS?

Think MITA MBE/WBE/DBE  
Solicitations website  
[www.mi-ita.com/ads.asp](http://www.mi-ita.com/ads.asp)

### DID YOU KNOW...

MDOT recognizes the MITA MBE/WBE/DBE Solicitations website advertisements as an approved part of your "Good Faith Effort" and DBE contractors looking for work are visiting the site daily. What other reasons do you need to visit [www.mi-ita.com/ads.asp](http://www.mi-ita.com/ads.asp) today?



# Member Project Profile – Mersino Dewatering



Above ground view of caisson with partial forms.

They began the three-year project around Thanksgiving, 2007. Just before Labor Day this year, they successfully overcame the biggest hurdle of the entire project. One hundred four feet into the ground, the structure was sitting on bedrock. It was time to take a break and celebrate with a gathering of employees, sub-contractors and city officials. But the next day it was business as usual. The project still has months of work remaining until its scheduled completion date of November 2010, but it is on time and progressing beautifully.

Ric-Man Construction with headquarters in Sterling Heights was contracted to build CSO8, one of five new Combined Sewer Overflow systems around the city of Dearborn. New sewer systems are designed with separate lines for sanitary sewerage and storm sewerage. However, older systems were often designed with a combined sewerage system. During storm events, these combined systems were overcome by the conveyed flows, and the treatment plants were unable to treat and discharge the excessive flows. Previous to the CSO projects in Dearborn, the overwhelmed systems were forced to discharge the combined sanitary and storm waters into area streams and tributaries without treatment, an action that we now know to be an environmental concern.

As soon as the Dearborn CSOs are operating, any potential overflow will be collected and diverted to these massive holding tanks buried underground to safely contain and manage any runoff from rain events. Because of the complexity of the project and the long construction timetable, the city divided the overall project into multiple contracts and hired different contractors in order to complete the work as

quickly as possible.

These combined sewer overflow structures are being constructed as a caisson and are positioned underground by sinking the caisson. Rings of concrete are poured and formed in sections, and placed one on top of the other to form the waterproof structure. In order to reach the desired depth, the center of the rings is carefully excavated, allowing the entire stack to sink. CSO8 in Dearborn is currently made up of 9 rings, or lifts. Each lift has an inside diameter of 104 feet and is 13 feet tall. The walls themselves are 7.5 feet thick. Each is made of 1360 cubic yards of concrete and weighs approximately 5.1 million pounds.

The project specified that the caisson be sunk to 104 feet below the surface of the ground, the bedrock layer. When the project is complete it will extend to 145 feet deep. The tricky step of sinking the enormous tube has been completed successfully and well within the narrow tolerance of one-degree of variance. The remaining excavation work will build up to the existing position of the caisson.

Detailed soil reports were provided by the City of Dearborn. In analyzing these reports, Ric-Man determined that the costly and time consuming, but necessary step of grouting the bedrock layer was necessary. An out-of-state company was brought in to inject two different types of grout into the bedrock layer as well as the hardpan layer, approximately 50 feet deep. The grouting process took nearly a year, but was expected to control all anticipated water issues typically present with such a deep excavation.

In March of 2009, the first two lifts were poured and plans were made

to start the excavation process. Within a month, Ric-Man encountered an unexpected variable. There was a huge silt layer about 60 feet below the surface and just above the hardpan that was not in the soil reports. The layer needed to be dewatered before excavation could proceed.

Ric-Man contacted MERSINO Dewatering, a Michigan based company that has worked with Ric-Man on many projects over the past two decades. Ric-Man and MERSINO were immediately concerned because both were aware of the difficult nature of dewatering in silty conditions, especially at such a depth. Traditional deep well and wellpoint dewatering systems would not be effective in these types of conditions.

Both companies were familiar with the eductor well method of dewatering. In recent years, MERSINO had added eductor well dewatering to their arsenal of groundwater control. Eductor systems are typically more complex to install, more expensive to operate, and not as effective in the types of geological formations found throughout the Great Lakes region. This particular geological formation, however, in combination with the depth of the proposed structure, clearly indicated an eductor well system was the only option.

Dave Tersigni, branch manager for Mersino's Michigan office supervised the project. "We have a great deal of experience working in Dearborn and were very familiar with the adverse ground conditions in the region," said Tersigni. "Not only did we have to deal with a challenging dewatering project at great depths, we needed to retain the confidence of our loyal customer of the past 20 years."

As Tersigni explained, selecting the proper dewatering method was only part of the equation. Having the right equipment, know how, and an excellent team of "warriors" made the difference, because they were willing to do whatever was needed to complete this project for Ric-Man. Despite all those difficult factors, the project turned into a great success story.

"In my opinion, without the eductor wells, the caisson would never

have gone down properly," said Jim Bilicki, vice president for Ric-Man Construction.

MERSINO maintained and tuned the dewatering system for approximately 60 days. At its peak it was drawing up to 10 gallons of water per minute. The dewatering system performed perfectly, and allowed Ric-Man to continue the construction and excavation process under newly dewatered and optimal conditions.

An excavation plan was developed based on detailed reports of the varied soil conditions provided by the City of Dearborn. This plan allowed Ric-Man to properly analyze the site and design a plan that has proven to be highly successful. They devised a quadrant-based excavation model that calculated excavation quantity by bucket-load and proper excavation order based on the soil type. This allowed the crews to work with the weight of the caisson and control the sinking.

Ric-Man still has 10-12 months of work to complete CSO8. The next stage involves digging out the bedrock layer an additional 40 feet. This will allow them to install the base and sides up to the existing caisson depth. One additional lift is required to finish off the top, and the connections to the sewer lines still need to be completed to properly divert any run-off into the tank. The final touch will be to convert the construction site to a park. Ric-Man plans to invest \$500,000 in landscaping to complete the project, which is taking place in the center of a residential area.

The other four CSOs being built around Dearborn have not gone as smoothly. One has been abandoned because of a collapse due to groundwater that was not properly controlled. A second has tilted out of acceptable tolerances and is awaiting adjustments. The success of this project to date is a testament to the deliberate and thoughtful approach by Ric-Man Construction and their relationship with experienced subcontractors including MERSINO Dewatering.

Top view of final caisson lift.



Mersino eductor wells.



## Legal Issues

*Continued from pg. 46*

leasing the balance of the payment after Full Unconditional Waivers of Lien are provided. Again, the Prompt Payment Special Provision as it is being interpreted and enforced on MDOT project, erects additional hurdles which must be satisfied in order to avail yourself of these protective measures.

As stated, the Prompt Payment Special Provision changes the landscape and erects additional hurdles to implementing the procedures designed to assure payment of downstream debt with the funds paid to a subcontractor. The relevant operative terms of the Prompt Payment Special Provisions for purposes of this discussion are:

- Payment for work "satisfactorily completed" must be paid to the subcontractor no later than 10 days following MDOT's payment to the contractor for that work.
- The Engineer is the sole judge of whether the work has been satisfactorily completed
- Payment by MDOT is confirmation that the work has been satisfactorily completed
- The Prompt Payment requirements must be inserted in every subcontract and agreement regardless of tier
- "Satisfactory completion" means that the Engineer has found the work completed in accordance with the contract, plans and specifications and that the "required paperwork" (material certifications, payrolls, etc.) has

been received and reviewed by the Engineer.

- Should the contractor have reason to withhold all or some of a payment to a subcontractor, the contractor must obtain the written approval of the Engineer to do so before MDOT remits payment to the contractor.
- All subcontracts must contain a notice of the MDOT's prohibition of withholding retention under a subcontract
- Failure to comply with the Prompt Payment Special Provision requirements may result in sanctions including suspension of payment to the contractor, reduction of prequalification rating and withdrawal of bidding privileges.

Even a cursory review of the relevant operative provisions of the Prompt Payment Special Provision shows that the drafters of the provision gave little, if any, consideration to the need for the paying contractor to assure itself that downstream debt has been properly paid and to enforce that requirement if that has not been done. Note that the requirement to issue payment within 10 days is exclusively triggered by the Engineer's determination of "satisfactory completion" and the Department's issue of payment to the contractor. Note also that the paperwork mentioned in the definition of "satisfactory completion" does not include any of the paperwork involved in the Sworn Statement and Waiver of Lien procedures and that such paperwork would not be "received and reviewed by the Engineer" in any event under typical project procedures. Finally, note the requirement that if the paying contractor deems it necessary to withhold all or some of a payment to a lower tier contractor, permission to do so must be obtained before MDOT issues payment to the contractor. In connection with the need to withhold payment due to non-payment of down-

*Continues on pg. 51*



Why gamble on getting competitive bids?

Advertise your projects on  
[www.mitaads.com](http://www.mitaads.com)

Greater exposure  
= Increased competition  
= Better Prices

**VISIT TODAY**  
[www.mitaads.com](http://www.mitaads.com)

stream debt, it is difficult, if not impossible, in connection with any given progress payment, to envision a scenario where the paying contractor will or can know about a downstream non-payment problem before the contractor receives payment from MDOT. Ergo, it is difficult to envision how a contractor is supposed to determine the need to withhold payment and obtain the requisite permission to do so before he receives payment from the Department. At best, if the specified requirements are strictly enforced, it would appear that the paying contractor will be involuntarily forced to assume the risk of at least one progress payment before he could obtain the requisite permission to withhold payment from the financially irresponsible lower tier contractor.

The industry has been advised informally that the FHWA does not consider and, MDOT is therefore not allowed to consider, the mere failure or refusal of a lower tier contractor to provide Sworn Statements and Lien waivers sufficient grounds to refrain from issuing payment to that lower tier contractor within the specified 10 day period. In other words the failure or refusal of the lower tier contractor to provide verification of its downstream debt (in the form of an accurate and current Sworn Statement) and verification that it has properly paid that downstream debt (in the form of Lien Waivers), both of which are long established and, at least by analogous application, statutorily sanctioned requirements, is, under the FHWA's interpretation of the Prompt Pay Special Provision, simply not sufficient to allow the paying contractor to protect against double payment risk by withholding payment. That interpretation of the Prompt Payment Special Provision turns decades of accepted sound business practice on its head and seems to unfairly impose greater risk upon the paying contractor. In fairness, however, the notion that all contractors involved in a federally funded project must timely and properly pay their bills cannot be legitimately criticized. But, the devil is in the details and the Prompt Payment Special Provision's requirements have simply ignored, or deemed unimportant, the details involved in assuring adequate protections against double payment risk to the paying contractor. It said that the unacceptable payment practices of some paying contractors have fueled that particular fire to some extent and that may very well be a legitimate observation by the government. It is not uncommon for the less than exemplary practices of a few to have created unnecessary problems for many. However, until challenged and overturned by a formal decision of a higher authority, that is the situation faced by paying contractors on contracts containing the Prompt Payment Special Provision.

So, the problems for paying contractors created by the Prompt Payment Special Provision are obvious. The question is whether an effective cure can be implemented and the answer is a qualified yes. First, the Prompt Payment Special Provision specifically provides Prompt Payment dispute resolution procedures and one should be able to logically assume that if the paying contractor is found to have been justified in withholding payment from a lower tier contractor for non-payment of downstream debt, which itself would be a violation of the Prompt Payment Special Provision, that paying contractor would not be subject to any of the potential sanctions. Second, in the same informal fashion, the industry has been advised that actual verification of non-payment of downstream debt by the lower tier contract will be deemed justification for withholding payment. From a practical perspective, this adds one more layer of administrative burden upon the paying con-

tractor. Now, in the face of a failure or refusal by the lower tier contractor to provide the typical Waivers of Lien from its downstream subcontractors and suppliers, your System

Clerk must contact those parties to directly verify the status of payments to them for whatever work, equipment or supplies they may have furnished to the project. It is recommended that written confirmation of non-payment be obtained in order to document the non-payment verification. Notification to the Engineer of verified non-payment by the lower tier contractor should suffice to obtain the Engineer's approval to withhold payment until the lower tier non-payment issue is resolved. Whether that lower tier non-payment situation can be identified and the Engineer's approval obtained before MDOT issues payment on the current estimate remains problematic and is unlikely. However, the paying contractor should be capable of submitting the requisite notice and request and obtaining the requisite approval for withholding payment prior to the next estimate being funded by Department.

The mechanics of complying with the Prompt Payment Special Provision make it painfully clear that unless and until the current interpretation of the Special Provision is re-considered by the government or overturned by a higher authority; your System Clerks and Project Managers have much more to do and must be even more diligent in monitoring payments on your projects.

The entire focus of the payment system is to avoid paying the same bills twice on the project by preventing a subcontractor from using your payments to him for purposes other than paying his downstream debt on your project. Obviously, there will be occasions where, for whatever business purpose, you will decide to be more flexible or forego some of the requirements of the payment system. That is purely a matter of business judgment. However, if the payment system is implemented consistently and properly, such decisions will be informed business judgments with knowledge of the risk involved, rather than an unpleasant surprise from an unpaid sub-subcontractor in the form of a Claim of Lien or Payment Bond claim arising after you have paid all or the

## Legal Issues

*Continued from pg. 50*

*Continues on pg. 52*

### 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



**Jay Dee**

## Legal Issues

*Continued from pg. 45*

exercise of that judgment on a case by case (or lower tier contractor by contractor basis) and instead would require a one size fits all approach by you in exercising that judgment. Put another way, what is required of one must be required of all, according to a letter issued by the FHWA in connection with requiring bonds from lower tier subcontractors even though you may have made a good faith, experience based determination that performance and payment security may not be necessary in all instances from all lower tier contractors.

You may not routinely experience the payment problems the system is designed to prevent. But, in the economic conditions prevailing today, the problems are present in far greater numbers than in the past and when the problem does arise, it can be significant. The effort of implementing a payment system will seem a small price to pay to avoid a major loss because you had to pay the same bills twice. On projects where the Prompt Payment Special Provision is applicable, even more effort will be required to comply with the additional regulatory hurdles but again, the effort will be shown to have been worth it when a significant non-payment situation arises.

---

*James J. Urban practices in Butzel Long's Lansing Office as a member of the Construction and Administrative Law Practice Groups representing contractors in public and private construction. For more information call (517)372-6622.*

majority of the subcontract amount. In exercising that good faith business judgment, be aware however, that the government's view of the Prompt Payment Special Provision precludes ex-

## Member Voice

*Continued from pg. 11*

The argument is long but the result is simple. It will become another tax liability for the American taxpayer, no better health care.

**Gary Merkey**

*Jackson-Merkey Contractors, Inc.*

The government has much more important things to get resolved first, like jobs and getting our economy heading in the right direction in Michigan. Road and infrastructure renovation would fix a couple problems.

**Rod House**

*Southeastern Equipment Co. Inc.*

Quality of service and standards of care would deteriorate over time as professionals will be less likely to pursue medical degrees.

**John Buddle**

*Griffin, Smalley & Wilkerson*

The government can't effectively run Medicaid and Medicare considering the high rate of fraud that they cannot seem to control. They need to open insurance competition across state lines and consider some better measures to care for those in real need that truly cannot provide medical coverage. Providing tax relief to businesses may open the job market that would provide more jobs with insurance coverage.

**Joe Tomko**

*Central Asphalt*

The government has tried to pass similar legislation in the past and failed. They are inept at nearly everything they try to fix and we end up paying more. As a business owner who is constantly trying to find ways to pay less for insurance, yet cover our valued employees, I'm against it.

**John Washabaugh**

*Northern Concrete Pipe, Inc.*

I have worked hard all my life. If I wanted something, I had to work for it. There are too many people out there not looking for work or have no intention of getting a job. Why should the working people pay for their health care? Today, I hear more and more people tell me they get \$400 a week unemployment and just keep getting extensions – why look for a job? The government isn't doing a very good job of running the country right now; how on earth does the government think they can run health care?

**Terry Curtis**

*Cordes Excavating, Inc.*



**PERFORMANCE  
+  
RESPONSIVENESS  
CUSTOMER SATISFACTION**

**Make  
Inspecsol Engineering Inc.  
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

**INSPECSOL  
ENGINEERING INC.**  
MEMBER OF THE UTA FAMILY OF COMPANIES

14496 Sheldon Rd., Suite 200  
Plymouth, MI 48170  
Michael Gentner, PE 734-453-5123

[www.inspecsol.com](http://www.inspecsol.com)

## Are you in favor of government run health care?

They can't run the post office. I don't want the government taking over 1/6 of our economy.

**David Chapman**  
*David Chapman Agency*

There is no disagreement that health care needs to be reformed. Regardless of race, creed, color, or political affiliation, the system needs something. If the government succeeds with this government run health care, the government will have a monopoly on all hospitals, doctors, pharmacies, therapy centers, and anything else that your health care insurance currently covers. Aside from the fact that it takes away all competition and goes against everything that a capitalistic society stands for, it also breaks the law.

**Chris Campo**  
*Wells Fargo Equipment Finance*

It's hard not to rant and rave about the why not. So I'll keep it simple: the government has a hard enough time running itself.

**Brandon Kennedy**  
*Kennedy Excavating, Inc.*

How many things can you think of that the government runs efficiently? Need I say more?

**Kurt Poll**  
*Kamminga & Roodvoets, Inc.*

It will be hard for small companies to be able to afford it, especially in today's economy.

**Ron Bretz**  
*Ron Bretz Excavating*

Loss of personal control; non-interest in health savings accounts which work well for our companies; probably layers of confusing forms and reports similar to Medicare.

**George Shinnars**  
*Antigo Construction, Inc.*

Health care is something to be earned. We as individuals need choice to choose what is best for us and our families.

**Scott Bazinet**  
*Lowe Construction*

The government cannot run any department efficiently. It would be a disaster for them to try. I prefer my own health care plan. They have no idea what they are getting into. Cost would be astronomical!

**Mary Nicholas**  
*Anderzack-Pitzen*

America needs health care reform and not a public option of health care, which is a government run health care plan. I would expect a government run plan to increase costs, limit choices and lower the quality of patient care.

**Kurt Shea**  
*P.K. Contracting, Inc.*

We need less government, not more. The quality of care would go down.

**Dusty Barclay**  
*C.A. Hull Co., Inc.*

Deregulation and tort reform should be tried before we resort to government intervention; which, of course, ought to be the last resort.

**Bart Porter**  
*Sanches Construction Company*

Government run anything tends to result in a lower standard of quality and efficiency. Health care is far to personal an issue, with many individual intricacies that a government program cannot possibly account for.

**Cheryl Gregory**  
*Spalding DeDecker Associates, Inc.*

**Bypass Pumping**

**120 MGD Bypass**

**Memphis**

**largest diameter CIPP installation in the U.S.**

This 108-inch pass project Rain for Rent monitored DV-400 and 7,000 feet of 24-inch HDPE pipe, complete with fittings and magnetic flow meters.

sewer line rehabilitation turnkey by- required high flow and high lifts. designed, installed, manned and a bypass system consisting of 12 16-inch Power Prime™ pumps,

**Engineered Liquid Handling Solution**

visit – results.rainforrent.com  
20101 Sibley Road  
Brownstown, MI 48193  
734-479-1892  
**800-742-7246**

**Complete Solutions... Proven Results.™**  
Pump, Tank, Pipeline, Spillguard and Filtration Rentals

**75 Years**  
Supporting our troops since 1934

**RAIN FOR RENT**

cally with the elected officials in both Lansing and Washington in promoting and protecting the heavy construction industry. Keith is amazingly creative and can help you and your company understand the potential impact of legislative activity.

Doug Needham is our Director of Technical Services. Doug's role is to help guide individual companies, as well as the industry as a whole, through the variety of issues that arise at both the state and local level. Doug also helps to over-

see some of the new services being offered to the industry such as MITA Ads.

As with any organization the real worker bees are those individuals who are locked to their desks on a daily basis. Within MITA we currently have four coordinators who are ready to assist you whenever you call.

If you have questions about anything financial as it relates to MITA, Mary Moody is our Accounting Coordinator. As Bob moves on, Mary is now the longest standing MITA employee,

and her experience should help no matter the question.

Danielle Coppersmith (yes, wife of Rob Coppersmith) is our events coordinator. She is constantly striving to improve the social and training functions that we offer the industry, but she is also willing to jump in and assist when needed on any other questions that you might have of her.

You will not find a more professional administrative assistant than Janis Strang, the MITA External Affairs Coordinator. The duties that Janis is responsible for are wide in nature including dealing with the MITA Board of Directors, all labor issues, legislative and high level regulatory involvement. Janis executes most tasks with lightning speed and is a stickler for details.

Tiya Kunaiyi-Akpanah is our Membership Services Coordinator. Tiya is the individual on staff that is responsible for the creative end of our business, as shown by the many brochures and publications that we put out on a regular basis. Rather than outsourcing these items as many organizations do, Tiya is able to develop them internally. She can be a resource for your company if you are looking to put a creative touch on a corporate ad or logo in the future.

One of the newest additions to our team is Nicole Cook, who will serve as our Outreach Coordinator helping MITA to better connect with our membership. Expect to hear from Nicole as we work to create a better MITA grassroots network.

And finally, we just recently hired Anita Lindsay as our Web/Data Coordinator. She will bring a fresh perspective to our electronic communications process and should add some new and creative ideas to our overall service of the MITA membership.

As I said before, I believe the MITA team is amazingly well rounded and extremely motivated to represent the heavy construction industry. We will also continue to rotate an intern through our organization, offering something back to those young individuals who may be interested in a career in the business sector in the future.

I stand ready to lead this organization and this industry into the future. Please feel that you can contact me with any ideas, thoughts or concerns that you might have as we all work together to move our industry forward.

Contact Mike Nystrom by email at [mikenystrom@mi-ita.com](mailto:mikenystrom@mi-ita.com), or at the MITA office 517-347-8336.

## INSURANCE AND BONDING

*For the Construction Industry*

General Insurance ♦ Surety Bonds



1175 West Long Lake Rd.,  
Suite 200, Troy, MI 48098  
248-828-3377  
Fax 248-828-4280 Bonding  
248-828-3741 Insurance  
[www.vtcins.com](http://www.vtcins.com)



GRIFFIN, SMALLEY & WILKERSON, INC.

37000 Grand River, Suite 150  
Farmington Hills, MI 48335  
248 471-0970  
FAX 248 471-0641  
[www.gswins.com](http://www.gswins.com)

VTC INSURANCE GROUP

Representing

***Auto-Owners Insurance***



MITA's first group of Future Leaders were introduced during the annual conference in January by Rob Coppersmith, MITA's vice president of membership services. The "graduates" were: Luke Fleischmann, Advanced Drainage Systems; Jim Pitzen, Anderzack Pitzen; Derrick Arens, Anlaan Corporation; Nick DBartolo, Barrett Paving; Mike Zelenock, Cadillac Asphalt; Jason Beem, John Carlo, Inc., Aaron White, Central Asphalt; Scott Miller, Davis Construction; Michael V. Pittiglio, Florence Cement; Tim Hughes, C & D Hughes; Alex Meyer, J. E. Kloote Contracting; Michael Lounsbury, Lounsbury Excavating; Brandie Meisner, M & M Excavating; Mike Lazzara, Michigan CAT; Aden Shea, P.K. Contracting; Riley Ramoie, Rieth-Riley Construction; Dean Leavitt, Teri's Excavating; and Brad Stover, Walter Toebe Construction.

## Vice President of Membership Services Comment *Continued from pg. 18*

and leadership to the 18 individuals in the inaugural group of this program. His tone changed for his keynote speech that afternoon. The General is an expert on preparedness and offered his insights on the subject while relating it to our industry. An often humorous, but very serious message hit the mark with many based on the comments I received that evening.

The afternoon finished up with a presentation from Kirk Steudle and Greg Johnson of MDOT regarding the challenges we face as industry going forward in Michigan. The two were followed by a surprise visit from Pete Ruane of ARTBA who drew the national perspective into the program.

Thursday night has always been the place to be for anyone involved in the heavy construction industry, but this year it was taken to a new level when we honored our former leader Bob Patzer. By all accounts, the night was a tremendous success full of laughs, tributes and tears. I was in awe with the amount of love and respect that could be felt in the room. I know it humbled Bob and he is grateful for all of you who attended. He has taught all of us well at MITA and we will continue to work with his great teachings in mind. Always do what is right, which may mean going against the grain from time to time and you can never go wrong is a motto he has left us with. I will miss seeing him on a day-to-day basis but look forward to our more social arrangement.

After the Alta sponsored breakfast on Friday, Gary Allhiser of Great Visions Consulting provided us with some very interesting forecasting that can be found on the MITA website. The title of the program "The New Normal" is just what it indicates. The message supported was that we must let go of the idea of the past and get used to the new volatile environment we now have to deal with. Understand that we are shifting from a credit-based society back to a cash based society and the impact that those issues have on lending practices. I would expect no less from Gary. His information has always been very relevant and a reason he has spoke to our group more than once.

In closing, I would like to enlist your help. I am open to suggestions

in regards to speakers or issues that are of importance to you the members. Nothing is ever etched in stone and any and all ideas to improve the Annual Conference are welcome. Continual improvement is the theme and how MITA operates. The most important meetings for staff are those at the end of the conference when we ask the question, "What could we have done better?" Those of you who perform work may find that your projects would improve if you followed the same philosophy.

To contact Rob Coppersmith, e-mail him at [roboppersmith@mi-ita.com](mailto:roboppersmith@mi-ita.com) or call the MITA office at 517-347-8336.

**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

# 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.**

## Vice President of Engineering Services Comment *Continued from pg. 19*

### Highway Program Investment Strategy Annual Averages

HIGHWAY PROGRAM	MATCH ALL FED AID 2010-2014	REDUCED PROGRAM 2011-2014
Repair & Rebuild Roads	\$455 M	\$164M
Repair & Rebuild Bridges	\$202 M	\$68 M
Capacity Improvements/New Roads	\$55 M	\$10 M
Safety and Operations	\$76 M	\$33 M
Congestion Mitigation and Air Quality	\$40 M	\$7 M
ITS	\$13 M	\$3 M
Other	\$108 M	\$39 M
Routine Maintenance	\$304 M	\$289 M
<b>TOTAL</b>	<b>\$1.253 B</b>	<b>\$613 M</b>

represents an almost 75% reduction in road and bridge project dollars let from the previous two fiscal years. Adding insult to the injury this funding tragedy brings to our industry is the real fact that approximately 6,500 good paying jobs will be lost every year this state funding deficiency continues.

The crisis is at our door and the time for action is now! As our 2010 Annual Conference, opening general session keynote speaker, retired General Russel Honore, implored to those in the audience, "... in a time of crisis we all need to 'man-up', and that goes for you women too ...". We appeal to all MITA members ... it is now time to man-up and get involved in our funding initiative, your business and livelihood may depend on the success of our collective actions. Not sure how you join our fight ... call the MITA office (517-347-8336) and we'll help get you started!

To contact Glenn Bukoski, P.E., e-mail him at [glennbukoski@mi-ita.com](mailto:glennbukoski@mi-ita.com) or call 517-347-8336.

## Director of Safety & Workforce Development Comment

*Continued from pg. 20*

safe work practices. MIOSHA has a similar course that it offers, although not required (yet). MITA will be prepared to offer it to its membership.

Visit the MITA web site for upcoming safety training at the MITA office or contact Patrick Brown ([patrickbrown@mi-ita.com](mailto:patrickbrown@mi-ita.com)) to schedule a class at your facility. As you plan for the upcoming season, keep MITA in mind for job site visits. This is a free service to MITA members and a useful tool in gauging the effectiveness of your company policy and training.

If you have any questions or comments, contact Pat Brown by e-mail at [patrickbrown@mi-ita.com](mailto:patrickbrown@mi-ita.com) or call 517 347-8336.

## 2. Normalcy of interest rates and borrowing

A wave of consumer loan defaults—in part, due to plummeting property values—sent shock waves through the banking system. Ultimately, the Federal Reserve and U.S. Treasury Department took swift and strong action to secure the nation's banks.

Unfortunately, the pendulum may have swung too far the other way, as previously-credit worthy companies have had difficult times securing the loans they need to operate. While interest rates are quite low from historic levels, the more stringent loan requirements have put the squeeze on many companies.

## 3. Expansion into New Technologies

As documented previously in *Cross Section Magazine*, the future is full of new opportunities for the underground industry in new technology areas. As an example, the state is poised to spend \$1 billion creating wind turbines. These projects have an intensive amount of site and utility work that accompany them. MSU's Rare Isotope Accelerator, new proposed power plants, extensive environmentally-mandated upgrades to sewer systems, cell phone towers and other emerging telecommunications projects will provide opportunities in new areas, for companies able to transition quickly.

## 4. Willingness of Policymakers to Look Beyond the Short-Term

Infrastructure development is fueled by both economic expansion and government investment. While we wait for the economy to recover and the private market to return, we must rely heavily on public sector projects.

Discussion at the state capitol these days revolves around gutting aid to Michigan's colleges and universities, letting prisoners go and cutting

medical aid to uninsured women and children. A term-limited Legislature is unable to walk and chew gum at the same time. Although money for infrastructure doesn't come from the same sources that provide for these programs, the reality is that it is easy for policymakers to ignore long-term infrastructure needs for the short-term problems that they face.

As an example, even though most of the money the state lends local communities for water and sewer upgrades come from the federal government, the state is cutting back on their own financial commitment. In the past, the state would appropriate \$10-20 million per year to the State Revolving Fund program. Today, the state provides virtually nothing. In addition, although state voters approved a \$1 billion bond proposal to fix our water systems, the administration has yet to borrow any of the money because they do not want to pay the modest debt payments.

## Demand is Building Up

One must only drive in commercial parking lots and down neighborhood streets to see that we are not keeping up with the deterioration of our infrastructure. Because we cannot see the underground utilities, we can be sure that those facilities have been neglected far more than the infrastructure that are right before our eyes.

Once Michigan's economy recovers fully, there is likely to be significant demand at all levels to repair what we have allowed to crumble. Although those days can't arrive soon enough for those companies struggling to survive, those in the industry with tunnel vision can certainly see that better days are on the horizon.

---

To contact Keith Ledbetter, e-mail him at [keithledbetter@mi-ita.com](mailto:keithledbetter@mi-ita.com) or call 517-347-8336.

**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*



*MITA's 2nd Annual Michigan Utility Coordination Conference was a well-attended, successful event held during MITA's Annual Conference at the Soaring Eagle in January.*

description of the proposed road-widening project, a series of five scenarios were presented to the diverse table groups. Each group offered suggestions on how best to resolve the various problems. Tables were divided amongst the various participants (owner agencies, utilities, contractors, and designers) to ensure a board view of thoughts. During this exercise, table talk was constant. Even though at times the discussion swayed from the assigned

tasks, communication and networking were occurring.

Feedback and suggestions on how to tackle the scenarios varied greatly from table to table. This demonstrated that there are many ways to approach encountered problems and that through communication and open minds problems can be addressed and ultimately resolved. A summary of responses along with the various scenarios can be found at [www.miucc.com](http://www.miucc.com).

The afternoon breakout sessions were electrifying. MDOT presented various sessions on Work Zone Mobility and MDOT Permit Requirements, and MITA and MISS DIG presented sessions on Best Practices and an Act 53 update, and the Design/Survey Ticket. These sessions were created to put more meat on the bone and that is precisely what occurred. With the temptation of a casino floor next door, participants stayed involved through the end and walked away with a greater understanding of the utility coordination process and made an impact on future utility coordination processes.

Over the years, MITA members have overwhelmingly expressed a desire to improve the utility coordination process upstream so that when utilities are encountered during active construction the major conflicts have already been addressed. As you are aware, utility conflicts will continue to exist and problems will surface, but be assured that MITA is working on your behalf to help minimize the major issues and ensure that utility coordination has occurred prior to you mobilizing to your construction site.

To contact Doug Needham, e-mail him at [douglasneedham@mi-ita.com](mailto:douglasneedham@mi-ita.com) or call 517-347-8336.

# YABBA DABBA DO

GEOTECHNICAL  
ENVIRONMENTAL  
CONSTRUCTION  
ENGINEERING



From topsoil to bedrock and every layer in between, the geotechnical, environmental and construction engineering experts at G2 can't wait to unearth your site's possibilities.



## G2

CONSULTING GROUP, LLC

Troy, MI: 248.680.0400  
Brighton, MI: 810.224.4330  
Chicago, IL: 847.353.8740  
[www.g2consultinggroup.com](http://www.g2consultinggroup.com)

UNEARTHING POSSIBILITIES

# Bulletin Index *Visit [www.mi-ita.com](http://www.mi-ita.com) to view or print these bulletins.*

## LEGISLATIVE BULLETINS

3/12/2010 ..... SAVE THE DATE: 2010 MITA WASHINGTON FLY-IN MAY 18-20

3/3/2010 ..... Federal Highway Shutdown Ends With One-Month Extension

3/1/2010 ....Payments from Federal Highway Trust Fund Halted 2/25/2010

U.S. Senate Passes Jobs Bill -- Legislative Update from ARTBA

2/25/2010 ..... Smoking Ban to Effect ALL Workplaces

2/2/2010 ..... Analysis of Obama's FY 2011 Transportation Budget Proposal

1/29/2010 ..... New State Revolving Fund Project List Available 1/28/2010 Gas Tax Bill Introduced in State House

1/6/2010 ..... Legislative Update for January 2010

12/16/2009 .....U.S. House Approves Boost in MI Road Money, Waives Federal Match Requirement

12/10/2009 .....Diesel Tax Increase Clears Key Hurdle

11/11/2009 .....CALL YOUR STATE SENATOR: Senate poised to jeopardize road funding with parks fee

10/8/2009 .....Underground Industry Will See Hefty 1st Quarter Opportunities

10/2/2009 .....Tumultuous Week in Lansing, Washington Provide Budget Uncertainty for Infrastructure

9/30/2009 ..... Construction Project Shutdown Averted: State Transportation Budget Agreement Reached

## MEMBERSHIP BULLETINS

3/18/2010 .....Did You Know There Is Only One Industry Night Event Left

3/10/2010 ..... Did You Know

3/9/2010 ..... Stolen Equipment Notice

3/5/2010 .... Central Michigan Industry Night. New Day, New Location!

3/5/2010 .....In Memoriam of John Adamo Sr.

3/3/2010 ..... Did You Know...

3/3/2010 .....In Memoriam of Gene Rohrscheib

3/1/2010 ....Federal Highway Trust Fund Shutdown Could Impact Contractors

2/26/2010 ... Future Leader Development Program Filing Deadline Approaching

2/25/2010 ..... Did You Know...

2/24/2010 ..... Industry Nights are Quickly Approaching

2/18/2010 ..... Did You Know...

2/11/2010 ..... Did You Know...

2/5/2010 2010 ... Annual Conference Presentations

2/3/2010 ..... Did You Know...

1/28/2010 .....Apply for MITA's Future Leader Development Program

1/28/2010 ..... Did You Know...

1/28/2010 ..... Sign-Up for the 2010 MITA Industry Nights

1/27/2010 .....Member Voice: Are you in favor of government run health care?

1/8/2010 ... Notice to Annual Conference Attendees

1/7/2010 ..... MITA Working on Your Behalf: Year in Review 2009

1/5/2010 .....Industry Night 2010 Project CD Sponsorships Available

*Continues on pg. 69*



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



- LITIGATION
- ARBITRATION
- CONTRACT ADMINISTRATION
- EMPLOYMENT AND LABOR
- CORPORATE TRANSACTIONS
- REPRESENTING

- General Contractors
- Subcontractors
- Developers
- Owners and management companies

*Solving corporate and litigation problems for the construction industry*

### Detroit

400 Renaissance Center Suite 3400  
Detroit, Michigan 48243-1618  
Telephone: (313) 259-8300  
Facsimile: (313) 259-1451

### Buchanan

400 East Front Street, Suite G  
Buchanan, Michigan 49107  
Telephone: (269) 697-4863  
Facsimile: (269) 697-4867

### Birmingham

300 Park, Suite 265  
Birmingham, Michigan 48009-3413  
Telephone: (248) 646-1050  
Facsimile: (248) 646-1054

[WWW.KOTZSANGSTER.COM](http://WWW.KOTZSANGSTER.COM)

### 11/9/2009 Transportation Group Names Worst Roads in Michigan

The Michigan Infrastructure and Transportation Association (MITA) today issued a list of the state's worst roads, naming Detroit as the worst municipality with a whopping 586 lane miles in poor condition. Detroit was followed by Grand Rapids (200 miles), Ann Arbor (189 miles), Flint (165 miles) and Livonia (143 miles). The group also announced the five counties with the worst roads: Wayne (1,841 miles), Oakland (1,292 miles), Genesee (1,216), Washtenaw (977 miles) and Calhoun (932 miles).

"Our legislative leaders need to stop 'watching' the funding problem evolve into a crisis and take appropriate action to correct it," said Mike Nystrom, vice president of government and public relations for the Michigan Infrastructure and Transportation Association (MITA), and co-chair of the Michigan Transportation Team (MTT). "This isn't a case of road agencies not doing their jobs. Michigan's local road systems are collapsing because funding continues to plummet."

The findings are based on the Michigan Asset Management Council Annual Report of Roads & Bridges (attached), which evaluated federally funded roads in 83 counties and almost 1,800 municipalities

across Michigan.

The report found that Michigan's roads are deteriorating rapidly. Over the course of a single year, the percentage of roads in poor condition increased from 25 percent in 2007 to 32 percent in 2008. The latest figure represents more than 17,378 lane miles of federal-aid-eligible roads.

Federal aid roads are those eligible for at least some federal dollars in addition to state dollars. They are often considered the best maintained roads because of their high traffic volumes.

The report rated each road on a scale of 1-10, with 1 being the worst. It analyzed the municipalities with the most roads rating a 4 or lower. Roads in this condition are considered "poor" and require a complete structural overhaul, usually costing four to five times as much as the cost of routine maintenance.

Counties with the most miles of roads rated in poor condition:

1. Wayne, 1,841 miles
2. Oakland, 1,292 miles
3. Genesee, 1,216 miles
4. Washtenaw, 977 miles
5. Calhoun, 932 miles
6. Kent, 805 miles

## 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*



*Service Beyond the  
Contract Nationwide*

Visit the news section of [www.mi-ita.com](http://www.mi-ita.com) for more press releases.

7. Macomb, 753 miles
8. St. Clair, 586 miles
9. Menominee, 550 miles
10. Oceana, 534 miles

Municipalities with the most miles of roads rated in poor condition:

1. Detroit, 586 miles
2. Grand Rapids, 200 miles
3. Ann Arbor, 189 miles
4. Flint, 165 miles
5. Livonia, 143 miles
6. Southfield, 142 miles
7. Lansing, 136 miles
8. Sterling Heights, 119 miles
9. Saginaw, 114 miles
10. Mt. Morris Township, 114 miles

The Asset Management Council also identified counties and municipalities with the highest percentage of roads in poor condition in Michigan. A total of 24 municipalities had 100 percent of their federal aid roads in poor condition. The county with the greatest

percentage of roads in poor condition was Oceana, with a whopping two-thirds of its federal aid roads in poor condition.

Michigan residents can voice their concerns about road funding by calling a toll-free number, 888-719-3087, set up by MTT. Callers simply enter their five-digit ZIP code to be connected, at no cost to them, with their legislative offices.

MTT is a broad-based, bipartisan partnership of business, labor, local government, associations and citizens with the common goal of improving Michigan's transportation infrastructure. The DriveMI campaign is committed to promoting the development and maintenance of a safe, convenient and efficient transportation network that serves the public, private and economic development needs of Michigan.

***About the Michigan Asset Management Council:***

*The Michigan Asset Management Council was created by the Legislature as a result of the Transportation Funding Study committee Report of 2000. Since then, the council has been tracking road conditions on approximately 97,979 lane miles on the federal highway system and identified 28,421 miles of roadway considered in poor condition. Overall, Michigan has about 287,780 lane miles across the state.*

*Continues on pg. 62*

Affiliated Local Unions of the  
**MICHIGAN STATE CONFERENCE of  
PLASTERERS AND CEMENT MASONS**

**PLASTERERS & CEMENT  
MASONS LOCAL 16**

Cyril Wilson, Business Manager  
3815 W. St. Joseph Street, B-200  
Lansing, MI 48917  
**Phone: 517-999-3410**  
**Fax: 517-999-3412**

**CEMENT MASONS LOCAL 514**

James Oakley, Business Manager  
1154 E. Lincoln Avenue  
Madison Heights, MI 48071  
**Phone: 248-548-0800**  
**Fax: 248-548-0700**



**PLASTERERS LOCAL 67**

Jack McCool, Business Manager  
1154 E. Lincoln Avenue  
Madison Heights, MI 48071  
**Phone: 248-591-6700**  
**Fax: 248-591-0671**

**PLASTERERS & CEMENT  
MASONS LOCAL 886**

Michael Reinbolt, Business Manager  
4652 Lewis Ave.  
Toledo, OH 46312  
**Phone: 419-478-2652**  
**Fax: 419-478-0208**

**Daniel Rauch, International Representative**  
**Phone: 419-467-1372**

## MITA Press Releases

Continued from pg. 61

### **Data for the spreadsheet was provided by:**

The Center for Shared Solutions and Technology Partnerships  
111 S. Capitol Ave.  
10th Floor, Lansing, MI 48933

The spreadsheet contains the number of miles of road that ranked a 4 or less (considered "poor" condition) in reports submitted to the MI Asset Management Council from 2007-2008.

This information is a snapshot in time of data that is continuously changing as repairs are completed and continued deterioration is documented by data collectors. The precise description of the data and how it was obtained is below:

1. Rating information is primarily calculated from data submitted to the MI Asset Management Council in 2008. For road segments that did not get rated in 2008 (approximately 65 percent of the system was rated in 2008 vs. 100 percent in 2007), the 2007 rating was used in order to get a 100 percent sample that would reflect the entire road network.
2. Measurements are represented in 'Lane Miles', Number of Lanes times (\*) the centerline length in miles of the road segment.
3. All road segments are geographically referenced to the Michigan Geographic Framework (official statewide GIS basemap). Although counties and local jurisdictions are listed, the actual road ownership and maintenance responsibilities may vary.
4. Data fields included:  
Total Miles, total miles of road in jurisdiction, including both local and federal aid roads.  
Overall Federal Aid Miles, total miles of Federal Aid roads ONLY within jurisdiction.  
Total 'Poor' Miles, total miles of road rated 4 or less, including both local and federal aid roads.  
Federal Aid 'Poor' Miles, total miles of Federal Aid roads rated 4 or less.
5. The data represents the analysis of the Federal Aid System only. While some communities reported a portion of their local Non-Federal Aid System, for purposes of similar comparison between communities, these numbers and percentages were omitted.

Visit the news section of [www.mi-ita.com](http://www.mi-ita.com) for more press releases.



## Michigan Pipe & Valve, Inc.

### Complete Water & Sewer Supplies Distributor

- More than 150 years combined experience
- 5 Diverse Locations
- Dedicated to Our Customer's Needs



- |                                |                                   |
|--------------------------------|-----------------------------------|
| ■ Ductile Iron Pipe            | ■ Pipe Couplings                  |
| ■ Ductile Fittings             | ■ Water Meters                    |
| ■ Restrained Joint Products    | ■ Water Meter Boxes               |
| ■ PVC Water and Sewer Pipe     | ■ Tools & Test Equipment          |
| ■ PVC Pressure/DWV Fittings    | ■ Concrete Products               |
| ■ Schedule 40 PVC Pipe         | ■ Polywrap                        |
| ■ Storm Sewer Pipe             | ■ Erosion Control Products        |
| ■ Water Service Tubing         | ■ Corrugated Metal & Plastic Pipe |
| ■ Corps, Curbs Stops and Boxes | ■ HDPE Piping & Fusion Equipment  |
| ■ Fire Hydrants                | ■ Specialty Valves                |
| ■ Gate Valves                  | ■ Butterfly Valves                |
| ■ Tapping Sleeves              | ■ Air & Vacuum Valves             |
| ■ Tapping Machines             | ■ Detector Check Valves           |
| ■ Repair Clamps                | ■ Back Flow Preventers            |
| ■ Flexible Couplings           |                                   |

**Servicing Contractors, Developers & Municipalities**

**Craig Spencer**  
Shelby Township Yard  
(586) 884-6646  
(586) 884-6641 Fax

**Mike Bailey, Mike Orr**  
Jackson Yard  
(517) 764-9151  
(517) 764-9155 Fax

**Mike Kovich, Mike Deneen**  
Flint Yard  
(810) 230-2737  
(810) 230-2992 Fax

**Gary Putrow**  
Lansing Yard  
(517) 322-0300  
(517) 322-4037 Fax

**Jim Jaime**  
Saginaw Yard  
(989) 752-7911  
(989) 752-7970 Fax

**Mike Crowley, Tim Brugger**  
Traverse City Yard  
(231) 929-7473  
(231) 929-9897 Fax

to eliminate an existing program, but rather a pot of money outside the Highway Trust Fund that has been used for individual projects for at least the last two fiscal years.

## Public Transportation Program

Like the highway program, the federal public transportation program continues to operate without a multi-year authorization in place. The Obama Administration's budget, however, includes a fairly substantial restructuring of federal public transportation funds. Total public transportation investment proposed in the budget is \$10.8 billion (\$67 million above the FY 2010 level), but several traditional pro-

grams are scaled back to make room for new initiatives.

grams are scaled back to make room for new initiatives.

grams are scaled back to make room for new initiatives.

The New Starts Program, or capital investment grants, would be reduced from \$2.0 billion to \$1.8 billion and requested formula and bus grants are down \$72 million to \$8.27 billion. At the same time, \$307 million is proposed for a new Federal Transit Administration (FTA) "Livable Communities Program" and \$24 million for a new "Rail Transit Oversight Program." The measure also restructures the FTA energy efficiency/greenhouse gas reduction program as a trust fund supported activity.

## Highway Trust Fund Outlook

The Obama Administration's budget also reinforces the challenges facing the reauthorization of the federal surface transportation program and future highway and transit investments by providing new information on the outlook of the Highway Trust Fund's Highway and Mass Transit Accounts.

Highway Trust Fund Estimates (in billions \$)

	2009	2010	2011	2012	2013	2014	2015
<b>Highways</b>							
Obligation Limitation	42	42	43	6	41	36	36
General Fund Budget Authority			37	3	9	9	
Total Resources, Highways	42	42	43	43	44	45	46
<b>Transit</b>							
Obligation Limitation	8	8	9	1	3	5	5
General Fund Budget Authority			8	6	4	4	
Total Resources, Transit	8	8	9	9	9	9	9

Assumes the Highway Trust Fund will be provided additional appropriations from the General Fund during 2010 and 2011. Starting in 2012, both highway and transit obligation limitations are set at levels that ensure trust fund outlays are supported by current law revenue to the trust fund.

Continues on pg. 64

## GBM RECYCLED CONCRETE, CO.

- Whitmore Lake Road, Whitmore Lake
- Chilson Road, Howell
- Kensington Road, Brighton
- North Dort Highway, Flint
- Hawley Road, Holly

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

the red at the end of FY 2011. The Mass Transit Account fairs slightly better in the short-term, with a projected year-end balance of \$1.27 billion. Unfortunately, the transit account also goes into the negative at the end of FY 2011 with a \$2.46 billion deficit.

To further clarify this situation and the stark choices facing federal policy makers, the Administration's budget projects the impact of leaving this situation unresolved beyond FY 2011 (Administration chart included below). According to this information, the Highway Account could only support a \$6 billion program in FY 2012 and would require \$37 billion in federal General Fund's to maintain current levels of investment. The situation improves somewhat in FY 2013 to FY 2015, but would still require significant General Fund support. By comparison, the Transit Account is projected to only be able to support a \$1 billion program in FY 2012 and would require \$8 billion in General Funds to prevent funding cuts. The public transportation programs would require between \$6 and \$4 billion annually from FY 2013 to FY 2015 to maintain current levels of investment.

The Administration's budget proposal goes to great lengths to explain this information is included for illustrative purposes only and is not

Specifically, the budget projects the Highway Account will end the current fiscal year with a negative \$1.38 billion balance and will be \$11.6 billion in

intended as a policy recommendation to shift these programs to General Fund activities in the future. In fact, unlike the Administration's FY 2010 budget proposal, there is no mention of eliminating the contract authority designation for either program or diluting the trust fund protections that currently exist. The budget, however, makes very clear that absent serious steps to address the Highway Trust Fund's revenue challenges, the current system of user fee financing cannot continue.

### National Infrastructure Bank

The Administration proposes \$4 billion for a new National Infrastructure Innovation and Finance Fund (NIIFF) that will provide grants, loans, or a blend of both for multi-modal transportation projects of national or regional significance, but can include environmental sustainability. Projects would "generally not be less than \$25,000,000" and the fund would report to the Secretary. The NIIFF would sponsor planning, feasibility, and analytical capacity work necessary to identify high-value projects around the country. The Administration characterizes the \$4 billion request in FY 2011 as a "down payment on a \$25 billion commitment to the fund."

### Aviation Programs

With a multi-year reauthorization of the federal aviation programs delayed by more than two years, the Administration's budget calls for increasing total federal aviation investment by nearly \$500 million over FY 2010 to a total of \$16.5 billion. Specifically, the budget recommends



Limestone

AG Lime

MDOT Pre-Qualified

Rip Rap

Topsoil / Sand

Recycled Concrete

Natural Gravel

Material Delivery

Rail Logistics

[www.stoneco.net](http://www.stoneco.net)

### Construction Materials

**Stoneco Eastern Division (734) 241-8966**  
Ottawa Lake • Maybee • Monroe • Newport • Ann Arbor • Ida

**Stoneco Western Division (269) 795-3500**  
Grand Rapids • Kalamazoo • Moscow

**Conrad Yelvingston Distributors Inc. (CYDI)**  
Flint • Lansing **(810) 785-5802**

**Providing All grades of Construction Limestone, Sand & Gravel**

funding the Airport Improvement Program (AIP) at \$3.515 billion, a level which has been constant for years.

The Administration also requests \$1.1 billion for the Federal Aviation Administration's NextGen program—\$275 million more than provided for in the FY 2010 appropriations process. NextGen is an initiative to replace the nation's current ground-based radar air traffic control system with a modern satellite-based system and is clearly the Administration's priority within the aviation programs.

The House and Senate transportation committees have developed aviation reauthorization proposals that propose \$4.1 billion for AIP in FY 2011. The aviation programs and the taxes that support them are operating under a temporary extension that expires at the end of March.

### Rail Programs

The Obama Administration's FY 2011 budget proposes \$2.9 billion for the federal rail programs. Of this amount, \$1.6 billion would support Amtrak, including \$281 million to fully fund Amtrak's Americans with Disabilities Act capital plan. Apart from Amtrak, \$1 billion is requested to fulfill President Obama's pledge last year to invest \$5 billion over 5 years to help develop a U.S. high speed passenger rail network. By comparison, Congress provided \$1.56 billion for Amtrak in FY 2010 and \$2.5 billion for high-speed passenger rail (which also received \$8 billion in FY 2009 from the American Recovery & Reinvestment Act).

Also included in the \$2.9 billion request is \$244 million for the Federal Railroad Administration's safety and operating programs. The President's budget also proposes a new railroad safety user fee to offset

the costs of a railroad safety inspector program and the Administration expects to collect \$50 million in FY 2011 from this fee. The budget proposes to terminate the \$34 million Rail Line Relocation Program as part of the government-wide effort to cut programs the Administration considers unnecessary.

### Highway Safety Programs

The Administration's budget requests \$570 million for the Federal Motor Carrier Safety Administration (FMCSA). This represents a \$20 million increase over the \$550 million appropriated for FY 2010. FMCSA funds are used to improve commercial motor vehicle safety, largely by enforcing truck and bus safety regulations, conducting compliance reviews and roadside inspections, and improving state oversight of Commercial Driver's Licenses.

For the National Highway Traffic Safety Administration (NHTSA), the Administration requests a total of \$878 million for FY 2011. This would be a \$5 million increase over the \$873 million included in the FY 2010 appropriations act. The NHTSA budget focuses on improving highway safety through research and dissemination of information, as well as through grants supporting state efforts to enforce highway safety laws. The President's budget also requests a new \$50 million distracted driving prevention program to encourage states to enact laws to prevent distracted driving with a focus on cell phone usage.

## ARTBA News

*Continued from pg. 64*

INSURANCE

BONDING

# OAKLAND COMPANIES

INTEGRITY • COMMITMENT • SECURITY

**Our Primary Client Goals:**

**Protect Your Assets • Control Your Costs • Provide Exceptional Service**

**ISO 9001:2000  
Certified Co.**



888 West Big Beaver, Suite 1200, Troy Michigan 48084

[www.oaklandcompanies.net](http://www.oaklandcompanies.net)

Ph (248) 647-2500 • Fax (248) 647-4689

# MITA 2010 Training Schedule

Here is a list of the classes remaining for 2010 in the MITA Training Center in Okemos. For details, please contact [patrickbrown@mi-ita.com](mailto:patrickbrown@mi-ita.com) or call the MITA office at 517-347-8336.

April 15, 2010, 9 a.m.-5 p.m.

## Safety Training MITA and Michigan CAT

Location: Michigan CAT in Kalkaska, 3990 U.S. Highway 131

Multiple Topics (\$45 per person)

Topics will include First Aid/CPR, MIOSHA All-Trades, Trenching, Excavating and Shoring, Confined Space, Fall Protection and Job Site Analysis.

April 22, 2010, 8 a.m. - 4p.m.,

## Qualified Person, Job Site Analysis, First Aid and CPR (\$45 per person)

The Qualified Person class is designed for the foremen, superintendents and project managers but everyone is welcome. Find out what responsibilities are required of the qualified person and how to deal with workers as well as management. Job Site Analysis ... MIOSHA standards require that at least one person on every job be certified in first aid. Refresh your knowledge and know what to do in time of need. Do you know what to do if a co-worker or family member stops breathing? Quick actions in this situation could save a life. CPR is the first line of defense in this situation. Attending this session will certify or re-certify you in CPR, which is required annually.

May 6, 2010, 8 a.m. - 4p.m.,

## All Trades, Trenching, First Aid and CPR (\$45 per person)

Receive the most up-to-date information about the growing trends in construction. Witness the good, the bad and the ugly first hand. This class will cover job site necessities for all trades and common work practices that should change the way you do your job. Hazard recognition and job site analysis will also be discussed. This is a must have session for construction workers.

# MITA 2010 Event Calendar



For details on any event, contact Danielle Coppersmith, events coordinator, [daniellecoppersmith@mi-ita.com](mailto:daniellecoppersmith@mi-ita.com) or visit the events section of [www.mi-ita.com](http://www.mi-ita.com).

**April 13**

1:00 p.m.

**MITA Board Meeting**

MITA Office, Okemos

**May 19**

**Western Michigan  
Golf Outing**

Boulder Creek, Belmont

**June 8**

8:30 a.m.

**MITA Board Meeting**

Country Club of Lansing

**July 15**

**Southeastern Michigan  
Golf Outing**

Fox Hills Country Club, Plymouth

**July 29-31**

**MITA Summer  
Conference**

Grand Hotel, Mackinac Island

**August 10**

1:00 p.m.

**MITA Board Meeting**

MITA Office, Okemos

**October 12**

8:30 a.m.

**MITA Board Meeting**

Hunter's Ridge Hunt Club

**December 1**

11:30 a.m.

**Western Michigan  
Holiday Party**

Location to be determined

**December 10**

8:30 a.m.

**MITA Board Meeting**

Country Club of Lansing

**December 10**

11:30 a.m.

**Central Michigan  
Holiday Party**

Country Club of Lansing

**December 16**

11:30 a.m.

**Southeastern Michigan  
Holiday Party**

Location to be determined



**2010 MDOT Bid Lettings**

All bid lettings are downloaded on the second floor of the MDOT Building (Van Wagoner Building on Ottawa St. in Lansing.)

Friday, April 2, 2010  
Friday, May 7, 2010  
Friday, June 4, 2010  
Friday, July 2, 2010  
Friday, August 6, 2010  
Friday, September 3, 2010  
Friday, October 1, 2010  
Friday, November 5, 2010  
Friday, December 3, 2010

# America's Trench Box Builder™

## Efficiency Production, Inc.

### Special "Back the PAC" Offer

To support MITA's Political Action Committee and to signify our 38 years of innovation, service and leadership in the Trench Shielding Industry, Efficiency Production is presenting this special offer:

- For every rental or purchase of Efficiency trench shielding products in 2010 Efficiency will make a **\$100** contribution on your behalf to MITA's Political Action Committee to advance the legislative funding initiatives that benefit Michigan's Underground Contractors and Road Builders.
- Just tear out this ad and mail it, fax it, or mention it with your order.
- Contact Mike Ross, 517-525-1265, for more information.



Steel Trench Boxes



Manhole Shields



Stone Mizer



Porta Tank™



Build-A-Box™



Slide Rail System

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

*Call us for Factory Direct  
Sales & Rentals!*

**800-552-8800**

**www.efficiencytrenchbox.com**

# Winter 2010 Cross-Section Ad Index

Ace Cutting Equipment & Supply .....	42	McDowell & Associates .....	11
Alta Equipment Company .....	40	Mersino Dewatering, Inc. ....	6
Association Benefits .....	IFC	Michigan CAT .....	10
Atsalis Brothers .....	BC	Michigan LECET .....	70
Bacco Construction Company .....	45	Michigan Pipe & Valve .....	62
Bell Equipment Company .....	35	Michigan State Conference of Plasterers and Cement Masons .....	61
James Burg Trucking Company .....	3	Mourer Foster, Inc. ....	60
Capitol Barricading, Inc. ....	27	NTH Consultants .....	34
Civil Landscape Constructions, Inc. ....	26	Oakland Companies .....	65
Corrigan Oil Co. ....	17	Operating Engineers .....	IBC
Ebony Construction Co., Inc. ....	46	Pinnacle Insurance .....	24
Efficiency Production, Inc. ....	68	Plante Moran .....	56
G2 Consulting Group, LLC .....	58	PRI Pavement Recycling Inc. ....	29
GBM Recycled Concrete .....	63	Pro-Tec Equipment Inc. ....	8
Griffin, Smalley and Wilkerson, Inc. ....	54	Rain for Rent .....	53
Guy Hurley Blaser & Heuer .....	43	Spartan Specialties LTD .....	21
InfoTech .....	4	Stoneco, Inc. ....	64
Inspesol Engineering, Inc. ....	52	Stuart, Franey, Matthews & Chantres, P.C. ....	18
Jay Dee Contractors, Inc. ....	51	Swad & Company, CPA's .....	57
Jensen Bridge Contractors, Inc. ....	55	Trench Tech, Inc. ....	23
Klochko Rental Equipment, Co. ....	44	Valenti Trobec Chandler Inc. ....	54
Kotz, Sangster, Wysocki and Berg, P.C. ....	59	Wade Trim .....	16
Lawrence Technological University .....	28	Washtenaw Engineering Company .....	33
Edw C. Levy Co. ....	9	Zervos Group, Inc. ....	20
Lowe Construction Company, Inc. ....	30		

## Bulletin Index *Visit [www.mi-ita.com](http://www.mi-ita.com) to view or print these bulletins.*

*Continued from pg. 59*

1/4/2010 ..... Order Your 2010-2011 MITA Membership Directory and Buyer's Guide Today	10/1/2009 ..... SAVE THE DATE for the 2nd Annual Michigan Utility Coordination Conference	1/4/2010 ..... MITA's MBE/WBE/DBE Solicitations Website
12/21/2009 ..... Advertisers Wanted for MITA 2010-2011 Directory	9/25/2009 ... Reserve Your Room and Pre-Register for the 2010 MITA Annual Conference and Patzer Retirement Celebration!	12/22/2009 ..... Michigan Construction Quality Partnership 2010 Call for Nominations
12/18/2009 ..... In Memoriam of William (Bill) Washabaugh	9/21/2009 ..... Call for Bob Patzer Tribute Book Ads	12/4/2009 ..... CA/FUSP/NB Update
12/17/2009 ..... Did You Know...	<b>ENGINEERING BULLETINS</b>	12/1/2009 .. Attend the 2nd Annual Michigan Utility Coordination Conference
12/14/2009 ..... Sign Up Now for the 2010 MITA Annual Conference and atzer Retirement Celebration!	3/16/2010 ..... FieldManager Contractor Training Class	11/25/2009 ...MDOT to Implement New DBE Liquid AC Dealer Monitoring Procedures
12/1/2009 ..... In Memoriam of Jim Natschke	3/15/2010 ..... MDOT Seasonal Weight/Load Restriction Bulletin #3 – March 15, 2010	11/17/2009 ..... MITA Opportunities Await You...
11/30/2009 ..... Did You Know...	3/9/2010 ..... MDOT Seasonal Weight/Load Restriction – March 10, 2010	11/13/2009 ..... MDOT Metro Region to Host DBE/ Prime Contractor Meeting
11/23/2009 ..... Stolen Equipment Notice	3/4/2010 ..... Tax Liability on Construction Materials	11/5/2009 ..... FieldManager Contractor Update
11/16/2009 ..... MITA Companies Cause Surge in Legislative Calls	3/3/2010 ..... MDOT Seasonal Weight/Load Restriction – March 8, 2010	11/4/2009 ..... CA Update
11/16/2009 ..... 2010 Annual Conference Exhibit Space is Selling Quickly; Secure Your Spot Now!	2/26/2010 ..... FieldManager Contractor Continues to Grow and Expand	10/16/2009 ..... CA/FUSP Update and MDOT RFP for Video Wall System
11/5/2009 ..... Stolen Equipment Notice	2/26/2010 ..... Spring Weight Restrictions – Counties are starting to post...	<b>SAFETY BULLETINS</b>
10/29/2009 ..... Join Your Friends and Colleagues at the 2009 MITA Holiday Parties	2/26/2010 ... Good Faith Efforts — Q & A Published	3/16/2010 ..... MITA Safety Training
10/27/2009 ..... Did you know that the federal government may be willing to pay to upgrade your diesel equipment?	2/25/2010 ..... Get more involved with MITA – Shape the future of "Innovative Contracting"	2/2/2010 ..... MITA Safety Training
10/26/2009 ..... MITA Ads: Portal to Advertise Non-MDOT Projects	2/22/2010 ..... DBE Solicitation Blue Sheet at Time of Bid Pilot Process	1/15/2010 ..... MIOSHA 300 Annual Summary
10/13/2009 ..... Sign-Up Now for the 2010 MITA Annual Ski Weekend	2/11/2010 ..... MDOT 3-week advertisements for ARRA funded projects	11/20/2009 .. Associate Members Did You Know...
10/9/2009 ..... 2010 Annual Conference Exhibit and Sponsorship Opportunities	2/8/2010 ..... FUSP Update	11/18/2009 ..... New Installment of Tool Box Talks Now Available
10/7/2009 ..... 2010 MITA Management Conference	2/8/2010 ..... Spring Weight Restrictions – Are you ready?	11/17/2009 ..... MITA Training Alert
10/1/2009 ..... 2009/2010 MITA European Hunt Schedule	1/26/2010 ..... MDOT Design Package Evaluation Process	11/9/2009 ..... MIOSHA Appeals Update
	1/13/2010 ..... Audit Requirements – MDOT Revised Prequalification Rules	10/28/2009 ..... New MITA Training Opportunities Available
		10/16/2009 ..... Trucking Alert
		10/15/2009 ..... 2009 and 2010 Training Schedule
		10/2/2009 ..... Crane Operators Beware

# MICHIGAN LABORERS' TRAINING & APPRENTICESHIP INSTITUTE



Grant Charlick, an apprentice program graduate out of Laborers Local 1076 and an employee of Skanska, USA, considers MLTAI and the Construction Craft Laborer apprenticeship program an important part of his professional growth.

Charlick stated, "Having passed a college calculus class I expected that there was very little MLTAI could teach me about math, but with their unique approach to teaching I learned how the mathematic principles I learned in college apply in the real world. College didn't teach me that. Also, the wide variety of subjects taught at MLTAI as well as the variety of experience I've gained as a result of working for a general contractor has prepared me to take advantage of advancement opportunities that could come my way in the future."

Michigan Laborers' Training and Apprenticeship Institute provides training to apprentices and journey persons alike. Our instructors have a wide range of field expertise to provide our members with top-notch training using cutting edge technology. Our state-of-the-art training facilities located in the cities of Wayne, Perry and Iron Mountain accommodate on average 2,500 members annually. Courses range from 2 hours to 120 hours in length and include environmental training, construction training, life skills courses as well as on-line courses.

Graduates reaching Journey worker status can be granted college credits at virtually all of Michigan's community colleges.

MLTAI and the Construction Craft Laborers apprenticeship program produce Laborers skilled in their field, dedicated and trained. When Grant was asked what it takes to be a successful Laborer he said, "You have to show up every day in the right state of mind, with a proper attitude and be dependable, punctual and trustworthy. You have to bring your "A" game every day".

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 Michigan Laborers Training and Apprenticeship Institute.



Michigan Laborers Training and Apprenticeship Institute  
11155 S. Beardslee Road, Perry, MI 48872-9774  
517-625-4046 [www.mi-laborers.org](http://www.mi-laborers.org)

# Excavating Opportunities

**Education and Training distinguishes us from all the rest.**

**Local 324 Operating Engineers spend more than \$4 million on training annually to assure you get the best. Be sure the contractor you hire for your next project shares our values of Education and Training.**



## LOCAL 324's VALUE PROPOSITION

*Members will provide a fair day's work, bringing unsurpassed **Unity, Pride** and **Productivity** to the job-site while performing safely.*

## LOCAL 324 MISSION STATEMENT

*To anticipate for, and capitalize on the ever-changing economic, social, political and legal challenges facing our union; to provide an unmatched level of services to members through a dedicated, loyal team of professionals.*

### Local 324 Operating Engineers

500 Hulet Drive  
Bloomfield Twp., MI 48302  
248.451.0324  
[www.iuoe324.org](http://www.iuoe324.org)

**John M. Hamilton**  
Business Manager &  
General Vice President

### Journeyman & Apprentice Training Fund, Inc.

275 East Highland Road  
Howell, MI 48843  
517.546.9610  
[www.oe324jatf.org](http://www.oe324jatf.org)

**Lee Graham**  
Training Director



# **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