

CROSSSECTION

WINTER 2016



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Mike Nystrom

EXECUTIVE VICE PRESIDENT

To follow up on the successful passage of road funding in November 2015, MITA is shifting the focus toward the underground side of the industry, while still keeping an eye on funding that goes to roads and bridges. Lance Binoniemi, MITA's vice president of government affairs, writes about the state's underground infrastructure investment needs on page 18.

Another major focus this year will be doing all that we can to address the biggest challenge facing our industry, according to the MITA Member Voice on page 40: the construction labor shortage. To help attract new talent to the industry, the MITA Board of Directors recently implemented a new MITA Scholarship Fund. For details, check out a story on page 22.

In the safety arena, MITA is busy putting together a Confined Space App, which is discussed on page 13 by Rob Coppersmith, MITA's vice president of membership services. The app should be available sometime this summer, and will help MITA members comply with the new MIOSHA Part 35 regulations.

Our new Vice President of Industry Relations, Rachelle VanDeventer, has been busy assisting members with engineering issues and she provides an overview of her work background on page 16 to help members get to know her.

In 2016, MITA will continue to provide events that help our members network with each other. You can read about our newest event, the Wild Game Dinner, on pages three and 24. Mark your calendars for September 29, and plan to join us for auctions, raffles, wild game food, theme tables and more at The Palazzo Grande in Shelby Township. See you there!

MIKE NYSTROM
Executive Vice President
MITA
mikenystrom@mi-ita.com

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MITA STAFF

MIKE NYSTROM
Executive Vice President / Secretary
mikenystrom@mi-ita.com

ROB COPPERSMITH
Vice President of Membership
Services
roboppersmith@mi-ita.com

GLENN BUKOSKI, PE
Vice President of Engineering
Services
glennbukoski@mi-ita.com

LANCE BINONIEMI
Vice President of Government Affairs
lancebinoniemi@mi-ita.com

RACHELLE VANDEVENTER, PE
Vice President of Industry Relations
rachellevandeventer@mi-ita.com

NANCY BROWN
Director of Communications
nancybrown@mi-ita.com

MATT MCCLINTICK
Director of Safety and Workforce
Development
mattmcclintick@mi-ita.com



MITA STAFF

DANIELLE COPPERSMITH
Events Coordinator
daniellecoppersmith@mi-ita.com

MARY MOODY
Accounting Coordinator
marymoody@mi-ita.com

ELLEN NYSTROM
Receptionist
ellennystrom@mi-ita.com

MARIAM ROBINSON
Outreach Coordinator
mariamrobinson@mi-ita.com

SARA SCHAIBLY
Membership Services Coordinator
saraschaibly@mi-ita.com

JANIS STRANG
Executive Assistant
janisstrang@mi-ita.com



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Eric Flessland
P: 313-983-6901
C: 734-778-1964
flessland@butzel.com

Jim Urban
P: 517-372-4385
C: 517-930-4185
urban@butzel.com

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Mersino Dewatering, Inc.

In the summer of 1971, Rod Mersino was looking for a job to help put him through college. His girlfriend, Karen, got him an interview with Lewis Dewatering, where she was doing summer and weekend work. Although they did not know it at the time, the work they did that summer laid the groundwork for their future. Today, Rod and Karen Mersino can reflect on the life and business they have built in the years that have followed with equal amounts of pride and gratitude in knowing that their success at the helm of what is now Mersino Dewatering is a direct result of their fortitude, family and faith.

"Rod was a good worker. He was bright and knew how to operate all of the machines," remembers Karen. "He did such a good job that Joe [Lewis] offered him a full-time job."

Rod's ability as an equipment operator paired well with his insights as a project manager. When the economy in Michigan struggled through the late 70s and early 80s, Rod and Karen – who married in 1972 – relocated their growing family to Florida, where Rod ran operations for a Michigan-based contractor. After Florida, they spent three years in Texas in the oilfields before returning to Michigan in

1985. Already caring for seven children of their own, Rod and Karen welcomed Karen's three younger siblings into their home after the loss of her father that same year. Rod returned to working in dewatering for three more years before the couple – despite the increased responsibilities and demands – decided to take a leap of faith by beginning Mersino Dewatering in 1988. With Rod taking on roles as salesman, equipment operator, welder and mechanic, Karen took the reins on bookkeeping, marketing and human resources.

"Our garage was our workspace, and our conference room was our kitchen table," recalls Karen. "Rod would often go out to jobs, then come home and work on equipment. He'd be going for days on four hours of sleep. It was a challenge to raise a family and run a business."

In a time that pre-dated quotations and contracts, Rod set out to do what he did best – he got to work. He looked for jobs. He looked for equipment. And together, he and Karen looked for money, often borrowing from their limited personal assets to keep the business afloat. Essentially, the pair knew that they had, "no choice but to succeed."

"Initially, almost every job was too big," laughs Rod. "Every penny that we earned we funneled back into the business. But, we had – and still have – good customers, who believed in our work ethic and fronted us money to purchase equipment so that we could complete jobs for them. The same is true with our vendors."

While Rod focused on the jobs and the equipment, Karen worked to keep the business up and running by providing all of the necessary back-office support.

"It was a different time. We didn't have a fax machine. We didn't have Google. There just weren't enough hours in the day and we had to worry about things like licensing, certifications and compliance. MITA – which was the Associated of Underground Contractors at the time – played a critical role in helping us figure things out, backing us up, and providing us with additional contacts," said Karen.

With the company seeing consistent growth in its initial stages, the Mersino children saw first-hand that their parents' dedication to their family and work was paying off.

"All seven of our kids learned this business in their own attempts to work their way

**10162 East Coldwater Road
Davison, MI 48423
Ph: (810) 658-3472
Fax: (810) 653-7828
www.mersino.com | www.globalpump.com**

Rod & Karen Mersino - Owners,
rod@mersino.com, karen@mersino.com
Gino Mersino - President/CEO, gino@mersino.com
Marco Mersino - Business Development, marco@mersino.com
Dave Tersigni - Branch Operations Manager, dave@mersino.com
Bob Hennessy - Branch Sales Manager, bob@mersino.com
Nick Darin - CFO, nick.darin@mersino.com
Marla Morningstar - Accounts Receivable & Accounts Payable,
marla.morningstar@mersino.com
Katie McCabe - Estimating Engineer,
kathleen.mccabe@mersino.com
Shawn Tandy - Account Manager, shawn.tandy@mersino.com
Steve Koval - Account Manager, steve.koval@mersino.com
Tim Lange - Account Manager, tim.lange@mersino.com

MITA Member Since 1993



through college,” said Karen. “They all worked alongside their Dad and learned his work ethic and have had the opportunity to uphold our family name through their work.”

It was this opportunity that lured eldest child, Gino Mersino, into his eventual role as President of Mersino Dewatering.

“When my parents started Mersino Dewatering, they had a goal of being the number one dewatering company in Michigan. Having worked in various segments of the business throughout my youth and during the summers when I was in school, I had a good understanding of the capabilities we had and the areas where we could grow,” said Gino.

The company’s growth in both footprint and capabilities has been strategically planned and executed, thanks to Gino Mersino’s insights.

“My parents cut their teeth on dewatering right here in Michigan and it continues to be our home base where we remain active today. We also realized that we had built relationships in the other communities where we had lived and that we had specialty knowledge that we could execute in those locations as well,” said Gino.

Today, Mersino Dewatering offers dewatering, one-pass trenching, bypass pumping and power generation through locations in Metamora and Davison, Chicago, Tampa, Daytona, Houston, Omaha, Baltimore and Pittsburgh.

“My parents always re-invested into the business,” said Gino. “For years, we were buying pump-ends from different manufacturers to use in various dewatering applications and retrofitting them for our own use. Then – through research and development – we designed and began to manufacture our own pump-ends under our brand name: Global Pump.”

Global Pump designs and manufactures world class pumps used in a variety of applications including construction and mine dewatering, temporary sewer bypass, oil and gas water supply, emergency flood control, and various industrial uses. Mersino Dewatering – parent company of Global Pump – is also its largest customer.

“Being a customer of your own product line sheds a unique insight on equipment designs that work well,” said Rod Mersino. “We’re proud to stand by the pumps that we offer because we rely on them in the same

manner that our customers do. It’s not about selling a product; it’s about delivering a reliable product and therefore developing lasting customer, vendor and employee relationships.”

Through decades of changing legal requirements, technological shifts, and increased job requirements, the Mersino family has remained consistent in its vision to grow a company that is appealing to work for and with. They attribute their ability to stay on track with these changes to the sales, regulatory and back-office support they received from MITA since the very beginning.

“I’ve often said that MITA has been one of our best salespeople,” said Rod. “We have grown together and I feel that our relationship has been mutually beneficial.”

Today, Mersino Dewatering employs 210 people in nine locations throughout North America, in addition to international representation and certified distribution partners. The company shares as a primary goal the achievement of becoming the largest ground-water and pumping solution provider in North America, and is on track to unveil a new pump design in 2016. With ongoing projects in locations throughout North and South America and with product representation worldwide, the potential for continued growth is both exciting and humbling.

“We have been blessed as a couple, as a family and as a business,” said Karen. “Although it’s hard to say what’s next, we believe that Mersino Dewatering – with Gino at its lead – will continue to see the opportunities through the challenges where they make sense, and learn from the ones that don’t. That’s the Mersino Way.”



VTC Insurance Group

VTC Insurance Group is one of the largest independent insurance and surety providers in Michigan, with a growing presence in select markets throughout the United States.

In the past 14 years the company has nearly quadrupled in size through new customer relationships, acquisitions and expanded market coverage. With 146 employees, they have five locations in Michigan and one in Florida that offer business insurance, surety bonds, employee benefits and personal insurance provided by 90 carriers.

Bob Trobec, executive vice president and chief financial officer, said the company survived the 2008 recession by “fending off negativity in the economy and expanding into other industries.” The company also weathered, along with the rest of the insurance industry, the impact of catastrophic weather events, such as Hurricane Sandy and Katrina, which ate up capital and surplus and forced the industry to be more profitable.

This year, growth is back for the construction industry. Executive Vice President of Sales, Mike Miller, said: “The work is there. However, human capital – labor – is the biggest problem and will continue to be a major challenge for the industry.”

Miller and Trobec said that being a member of MITA allowed their staff to gain perspective on that hot topic during a recent highly attended labor shortage session at the MITA Annual Super Conference.

“MITA also brings us face to face with our customers,” Trobec said, “and MITA keeps us in touch with our customers through their many networking events.”

Those customers have become their friends over the years, Miller added, and those enduring friendships give testimony to the level of commitment VTC makes to meeting the needs of their clients.

In the past, MITA members saw a lot of Miller; but, today, as he has risen to a leadership level in the company, a new generation of producers are offering their talents to MITA members.

“The younger generation of MITA members can see us working alongside them, learning about the same issues that the industry is facing,” said T.J. Griffin, account executive, who – along with Jason McLelland – will be the most visible VTC staff for MITA members.

McLelland said he is excited to be signed up to attend the next MITA Future Leader Development Program, where he hopes to absorb new information, make new connections and expand his overall understanding of the construction industry.

MITA members may not be aware that VTC was formerly known as Valenti Trobec Chandler, until last year when they went through a re-branding. Brian Klein, senior vice president of group operations and COO, said VTC worked with an outside firm to look at the company’s multiple locations to determine how their similarities resulted in a brand image.

“We have a strong service ethic to our customers,” Klein said. “What emerged from the work of a branding steering com-

ASSOCIATE MEMBER PROFILE



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Alan Chandler

President

achandler@vtcins.com

Robert Trobec

Executive Vice President and CFO
rtrobec@vtcins.com

Mike Miller

Executive Vice President – Sales
mmiller@vtcins.com

Jeffrey A. Chandler

Executive Vice President – Surety
jchandler@vtcins.com

Brian Klein

Senior Vice President of
Group Operations
COO
bklein@vtcins.com

T. J. Griffin

Account Executive
tjgriffin@gswins.com

Jason McLelland

Account Executive
jmcllelland@vtcins.com

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LOCATIONS

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1175 West Long Lake Road, Suite 200
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Photo caption from left to right:

*Jason McLelland, Bob Trobec,
Jeffrey Chandler, Al Chandler,
Mike Miller, Brian Klein,
T.J. Griffin*

OUR HISTORY

In the years since 1957, when Valenti Trobec Chandler Inc. was founded, a lot has changed. The evolving economic landscape. Shifting regulatory and compliance forces. The sheer velocity of business. And while the tools and technologies of risk management adapt to meet those challenges, one thing doesn't change: our simple, person-to-person commitment to customer success.

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mittee is that what we give our customers is confidence. Thus our trademarked brand is – Confidence. For What's Next."

What that means, in short, according to VTC Insurance Group President Al

Chandler: It is all about the customer.

"We have diversity in size and locations," Chandler said. "No one else in the United States has this. We have diversity of location representation and availability

of bond and insurance markets. No one has the length of experience and continued expertise that we have in the construction industry."

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Coming Soon: Confined Space App

You will be hearing more information soon about MITA's new Confined Space App. This app will help members comply with the new MIOSHA Part 35 regulations concerning confined space. It will cover the decision making process for identifying a confined space, and lead the entrant toward making good decisions regarding confined spaces prior to entry. MITA is also in the process of developing written confined space policy for members safety programs. Watch your MITA emails for more details.

The app is currently in development and should be available sometime this summer. If you have any questions, email Rob Coppersmith (roboppersmith@mi-ita.com) or Matt McClintick (mattmcclintick@mi-ita.com) or call the MITA office at 517-347-8336.

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Transportation System Remains a Top Budget Priority

The road funding solution that passed the Legislature and was signed by Governor Snyder raises over \$1.2 billion more annually and will provide the necessary resources to maintain our state's roads and bridges for decades to come. Slightly different than increases in the past, the solution included traditional revenue sources through user fees and half of the amount raised comes from the state's General Fund. This shifts the focus of MITA's efforts slightly, as we will need to protect the money promised as future lawmakers can pass legislation to distribute that money toward other priorities.

Doing so isn't just a simple move in the appropriations process. The \$600 million passed by the Legislature to annually go towards transportation from the General Fund is statutorily dedicated and protected. The Legislature has little control over the majority of General Fund money in the state budget. The bulk of the money comes from either federally restricted funds that are dictated by the federal government, state constitutionally dedicated funds that the Legislature has no control over, or statutorily dedicated funds, which is where half the new road funding comes from. There is a small portion of the state's

budget that doesn't fit into any of those categories and that is

The use of existing revenues towards transportation was something that many in the public desired. Trust in our elected officials has eroded and many believe that we are spending too much on non-essential items in our state budget.

typically what becomes the debate on the state budget.

The \$600 million going towards transportation annually (statutorily dedicated revenue) is only the second group of dollars coming from the state's income tax to be designated this way. The first is a pot established in the early 90s dedicated to the School Aid Fund, which hasn't been touched since that time. The Legislature would have to redirect the transportation funding to other areas of the budget through a committee process, which would be difficult to do. And, as the saying goes, it's much easier to play defense than offense. That is something MITA members haven't had the opportunity to do in the road funding conversation in a long time.

Each year, the Governor is constitutionally required to present his or her budget recommendation to the

Legislature in early February. For the past four years, Governor Snyder has recommended various amounts from the General Fund to go towards transportation, as there was not a long-term solution passed. Often times the state was not able to meet its federal match and had to utilize General Fund dollars just to meet that goal. For the 2016 construction season, the Legislature and governor have already appropriated \$400 million more towards transportation, and the new money from the package passed last November will begin to be collected in January 2017.

The General Fund money allocated for transportation begins in 2018. Focus on the appropriations process will be necessary to ensure that the money promised in the road funding proposal remains there for years to come. After so many years debating this issue, and after all the hard work that went into passing it for the long term, it will be very difficult for lawmakers to defend and explain to the public redirecting the money somewhere else.

The use of existing revenues towards transportation was something that many in the public desired. Trust in our elected officials has eroded and many believe that we are spending too much on non-essential items in our state budget. A safe and effective transportation system will continue to remain a top priority in Michigan, and MITA will continue to ensure that it stays that way.



To contact Lance Binoniemi, e-mail him at lancebinoniemi@mi-ita.com or call the MITA office at 517-347-8336.

MITA's New Vice President: Transportation Background Details

My career in transportation began in November of 1999 when I started an internship at Alfred Benesch and Company (Lansing) while also attending Michigan State University. While at Benesch, I mainly assisted in developing construction plan sets and proposals for various MDOT projects, including the M-6/Grand Rapids South Beltline project, and the I-94 over US-24 interchange project in Wayne County. At Benesch long hours on large complex projects taught me the value of hard work and teamwork. In order to complete projects on time and to high quality standards expected at Benesch, it was all hands on deck and everyone had to pull their own weight. I learned a great deal from my boss and the team I worked with there - specifically dedication, hard work, and perseverance. I have since tried to carry those lessons to every challenge I have faced.

After graduation I stayed on as a road design engineer at Benesch until October of 2006 at which time I moved on to the Michigan Department of Transportation (MDOT). I started at MDOT as a road design engineer at the Lansing Transportation Service Center (TSC). I performed similar work at MDOT as at Benesch, developing construction plan sets and proposals,

but the projects required more independent work and were

generally of a smaller scale. One of the noteworthy opportunities I had while at the Lansing TSC was the chance to be the Project Manager for 6.9 miles of I-96 Design-Build American Recovery and Reinvestment Act (ARRA) project in Clinton and Eaton Counties. I would consider the I-96 Design-Build project to be the highlight of my time at the Lansing TSC due to the fact that it was very fast paced and challenging while offering great learning opportunities on project management. My project responsibilities included the development of the contract documents, coordinating all aspects of the project, including meeting and working with a multitude of stake holders, industry representatives and design consultants while working with the Delivery Engineer to manage the contractor's design-build team to ensure all work was in conformance with the contract. That project spanned over three years, and my time spent with the prime contractor (D.J. McQuestion & Sons') and their team, along with the MDOT construction team, was invaluable as experience goes. Prior to that project I had a very heavy design background and working on that project gave me a deeper appreciation of construction. The project had its highs and lows, like I imagine every project does, but the outcome was a quality project delivered on time. I can't stress enough how valuable my time in the field was and how much I learned on that project. In addition to the design-build project, I also cross-trained in construction for one summer

while I was at the Lansing TSC to add to my construction experience a little more.

In February of 2011, I left the Lansing TSC for the Engineering Support Services Manager role for MDOT in downtown Lansing. My responsibilities in that position included supervising the operations of a unit responsible for providing continuous improvements in engineering processes to gain efficiencies and effectiveness. That included researching and implementing improvements, as well as training on engineering hardware, software, and processes statewide for MDOT and external partners. It is during that time that my team and I partnered with internal and external resources to accomplish strategic objectives including, but not limited to, e-Construction, the implementation of 3D modeling design standards, GEOPAK Drainage, Bentley Subsurface Utility Engineering (SUE), boilerplating proposal information, and reference information documents (RID) requirements for MDOT to streamline data to the contracting community and construction. My time in that role at MDOT and working with that team was one of the most rewarding times I have experienced in my career to date. That opportunity afforded me the chance to work with great teammates, forge internal and external partnerships and relationships that included MITA, FHWA and the Highway Engineering Exchange Program (HEEP). Automation and process improvement in government can be daunting however we



Rachelle VanDeventer, P.E., e-mail her at rachellevandeventer@mi-ita.com or call the MITA office at 517-347-8336.

VICE PRESIDENT OF ENGINEERING SERVICES COMMENT

were able to see our initiatives go from initial concept to full statewide implementation. This was very rewarding and was recognized by national and international organizations. Again the value of teamwork was a continuing lesson with this position. I have to acknowledge that the success of Engineering Automation at MDOT over the past several years is attributable to some of the hardest working and respectable people in our industry.

The experiences and professional relationships I have developed through my career have given me a unique perspective on transportation, construction, technology advancement and communication. Specifically, I am passionate about doing what is right for the industry regardless of the amount of effort it may take and without cutting corners. I have not shied away from hard work or from speaking out when needed. People who know me have characterized my approach as tenacious and I hope to translate this to effective advocacy on behalf of MITA.

I feel extremely grateful to be able to be in this new role, and I am very excited to keep learning in my career while working for our members on any issues or questions that I can help with. It is hard to introduce myself in a written article, but hopefully this overview helps you understand a little more about my background and me. I look forward to serving you as Vice President of Industry Relations at MITA.



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Underground

SPOTLIGHT

Underground Infrastructure Investment Needs

Due to the ongoing crisis in Flint, local, state and federal officials are recommending and allocating extra money to help residents with their water problems. The allocated funds are being used for a variety of things, including bottled water for drinking, water filters for taps within homes affected by lead-tainted water, and funding to help the city pay for water bills, so residents aren't forced to pay for contaminated water and

replacement transition lines.

The real question remains, how much additional investment is needed statewide to maintain our underground infrastructure? That is the major topic Michigan decision-makers and the Governor are struggling with. MITA has reported for months that we have been putting several measures in place to analyze this topic, in order to determine what the actual need is. With underground infrastructure,

the process for determining need is significantly different than it was for our roads and bridges. But, as the state moves forward, it is absolutely essential that this is given due consideration to avoid another crisis like the one we have in Flint.

As an on-going effort, the Michigan Department of Environmental Quality has been awarding local communities with funding and low interest loans to develop asset management

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programs for their underground water and sewer facilities in the form of Stormwater, Asset Management and Wastewater (SAW) grants. Through these programs, communities (and collectively the state) will be able to analyze their systems in a more effective way to better understand what their needs might be. And, as mentioned in previous articles, it is MITA's goal for the state to establish an Underground Asset Management Council similar to Michigan's Transportation Asset Management Council to study the issue even further.

There are a few documents that assess the need to maintain our underground infrastructure on an annual basis. The Environmental Protection Agency (EPA) publishes a report every four years to look into each states' level of need. However,

they are limited to only looking at compliance with the Clean Water Act, which doesn't take into account many factors, such as transition lines, private systems or individual residential systems like septic wastewater systems. A more accurate assessment of individual states' needs could come from the American Civil Engineers Council, which suggests that Michigan needs to invest an additional \$13.8 billion over the next 20 years to maintain its underground infrastructure.

To look further into the issue, MITA has commissioned a report to take into account several factors in determining Michigan's annual need for additional investment. As we witnessed during the road funding debate, it will be essential to establish a specific number for the need, so lawmakers

can focus on reaching that goal.

As the state looks to wrap their hands around what exactly is needed to maintain our underground infrastructure systems across Michigan, discussions on how we may be able to fund those systems statewide can occur. There have been a lot of numbers thrown around lately on how much is needed to get Flint's water supply back to normal, but in all actuality, it's probably widely unknown. And if the city managers in Flint are unable to determine what lines in their underground infrastructure system have lead and which ones do not, it is very likely that this sort of crisis is looming just below the surface in many communities throughout the state. At MITA, we anticipate that this debate will consume the Legislature and Congress for several years to come.



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Winter 2016 MITA PAC Update

By Mariam Robinson

2015 ended on a high note for the heavy/highway construction industry when the Governor signed a comprehensive long-term solution to the road funding problem at the MITA office in Okemos. With 2016 now in full swing, one of the major goals this year is to increase the presence and support of the MITA PAC. It is absolutely critical that each and every MITA member understands the role they play in the effectiveness of this association, as well as the industry as a whole, when they choose to contribute

to the MITA PAC. Without the support of everyone, we cannot move forward as an industry, and we cannot have as strong of an impact as we should at the state Capitol. Below you'll find a list of MITA PAC donors from the last 12 months, which will include 2015 and 2016 donors. We want to sincerely thank each and every individual on this list, not only for your donation, but for your wisdom to look ahead and for your understanding of the need to invest in the MITA PAC now to see results in the future.

Please be aware that this list is only as current as the date the magazine went to print. If you donated to the MITA PAC between that date and now, your name will appear in the next issue. We appreciate your understanding, and we thank you for your support.

If you have any questions or concerns regarding the MITA PAC, please email Mariam Robinson, MITA Outreach Coordinator, at mariamrobinson@mi-ita.com or call her at 517-347-8336.

First Name	Last Name	Company	Amount	First Name	Last Name	Company	Amount
Brent	Gerken	Gerken Paving, Inc.	\$300.00	Mike	Peake	Action Traffic Maintenance	\$1,000.00
Kurt	Shea	P.K. Contracting, Inc.	\$500.00	Tom	Peake	Action Traffic Maintenance	\$1,000.00
Katie	Darrow	Darrow Bros. Excavating, Inc.	\$100.00	Bob	Jones	Toebe Construction, LLC	\$1,000.00
James	Pieprzak	T.R. Pieprzak Co., Inc.	\$200.00	Brian	Hoffman	Hoffman Bros., Inc.	\$5,000.00
Terry	Pieprzak	T.R. Pieprzak Co., Inc.	\$200.00	Lucas	Fleischmann	MI Pipe & Valve, Inc.	\$500.00
Jacquie	Katterman	Katterman Trucking, Inc.	\$300.00	Bob	Adcock	Angelo lafrate Construction Company	\$4,000.00
Bob	Nobbs	Edw. C. Levy Co.	\$500.00	Dave	Sturuss	Grand Valley Concrete Products	\$750.00
Joe	Dunigan	Dunigan Bros., Inc.	\$2,000.00	Mike	Malloure	C.A. Hull Co., Inc.	\$5,000.00
Keith	Rose	Rieth-Riley Construction Co., Inc.	\$5,000.00	Dale	Klett	Klett Recycle, Inc.	\$2,000.00
Nathan	Vohwinkle	Michigan Pipe & Valve - Lansing	\$2,500.00	Ron	Measel	Ace Cutting Equipment & Supply, Inc.	\$1,000.00
Rod	Mersino	Mersino Management	\$200.00	Brent	Gerken	Gerken Paving, Inc.	\$400.00
Ron	Measel	Ace Cutting Equipment	\$1,000.00	Brandie	Meisner	M&M Excavating Co., Inc.	\$500.00
Rachel	Snyder	BCT Benefits	\$1,000.00	Ken	Nowicki	M&M Excavating Co., Inc.	\$500.00
Andrew	Ross	Utility Contracting Co., Inc.	\$200.00	John	Landrie	M&M Excavating Co., Inc.	\$500.00
Scott	Bazinet	Lowe Construction Co.	\$2,000.00	Dave	Pytlowany	AIS Construction Equipment Corp.	\$1,200.00
Edward C.	Levy	Edw. C. Levy Co.	\$1,000.00	Darrell	Kaltz	Kaltz Excavating Co., Inc.	\$1,000.00
Robert	Wilson	Mid Michigan Materials, Inc.	\$200.00	Ron	Acciavatti	Pamar Enterprises, Inc.	\$2,500.00
Kevin	Brenner	Brenner Excavating, Inc.	\$500.00	Angie	Greenslade	Old Republic Surety Group, Inc.	\$100.00
Rinaldo	Acciavatti	Pamar Enterprises, Inc.	\$500.00	Mark	Campbell	GM & Sons, Inc.	\$500.00
B. Thomas	Stover	Toebe Construction, LLC	\$1,000.00	Karl	Schweitzer	GM & Sons, Inc.	\$1,000.00
Gary	Merkey	Jackson-Merkey Contractors, Inc.	\$750.00	Tom	Larabel	Ferris State University	\$300.00
Steve	Jackson	Jackson-Merkey Contractors, Inc.	\$750.00	Frank	DiPonio	DiPonio Contracting, Inc.	\$2,500.00
Lester	Lewis	Paradigm 2000, Inc.	\$200.00	Pete	Scodeller	Scodeller Construction, Inc.	
Tom	Wagenmaker	Anlaan Corporation	\$2,000.00			& Fonson Companies, Inc.	\$1,000.00
Dan	Eriksson	Hoffman Bros., Inc.	\$7,500.00	Heather	Cunningham	Lounsbury Excavating, Inc	\$450.00
Anne	Coursey	Champagne & Marx Excavating, Inc.	\$1,500.00	Jeff	Stover	Toebe Construction, LLC	\$1,000.00
Hugh	Brennan	Service Construction, Inc.	\$250.00	Brian	Olesky	Pamar Enterprises, Inc.	\$250.00
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Jack	Dykstra	Jack Dykstra Excavating, Inc.	\$1,000.00	Anne	Coursey	Champagne & Marx Excavating, Inc.	\$2,000.00
Chris	Shea	P.K. Contracting, Inc.	\$2,000.00	Christine	Davis	Champagne & Marx Excavating, Inc.	\$1,000.00
Aden	Shea	P.K. Contracting, Inc.	\$500.00	Fred	Meram	F.D.M. Contracting, Inc.	\$2,500.00
Bradley	Stover	Toebe Construction, LLC	\$1,000.00	Brian	Dodds	D & R Earthmoving, L.L.C.	\$500.00

WINTER 2016: MITA PAC UPDATE

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Derrick	Arens	Anlaan Corporation	\$100.00
Nate	Wagenmaker	Anlaan Corporation	\$100.00
Bruce	Morren	Nagel Construction	\$400.00
Tom	Wagenmaker	Anlaan Corporation	\$2,000.00
Irene	Zannis	Seaway Painting, L.L.C.	\$100.00
Donn	Ellis	CSI/Geoturf	\$150.00
Ryan	O'Donnell	Anlaan Corporation	\$2,000.00
Jim	Urban	Butzel Long	\$250.00
Eric	Morris	HNTB Michigan, Inc.	\$200.00
Robert	Hentkowski	Dan's Excavating, Inc.	\$500.00
Jim	Doescher	Dan's Excavating, Inc.	\$1,000.00
Malcolm	Chartier	M. L. Chartier, Inc.	\$2,500.00
Irvin	Rupersburg	Dan's Excavating, Inc.	\$500.00
Dennis	Rozanski	Dan's Excavating, Inc.	\$500.00
Jason	McLelland	VTC Insurance Group	\$250.00
Terry	Griffin	VTC Insurance Group	\$250.00
Mike	Miller	VTC Insurance Group	\$500.00
Joe	Goodall	Dan's Excavating, Inc.	\$500.00
Brad	Poggi	HUB International	\$500.00
Amy	Hall	Ebony Construction Co., Inc.	\$500.00
Denny	Scully	Mape's Insurance Agency	\$250.00
John	Zito	Zito Construction Co.	\$250.00

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Did You Know?

MITA Has A Scholarship Fund!

Recently, the MITA Board of Directors voted to implement a new MITA Scholarship Fund as a way to give back and to promote the heavy/highway construction industry, but to also extend a helping hand to the next generation. The goal is to award the first scholarships in June of 2016. Applicants hoping to qualify for the scholarships should be pursuing a degree that would lead to a career in the heavy/highway construction industry.

To be considered for a scholarship, all interested applicants should write a short letter to MITA stating why they are pursuing a career in the heavy/highway construction industry. It is strongly encouraged that applicants also submit the following: a recent copy of the applicant's transcripts, a resume detailing

the applicant's extracurricular activities, part-time jobs and community service, and a letter of recommendation from an individual not related to the candidate.

Completed applications should be mailed to the MITA Scholarship Fund at this address:

MITA Scholarship Fund
P.O. Box 1640
Okemos, MI 48805

Applications may also be emailed to MITA's Outreach Coordinator, Mariam Robinson, at mariamrobinson@mi-ita.com. **Please be aware that the deadline for applications to be received by the MITA Scholarship Fund is April 30, 2016.**

We also welcome donations of all sizes to the MITA Scholarship Fund! The more members who contribute to the

fund, the more up and coming students will be able to pursue a career in the heavy/highway construction industry with support. Scholarship donations may be written out to MITA, Inc. with MITA Scholarship Fund written in the memo. They may also be mailed to the address listed above.

If you as a member or someone you know as an applicant has any questions or concerns, please don't hesitate to contact either Mike Nystrom, Executive Vice President, or Mariam Robinson, Outreach Coordinator, by calling the MITA office at 517-347-8336.

Let's work together to promote the industry and to support the next generation!



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Important Deadlines For Scholarship Application Submissions

1. March – MITA begins accepting scholarship applications.
2. April 30– Deadline for all applications to be received by MITA. If your application is NOT post-marked by the date specified, it will NOT be considered.
3. June – Applicants receive letters

thanking them for submitting applications to the MITA Scholarship Fund. The winner of the scholarship will also be notified at this time.

Things For Donors To Be Aware Of

1. Donations to the MITA Scholarship Fund are NOT tax-deductible.
2. Donations to the MITA Scholarship Fund will go directly into a fund specifically designated for that purpose.

3. Promotional credits that MITA may offer now or in the future are NOT eligible to be used toward a donation to the MITA Scholarship Fund.
4. Donations to the MITA Scholarship Fund are completely separate from contributions made to the MITA PAC and are not subject to Michigan campaign finance laws or restrictions.



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Outreach Spotlight

1st Annual Wild Game Dinner By Mariam Robinson

MITA has hit a lot of important milestones in the last couple of years. Not only has the association celebrated its 12 year anniversary, but the hard-working men and women who make up the membership have persevered to see the Governor sign a permanent long-term solution to the state's road funding problem. On the heels of an unprecedented and uplifting Annual Conference, the sky truly is the limit for MITA and its members.

With all of these positive things moving the industry forward, there's no time like the present to shake up the annual

roster of events. This is where the first ever MITA Wild Game Dinner comes in! Our goal is to host a new, fun event that will bring members together for a networking opportunity that is sure to provide an evening of entertainment for everyone in attendance.

The night's festivities will include numerous theme tables, auctions, and raffles, opportunities to win cash and, of course, a full wild game themed dinner. Members are strongly encouraged to sponsor or donate to the event in an effort to help make this first year successful and one to remember. Sponsor-

ing and/or donating are great ways to promote your company and your brand amongst the membership.

If you're interested in donating, sponsoring and/or learning more about how to contribute to the event, please contact Rob Coppersmith, V.P. of Membership Services, at roboppersmith@mi-ita.com or Mariam Robinson, Outreach Coordinator, at mariamrobinson@mi-ita.com. They can also be reached at 517-347-8336.

Mark your calendars for Thursday, September 29, 2016. It will be an event you won't want to miss!

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2016 MITA Ski Weekend

This year's ski weekend was a well attended, family fun event as depicted by these pictures.





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2016 MITA ANNUAL



If there was ever a year to pull out the stops, this was it!

MITA amped up its annual conference on all levels with two keynote speakers, numerous well attended breakout sessions and the largest attendance ever for the Michigan Utility Coordination Conference portion, as well as an overall attendance that eclipsed 1,300 people.

MITA would to thank all of the sponsors, vendors and participants for the success of this event. Please support those who support the industry. This event wouldn't be possible without them.

Preparation for next year's event is already in process. We look forward to trying to top this year's event. And if you have never attended this conference, do yourself a favor, and come to the industry's largest educational and networking event.



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DBE PROFILE:

Marlette Excavating Company

Cindy Sulaty, president of Marlette Excavating Company in Marlette, Mich., talked to us recently about her business. For more information, you can reach her at 517-989-635-2998 or csulaty101@hotmail.com

History

Marlette Excavating Company was started in the early 1950's by Jim Sulaty in Marlette. He cleared land, installed structures, prepared building sites, constructed roads and demolished buildings while working with farmers, villages, townships and cities.

In the 1960's and 70's, Jim's son, Launce, went everywhere with his Dad and operated excavators, bulldozers and multiple other pieces of equipment. The two worked side by side on multiple projects for many years.

I officially joined the company in 1985, when Launce and I were married. I had been working in the field for years helping with grade elevations on county drain projects and private

jobs, doing maintenance on the equipment and preparing bids for submittal. I operated equipment on sites for 15 years. The most memorable was a TS-14 earthmover. I guess I was a fast learner, because with five minutes of instructions, off I went as there were numerous ponds to be dug at the Holly Meadows Golf Course in Capac.

Marlette Excavating was incorporated in 1990. Jim elected to retire and I bought the company. In 1997, I graduated from Lawrence Tech University with a bachelor's degree in engineering. I completed the MDOT application and then submitted my DBE application.

Our son, also named Launce, has completed his master's degree in engineering at Michigan Technological University and is employed with the company.

Specialties

Marlette Excavating Company has continued to be very diversified. I still do private projects, but not as many.

Being from a rural area in the Thumb, I felt specializing would be restrictive. Being diversified helped get the company through the recessions. What really worked well are construction sites that are started and completed by Marlette Excavating, all the way from stripping the topsoil to the asphalt paving.

I have a structural background from college, and our son, Launce, mastered in structural engineering. It is a very proud moment when the bridge plaque is installed with the company name on it.

Projects

Notable recent projects include: underground utilities and reconstruction of Howard Avenue in Croswell; site work for the new Marlette Township Hall and Marlette Airport Terminal; and underground and site work projects for Marlette Regional Hospital.

Past projects include:

- United Hospice Service Residence.
- Holly Meadows Golf Course in





- Capac.
- Subcontractor for Walter Toebe Construction Company for site work on the Main Street Bridge in Yale.
- In 1996, the year of tremendous flooding in Lapeer County, reinstallation of numerous structures. M-53 was the first one, and then equipment was mobilized to M-24 because traffic could not get to the Thumb area. The disaster qualified under FEMA and we received an award for the timely reopening of the county roads.
- In 2014, the MDOT Center Road bridge construction in Livingston County.
- In previous years: MDOT Rescue Road bridge construction in Huron County; MDOT Burnsline Road first bridge construction project, Sanilac County; and MDOT Todd Road and Galbraith Line Road Bridges as a subcontractor for Anlaan Corporation.
- Airport projects include constructing taxiways for Dupont Lapeer

Airport and Tuscola Area Airport; clearing subcontractor with Cadillac Asphalt for Oakland County International Airport; and clearing subcontractor with Kniesel Construction for Romeo State Airport.

- Other projects: MDOT Adams Road Exit off M-59, clearing subcontractor for John Carlo; and G.C. Express Truck Stop/Subway at M-24 and M-46 in Tuscola County.

Continues on pg. 32

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How does being a member of MITA help you?

When I became prequalified with MDOT, I always felt I didn't have up to date information. Requirements would change, and it was difficult to keep up with the latest information. After joining MITA, I received all the updates as soon as things changed. Now, with the email communication, I know what is being proposed and what MITA is doing for the members. I have nothing but compliments for the MITA team. They have always promptly returned my calls for help with jobsite issues.

What do you like about the industry?

It is a great industry. Watching projects come to completion with owners beaming at what has been accomplished is a great feeling. Driving M-59 at Adams Road today is amazing, as I came on site at the very beginning to clear the trees. There are numerous sites like this in the state.

I have met and enjoyed working with

so many knowledgeable engineers. I had many that were helpful as I ventured into new territory or was struggling with site issues.

The DBE program has been a huge factor in my success. The staff is always there to help with solving problems. It has provided opportunities for work.

Is there other information you want to add?

Today, I spend my time handling administrative dues and not operating equipment. By administrative, I mean that I still do all the bidding, research, ordering materials, scheduling deliveries, etc. I don't have an assistant in the office to help. I look back to when I started in this field, the hard knocks along the way, and where I am today, and it was worth it. What started in the 50's as a family business is still family, just moving on to the next generation.



Speaking of the next generation, projects that had the site work done by Jim Sulaty, Marlette Excavating Company, 50 years ago are being demolished by Marlette Excavating Company today, to make way for something new. Jim passed away a few years ago; but, before passing, I drove him out to a bridge construction site. He sat in his wheelchair to watch the construction. He was proud of what he saw – his family, and the crew, busy building a bridge.

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Medio J. Bacco, the founder of Bacco Construction Company, was recently inducted into the Michigan Construction Hall of Fame during ceremonies held at Ferris State University.

Medio demonstrated how perseverance, character and entrepreneurship can overcome humble beginnings and bring about success. At about the age of 18, he began work for a man who would become his early mentor, Gilbert Carpenter, the county engineer at the



Medio J. Bacco

Dickinson County Road Department. Gilbert taught him how to use the engineer's level and transit, the rudiments of roadwork, worked him as a laborer and eventually helped him find work on a road project in lower Michigan.

Medio went on to develop Bacco Construction Company and eventually Champion Gravel Co. in the upper peninsula. He was very competitive, but also recognized the value of a common voice. He was heavily involved in supporting the road construction industry, and helped establish the Michigan Road Builders Association. He served as a member from 1920-1928.

By 1945, Medio decided to divest himself of his companies and turn his focus on the community. He was a strong supporter of the Catholic church throughout his life. He also served on the Iron Mountain School Board, where he established a significant engineering scholarship fund, dedicated to his mentor, Gilbert Carpenter, for students attending Michigan Technological University. To date, the fund has provided 120 scholarships valued at over \$1 million.

A humble entrepreneur, who started

with nothing and was willing to take risks, he lived the American Dream.

Efficiency Production, Inc. www.efficiencyproduction.com

Efficiency Production, Inc., is pleased to announce the selection of Bill Padgett as the company's new Southeast Regional Manager.

Padgett is a veteran of more than 35 years in the trench safety and trench shoring industry. Efficiency will be employing Padgett's vast experience as



Bill Padgett



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a market developer for the company in the southeast United States, as well as assisting Efficiency's existing dealers in the region.

Padgett's trench safety training credentials draw back to the very beginning of the federal standards for safe excavation and trench shoring practices. In 1990, Padgett was one of the original 12 trainers that NUCA certified to teach the first-in-the-nation OSHA Outreach Trenching and Excavating Competent Person program. The core subject of these classes was the newly revised OSHA Subpart P – Standards for Excavation & Trench Safety. This founding course served as the template for all trench safety training material in use today.

Padgett's experience also includes the design and development of many specialty shoring systems and products. In December 1974 Padgett created and incorporated Laser Productions, Inc., a company that provided specialized laser and engineering equipment along with a selection of standard and specialized shoring systems. In addition, Laser Products provided training and safety solutions to the construction trade throughout the southern United States.

At Laser Products, Padgett served as owner and manager for 26 years and was the number one shoring dealer for two shoring manufacturers and was recognized as the 2009 Contractor Member of the Year by the Georgia Utility Contractors Association. Padgett sold his company in 2000, but continued as safety consultant for numerous underground utility and excavation companies in the southern United States.

Padgett will be working from his office in Atlanta, Georgia, where he shares his life with his wife, Dianne. He can be contacted at 404-427-1723 or by email at bpadgett@efficiencyproduction.com.

Efficiency Production, Inc., "America's Trench Box Builder," provides the widest

selection of standard and customer trench shielding and shoring systems. Efficiency's versatile products are designed specifically for safe and cost effective installation and utility

systems and infrastructure improvements. All products are P.E. certified to meet OSHA and MIOSHA standards.

Continues on pg. 36

G2 Consulting

www.g2consultinggroup.com

Fourth Record Year

After years of slow or no growth in Michigan's construction industry, especially road building, new construction projects took center stage in Michigan during 2015.

These projects helped propel G2 Consulting Group, a Troy based geotechnical, environmental and construction services firm, to its fourth consecutive record year. The company reported revenue growth of over 30 percent in 2015, following

double digit growth in each of the three previous years.

"It always takes a couple of extra years for an economic recovery to hit government and municipal coffers," said G2's Principal Mark Smolinski, P.E. "G2 Consulting weathered the storms of the recession years and used the time to build the company internally, to get smarter about the industry and the role we could play in it. Because of this, we were well prepared to complete a number of significant projects in 2015. We also made some moves to make us even

more competitive and, we believe, added more value for our clients in the future."

One of the key 2015 highlights was the June acquisition of Birmingham based Schleede-Hampton Associates, a former competitor, which will help the combined company expand its expertise as well as reach new industries and geographic areas.

During 2015, G2 completed a variety of projects for MDOT, including design build work with Dan's Excavating and Bergmann Associates on the reconstruction of the I-75-University Drive interchange in Auburn Hills. The firm partnered with Hardman Construction to design and build the earth retention walls for the new \$450 million Red Wings Arena in Detroit and worked with Giffels Webster and Scannell Properties on construction of the 60 acre, 300,000 square foot Fed Ex distribution center in Oak Park. In October, G2 was selected by RS Engineering to become part of the team for reconstruction of the I-94/Cadillac bridge in Detroit in preparation for the massive, 20-year I-94 reconstruction project, slated to start in 2017.

Licensed to work in 35 states, G2 is a regional and national leader in managing complex geotechnical and engineering projects. Other 2015 highlights include:

- The company was awarded a three-year as needed indefinite services contract by MDOT in January.
- In June, G2 was part of the team that won the ASCE Outstanding Civil Engineering Award for its work on the I-96 reconstruction project in Wayne County during 2014. This project earned recognition by the Engineering Society of Detroit and CAM Magazine as a signature construction project in Michigan.
- In July, G2 was named one of the top 100 Hot Firms nationally by Zweig Group, a leading research, publishing



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Mike Rempalski - mremppalski@gebsafety.com
Marc Vantil - mvantil@gebsafety.com
Sean Mooney - smooney@gebsafety.com
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Rocky Babcock - rbabcock@gebsafety.com
Chris Heyboer - cheyboer@gebsafety.com

Saginaw Branch
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Jim Clark - jclark@gebsafety.com

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and consulting firm in the architecture, engineering, planning and environmental consulting fields. The award is based on revenue growth over three years.

- In July, G2 added two new equity partners, Mark Stapleton and Amy Schneider, both of whom had been with the firm for over a decade, to its top management team. During the year the company hired 13 new employees.

Hubbell, Roth & Clark, Inc. www.hrc-engr.com

Hubbell, Roth & Clark, Inc., is the recipient of the 2015 Top Workplaces honor by the Detroit Free Press. The Top Workplaces lists are based solely on the results of an employee feedback survey administered by WorkplaceDy-

namics, LLC, a research firm.

Rieth-Riley Construction Co., Inc. www.rieth-riley.com

Celebrating its 100th year in business, Rieth-Riley Construction Co., Inc., of Goshen, Indiana, hosted an open house on January 22. Michigan Governor Snyder highlighted this achievement with a special recognition. At the event, the company encouraged donations to a scholarship fund for construction students in Indiana and Michigan.

Starting the company in 1916, Albert Rieth began to construct gravel roads and small bridges. Rieth soon expanded into Michigan where operations continue today. In 1943, this ownership transferred to his three sons, Blair, Bill and Lee. Transitioning from family

ownership, the company was sold to its employees, half in 1985 and 100 percent in 1992. Today it is one of the largest employee-owned construction companies in the United States.

Rieth-Riley has enjoyed a rich history of construction, such as the first federally funded highway project in the state of Indiana, which was the first section of the Lincoln Highway in Indiana. The company also paved the first section of the Indiana Toll Road in 1954, and constructed the first project under the initial Indiana toll road concessionaire in 2004. Rieth-Riley also paved some of the first roads in southwest Michigan. The company expanded into paving test tracks in the 1970s with the Ford Dearborn parabolic track and has become known for its quality and consistency of materials and workmanship.

Continues on pg. 38

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Quality and integrity were principles originating from Albert Rieth in 1916 and are faithfully handed down to each generation today. Rieth-Riley continues to work hard to keep this reputation that their customers count on.

Today Rieth-Riley operates in Michigan markets of Benton Harbor, Kalama-

zoo, Zeeland, Grand Rapids, Ludington, Big Rapids, Houghton Lake, Traverse City and Petoskey. See www.rieth-riley.com for more information.

The employee-owners of Rieth-Riley would like to thank the public and their valued customers, supplies, subcontractors and local union employees for

their support in achieving 100 years in construction.

Southeastern Equipment Co., Inc.

www.southeasternequip.com

Chad Webb has been named Roadbuilding Specialist for all of Southeastern's branches. His responsibilities include coaching sales staff on how to best demonstrate paving and roadbuilding equipment. Additionally, he will be responsible for coaching technicians in the repair and maintenance of roadbuilding and paving equipment.

Webb has 15 years of experience as a field service technician, five of which have been with Southeastern. He graduated from the United States Air Force Age Mechanic School and earned an associate's degree from Nashville Auto Diesel College. He currently lives in Beverly, Ohio and enjoys hunting, fishing, golf and participating in tractor pulls in his free time.



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Chad Webb



Partnership Announcement

Michigan Infrastructure Transportation Association (MITA) Members are now eligible for savings through the Enterprise Fleet Management Affinity Program for the 2016 model year.

Enterprise is a full-service fleet management business that helps MITA members streamline their fleet, improve cash flow and optimize operations every step of the way. From acquisition and risk management, to maintenance and remarketing, Enterprise provides MITA members with quick, easy and personal access to a local account team who will handle all of the day-to-day fleet needs.

MITA member benefits and discounts:

- Savings up to 5 – 7% on acquisition costs
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- Fuel rebates up to 0.5 cents per gallon with access to over 90% of U.S. retail fuel stations
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Learn more about this exciting partnership and let us help you find vehicle savings you can put back into your business.

Detroit/Farmington Hills Office

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Erik Diana

Erik.A.Diana@efleets.com



**As work opportunities expand, what do you think will be the biggest challenge facing your company?
(Examples: Government interference, labor shortage, etc.)**

There are many factors that are having an impact on our work, but I believe the largest is the labor/employee issue. It seems like every aspect in our industry is affected by a lack of experienced people. It doesn't matter if it's on the design end or construction side – there is a distinct lack of people with ambition and knowledge of how projects should be constructed. It seems like the current generation believes that every question can only be answered by a computer,

while technology has certainly improved the world we live in and I'm an advocate of technology. It takes a huge human component to do the kind of work we as contractors do. As most of the workforce is getting older, we will soon be gone and we need to have an injection of younger folks who have some common sense and aren't afraid to get dirty. Everyone I speak with is fighting the same problem. We can't find those replacements. A significant part of the

problem has been when a contractor can't find enough work to put enough trainees on to learn and pay them a decent yearly wage, why would anyone think our line of work is attractive? The passage of road funding will help stabilize some of the funding shortfalls. It should also create more opportunities for folks to earn a decent wage again. But our society has done a poor job with the younger generation by constantly

Continues on pg. 41

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pushing a college education as the only solution, when there are many jobs that pay well and few people to fill those positions because all they have ever heard is a college degree is the only way to go. I am not denigrating a college education. But we need a balanced work force, which includes a significant amount of people who have ambition and the ability to learn. Also, they can't be afraid to get dirty to fill the positions we need to construct our infrastructure that will last a lifetime.

Scott Bazinet

Lowe Construction Company

The number one struggle will continue to be a shortage of qualified help. We

can work through and adapt to new government regulations as they are introduced, but finding and retaining key employees is a daunting task. Quite frankly, much of the workforce is getting older and nearing retirement age, and younger people who are interested in the industry are scarce. Hopefully as wages and benefits continue to increase, the interest from people outside the industry will increase as well.

Rob Lyttle

West Michigan Dirtworks

A shortage of experienced professionals with 9-12 years of experience. Also, within government, an inconsistent acceptance and implementation of tech-

nology. Some government clients wish to be innovative and begin implementing new technologies; other clients haven't educated themselves on even the most basic electronic practices.

Cheryl Gregory, P.E.

Spalding DeDecker Associates, Inc.

Finding skilled labor has been and will continue to be our biggest challenge. Unfortunately nowadays, there is a very small percentage of people who want to work in this industry. Many people want the wages, but they don't want to travel and/or work long hours to earn those wages.

Lincoln Noel

Payne & Dolan, Inc.

Continues on pg. 42



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New driver restrictions when applying for medical care. Now taking BMI and neck size? The trucking industry should be pounding down DC's doors on this.

Ron Rainsberg

Tiremaxx, Inc.

Labor shortage is our number one concern at this point. Secondly, project timeline along with unrealistic completion dates.

Timothy (Mike, Sr.) Peake

Action Traffic Maintenance

Rushing incomplete contract plans and specifications to bid. This could cause a lot of unnecessary problems.

Sherif Aziz

The Reinforced Earth Company

Finding qualified operators and laborers remains a huge challenge and is only getting worse.

Brandon Kennedy

Kennedy Excavating Inc.

Skilled labor shortage, skilled labor leadership, supervisor shortage.

Blake Zapczynski

Z Contractors, Inc.

Labor shortage by far will be our biggest challenge facing our company.

Jim Foucher

RBV Contracting, Inc.

Continued labor shortages

Jeff Spahr

Superior Materials Holdings

Qualified labor shortages

Lloyd Lambrix

Ric-Man Construction, Inc.

Labor shortage

Bob Woods

Roose Contracting Co., Inc.

Labor shortage for sure. Also, engineers need to adjust their estimates for current time.

Fred Meram

F.D.M. Contracting, Inc.

I think that one of the biggest problems we face is finding a good, qualified work force that really wants to work. Also the problem in the City of Flint may cut funding for other projects.

Rob Bretz

Ron Bretz Excavating, Inc.

Rules and regulations, health care, labor and training.

Michael Lounsbury

Lounsbury Excavating, Inc.

The biggest challenge we are facing is finding quality help.

Bruce Morren

Nagel Construction



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Where Has Your MITA Hat Been Lately?

MITA members and staff recently golfed and wore their MITA hats in Florida. From left to right: Jim Friel, Ajax Paving Industries; Mike Nystrom, MITA; Bruce Lowing, Hardman Construction; Ryan O'Donnell, Anlaan Corporation; Lance Binoniemi, MITA; Chris Shea, PK Contracting; and Mark Johnston, Ajax Paving Industries.

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Erick Kind Named New Grand Region Engineer

Erick Kind, P.E., was named recently to replace Roger Safford as the region engineer for MDOT's Grand Region.

As MDOT's top administrator in the region, Kind will be responsible for more than 1,400 miles of state trunkline in 13 west Michigan counties (Allegan, Barry, Ionia, Kent, Lake, Mason, Montcalm, Mecosta, Muskegon, Newago, Oceana, Osceola and Ottawa). In addition, he will oversee 187 employees, a capital program of approximately \$80 million and an annual maintenance budget of \$36 million.

A Grand Rapids area native, Kind is



Erick Kind, P.E.

a graduate of Northview High School and Michigan State University. He has 21 years of experience at MDOT, most recently as manager of the Grand Rapids Transportation Service Group. He serves on several statewide teams, including the Regional Prosperity Initiative and Workforce Development Foundation Learning Team. He has also worked on several inter-agency teams, including the Joint Agency Transportation Committee, the City of Grand Rapids' Vital Streets Oversight Commission and the Rapids' Lake Liner Advisory Committee.

Other Staff Changes

Jason Gutting, P.E., has been appointed construction field services division administrator effective February 14, 2016. Jason has 17 years of experience with MDOT, with the last



Jason Gutting, P.E.

four years as the engineer of construction operations. Jason brings a strong construction background to this position and has been a strong catalyst to strengthen statewide alignment of construction operations over the past four years. Jason replaces Brenda O'Brien, who retired March 31, 2016 after 28 years of service at MDOT.

Larry Strzalka, P.E., was recently appointed as the construction contracts section manager in the Contract Services Division. Larry is a 22 year



Larry Strzalka, P.E.

MDOT veteran who spent the early years of his career as a road design engineer and a staff engineer in the Design Divisions' Local Agency Programs. In 2005 he became the engineer of specifications and estimates, and then in 2012 the quality assurance engineer in the Design Division. Larry replaces Jill Mullins who retired on February 26, 2016, after more than 36 years of service to MDOT.

State Transportation Commission Changes

Commissioner Todd Wyett of Charlevoix and Bloomfield Township was appointed the chair of the commission by Governor Snyder in December of 2015 for a one year term. He was first appointed to the commission in 2010 and reappointed in 2013.

Wyett is the co-founder and CEO of Versa Development, LLC, and its predecessor company, Touchstone



Todd Wyett

Corp. He has developed industrial, commercial and multi-family residential properties in Michigan valued in excess of \$200 million. He formerly served as chairman of the State Waterways Commission and as a member of the executive board of the Michigan Economic Development Corporation.

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In December 2015, the governor also appointed Commissioner George K. Heartwell for a term that expires in December of 2018.

Heartwell has had several careers including business, ordained ministry, non-profit administration, local elected

office, and higher-education administration and instruction. He earned a bachelor's degree from Albion College and a master's degree in divinity from Western Theological Seminary.

He served as the mayor of Grand Rapids during its most challenging



George K. Heartwell

economic years and helped advance the city in sustainable practices, efficiency of governmental operations, environmental protection, and community economic development. He retired at the end of 2015. Among his transportation accomplishments are the passage of a local streets tax in 2013, and 22 years of service on the national award-winning transit authority, The Rapid.

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Be Careful: You Could Be On Candid Camera!

By Donald H. Scharg

In its recent *Whole Foods Market* decision, the NLRB has again injected itself into the workplace, issuing a ruling which will affect every employer in the country. The NLRB struck down a work rule which prohibited employee audio and video recording and photographs in the workplace without prior management approval. This ruling applies to both union and nonunion workplaces.

In striking down the work rule, the NLRB held an employee's right to take photographs, audio, and video recording in the workplace as well as the posting of photographs and recordings on social media were protected by Section 7 of the National Labor Rela-

tions Act. Section 7 allows employees to act together for their mutual aid or protection where no overriding employer interest is present. According to the NLRB, its ruling protects employee documentation of unsafe workplace equipment or hazardous working conditions, discussions about terms and conditions of employment, documenting inconsistent application of employer rules, or just recording evidence to preserve for later use in employment related court or agency actions. The *Whole Foods* work rule was deemed overbroad and could reasonably be construed by employees to prohibit activity protected by Section 7.

Under this NLRB ruling, conversations can be recorded even if the other person to the conversation specifically does not want to be recorded or the other person does not even know he/she is being recorded! Employer claims that secret recordings will stifle the open discussion of ideas have been rejected by the NLRB. Although the *Whole Foods* case did not examine whether an employer can prohibit recordings on working time, we expect the NLRB to allow such recordings absent an over-riding compelling employer interest.

What about the employer who is concerned about the use of smart phone camera to disclose trade secrets? The NLRB has not provided a direct answer, but may have given a clue. In hospitals and healthcare settings, the privacy rights of patients, including personal medical information, has trumped employee camera rights? Employers with trade secrets may be able to protect against the video recording and photographing where it can be shown that the employer has taken other reasonable steps to protect the trade secret information.

Don Scharg has a long affiliation with MITA, first through The Fishman Group and since 2008, as a member of Bodman PLC's Workplace Law Group. His practice is limited to representing employers in labor and employment matters. Don can be contacted at 248-743-6024.

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The FAST Act Was Just the Beginning

By Pete Ruane, ARTBA president

Among the early 2016 headlines reported in ARTBA's Washington Newsline, we hope this one grabbed your attention: Highway Trust Fund Crisis Right Around Corner, New Study Shows.

The nonpartisan Congressional Budget Office (CBO) released new projections showing a widening gap between incoming Highway Trust Fund (HTF) revenues and the amount needed to preserve existing federal surface transportation investment.

The December 2015 Fixing America's Surface Transportation (FAST) Act relies on a one-time \$70 billion transfer of General Fund revenue over the next five years to bridge the HTF revenue shortfall. Once those funds are exhausted in September 2020, the surface transportation programs face an average \$18 billion annual shortfall over the following six years, according to CBO.

While some think the highway program is on auto pilot for the next few years because of the FAST Act's passage, this is certainly not ARTBA's view. The next fiscal crisis for the HTF is on the radar screen, and ARTBA believes now is the time to be working on a legislative solution.

ARTBA continues to advocate that a permanent HTF solution be included in any tax reform or other budget-related measures considered by Congress. We are also working to advance initiatives that provide additional transportation capital investment outside of the HTF through public-private partner-



Pete Ruane

ships, innovative financing mechanisms and other targets of opportunity.

A HTF fix is no doubt a heavy lift. But, it is our collective responsibility to keep the political pressure on Congress until they do the right thing.

ARTBA is not a "one trick pony," however. Among the other key industry priorities in 2016:

- Ensuring full funding of the FAST Act's capital programs. Transportation funding has become a perennial battle in Congress. Before the ink was even dry on President Obama's signature, members of Congress last December slashed about \$125 million from the transit capital program—contrary to the provisions in the law. For fiscal year 2017, the FAST Act authorizes an extra \$905 million for highways and \$187 million for transit. We'll work aggressively with the authorizers and appropriators to help ensure these increases are realized.

- Obtaining long-term, increased federal investment for airport capital improvements in the FAA program reauthorization. ARTBA will push for a multi-year reauthorization law that grows revenue through the Airport Improvement Program and by raising the cap on the federal Passenger Facility Charge.
- Preventing unwarranted and excessive regulatory actions. The Obama Administration has made it clear that it intends to use Executive Orders and regulatory action—particularly in the environmental and health arenas—during its final year in office. ARTBA is monitoring these developments and assessing potential threats to the transportation infrastructure market. We will take immediate action if proposals harm our interests.
- Continuing to help state chapters and their allies to achieve transportation investment increases at the state and local levels through the dynamic Transportation Investment Advocacy Center™. Now in its third year, www.transportationinvestment.org has been established as a national hub for information and research reports. This repository of "lessons learned" has already helped our partners frame better strategies to meet their goals.

Finally, as I write this column, the first votes have already been cast in the Republican and Democratic presidential races. ARTBA will again elbow its way into the political fray to present the industry's agenda by: providing policy information to the campaigns; working to ensure that sound transportation investment strategies are in-



American Road
& Transportation
Builders Association

Continues on pg. 50

cluded in the Republican and Democratic National Party Platforms; and keeping our members informed of presidential candidate transportation-related statements and positions.

The FAST Act was just the beginning. The looming presidential and congressional elections will not distract us from advancing a full plate of advocacy priorities. With your leadership and grassroots

activism, I'm optimistic our industry can make important progress on multiple fronts during 2016!

Obama Proposes New Oil Tax to Fund Transportation Infrastructure Investment

By David Bauer, ARTBA senior vice president of government relations

President Obama Feb. 4 unveiled a sweeping new "21st Century Clean Transportation System" proposal that would boost transportation infrastructure investment and launch a series of transportation-related initiatives to combat climate change. The release of the plan comes two months after the president signed into law the five-year, "Fixing America's Surface Transporta-

tion (FAST) Act highway/transit program reauthorization. The full details of the proposal, which is unlikely to pass in this election year, will be contained in the Administration's FY 2017 budget proposal scheduled for release Feb. 9.

Unlike several past Administration transportation proposals, this one includes a specific strategy to generate the revenue necessary to support its invest-

ment levels. It continues Obama's call to tax overseas earnings of U.S.-based multinational corporations to support a "temporary near-term surge in investment." The plan also includes a proposed \$10 per barrel of oil tax that would be phased in over five years. The per-barrel tax would support new investments, "while

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also providing for the long-term solvency of the Highway Trust Fund to ensure we maintain the infrastructure we have.”

The oil tax was greeted with the usual anti-tax rhetoric from Republicans on Capitol Hill. ARTBA is consistently reminding all members of Congress that while the Highway Trust Fund has been temporarily stabilized under the FAST Act, annual revenue shortfalls will return soon and Congress will have to make up a gap growing to \$18 billion per year. As such, any criticism of new taxes to support future transportation investments must be countered with this stark reality.

Based on material released from the Administration, the plan will include:

- \$20 billion per year on top of existing investment levels for transit, high-speed rail, and other non-highway transportation options;
- \$10 billion per year to incentivize state and local governments to advance eco-friendly transportation initiatives and establish new competitive grant programs to support land use strategies, “livable communities,” and resilience to climate impacts; and
- \$2 billion per year to “launch a new generation of smart, clean vehicles and aircraft.”

Administration officials describe the plan as a needed departure from the focus of existing federal transportation policy. Obama aides advocated similar themes during the roll out of the Administration’s 2014 and 2015 “Grow America Act” reauthorization proposals. Few Grow America Act priorities were included in the FAST Act.

Obama Administration officials acknowledge the plan will not be acted upon this year, but say its release is intended to try to drive a discussion toward a new future for the federal transportation programs. It should be noted, however, the goals outlined for the Administration’s

clean transportation plan are very similar to proposals from both Democratic presidential candidates.

ARTBA will provide a full report on the President’s FY 2017 budget proposal for the federal transportation programs once it is released.

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2016 MITA Calendar of Events

April 20, 2016 • 1 p.m.
MITA BOARD MEETING
 MITA Office

June 9, 2016
MITA WESTERN GOLF OUTING
 Boulder Creek, Grand Rapids

July 13, 2016
MITA METRO GOLF OUTING
 Twin Lakes Golf Course, Oakland

July 28-31, 2016
MITA SUMMER CONFERENCE
 Crystal Mountain

July 28, 2016 • 9 a.m.
MITA BOARD MEETING
 Crystal Mountain

August 25, 2016
MITA CENTRAL GOLF OUTING
 Eagle Eye Golf Club, East Lansing

September 20, 2016 • 8 a.m.
MITA BOARD MEETING
 Country Club of Lansing

September 29, 2016 • 5:30 p.m.
WILD GAME DINNER
 Palazzo Grande, Shelby Township

December 9, 2016 • 9 a.m.
MITA BOARD MEETING,
 Country Club of Lansing

December 9, 2016
 11:30 a.m.
CENTRAL HOLIDAY PARTY
 Country Club of Lansing

December 13, 2016
 11:30 a.m.
WESTERN HOLIDAY PARTY,
 The Waldron Public House
 (formerly McFadden's)

December 15, 2016 8 11:30 a.m.
METRO HOLIDAY PARTY
 Somerset Inn, Troy



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