

WINTER 2024

# CROSSSECTION



## *Inside this Issue*

- 100-Year-Old Railroad Bridge Replacement**
- Wild Game Dinner Recap**
- Scholarship Winners Announced**



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## On The Cover

Anlaan Corporation  
railroad bridge deck  
pour. Photo courtesy  
of MDOT Media  
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## NEW MITA MEMBERS

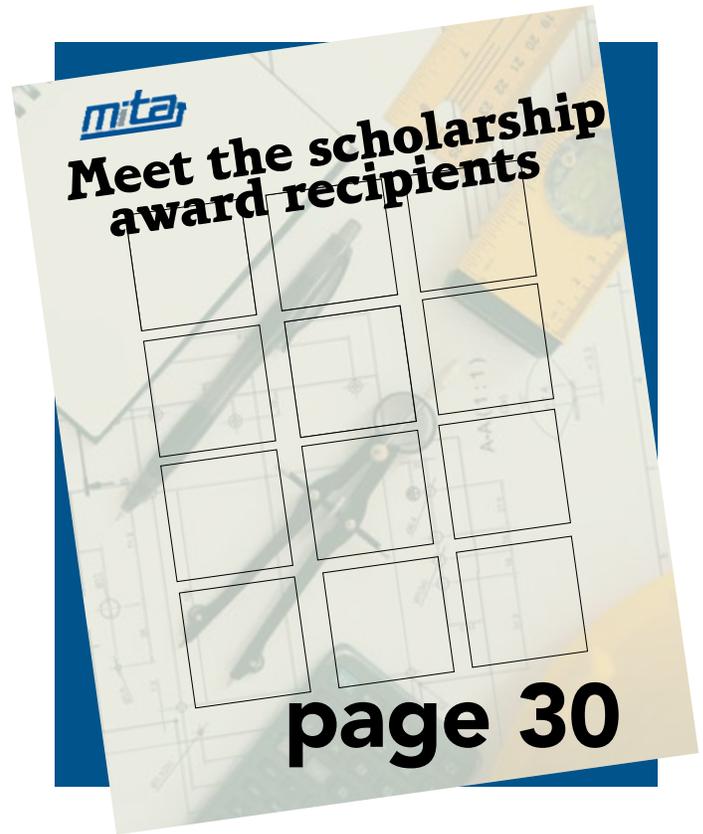
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### New Associate Members

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We all make choices on a daily basis, some difficult and some not so much. If you're reading this, most likely, your choices impact your organization and the people around you. All the more reason to be an active participant in the industry we all earn a living from.

Members have a choice when it comes to training and safety. Over my nearly thirty years, I've watched the training machine grow into what it is today. Most MITA members have robust training programs and safety directors to back them up. MITA spends a great deal of time in administering preventative medicine by visiting job sites and developing policy for those who need it. MITA's underlying goal in safety is to bring the entire industry up to an acceptable standard where safety is obvious and not a half-hearted attempt. Don't wait for MIOSHA to remind you that you need these items. Take advantage of what MITA's Director of Safety and Compliance, Greg Brooks, can do for your organization regarding our safety services. Remember, training should occur all year round, not just at a kick-off meeting in the spring. This year, MITA will be focusing on mental health via a MIOSHA Grant, meaning

## WE ALL HAVE A CHOICE

this topic will be covered throughout our upcoming training and many social media posts.

Participation at MITA events is also a choice and has been strong over the last couple of years. Whether it's a post-Covid resurgence or just a new normal, we'll certainly continue to provide high-quality events. Some members have never attended an event or seldomly attend at best for a variety of reasons. I've heard things like I don't want to lose good employees to other members, etc. I certainly feel if you were going to lose someone that easily then they were not going to stay anyway. Plain and simple, if you don't attend MITA events you're missing out on the opportunity to build relationships within the industry. You never know where your next big job is coming from and it's hard to build trust from the other side of an email.

PAC participation is yet another choice. Current participation is at an all-time high but with plenty of room for improvement. Many associate and contractor members understand the importance of a strong PAC but still don't give. It's easy to find a reason not to donate, but let me make this point. Without a strong PAC our chances for change are greatly diminished. This will certainly impact associate and contractor members alike. If you think PAC dollars only benefit the MDOT world imagine your market with hungry MDOT contractors. Also, if funded properly the formula would

provide substantially more work in the local markets. So as we head into a new year, please consider joining the MITA PAC effort.

### Funding Cliff Update

The Growing Michigan Together Council (GMTCC) report was due on the Governor's desk by December 1. I'm unsure at this time of the report's findings since it's currently November at the time of this communication. However, the effects of a lack of proper funding are starting to be felt by some members. Simple math says ICE vehicles have better gas mileage, EVs are not going away and hydrogen is an emerging market. So, ICE + EVs + H2 = declining revenues. The reality is that there should be a system in place that creates equity within our current fleet and anticipates potential new technologies without needing to reinvent the wheel every time these technologies present themselves. See Lance's article for a deeper dive into this issue.

The good news is that something has to be done concerning funding and the vast majority of policy makers understand and accept that. The worry is will it be too little too late? What will be the fallout during that period? MITA will continue to push for long-term sustainable and equitable funding and I hope the council's report is the catalyst for change we hope it can be. **CS**

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# SCODELLER CONSTRUCTION

In 1981 Pete Scodeller started his career working for his uncle, a Lansing-based concrete paving contractor, Kegle Construction Company (many with gray hair will remember the name), sawing the green cuts in the newly placed pavement. His uncle also owned a small joint sealing business in Wixom, which Pete transferred to in 1983, and when his uncle unexpectedly passed and the company dissolved, Pete saw a gap in the market for a new sealing business. He bought the essential equipment at an auction, and in the Fall of 1985, Scodeller Construction was born.

That first year consisted of 5 employees, and now comprises approximately 150 throughout the country, many of whom have been with the company from its early days. The average length of service at Scodeller with foremen is 17 years, which is the same average length of time all employees stay with the company. Eamonn Dwyer has been with the company 16 years, and Matt Sharkey has served 19 years.

“Our company prides itself on people like Eamonn and Matt, whose loyalty and hard work have helped us to successfully complete so many construction projects over the years,” Pete said.

Headquartered in Wixom, Michigan, there are also satellite operations in metro Columbus, Ohio and metro Kansas City, Missouri. During the 2023 construction season the company will have undertaken projects in Michigan, Ohio, Kentucky, Pennsylvania, Tennessee, Arkansas, Nebraska, Kansas, Colorado, and Oklahoma. The most prominent of these was the largest joint sealing project in the history of Nebraska DOT, 16 miles of concrete rehabilitation on I-80 between Omaha and Lincoln. Along the way, 15 airports have also been repaired.

Specializing in roads and airports, most of the work is for public entities, often with heavy traffic, tight deadlines, and demanding specifications. Their work for MDOT has a five-year bonded warranty, by far the longest of any of their client states. The scope of work includes asphalt crack repair, joint sealing of new



Front Row L-R: Peggy Rosochacki, Beth Banks, Carol Koshko, Christine Matovski;  
2nd Row L-R: Peter Scodeller, Jeff Lippert;  
Back Row L-R: Eamonn Dwyer, Laurie McMann, Tom Stornant, Jack Tower, Jeff Stover,  
Matt Sharkey

concrete, and resealing or spall repair of old concrete pavements. They are equally at home sealing 500 lane miles in the Upper Peninsula, urban multi-lane interstates, or major airports.

Much of the work is performed at night on high-speed routes, and unfortunately, they have experienced a fatality and several serious injuries to their employees from work zone intrusions. Despite this, Scodeller is immensely proud of their EMR rating of 0.69.

Other states they work in provide in the contract, and pay for, pilot cars and police officers to protect their operation

“There is much Michigan can learn from common practices employed by other states to minimize the risk to our workers.” Pete believes. “The danger presented by cellphone use behind the wheel is not being properly addressed. While cameras in the construction zone are a valuable tool, there is no substitute for a police presence.”

As with much of the industry, finding willing and able talent has been a challenge, particularly construction workers with a CDL, accepting a lifestyle away from home for much of the season. Completing contracts during COVID restrictions was particularly difficult

# Scodeller Construction

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as social distancing in truck cabs and hotels was almost impossible.

Scodeller Construction was a founding member of MITA, for which Pete currently serves as an Executive Board Member.

“We have found that we have a greater influence with MDOT when speaking through MITA,” Pete said. “We recently bid on several projects under a new “innovative contracting method, fixed price, variable scope” special provision whereby the scoring of bids was confusing, with unclear and contradictory language. MITA was able to successfully intercede to improve the process and ensure a fair playing field for all bidders in the future. I do not think we could have achieved the same outcome by ourselves.”

Note: In 2014 Pete acquired the Fonson Company in Brighton, a well-renowned excavating and utility contractor, from the Fons family. **CS**



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At Greystone, the approach to financial planning goes beyond mere numbers—it's rooted in the belief that money matters; the trust clients place in Greystone is a responsibility that is taken very seriously. As a testament

to its commitment, Kristie Guadiano, a partner in the firm, oversees the Employer Retirement Plans division. With over 15 years of specializing in the retirement plan space, Kristie is recognized as an industry leader. She was recognized as a 2020 Crain's



*Kristie L. Guadiano, Partner*

Business Detroit Notable Women in Finance and sits on the Finance Committee for the Michigan Women's Forward charity.

For Kristie, her work isn't just a profession; it's a passion. "I love what I do because I love people," she says.

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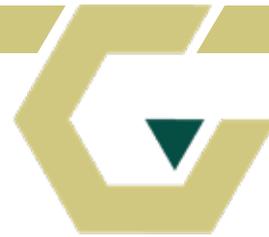
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*Kristie L. Guadiano, Partner  
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"Many of my clients become like family. We connect in ways that go beyond managing investments or retirement plans. I work closely with them to create retirement plans that are designed specifically for their own individualized needs. We strive to be the opposite of your traditional "1-800 phone number" relationship."

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Greystone distinguishes itself from other firms with its focus on retirement plans, a niche specialty that sets them apart. Unlike many firms, Greystone has a dedicated team working solely in this highly specialized and regulated space. They collaborate directly with both plan sponsors and plan participants, forming partnerships that go beyond the ordinary client-advisor relationship.

Greystone's services encompass a wide range of offerings, including various retirement plan options, such as Profit-Sharing Plans, 401(k) Plans, Safe Harbor 401(k) Plans, and much more. They also extend their support to personal wealth management, offering individual stock strategies, tactical ETF strategies, and comprehensive financial planning.

*Continued on page 50*

# 100 YEAR-OLD RAILROAD BRIDGES REPLACED

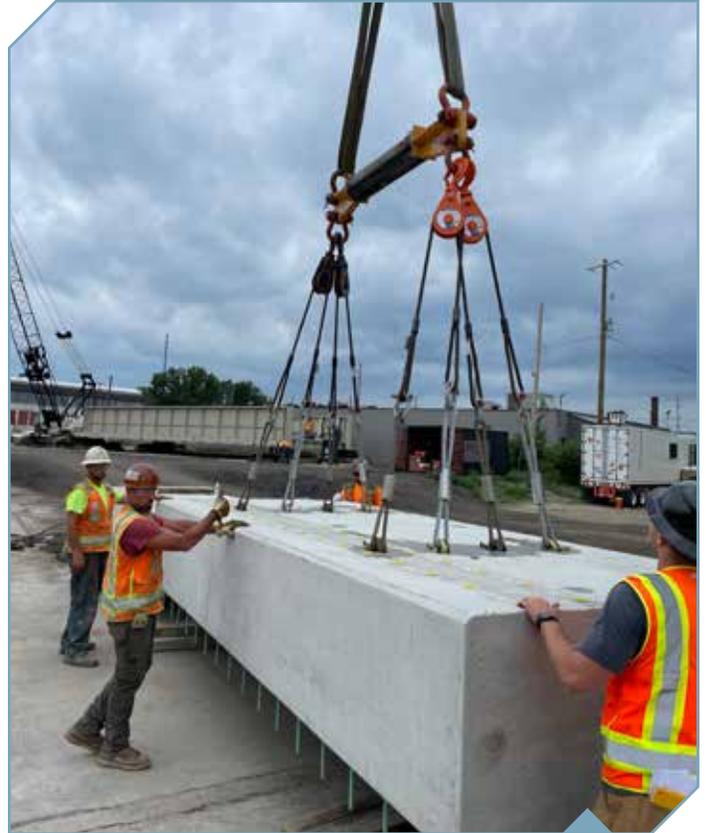
By Aram Kalousdian

An approximately \$33 million project to replace two 100 year-old railroad bridges that support Amtrak passenger service and Norfolk Southern freight trains over Jackson Street and Mechanic Street in the city of Jackson began in March 2022 and was expected to be completed in November 2023. These railroad bridges are on a segment of railroad owned by the Michigan Department of Transportation (MDOT) within the federally designated high-speed rail corridor between Chicago, Ill., and Detroit/Pontiac. Anlaan Corporation was the prime contractor on the project.

An approximate three-quarter-mile of double track has been reconstructed along with the bridges in order to raise the bridge under clearance nearly 4 feet at Jackson Street. Railroad embankments have been retained by constructing permanent sheet pile walls with ground anchor tie-backs.

*Nicholson drilling rig is installing micropiles for the abutments at the new bridge over Jackson Street.*

*Photo Courtesy of Anlaan Corporation*



*The precast abutment top is erected at the bridge over Jackson Street. Photo Courtesy of Anlaan Corporation*

Concrete substructure was constructed beneath the existing bridges and the steel superstructures were constructed off-line in order to maintain train traffic. The new footings were constructed on micropiles.

Railroad traffic cannot be detoured around the construction site, so construction work must take place around the active tracks. Several Accelerated Bridge Construction (ABC) methods were implemented on the project. This included precast concrete substructure and superstructure elements, high-early, high-strength concrete connections, off-alignment construction and the use of self-propelled modular transporters (SPMTs) in order to install the new bridges.

“Each of these techniques is meant to speedup the construction process in an effort to minimize disruptions to train traffic along the Michigan Line,” said Verseptut.

*Continued on page 16*



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*Continued from page 14*

During a five-day window, train traffic was completely halted, the existing bridges were demolished, the substructure was finished to height, the new bridges were installed with SPMTs and the railroad tracks were re-established.

The project included rebuilding the Blackstone Street grade crossing, replacing approximately 1,300 feet of railroad corridor retaining walls and adding a nonmotorized tunnel and pathway under the Mechanic Street railroad bridge.

"The major challenge and setback on the project was a major AT&T fiber optic duct bank that was never relocated and conflicted with the bridge footings. As a contractor, we had to be flexible and adjust our schedules and order of operations in order to allow AT&T time to relocate

*A crane installs sheetpiling using a variable moment vibratory hammer. Photo Courtesy of Anlaan Corporation*



*A train crosses the completed Jackson St. Railroad bridge.*

*Photo courtesy of MDOT Media Services*

its facilities. Ultimately, the original project schedule was extended to the 2023 construction season," Verseput explained. The duct bank was relocated in February 2023.

"Other challenges have included other subsurface conflicts and unknown details related to the existing bridges that have required a lot of communication and modifications to the design details," said Verseput.

"With multiple fabricators for the bridge elements, significant planning and coordination was required in order to ensure all fabricated and field constructed elements fit together. A rigorous effort had to be made by Anlaan's team to review shop drawings, construct templates and dry-fit components together prior to the short track outage.

"The needs and desires of the multiple third parties that had an interest in the project were also a challenge to juggle, especially with the

project delays caused by the duct bank relocation. Partnering with Amtrak and the city of Jackson during the project as the duct bank conflict was resolved was especially key in order to allow Anlaan to continue with construction on as much of the underground and substructure elements as possible."

Subcontractors on the project included Hoffman Bros., Inc., of Battle Creek (earthwork); Nicholson Construction, of Canonsburg, Pa., (geotechnical); Railworks Corporation, of New York, N.Y., (railroad track); Fagioli, of Italy (SPMT heavy hauler) and Michael Baker International, of Pittsburgh, Pa., (construction engineering support).

Material quantities on the project include over 1 million pounds of fabricated steel, over 400 tons of precast concrete, nearly 30,000 square feet of steel sheetpiling, over 200 micropiles and over 100 ground anchors. **CS**

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## ARE GAS TAX REVENUES BECOMING OBSOLETE?

Michigan's transportation network, primarily its roads and bridges, is almost exclusively funded by user fees. In Michigan, our user fees are in the form of a 28.6 cent gas tax and registration fees that are calculated based on the value of your vehicle. Recently, a report funded by MITA, researched and written by Public Sector Consultants (PSC), showed that Michigan needs to invest an additional \$3.9 billion into our road and bridge network just to maintain it.

Compounding the problem is a push to eliminate the use of fossil fuels to address climate change. As cars become more fuel-efficient and electric vehicles become more prominent, gas consumption goes down and creates less revenue each year for our roads and bridges. We have all read the news of politicians and advocates pushing for the end of the internal combustion engine and for all vehicles to be electric. It's up for debate how realistic those proposals are, but it is certain that the state is losing revenues because of both political and manufacturing changes to our motor fleets.

A recent study done by the Anderson Economic Group, another think tank in Michigan like PSC, studied the loss of revenues because of electric vehicles. In Michigan, there is a surcharge that electric vehicles pay on their registration fees. However, it does not equal what an equitable in weight and average miles driven ICE vehicle would pay in gas taxes. According to the study done by AEG, Michigan could lose up to \$500 million in revenues generated for roads and bridges by the year 2030. And, more importantly, if 25% of all vehicles driving in Michigan are electric, which by advocates' standards is woefully low, the state would lose

approximately \$95 million annually in the road and bridge budget.

Something that other states are researching and beginning to implement is charging a road usage charge (RUC) or sometimes referred to as a vehicle miles traveled (VMT) fee as a user fee to generate revenues for transportation. In both cases, RUC and VMT, users pay a per-mile fee on the miles that they drive. There are a variety of ways in which the state can collect the number of miles that you have driven, even some that are not connected to GPS for those concerned that the government is tracking them.

The gas tax will continue to dwindle as manufacturers continue to bet on the EV market and more fuel efficiency standards are put into place. This is occurring throughout the country, and 18 other states are moving towards a RUC approach for transportation revenues. The federal government could help tremendously in this arena and, unfortunately, is dragging its feet. A commission was supposed to be established to implement a nationwide pilot program but that has yet to even happen. Forcing states to develop, implement, educate, and convince the public of its necessity, their own version of a road usage charge.

In Michigan, we anticipate that this will be a topic of debate over the next few years. As we push for a long-term, sustainable, equitable infrastructure funding solution, moving away from the gas tax is necessary and something MITA will be working legislatively toward. Electric vehicles are likely not the only fuel source for vehicles to become relevant in the market and a RUC approach is equitable in generating revenue regardless of what a vehicle runs on. **CS**

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Thank you to everyone who has contributed to the MITA PAC. Your generosity is greatly appreciated. If you haven't donated to the MITA PAC yet this year, please consider making a contribution today.

The MITA PAC exceeds its goal of raising over \$300,000 for the year! It's important to note that this wouldn't be possible if it weren't for the broad base of member employees who have donated their hard-earned dollars to our PAC efforts! Collectively we can make a difference in our efforts to secure equitable, long-term, sustainable infrastructure funding solutions.

Political giving through our PAC is one of the most effective ways to gain access to policymakers. That access is needed to advocate for our issues as lawmakers have thousands of issues that they face regularly and we need to keep ours at the forefront. A Big MITA thanks to all of you who have supported our industry! **CS**

*Thank you*

Thank you to everyone who has contributed to the MITA PAC this year. The money raised will be spent judiciously with input from the MITA PAC Board and also the entire MITA Board of Directors.

MITA PAC funds are given to political candidates who support initiatives that are important to the heavy highway/underground industry and to combat those candidates who are against our goal of long-term, sustainable infrastructure funding. The more these funds are targeted to the right candidates, the more our industry will thrive.



If you have any questions about how your PAC contributions are being spent, feel free to email MITA's Executive Vice President Rob Coppersmith (rob.coppersmith@thinkmita.org), or MITA's Vice President of Government Affairs Lance Binoniemi (lancebinoniemi@thinkmita.org).



## Long-Term Sustainable Funding Campaign 2023

The MITA Political Action Committee (PAC) is a strong contributor to the overall political voice of Michigan's heavy construction industry. MITA PAC is the most effective tool our industry has to support candidates who will fight in favor of contractors in the Michigan legislature. Your personal financial support of the MITA PAC gives all of us who care about the future of heavy construction the opportunity to have a strong influence in the political process.

Name	Company	Donation
Name	Company	Amount
Michael Peake	Action Traffic Maintenance, Inc.	\$500.00
Toni VandenBos	Pete's Contracting	\$1,000.00
Pete VandenBos	Pete's Contracting	\$1,000.00
Jason Workman	Anlaan Corporation	\$500.00
M. Todd Chartier	M.L. Chartier	\$2,500.00
Patty Meyer*	Patty Meyer Consulting	\$25.00
Joe Goodall	Dan's Excavating, Inc.	\$500.00
James Doescher	Dan's Excavating, Inc.	\$1,000.00
Justin Peyerk	Dan's Excavating, Inc.	\$1,000.00
Robert Hentkowski	Dan's Excavating, Inc.	\$500.00
Dennis Rozanski	Dan's Excavating, Inc.	\$500.00
Jeff Irvin*	Action Traffic Maintenance, Inc.	\$125.00
Kelly Weber*	Action Traffic Maintenance, Inc.	\$125.00
Matt Kalin	Kalin Construction Co	\$250.00
Thomas T.J. Peake, Jr.*	Action Traffic Maintenance, Inc.	\$125.00
Bob Nobbs	NBSX LLC	\$500.00
Timothy Peake*	Action Traffic Maintenance, Inc.	\$125.00
Jason Reinhardt	Ace-Saginaw Paving Co.	\$500.00
Michael Kalin*	Kalin Construction Co	\$100.00
Jack Dykstra II	Jack Dykstra Excavating, Inc.	\$1,000.00
Paul Selesky	Ajax Paving Industries Inc.	\$1,000.00
David TerBeek	ALS Construction Equipment	\$815.00
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Jennifer Slater*	Action Traffic Maintenance, Inc.	\$50.00
Michael Peake*	Action Traffic Maintenance, Inc.	\$200.00
George Verscheure*	C. A. Hull Co., Inc.	\$110.00
Kurk Schweitzer	GM & Sons, Inc.	\$250.00
Fred Meram	F.D.M Contracting, Inc.	\$1,500.00
Robin Meram	F.D.M Contracting, Inc.	\$1,500.00
Karl Schweitzer	GM & Sons, Inc.	\$1,500.00
Ricky Gallegos	GM & Sons, Inc.	\$250.00
Hugo Gallegos	GM & Sons, Inc.	\$700.00
Eric Walbert	GM & Sons, Inc.	\$250.00
Brad Stover	Toebe Construction LLC	\$1,800.00
Andy Stover	Toebe Construction LLC	\$1,800.00

Name	Company	Donation
Name	Company	Amount
Carrie Pennington	Toebe Construction LLC	\$1,800.00
Dave Fisher	Toebe Construction LLC	\$850.00
Jason Fowler	Toebe Construction LLC	\$850.00
Andy Thelen	Toebe Construction LLC	\$850.00
Lori Adkins	GM & Sons, Inc.	\$100.00
Sean Morrissey	GM & Sons, Inc.	\$400.00
Dan Eriksson	Hoffman Bros., Inc.	\$5,000.00
Matt Payne	Ajax Paving Industries Inc.	\$250.00
Troy Broad	Team Elmer's	\$5,000.00
Dave Pytlowany	ALS Construction Equipment	\$500.00
Francis Pytlowany	ALS Construction Equipment	\$500.00
Byron Miller	ALS Construction Equipment	\$1,000.00
David TerBeek	ALS Construction Equipment	\$500.00
Scott Bazinet	Low Construction Company	\$5,500.00
Mark Boden	Ajax Paving Industries Inc.	\$1,000.00
Jared Quick	Ajax Paving Industries Inc.	\$200.00
Jonnie Williams	Ajax Paving Industries Inc.	\$200.00
Paul Resky	Ajax Paving Industries Inc.	\$200.00
Jeffrey Robinson	Ajax Paving Industries Inc.	\$500.00
Nicholas Schroeder	Ajax Paving Industries Inc.	\$500.00
Chris Mondon	Ajax Paving Industries Inc.	\$300.00
Brian Mayer	Ajax Paving Industries Inc.	\$50.00
Sean Friel	Ajax Paving Industries Inc.	\$100.00
Ryan Belanger	Ajax Paving Industries Inc.	\$200.00
David Grabowski	Ajax Paving Industries Inc.	\$200.00
Justin McLachlan	Ajax Paving Industries Inc.	\$200.00
Allan Isaac	Ajax Paving Industries Inc.	\$200.00
Kelly Schwall	Ajax Paving Industries Inc.	\$500.00
Jerry Johnson	Ajax Paving Industries Inc.	\$100.00
Tye Tignaneli	Ajax Paving Industries Inc.	\$500.00
Chris Edwards	Ajax Paving Industries Inc.	\$100.00
Pete Mann	Ajax Paving Industries Inc.	\$250.00
Donna Enyart	Ajax Paving Industries Inc.	\$100.00
Jason Pestrige	Ajax Paving Industries Inc.	\$50.00
Stephen Dargis	Ajax Paving Industries Inc.	\$200.00
Michael Reardon	Ajax Paving Industries Inc.	\$50.00



Name	Company	Donation
Ryan Crowley	Ajax Paving Industries Inc.	\$100.00
Jonathon Fielden	Ajax Paving Industries Inc.	\$200.00
Jay Foltz	Ajax Paving Industries Inc.	\$250.00
Kathleen Anderson	Ajax Paving Industries Inc.	\$500.00
Jeff Ardelean	Ajax Paving Industries Inc.	\$1,000.00
Brian Borich	Ajax Paving Industries Inc.	\$500.00
Sam Bishop	Ajax Paving Industries Inc.	\$10.00
Jason Beem	Ajax Paving Industries Inc.	\$500.00
Jennifer Bashawaty	Ajax Paving Industries Inc.	\$100.00
Chris Callender	Ajax Paving Industries Inc.	\$100.00
David Cowper	Ajax Paving Industries Inc.	\$1,000.00
Michael Connelly	Ajax Paving Industries Inc.	\$200.00
Daniel David Jr.	Ajax Paving Industries Inc.	\$200.00
Shawn Dice	Ajax Paving Industries Inc.	\$200.00
Stefany Dalpra	Ajax Paving Industries Inc.	\$100.00
Robert Farina	Ajax Paving Industries Inc.	\$200.00
Chris Fontana	Ajax Paving Industries Inc.	\$200.00
Brandon Fuller	Ajax Paving Industries Inc.	\$200.00
Scott Hornak	Ajax Paving Industries Inc.	\$100.00
Mark Homer	Ajax Paving Industries Inc.	\$200.00
Timothy Hay	Ajax Paving Industries Inc.	\$500.00
Jenny Johnston	Ajax Paving Industries Inc.	\$200.00
Mark Johnston	Ajax Paving Industries Inc.	\$10,000.00
Yousif Khamis	Ajax Paving Industries Inc.	\$100.00
Benjamin Kohler	Ajax Paving Industries Inc.	\$500.00
Yvonne Kur	Ajax Paving Industries Inc.	\$2,500.00
Brandon King	Ajax Paving Industries Inc.	\$500.00
Hugh Luedtke	Ajax Paving Industries Inc.	\$200.00
Robert Liddell	Ajax Paving Industries Inc.	\$500.00
Dave Marshall	Ajax Paving Industries Inc.	\$1,000.00
Josh Matuzak	Ajax Paving Industries Inc.	\$500.00
Bryant Moorman	Ajax Paving Industries Inc.	\$250.00
Sandy McMillan	Ajax Paving Industries Inc.	\$25.00
John Nguyen	Ajax Paving Industries Inc.	\$200.00
Patrick O'Connor	Ajax Paving Industries Inc.	\$20.00
Christina O'Brien	Ajax Paving Industries Inc.	\$200.00
Jackie Price	Ajax Paving Industries Inc.	\$25.00
Christine Poe	Ajax Paving Industries Inc.	\$1,000.00
Richard Poe	Ajax Paving Industries Inc.	\$250.00
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Leo Remijan	Ajax Paving Industries Inc.	\$1,000.00
Ean Ridley	Ajax Paving Industries Inc.	\$100.00
Paul Selesky	Ajax Paving Industries Inc.	\$1,000.00
Douglas Silverthorn	Ajax Paving Industries Inc.	\$200.00
Nicholas Stockwell	Ajax Paving Industries Inc.	\$200.00
Philip Schuck	Ajax Paving Industries Inc.	\$500.00
Pamela Switek	Ajax Paving Industries Inc.	\$200.00
Jason Tagani	Ajax Paving Industries Inc.	\$200.00
Rebecca Tohorz	Ajax Paving Industries Inc.	\$200.00
Patrick Wagoner	Ajax Paving Industries Inc.	\$200.00
Jerimah Wallace	Ajax Paving Industries Inc.	\$50.00
Bashar Yohan	Ajax Paving Industries Inc.	\$200.00
Marc Van Houtte	Ajax Paving Industries Inc.	\$200.00
Alex Vasquez	Ajax Paving Industries Inc.	\$500.00
Robert Griggs	Ajax Paving Industries/Juicing With Jai LLC	\$200.00
Michael Rempalski	Give 'Em A Brake Safety	\$500.00
William Rizor	Hoffman Bros., Inc.	\$2,500.00
Remi Coolsaet	RL Coolsaet Construction Co	\$1,000.00
John Zito	Zito Construction Co.	\$1,000.00
Christopher Gatz	Atsalis Brothers Painting	\$200.00
Jeff Buckley	C. A. Hull Co., Inc.	\$1,000.00
Toni Berry	C. A. Hull Co., Inc.	\$50.00
Rick Smith	C. A. Hull Co., Inc.	\$500.00
Jay Desai	C. A. Hull Co., Inc.	\$300.00
Benjamin Edwards	C. A. Hull Co., Inc.	\$100.00
Donna Marshall	C. A. Hull Co., Inc.	\$100.00
Zachary Underwood	C. A. Hull Co., Inc.	\$500.00
Jake Welliver	C. A. Hull Co., Inc.	\$250.00
Shawn Horejsi	C. A. Hull Co., Inc.	\$25.00
Martha Owen	C. A. Hull Co., Inc.	\$1,000.00
J.W. Fisher	Fisher Companies	\$3,000.00
Mike Malloure	C. A. Hull Co., Inc.	\$12,500.00
Dave Turner	C. A. Hull Co., Inc.	\$12,500.00
Christopher Woolley	C. A. Hull Co., Inc.	\$500.00
James Reed	C. A. Hull Co., Inc.	\$1,000.00
Andrew O'Conner	C. A. Hull Co., Inc.	\$1,000.00
Clay Malloure	C. A. Hull Co., Inc.	\$100.00
Randy Rossow	C. A. Hull Co., Inc.	\$1,000.00
Jason Shinn	C. A. Hull Co., Inc.	\$500.00
Benjamin Stachnik	C. A. Hull Co., Inc.	\$50.00
Timothy Peake	Action Traffic Maintenance, Inc.	\$125.00
Nicholas Troshak	Cardinal Fabricating, Inc.	\$1,000.00
Blake Zapczynski*	Z Contractors, Inc.	\$2,500.00
Patrick Dunigan	Dunigan Bros., Inc.	\$1,000.00
Brent Gerken	Gerken Paving, Inc.	\$2,500.00
Elias Motz	C. A. Hull Co., Inc.	\$250.00
Eduardo Lopez	C. A. Hull Co., Inc.	\$50.00
Tom Rizor	Hoffman Bros., Inc.	\$500.00
Brian Schulz	Michigan CAT	\$500.00
Derek LaBean	HYMMCO	\$1,000.00
Mike DeFinis	Angelo Iafrate Construction Company	\$1,500.00
Matthew Milkovje	Angelo Iafrate Construction Company	\$250.00

Name	Company	Donation
Jeremy Lemke	Give 'Em A Brake Safety	\$4,000.00
Gabriel Cipparrone	Cipparrone Contracting, Inc.	\$6,000.00
Jake Hall	C. A. Hull Co., Inc.	\$150.00
Giulia Mayerhoff	Cipparrone Contracting, Inc.	\$1,000.00
Brooke Zapczynski*	Z Contractors, Inc.	\$2,500.00
Michael Anderzack	Anderzack-Pitzen Construction	\$2,500.00
Rudrick Edward Boucher	Kotz Sangster	\$750.00
Chad Listerman	CL Trucking & Excavating, LLC	\$1,000.00
Marc Van Til	Give 'Em A Brake Safety	\$2,000.00
Hal Howlett	Angelo Iafrate Construction Company	\$1,000.00
Lynn Harmala	L.M. Clarke Inc	\$4,000.00
Jennifer Brendahl	Give 'Em A Brake Safety	\$50.00
Joe Boukma	Give 'Em A Brake Safety	\$250.00
Kyle Meyer	Give 'Em A Brake Safety	\$100.00
John Tiseo	Angelo Iafrate Construction Company	\$50.00
Shane Lemke	Give 'Em A Brake Safety	\$250.00
Chris Heyboer	Give 'Em A Brake Safety	\$200.00
Rinaldo G Acciavatti	Pamar Enterprises Inc.	\$2,500.00
Ryan O'Donnell	Anlaan Corporation	\$10,000.00
Nick Baker	Anlaan Corporation	\$10,000.00
Chad Listerman	CL Trucking & Excavating, LLC	\$1,000.00
Andrew Dauksts	Give 'Em A Brake Safety	\$250.00
Mike Heyboer	Give 'Em A Brake Safety	\$100.00
Tom Rizor	Hoffman Bros., Inc.	\$1,500.00
Jane Anstett	Give 'Em A Brake Safety	\$100.00
Jeremy Wallender	Give 'Em A Brake Safety	\$150.00
Eric Stahley	Hoffman Bros., Inc.	\$200.00
Daniel Mergens	Edw. C. Levy	\$1,500.00
Jesse Pero	Hoffman Bros., Inc.	\$1,500.00
Brian Hoffman	Hoffman Bros., Inc.	\$5,000.00
Peter Scodeller	Scodeller Construction, Inc.	\$5,000.00
Gerald Kalin*	Kalin Construction Co	\$250.00
Gerald Kalin	Kalin Construction Co	\$1,800.00
Gabriel Kloet	Upper Peninsula Concrete Pipe Co., Inc.	\$500.00
Derrick Arens	Anlaan Corporation	\$500.00
Douglas Kaltz	M.U.E. Inc.	\$1,000.00
Jessica Kaltz*	Kaltz Excavating Co. Inc./M.U.E. Inc	\$200.00
Bruce Young	Angelo Iafrate Construction Company	\$1,000.00
Brenden Pudduck*	Action Traffic Maintenance, Inc.	\$100.00
Doug Nylander	Nylander Engineering, Inc.	\$500.00
Jay Nylander	Nylander Engineering, Inc.	\$500.00
M. Todd Chartier	M.L. Chartier	\$2,500.00
Brandon Weber	C. A. Hull Co., Inc.	\$50.00
Christopher Niswander	C. A. Hull Co., Inc.	\$100.00
Luke Fleischmann	Michigan Pipe & Valve	\$2,500.00
Rick Becker	Michigan Paving & Materials	\$3,000.00
Remi Coolsaet	RL Coolsaet Construction Co	\$1,000.00
Kyle & Megan Wesch	M.L. Chartier	\$2,500.00
Kenneth Nowicki	M & M Excavating	\$2,500.00
Brandie Meisner	M & M Excavating	\$2,500.00
John Landrie	M & M Excavating	\$2,500.00
Gabe Nowicki	M & M Excavating	\$750.00
Michael Stutesman	M & M Excavating	\$750.00
Ryan Meisner	M & M Excavating	\$750.00
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Glenn Bukoski	MITA	\$500.00
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Rachelle VanDeventer	MITA	\$500.00
Christopher Mallese	DiPonio Contracting, Inc.	\$1,000.00
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Daniela Spilak	Salus Group	\$50.00
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Mike Corrigan	G2 Consulting Group	\$100.00
Jennifer Howard	Corrigan Oil	\$1,000.00
Mike Buck	Modern Concrete	\$100.00
Chris Sobeck	Salus Group	\$500.00
Jason Piper	Modern Concrete	\$100.00
Jim Vaughn	Modern Concrete	\$100.00
Therese Ketchum	Modern Concrete	\$100.00
Edward Dwyer	Scodeller Construction, Inc.	\$1,000.00
Jackie Tower	Scodeller Construction, Inc.	\$250.00
Matthew Sharkey	Scodeller Construction, Inc.	\$500.00
Jeff Stover	Scodeller Construction, Inc.	\$500.00
Jeff Lippert	Scodeller Construction, Inc.	\$500.00
Thomas Stornant, Jr.	Scodeller Construction, Inc.	\$400.00
Aden Shea	P.K. Contracting, Inc.	\$3,000.00
Christopher Shea	P.K. Contracting, Inc.	\$3,000.00
Nicholas Shea	P.K. Contracting, Inc.	\$3,000.00
Kurt Shea	P.K. Contracting, Inc.	\$3,000.00
Kenneth McNeilly	Spartan Barricading & Traffic Control Inc.	\$1,500.00
Kevin McNeilly	Spartan Barricading & Traffic Control Inc.	\$1,500.00
Joseph Rogers	Hardman Contracting	\$1,000.00

\*Recurring



**Jeremiah Leyba, P.E.**

To contact Jeremiah, email him at [jeremiahleyba@thinkmita.org](mailto:jeremiahleyba@thinkmita.org) or call the MITA office at 517-347-8336.

# YOU'RE PART OF MICHIGAN'S EMERGENCY RESPONSE PLAN: ARE YOU READY?

## MICHIGAN'S INFRASTRUCTURE INDUSTRY EMERGENCY PREPAREDNESS

Dam failures, bridge collapses, train derailments, and the like continue to make headlines. Localities, the state, and even the nation are stopped in their tracks when disaster strikes.

In 2007 the I-35 bridge collapse in Minneapolis rocked the nation and put the Minnesota Department of Transportation under a microscope.<sup>1</sup> The Edenville and Sanford dam failures in 2020, hit central Michigan with intensity and highlighted infrastructure shortcomings in our state to the entire country.

So where do we stand? Is Michigan's infrastructure industry prepared to be a buoy during a storm? Are our companies and organizations positioned to act quickly for the needs of our communities during an unexpected crisis?

Michigan has a reasonably detailed Emergency Response Plan (MEMP) put out by the Department of State Police which attempts to outline a general chain of command for various scenarios.<sup>2</sup> These command areas are called Emergency

Support Function (ESF) agencies, and their responsibility is to act as lifeboat captains during a crisis happening in and around their sphere of influence.

The Michigan Department of Transportation is designated as the lead agency for ESF 1, the ESF area covering transportation and infrastructure, and would be steering the lifeboat for our industry during an emergency. In this role, MDOT is mandated to adhere to 20 key tasks all focused on prevention, protection, mitigation, response, and recovery efforts.

In order for MDOT to meet these mandates they require what MSP calls an "appropriate [level of] contracting/procurement personnel [to] maintain, repair, and restore the state highway/trunkline system and state-owned rail lines".<sup>2</sup> In short, a significant portion of the state's emergency plan is to be capable of effectively enlisting the contracting community.

MDOT, the state, and localities can act only within their legal mandates and capacities. They can work to procure funds through emergency declarations, they can implement Job Order Contracting, or other expeditious contracting procedures.<sup>3</sup> They can work to control the message to the public, and they can ultimately enact and influence laws. But to truly fulfill the total mandate requires those with the tangible capacity to rebuild, haul away, and physically repair the affected infrastructure to be prepared and willing to cooperate.

During severe flooding, a lone contractor in New Zealand used his tractor to save locals, patch critical roads, and even give officers a ride to assess flooded properties. His poignant words

*Continued on page 51*



*“PCS helped M&M unearth what we do, why we do it and where we’re going.”*

# Brandie Meisner

**M&M Excavating - President**

*Former MITA President*

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**Greg Brooks**

To contact Greg Brooks, email him at [gregbrooks@thinkmita.org](mailto:gregbrooks@thinkmita.org) or call the MITA office at 517-347-8336.

Got your attention? Don't panic. I am not saying don't do toolbox talks. In fact, I am saying the opposite. Do them. Do a lot of them, but don't just do them to check off a box.

Toolbox talks are among the most effective ways to keep your crews educated, informed, and motivated. In the high-risk industry in which we work, I recommend at least once a week, but every day is certainly not too many. Your best toolbox talk is the work at hand for the day ahead. Your foreman or supervisor could simply talk about what should be accomplished that day and discuss the potential hazards that work may present and how to mitigate or avoid them.

### Educational

Toolbox talks can be used for education from two aspects: safety as well as teaching workers new tasks. A foreman can utilize this time to teach his or her crew based on current working situations. They can explain the safety measures in place to protect the employees for the tasks being performed that day or that week and communicate their expectations of the utilization of these tasks. Additionally, the time can be used to educate the crew on the hows and whys of tasks being performed. Informed employees are generally happier and more productive.

This regular time spent focused on education and safety promotes a culture of dedication to safety within the crew and the company.

The data is clear, companies that hold daily toolbox talks reduce their Total Recordable Incident Rate (TRIR) by 85% compared to companies that hold monthly talks. Even increasing the regularity of toolbox talks from weekly to daily has the potential to decrease TRIR by 73%.

# TOOLBOX TALKS: DON'T WASTE YOUR TIME

When safety is presented to workers every day, it is more likely that safe habits will be formed and, in the long run, make a lasting impact on the organization's safety record.

MIOSHA requires ongoing education in the workplace toolbox talks are one way to accomplish this requirement. If they are saved and signed, they also may be helpful when working through a citation or appeal situation. However, the goal is to avoid these situations through the use of a toolbox talk.

*Continued on page 51*

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## SPOTLIGHT ON SAFETY

Trent Hall has worked for Harbor Springs Excavating for the last 6 seasons. He quickly showed his skill at communicating and getting along with others, which landed him on a job they performed for the Christman Company at McLaren Northern Michigan Hospital. Many CM companies run a strict daily reporting program and Trent quickly learned the ropes of their system, enabling him to stay on top of their daily requirements. As well as managing the daily requirements of the CM, he also ran the crews and sub-contractors through three years of both summer and winter work. This included working with other contractors on the site to be sure all the work fit the schedule necessary for timely completion. Under his supervision, there were no lost time accidents on the job. **CS**



MITA Safety Director Greg Brooks (left) congratulates Trent Hall on being MITA's most recent spotlight on safety recipient.

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# SORRY LINUS —YOUR “BLANKET” PURCHASE ORDER MIGHT NOT MEAN WHAT YOU THINK

*Takeaway: If you’re using a “blanket” purchase order or master contract to buy materials, you need to ensure it contains some type of quantity term, like, for example, “all requirements” for a given project.*

In *MSSC v. Airboss Flexible Products Co.*, the Michigan Supreme Court recently examined the terms of a blanket purchase order to determine whether the parties’ contract was a requirements contract or a release-by-release contract. If it was a requirements contract, Airboss was required to continue selling goods to MSSC for the life of the program. If it was a release-by-release contract, Airboss did not have to continue fulfilling orders. Because the blanket purchase order did not contain a quantity term—even one with little detail—the Michigan Supreme Court held that the contract was a release-by-release contract and Airboss was not required to continue shipping products even though MSSC needed them.

MSSC contracted with Airboss to supply parts that MSSC would use to build suspension systems for Fiat Chrysler. The purchase order incorporated general terms and conditions from MSSC’s website and stated: “If this Purchase Order is identified as a “blanket” order, this order is valid and binding on the seller for the lifetime of the program or until terminated pursuant to MSSC’s Terms and Conditions.” And, subject to the “blanket” purchase order, MSSC would issue releases and shipping schedules for part revisions, quantities, and delivery dates. In other words, MSSC would place individual orders for specific quantities subject to the blanket purchase order’s terms and conditions. After years of shipping parts, Airboss refused further releases because Airboss claimed it was losing money with every new release. MSSC sued to force Airboss to continue selling product.

When a contract relates to the sale of goods, it’s generally subject to the Uniform Commercial Code (UCC). Under the

UCC, a contract for the sale of goods greater than \$1,000 must include some type of quantity term—it does not have to be specific. So, for example, a blanket purchase order can say that the seller will supply “all requirements of the buyer.”

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This would obligate the seller to supply all of the buyer's requirements even if that were accomplished through a series of releases or orders for a definitive quantity. These arrangements are called requirements contracts. But if the blanket purchase order merely says that seller will provide goods after accepting buyer's individual orders or releases, the seller can reject future orders. The buyer is only obligated to fill the orders that it agrees to fulfill. These are called release-by-release contracts.

Going back to MSSC, the Court held that the blanket purchase order did not contain any type of quantity term—even one as vague as "all requirements." Instead, the blanket purchase order only set forth the terms and conditions that would apply to each order. It did not obligate Airboss to actually fulfill each individual order, so Airboss could choose not to sell product to MSSC even though MSSC was obligated to sell its suspension systems (which incorporated Airboss parts) to Fiat Chrysler.

So how does this matter to MITA members? If aggregate or rebar are ordered for a job under a blanket purchase order or a master contract, but the aggregate or rebar will be delivered pursuant to specific orders, the blanket purchase order or master contract must say something about the

quantity of material that will be ordered. A basic example would be, "Seller agrees to supply all requirements of the Buyer for Project X. Buyer will issue firm orders setting forth the specific quantities that Seller will provide." If the "all requirements" were not included in the blanket purchase order or master contract, the seller would be able to reject individual orders even if the project were only halfway complete. BU this way, both the buyer and seller understand and acknowledge the duration of the blanket order. **CS**



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# WINNER WINNER VENISON DINNER!

MITA's 6th annual wild game dinner and scholarship fundraiser was a roaring success! The event hosted nearly 550 people for an evening of fun, raffles and wild eats (cajun gator, anyone?), all to raise money to support the scholarship fund. In 2023 MITA's scholarship fund help to support 12 students with their educational pursuit of a career in the construction industry. Learn more about the recipients on page 31.

## Event Winners



Clockwise from Top Left:  
Richard Hinson, Verdeterre  
Kelly Schwall, Ajax Paving Industries  
Paul Muscat, Cortis Bros.  
Brian Erickson, Verdeterre  
Tyler Cass, Fahrner Asphalt  
Jim Thompson, Angelo lafrate  
James Cassel, EJ  
Chris McEachran, Lawrence M. Clarke  
Rob Sarka, Smiths Waterproofing  
Eric Bohn, Rauhorn Electric

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Twinning! Danielle Coppersmith, MITA & Michael Phelps, Z Contractors



Sophie Derrick, Action Traffic Maintenance



Terry Moak, Angelo lafrate



## SCHOLARSHIP AWARDS

# Thank You

“ Thank you so much. I am very honored and thankful for receiving this scholarship!!!  
~ *Kenny Youngs* ”

“ Thank you so very much for the scholarship toward my education at Michigan State University. I'm very excited for my future career as a civil engineer and look forward to contributing positively toward the future of Michigan. Your support helps ease the cost of school expenses immensely!  
~ *Sincerely, Sam Hine* ”

“ Thank you so much for this scholarship!  
~ *Jacob Evon* ”

“ Thank you so much! It is greatly appreciated.  
~ *Boston Hilden* ”

“ I feel honored and grateful to have been selected for this scholarship! I want to thank MITA for your generosity. This will be a great help to me financially for my last year of school.  
~ *Connor Schefferly* ”

“ Thank you for making this opportunity possible! I am very grateful.  
~ *Vicki McTaggart* ”



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# Congratulations

## to the 2023 Scholarship Recipients!



Jacob Evon was the recipient of the Dave Fons Memorial Fund Scholarship. Every year, the Dave Fons Memorial fund donates to the MITA Scholarship to support students like Jacob in pursuing a career in the construction industry.



Your donations are helping to pave the way for these individuals to pursue a career in the heavy/highway construction industry.

Visit [www.thinkmita.org/about/#scholarship](http://www.thinkmita.org/about/#scholarship) to learn more

## MITA FUTURE LEADERS PROGRAM

24 of the industry's up-and-comers make up MITA's 14th class of Future Leaders. The Future Leaders program is designed to educate the participants on a wide variety of topics that will help them grow their knowledge base and develop the skill sets needed to be effective company leaders and industry advocates.

Thanks to this year's lunch sponsors.

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Alta representatives, Doug Sleight and Dan Flis together with their own future leader Alyssa Laforge pose after lunch with MITA's Danielle Coppersmith.



Future Leaders Class 14 assemble on the capitol steps for Legislative Day.



Future Leaders Class 14 listen as MITA's engineering team presents.



Bringing the heat. The Stoneco team grilled up steak and chicken for the Future Leaders Session 4 in September.



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## AJAX PAVING INDUSTRIES NAMED GOLD-LEVEL VETERAN-FRIENDLY EMPLOYER



Adam Collier (right) presents Mark Johnston with the Gold-level Veteran-Friendly Employer certification award.

Ajax Paving Industries has achieved Gold-level Veteran-Friendly Employer certification from the Michigan Veteran Affairs Agency (MVAA). The prestigious Gold-level designation has been granted to just 5% of the nearly 600 Veteran-Friendly Employers across the state.

Since being created in 2013, the Veteran-Friendly Employer Program has recognized more than 500 Michigan employers with either Bronze-, Silver- or Gold-level status for their efforts in supporting the recruitment, training and retention of veteran workforce talent. To date, 30 employers have received the Gold-level status.

Founded as a small asphalt paving company in 1951, Ajax has grown to be a leader in the road construction industry in Southeast Michigan. Ajax offers a registered apprenticeship program that allows veteran employees to use their GI Bill benefits during the apprenticeship in conjunction with the Sixty by 30 program introduced



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by Gov. Gretchen Whitmer, which aims to increase the number of working-age adults with a skill certificate or college degree toward the goal of 60% by 2030.

“There’s nothing more rewarding than representing something you believe in, like your country,” said Navy veteran and Ajax operations manager Tye Tignanelli. “Ajax has given me the opportunity to continue working for something I believe in. Just like in the military, employees at Ajax work together to accomplish our goals. The Navy laid the groundwork for me to know how to handle high-stress situations, be part of a team, lead by example and know there’s always room to grow. Ajax has continued to let me grow and gives me all the training and support I need to do so. I am proud to work for a company that strongly supports and believes in its veteran workforce.”

“I applaud Ajax Paving for its commitment to developing the skill sets of its veteran employees,” said MVAA Director Adam Hollier. “Former military members and their families are seeking out good-paying jobs and employers that provide them with the resources and environment to succeed, like Ajax, which is doing its part



to attract veterans to Michigan. Ajax knows that investing in its veteran workforce strengthens the entire operation and I’m happy to see the company join the ranks of our Gold-level Veteran-Friendly Employers.”

Organizations can learn more about becoming a Veteran-Friendly Employer, including obtaining an application, by visiting [www.michigan.gov/mvaa/employment-new/panel-veterans/friendly-emp](http://www.michigan.gov/mvaa/employment-new/panel-veterans/friendly-emp). **CS**



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# HENNESSEY ENGINEERS ACQUIRES ACCESS ENGINEERING

Hennessey Engineers, a multi-faceted civil engineering firm based in Southeast Michigan, announced today that it acquired Access Engineering, a Milford-based DBE firm specializing in transportation engineering. The joining together of two exceptional teams of civil engineers will accelerate Hennessey Engineers' plan to expand its range of services with a focus on Michigan Department of Transportation (MDOT) and Local Agency Program (LAP) projects.

"Bringing together our two teams will enhance our capabilities and strengthen our focus on MDOT and LAP projects," said Joan Hennessey, president of Hennessey Engineers. "By expanding our transportation engineering services, we will continue to positively impact Southeast Michigan communities by improving public infrastructure. The Access Engineering team will increase our ability to improve Michigan roads and bridges and elevate the quality of life for countless residents."

Access Engineering was founded in 1998 by Elizabeth Harding, P.E., and Annette Stroman, P.E. As recognized leaders in the transportation engineering industry, Harding and Stroman concentrated on road and bridge projects for MDOT and local agencies. As a Women Business Enterprise (WBE) and an MDOT Disadvantaged Business Enterprise (DBE), the firm's expertise is centered on work zone traffic design, roadway design, and traffic engineering. They are MDOT prequalified in several service classifications: Design – Roadway, Design – Roadway: Intermediate, Design – Traffic: Pavement Markings, Design – Traffic: Signing – Non-Freeway, Design – Traffic: Work Zone Maintenance of Traffic, and Design – Traffic: Work Zone Mobility and Safety.

"We are thrilled to begin a new chapter in our firm's history!" said Annette Stroman, P.E. "Hennessey Engineers' core values align with ours. They are passionate about

*Continued on page 50*



From left to right: Hennessey Engineers Vice President, John Hennessey, P.E., Hennessey Engineers President, Joan Hennessey, C.P.A., Elizabeth Harding, P.E. (Former principal of Access Engineering), and Annette Stroman, P.E. (Former principal of Access Engineering).



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# BAILEY EXCAVATING, INC. CELEBRATES 50 YEARS IN BUSINESS WITH BAILEYFEST



To celebrate 50 years of business, the Bailey family organized a weekend event that included a vintage car show, hot air balloon rides, a monster truck rally, and two concerts. It started out as invite-only for their employees and close business partners, but after people started hearing about it, they asked if they could be involved financially to help support it. Since Bailey Excavating had already paid for the event, they decided to turn it into a fundraiser and allowed local businesses to donate directly to their charity of choice instead. Because of this, they were able to raise a significant amount of money for local non-profits.

Bailey Excavating, located in Jackson, Michigan, was founded by James Bailey in 1973 and remains a 3rd generation family-owned business. **CS**



Jordan Bailey (far left) and Jacob Bailey (far right) pose on stage with event emcee's Maitlynn Mossolle from the Free Beer & Hot Wings syndicated radio show and JTV morning show host Andy Hawley.



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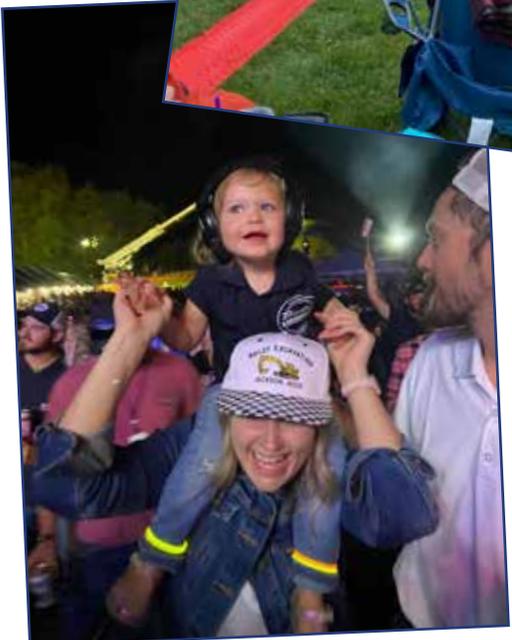
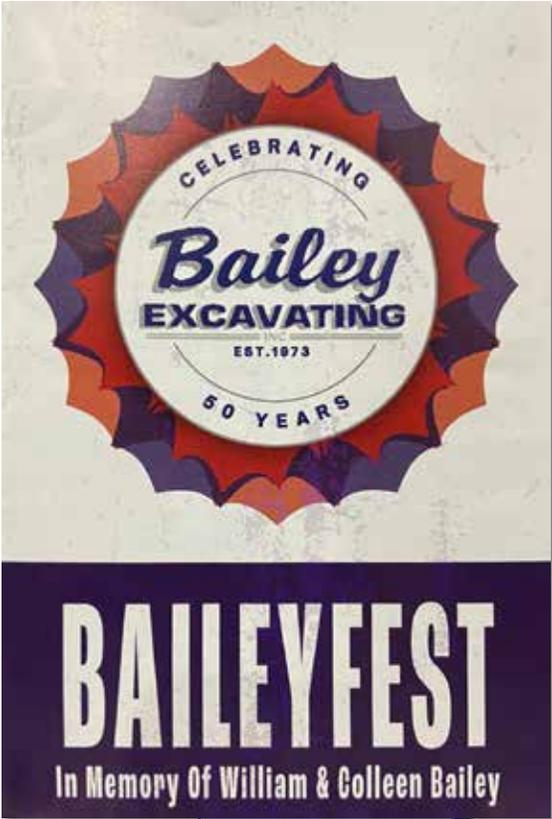
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*MITA member, Fessler and Bowman recently donated \$46,000 to help the LiveWell on Harrison project reach its \$21 million capital campaign goal. Located on Harrison St. in Downtown Flint, LiveWell on Harrison will include a YMCA facility, 50 housing units and more community spaces upon completion.*

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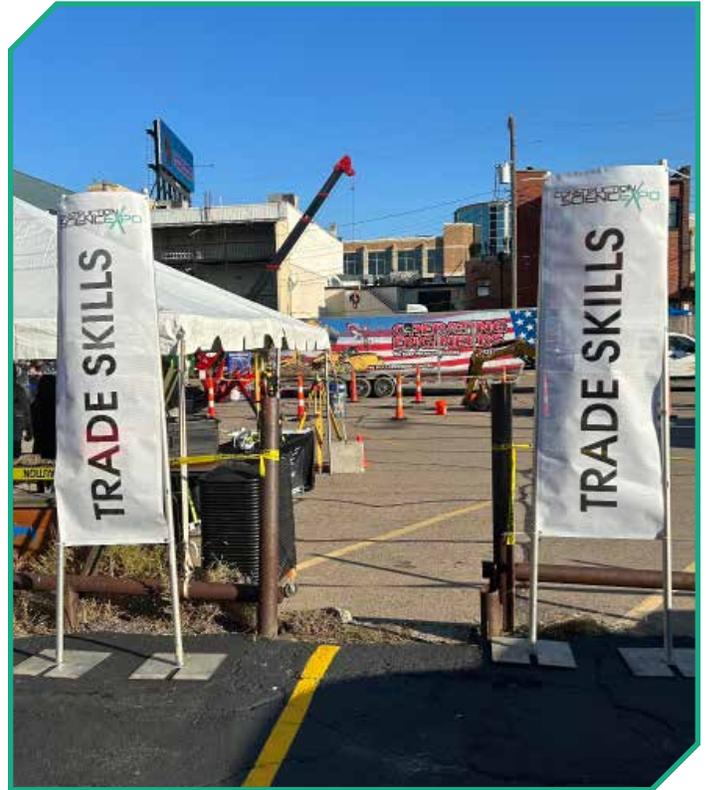
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WHERE'S MITA BEEN LATELY?

MITA's Director of Engineering, Jeremiah Leyba attended the Construction Science Expo on Tuesday, Oct. 3, 2023, outside Impression 5 Science Center in downtown Lansing. More than 60 skilled trades leaders gave hundreds of Lansing students a hands-on look at construction and engineering careers during the event.



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## WHERE'S MITA BEEN LATELY?

MITA's Engineering team takes a tour of the new Peninsula Prestress Facility.



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# MITA ENGINEERS ATTEND CONSTRUCTION HALL OF FAME CEREMONY

On October 26, 2023, three Distinguished Constructors were inducted into the Michigan Construction Hall of Fame located in the Granger Center for Construction and HVACR on the Ferris State University campus in Big Rapids, Mich. Selection for the Michigan Construction Hall of Fame is based upon the nominees technical, managerial and leadership achievements within construction and

related industries, as well as service to the profession and community.

The Michigan Construction Hall of Fame Distinguished Constructor Award selection panel consists of representatives from MITA, the Associated General Contractors of Michigan, the Construction Association of Michigan, the Michigan Association of Home Builders, the Associated Builders and Contractors of Michigan,

and Ferris State University.

In 2008, MITA became a Platinum Donor to the Michigan Construction Hall of Fame endowment demonstrating its support of the continuing efforts of the Construction Hall of Fame in honoring construction industry professionals from across the state.

This year's three inductees represent over 130 years of experience in the construction industry.

*Continued on page 46*



MITA's engineering staff members attended the 2023 Distinguished Construction Awards Banquet and Induction Ceremony at Ferris State University in October along with MITA members who were inducted into the Hall of Fame in the past. Pictured from left to right in the back row: Jeremiah Leyba, P.E., MITA Director of Engineering; Tom DiPonio, Jay Dee Contractors (2022); and Don Anderson, Anlaan Corporation (2016). Pictured from left to right in the front row: Glenn Bukoski, P.E., MITA Engineering Consultant; Rachelle VanDeventer, P.E., MITA Vice President of Engineering; Jim Klett, Klett Contracting (2008); and Bruce Lowing, Hardman Construction (2021).

Continued from page 45

**Douglas (Doug) L. Maibach, P.E.** was born in Redford Township, Mich. He is the youngest of eight children. Working over high school graduation on a layout team and assisting the superintendent on Barton Malow's GM Conner Avenue plant site solidified for Doug that he wanted to study Civil Engineering at Michigan State University.

Upon college graduation, he went to work as a field engineer incorporating final actions on the then new Wayne County Jail. Doug quickly completed an MBA and began working in Barton Malow's self perform group ("General Trades"), focusing on concrete foundations and structures. Under Doug's leadership, the self perform group expanded to include work on interiors in addition to civil, concrete, steel erection, rigging, and equipment

installation.

Doug returned to the construction management side of Barton Malow as a Vice President for major projects in commercial, healthcare, sports, and education. Before his retirement as Chairman of the Board of Barton Malow Enterprise and Executive Vice President of the company, Doug was responsible for forward planning of the organization. In that role, he significantly expanded the scope of the enterprise's capital needs, its support operations, and risk management using their own insurance entity.

Much of Doug's time has been spent with the Associated General Contractors (AGC) – both Michigan and National serving on numerous committees and as a Board Member, including its Education and Research Foundation. He also led the Barton Malow Foundation from 2002 until

his retirement in 2022. Under Doug's guidance, the Foundation received numerous awards, recognizing the company as community builder expanding from helping to support causes in which their clients were involved to causes that their employees found to be worthwhile in the community where they live, work, and play.

**Bernard "Bernie" Mein** has lived in Portage, Mich., his entire life. His grandfather was a carpenter and his dad, Bud, was a builder. At 8 years old, Bernie would visit his father's construction sites (multiple residential subdivisions) where he would sweep out the basements and garages.

When his father left the industry, Bernie and his brother, Gary, started their own building company, Mein, Inc., utilizing the remaining buildable lots owned by their father. Mein, Inc.,



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constructed subdivisions, custom homes, and semi-custom homes throughout the Kalamazoo and Portage area. Bernie and his brother were Mein, Inc.'s primary employees, doing everything necessary for the business.

Bernie and Gary are considered pioneers in the development of the City of Portage due to their residential projects as well as their ventures into commercial and retail development.

Bernie joined his local HBA to help them with their home exposition and soon realized that for Mein, Inc., there were big benefits to joining the HBA. He served as President of his local HBA in 1991 and later as Secretary of the state HBA.

During these years, Bernie became very involved in the legal arguments to revise the size requirement for utilizing an architect; the development of a single published building code; the development of the Energy Code; and builder's license law reform.

**David I. Ruby, P.E., S.E., F-ASCE**, was born in Aliquippa, Pa., the heart of steel country. His neighbor worked for American Bridge (a subsidiary of U.S. Steel and the largest fabricator in the U.S.). He would regale David with stories of the structures upon which he worked. This, and an influential math teacher, encouraged him to attend

*Continued on page 48*





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# CHANGES TO DAVIS BACON

By Prianka Sharma  
psharma@artba.org

By now, you may have heard that changes are coming to the regulations concerning the Davis-Bacon Act (DBA)—the prevailing wage law for direct federal and federal-aid projects. First proposed by the U.S. Department of Labor (DOL) Aug. 8, the new regulations take effect Oct. 23, and the Federal Highway Administration (FHWA) has already published a new Form 1273. Contractors with direct federal and federal-aid projects are affected.

ARTBA submitted comments to DOL prior to the rule's finalization, pointing out that the draft language was too broad and overly burdensome. DOL's final product was somewhat responsive to ARTBA's concerns and specifically referenced our comments. But it also left a number of gray areas. For example:

1. The initial proposal expanded DBA coverage beyond active project sites. The new rule narrows the scope of coverage to locations where a

significant portion of work is performed, and where the site is established for the exclusive performance of the covered contract.

2. ARTBA raised concerns that the prevailing wages for the time that off-site drivers and materials providers spend on the worksite would be subject to DBA wages even if that time was negligible. In the final rule, DOL allows for "de minimis" exceptions and/or exemptions but as several members have alluded to, there are gray areas and questions about when these exemptions apply.

3. The initial proposal redefined the term "area" for highway construction projects. DOL now allows multi-county wage data to be averaged together to calculate the prevailing wage. This means that rural and urban wage data may be combined.

4. The final rule clarifies the difference between licensed surveyors that are salaried professionals—and not subject to the DBA—and workers

surveying on sites. The rule allows for "learned professional" exemptions but the definition of learned professional may vary depending on state licensing requirements.

Additional provisions of note:

1. DOL will be permitted to issue wage determinations when survey data is insufficient. As a result, wage determinations can be based on factors that may not paint the entire wage picture. DOL can use any number of sources for determining the wage including existing project labor agreements.

2. The prevailing wage will now be set if it's paid to at least 30 percent of surveyed workers in a given area. This is a change from the current 50 percent and may result in wage rate increases.

3. Prime contractors are responsible for DBA compliance by subcontractors and will be liable if subcontractors don't pay a prevailing wage.

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Rensselaer Polytechnic Institute where he completed a bachelor of science in civil engineering with a structures option.

Upon graduation, David worked as a draftsman (where all engineers were expected to spend 1 ½-2 ½ years) with American Bridge, learning the importance of accuracy, connections, and how the design will work when completed in the field. After 10 plus years at American Bridge, he moved to several steel fabricators and engineering design firms that exposed him to projects around the U.S. and the globe.

A project-related phone call with

one of his clients earned him a \$30,000 check, enough to start his own firm serving the steel construction industry. This new firm, Ruby+Associates, Inc., began in his son's bedroom with three drafting tables. Ruby+Associates, Inc., has provided steel erection and stability analysis, value-engineering solutions, and constructability-focused design on many high-profile projects throughout the U.S.

He has served in many leadership roles in multiple industry service organizations, including Structural Engineers Association of Michigan Council of American Structural Engineers, National Council of Structural Engineers

Associations; and the American Institute of Steel Construction.

David has been honored by the steel construction industry through multiple awards including the J. Lloyd Kimbrough Award (architects/engineers who are universally recognized as the pre-eminent steel designers of their era). David is only the 12th recipient of the award in 80 years. He is also a recipient of the Felix A. Anderson Award, which recognizes a leader in the engineering profession whose actions have positively affected the public's understanding and appreciation of the engineering profession, and the AISC Lifetime Achievement Award. **CS**



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Greystone has deep ties to Michigan, with over 35 years of experience in the region. Greystone is an active associate member of MITA, attending and sponsoring numerous networking events. **CS**

Continued from page 36

making a positive impact in Southeast Michigan and serving communities by improving public infrastructure.”

### About Hennessey Engineers

Hennessey Engineers is a civil engineering firm focused on improving the quality of life for Southeast Michigan communities. As a Women Business Enterprise (WBE), we have had the pleasure of serving more than 25 local municipalities, dozens of county and state agencies, as well as multiple developers and private entities. We are certified through the Michigan Department of Transportation as a Disadvantaged Business Enterprise (DBE), which provides us with the opportunity to partner with large firms on federally funded public infrastructure projects. Our positive impact over the past 50 years has strengthened communities, improved living conditions, and elevated the quality of life for countless residents. **CS**

Continued from page 48

A recently-recorded ARTBA webinar with DOL and labor law experts is available in the members’ only section of artba.org to help our members better understand these changes and how they will impact their firms.

As the new DBA rule moves to the implementation stage, ARTBA remains in close contact with both DOL and FHWA. If you encounter questions working with your state DOT on this, please contact me so we can seek any answers or clarifications you may need.

MITA will be hosting a session with MDOT’s prevailing wage specialist to discuss the pertinent changes for Michigan on February 20, 2024. Visit MITA’s event page to register.

Prianka Sharma is ARTBA vice president and counsel for regulatory affairs. **CS**



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- \$1,000 in grief counseling to each family and/or coworkers.
- Scholarships to children left behind and qualifying applicants.

To make a one-time donation, please visit [www.ConstructionAngels.us](http://www.ConstructionAngels.us), or email us at [contact@ConstructionAngels.us](mailto:contact@ConstructionAngels.us) for more information.



*Continued from page 22*

are simple: "If you've got gear or ability or you're able to help your neighbor and stuff, you've just got to do it..."<sup>4</sup>

In 2019 during a historic snowstorm in the Pacific Northwest, a teen from Idaho earned \$35,000 in just 4 days by taking his plow truck to the Seattle area.<sup>5</sup> He was able to provide something few others could in a difficult situation and the community responded with commensurate incentive.

These local examples may seem a far cry from the seemingly endless administrative burdens we all work with day to day. Burdens we worry could be the reason a community doesn't get what it needs expeditiously after a crisis. But these examples illustrate an important aspect of civility and community that should be present when our neighbors are in need of crucial things that we in our industry can provide.

Preparing for a rainy day isn't as straightforward as we'd like it to be. In our personal and business lives we often rely on the insurance industry where we attempt to hedge our bets against loss of value. However, we're learning quickly through high inflation, supply chain issues, skilled labor shortages, and the like that fancy wording alone won't make things appear out of thin air. The tangible side of the equation still remains an important problem to solve.

The fact remains, the state has an emergency plan and you play a crucial part. Is there a way your company or organization can be prepared to be a raft the next time a part of the state finds itself in dire straits?

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### **Informational**

This is also a great time to keep employees informed on pertinent company information. Share information about other crews' accomplishments, company milestones, and possibly the acquisition of new work. All of this, if done in the proper manner, can promote a sense of pride within the crew that leads to better working conditions, better work, and fewer mistakes.

Adequate and regular information flow can also lead to better employee retention. There are very clear benefits to keeping good employees long-term. Many members have multiple crews and this is a good time to share near miss situations so that bad situations can be turned into learning situations.

### **Motivational**

A study of employees across America determined that wages were not the leading reason employees stayed with employers. Recognition and encouragement were at the forefront of why employees stay with an employer. Toolbox talks can be an excellent opportunity to do both of these

1. Schaper, D. 10 Years After Bridge Collapse, America Is Still Crumbling. NPR.org, 01 August 2017 <https://www.npr.org/2017/08/01/540669701/10-years-after-bridge-collapse-america-is-still-crumbling> Accessed 22 May 2023.
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3. Rivera, Dana. Dealing with Disaster: Job Order Contracting for Emergency Response Projects. NACO, 6 July 2018 <https://www.naco.org/blog/dealing-disaster-job-order-contracting-emergency-response-projects> Accessed 4 Apr. 2023.
4. Sharp, Seven. Franklin contractor has busy night saving residents from floods. 1 News, TVNZ, 4 Feb. 2023 <https://www.1news.co.nz/2023/02/14/franklin-contractor-has-busy-night-saving-residents-from-floods/> Accessed 4 Apr. 2023.
5. Johnson, Lauren M. Teen Makes \$35,000 Plowing Seattle's Historic Snow. CNN, Cable News Network, 20 Feb. 2019 <https://www.cnn.com/2019/02/19/us/teen-makes-35k-plowing-snow-trnd/index.html> Accessed 30 Mar. 2023. **CS**

things. Recognize employees by celebrating safety wins, milestones, and goal accomplishments (individual or crew). It does not have to be elaborate. Just a handshake and some public recognition seem to be effective. Encouragement can be accomplished at toolbox talks by setting goals as a crew and regularly discussing the progress being made to accomplish them.

Employees should be encouraged to recognize and eliminate hazards throughout the day! Essentially, looking after one another in a positive manner will help to motivate others to do the same and have an overall positive impact on the job site, as well as improving company culture.

Although foremen generally run toolbox talks, management should make a practice of occasionally attending them to demonstrate dedication and appreciation as well as to "rally the troops," and it never hurts to ask an employee if they have a topic they'd like to know more about or would like to discuss.

You can contact Greg Brooks to perform a toolbox talk for your employees as well as teach your foreman how to deliver effective toolbox talks at [gregbrooks@thinkmita.org](mailto:gregbrooks@thinkmita.org). **CS**

## MITA STAFF LIST

### **ROB M. COPPERSMITH** **EXECUTIVE VICE PRESIDENT**

[roboppersmith@thinkmita.org](mailto:roboppersmith@thinkmita.org)

Rob oversees all operations, staff and services at MITA. In his role as Executive VP, he implements policy based on his interaction with the MITA Board of Directors and membership. He prudently manages the organization's resources within approved annual budget guidelines. Rob also oversees all of the services that are offered to MITA members.

### **LANCE T. BINONIEMI** **VP OF GOVERNMENT AFFAIRS**

[lancebinoniemi@thinkmita.org](mailto:lancebinoniemi@thinkmita.org)

Lance coordinates the political and legislative efforts for the association. Contact him regarding contributing to MITA's Political Action Committee, talking points to use when meeting with legislators, and questions regarding MITA's political strategy with federal, state and local officials, regulatory agencies and key policymakers.

### **RACHELLE VANDEVENTER P.E.,** **VP OF ENGINEERING**

[rachellevandeventer@thinkmita.org](mailto:rachellevandeventer@thinkmita.org)

A licensed professional engineer, Rachelle provides professional expertise in many areas. Contact her regarding resolving construction issues related to publicly and privately funded projects, working with utility companies to minimize construction impacts and delays, advocating with other industry organizations, and issues related to MDOT, FHWA, USDOL, MDEQ and county/local agencies.

### **GLENN J. BUKOSKI P.E.,** **ENGINEERING CONSULTANT**

[glennbukoski@thinkmita.org](mailto:glennbukoski@thinkmita.org)

A licensed professional engineer, Glenn brings to MITA over 49 years of transportation-related experience in the areas of construction, design, specifications, materials testing and research. Contact him with questions related to engineering, project administration, prevailing wage, competitive bidding or prompt pay, and issues regarding DBE's, MDOT, and bridge operations.

### **JEREMIAH LEYBA, P.E.,** **DIRECTOR OF ENGINEERING**

[jeremiahleyba@thinkmita.org](mailto:jeremiahleyba@thinkmita.org)

Jeremiah Leyba is MITA's newest staff member and, as Director of Engineering, is responsible for meeting the needs of MITA members in a wide variety of areas within the association and across the industry. As a licensed professional engineer in the state of Michigan, he will be responsible for supporting members with challenges related to construction specifications, field issues, various governmental rules and regulations, utility conflicts, and other technical matters.

### **GREG BROOKS** **DIRECTOR OF SAFETY & COMPLIANCE**

[gregbrooks@thinkmita.org](mailto:gregbrooks@thinkmita.org)

Greg's certifications include Red Cross First Aid/CPR Trainer, and OSHA approved instructor for OSHA 10 and OSHA 30 courses. Contact him regarding job site inspections, safety training, MIOSHA appeals, compliance issues and utility locating issues.

### **DANIELLE R. COPPERSMITH** **MANAGER OF COMMUNICATIONS AND EVENTS**

[daniellecoppersmith@thinkmita.org](mailto:daniellecoppersmith@thinkmita.org)

Danielle manages and organizes each of MITA's many social, leadership and education events in addition to managing MITA's quarterly magazine. Contact her regarding event registration and questions, MITA website technical issues, placing paid ads in the MITA weekly e-bulletins and articles, photos and ads for MITA's magazine.

### **SARA J. SCHAIBLY** **MANAGER OF ACCOUNTING AND LABOR INFORMATION**

[saraschaibly@thinkmita.org](mailto:saraschaibly@thinkmita.org)

Contact Sara with questions related to accounts payable and receivable. Sara also handles wage rate updates and labor meeting notices.

### **LINDSAY LEONARD** **MEMBERSHIP SERVICES COORDINATOR**

[lindsayleonard@thinkmita.org](mailto:lindsayleonard@thinkmita.org)

Membership Services Coordinator

As Membership Services Coordinator, Lindsay is responsible for meeting the needs of MITA members in many areas of the association. Her primary function is to help expand efficiencies in the MITA office by providing support services to staff and members. Lindsay handles new member processing. Contact her regarding Stolen Equipment Notices, In Memoriams for the MITA Weekly Newsletter and the prospective MITA member application process. Additionally, Lindsay assists MITA's Director of Safety and Compliance to process MIOSHA Appeals, CPR & First Aid cards as well as processing requests for other jobsite needs. She also helps the Manager of Communications and Events with the MITA website, events and related databases.

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# MITA'S SUICIDE PREVENTION EFFORT

MITA and MIOSHA working together to prevent deaths in the construction industry.

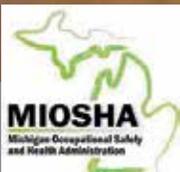
The goal is to provide training activities through:

- Jobsite Presentations
- Technical Assistance
- Disseminate Information at all Safety Trainings

The intended outcome is to saturate the industry about this new initiative and the importance of mental health. These efforts will help to prevent self-inflicted fatalities.

Be a step ahead and schedule your training today. Contact MITA Safety Director, Greg Brooks at [gregbrooks@thinkmita.org](mailto:gregbrooks@thinkmita.org).

This material was prepared under a Consultation Education and Training (CET) Grant awarded by the Michigan Occupational Safety and Health Administration (MIOSHA). MIOSHA is part of the Michigan Department of Labor & Economic Opportunity (LEO). Points of view or opinions stated in this document do not necessarily reflect the view or policies of LEO.



# MITA 2024 Calendar of Events

## January

- 4 - 7 Ski Weekend, Boyne Mountain, Boyne Falls
- 8 - 11 OSHA 30 Training, MITA Office, Okemos
- 17 - 18 MITA Annual Conference, Soaring Eagle Casino and Resort, Mount Pleasant
- 29 - Feb 1 OSHA 30 Training, MITA Office, Okemos

## March

- 2 - 9 Management Conference, Secrets Moxché, Playa Del Carmen, Mexico

## June

- 6 MITA Western Golf Outing, Boulder Creek, Grand Rapids



## July

- 10 Metro Golf Outing, Twin Lakes, Oakland
- 25 - 28 Summer Conference, Crystal Mountain, Thompsonville

## August

- 21 Central Golf Outing, Eagle Eye, East Lansing

## September

- 12 Northern Golf Outing, Location TBD
- 25 MITA Wild Game Dinner, Palazzo Grande, Shelby Twp.

## December (All Locations TBD)

- 6 Central Holiday Party
- 10 Western Holiday Party
- 12 Metro Holiday Party



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