

SUMMER 2023

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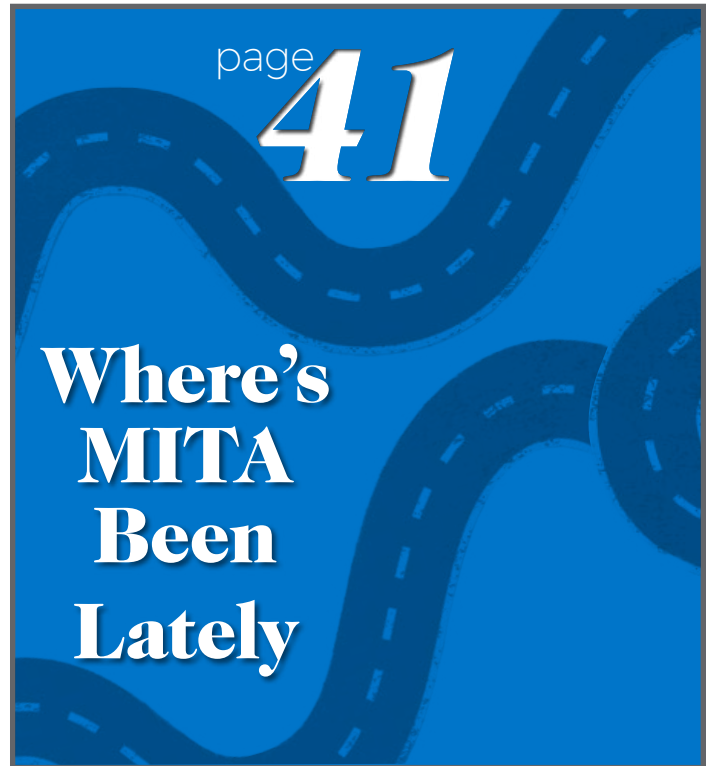
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CONTENTS

- 6 MITA Board Of Directors
- 8 Comment — Executive Vice President
- 10 Contractor Member Profile
- 14 Associate Member Profile
- 16 Member Project Profile
- 18 Comment — Vice President of Government Affairs
- 20 PAC Update Summer 2023
- 22 Comment — Vice President of Engineering
- 24 Comment — Director of Safety & Compliance
- 25 Spotlight on Safety
- 26 Legal Issues
- 29 Partner News
- 33 MITA Members Giving Back
- 35 Member News
- 48 MITA Staff List
- 50 Calendar of Events



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Rob Coppersmith

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JUGGLING ACT

Life is a juggling act. The ball in your hand is the one you worry about the least because it's in your control. You focus your attention on the rest of them while you release the one in your hand, hoping it takes its intended path so you can catch and release the next issue that drops in. Truly an old but accurate metaphor and highly applicable when it comes to association work!

Ball #1. Funding

MITA funded the “Michigan Transportation Infrastructure Needs and Funding Solutions” report on Monday, March 7, to an overwhelming coverage on the issue, even with multiple competing matters at the Capitol that week. MITA is in the process of getting the report into the hands of lawmakers and coalition partners. It's clear, based on the coverage and conversations, that the vast majority of people believe we have a problem. The current shortfall based on a 9B annual need to maintain our current road system is 3.9B based on the information supplied by PSC. The current IJJA funding and the Governors Rebuild Michigan bonding program have only flattened the curve a bit. To get to the panacea the report advocates for, we must rebuild before we can begin to think about maintaining roads in a manner that will last 50 years (a goal put forth by the legislature).

The next step has begun, the core coalition partners have been identified, and the rest of the group is taking shape. Regular meetings will occur and Public Sector Consultants will be developing

potential revenue outcomes based on these discussions. MITA will continue to drive the funding issue until it reaches a tipping point at a time in which the hope is a palatable solution has been found that the public can embrace and the legislature can pass.

Ball #2. Utility Locating

Most of you might view me as a reasonable mild man. When it comes to utility issues, I tend to lose my perspective, if you know what I mean. Proper, timely locating is critical to all job sites and the welfare of the men and women who work at them from both a safety perspective and economic impact to the project and the crew that should be getting paid. I dread the phone call from a superintendent that is sending a crew home due to a lack of staking! Greg Brooks and I are very active in this area on a seemingly daily basis. The crux of the problem is that USIC (the major staking company) just can't seem to hire enough people to keep up with the demand for locate tickets our industry is creating. To address this issue, someone had the great idea of limiting the scope of a ticket, thus creating the need for

more tickets (he wrote while scratching his head). This will only serve to exacerbate the problem. Hopefully, some of you reading this attended the Butzel Long seminar at the MITA Annual Conference. At its heart was an opportunity to learn how to file a claim against a facility owner who had not performed per Public Act 174, better known as the Miss Dig Law. MITA knows for a fact that many facility owners were issued citations for failure to timely mark jobs last fall in an attempt to do a better job this construction season. My personal opinion is that as a membership, we must turn up the heat on this issue if we are going to impact any substantive change. The challenge is when things get busy, these types of matters fall to the bottom of the pile. If you'd like the materials from that session, please contact Danielle in the MITA office.

Ball #3 The PAC

If you've supported the PAC, thank you! If you haven't yet, it's time. Our industry faces challenges from every corner of our bureaucracy. A strong PAC sends a strong message to those

Continued on page 46

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CONTRACTOR MEMBER PROFILE

Born in February of 2021, Iron Horse Excavation is a young company, but owner Levi Polihonki isn't new to the industry. Levi, who grew up in Eaton Rapids, got his start in construction by working for a local dirt contractor cleaning out manholes. At the age of 17, he dropped out of high school to attend military school and joined the army (11 Charlie Infantryman Cavalry Unit). Due to his age, Levi could not be deployed and was stationed in Fort Irwin, where he broke his back during a live fire training exercise. After being medically discharged, Levi moved back home in 2008 and, unable to find work, made another move to Arizona, where he worked as a general contractor's laborer and an asphalt laborer for a couple of years. Eventually, Levi moved back home and began to learn the dirt side of contracting, then started his own company, a Certified Disabled Veteran Owned Small Business and the only one of its kind in the greater Lansing area. Inspired by his own service as part of the cavalry unit, in addition to his admiration for General Patton, Levi decided to name his company "Iron Horse," a nod to the nickname of a famous cavalry unit that Patton led during WWII.

Iron Horse Excavation owner, Levi Polihonki.



Iron Horse Excavation, a small-town company based in Eaton Rapids is comprised of 16 employees. They specialize in local street repair, water services, watermain, sewer, and small-scale dirt work. Levi, together with project manager/estimator Shawn Mills and superintendent, Eric Whalon, keep projects running smoothly.

"Luckily, I have Shawn and Eric; they're the powerhouses," Levi said. "With work on the books for the entire year, finding employees is my biggest challenge.

Levi says that high schools don't promote this side of the industry like some of the other trades. Like many, he feels like the industry could use more promotion amongst young

Continued on page 12



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MAIN CONTACTS

Levi Polihonki
CEO/President
levi@ironhorsemi.com

Shawn Mills
Estimator/Project Manager
shawn@ironhorsemi.com

Eric Whalon
Superintendent
eric@ironhorsemi.com

KEY PAST PROJECTS:

- Lake Odessa Emerson Drive,
Watermain Repair
- Potterville Sidewalk
Connector Project - Phase
1 & Phase 2
- Eaton Rapids Series 1 Bond
Project
- Lansing Public Schools

Levi and his wife, Sharon
and their three children.



Eaton Rapids Series 1 Bond Project, Eaton Rapids, MI.

Continued from page 10

people as a viable option. Recently he was overlooked by his own high school as a job fair participant, all while doing a bond project for that very school.

“When teachers think of construction, they immediately think of electrical, HVAC and plumbing,” he said. “Those are the “big ticket” trades. Nobody says oh, what about a dirt contractor, even though there’s an opportunity to make a successful career in the industry.”

Currently, Levi and his team are working on a few projects, specifically the Eaton County Drain project, the Watson and Watson project, the Mount Hope North Ball Field Development Project and Phase I and II of the DTMB Operations parking lots.

When asked how his MITA membership benefits him most, Levi said: “Access to training. It’s essentially like having your own safety officer on staff, so if something happens, you have someone to call.”

Levi and his wife, Sharon, live in Eaton Rapids with their three children: Kaden, 13; Carter, 9; Emery, 6; and their dog, Lucy. In his spare time, he enjoys golfing, boating, coaching youth football and supporting charities close to him, specifically Court Appointed Special Advocate (CASA). To learn more about CASA, [visit www.casaforkidsinc.org/](http://www.casaforkidsinc.org/). **CS**



Levi’s son’s youth football team, poses during their hometown homecoming football parade.



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ASSOCIATE MEMBER PROFILE

Hilti was founded in 1941 and evolved from a small family start-up to the trusted global business we are today. Hilti is still family-owned, with its global headquarters in Liechtenstein, where Martin Hilti established the company more than 80 years ago. Our aim is to build a better future. We want to help our customers build faster, safer and more sustainably while being mindful of the legacy we leave behind. We operate our own plants, research and development centers, logistics and repair centers around the world. This ensures Hilti quality in all we do.

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UPGRADING U.S. 127

By Aram Kalousdian



Kalin performing Earth ex on SB US 127 underneath Columbia St.

Upgrades on a 12-mile section of U.S. 127 between Mason and Leslie began in 2022 and will be completed in 2024. The prime contractor for the \$72 million project is Kalin Construction Co., Inc., of Sodus.

The entire length of the northbound and southbound driving lanes will be milled down 3 inches and paved with 3 inches of ASCRL hot mix asphalt (HMA) leveling course, 2 inches of 4EMH HMA leveling course and 1-½ inches of 5EMH HMA wearing course. The northbound and southbound on and off ramps at Kipp Road, Barnes Road and Bellevue Road will also be milled down to 1-½ inches and paved back with 2 inches of 4EML HMA leveling course and 1-½ inches of 5EML HMA wearing course. The inner and outer shoulders are being reconstructed.

"We are using a Wirtgen mill to trench out the shoulders and place 6 inches of 21AA aggregate base course with our road widener and Flow Boy trucks," said Michael Kalin, project manager for Kalin Construction Co., Inc. "Then we are installing 6-inch open-graded underdrain pipe with our trencher and backfilling the trench with 34R pea stone using our Flow Boys and road widener. The inner shoulders are being paved back with 3 inches of 3EML HMA base course, 3 inches of ASCRL HMA leveling course, 2 inches of 4EMH HMA leveling course and 1-½ inches of 5EMH HMA wearing course. The outer shoulders are being paved back with 3 inches of ASCRL HMA leveling course, 2 inches of 4EML HMA leveling course and 1-½ inches of 5EML HMA wearing course."

In order to increase bridge heights, the project includes under-bridge reconstruction at the Columbia Street, South Street, Barnes Road and Covert Road bridges over U.S. 127. Pavement, existing sub-base and aggregate base were

removed. The new cross-section included 18 inches of Class II sand subbase, 6 inches of 21AA gravel aggregate base course, 5 inches of 2EMH HMA base course, 2 inches of 4EMH HMA leveling course and 1-½ inches of 5EML HMA wearing course. The project includes installing permanent barrier wall in the median between Kipp Road and Columbia


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Sub-Contractor C.A. Hull demoing the Covert Rd. Bridge Deck.



Kalin installing storm sewer in the median of US 127.

Street and installing guardrail in the median the entire length of the project.

The project also includes epoxy overlays and rehabilitation on the M-36, Columbia Street, South Street, Kipp Road and Bellevue Road bridges over U.S. 127. The deck was replaced on the Covert Road Bridge. Along with the deck replacement, some new drainage was added and some approach work was done. Kalin explained how challenges were overcome on the project.

“The project was supposed to begin on March 1, 2022, but it was delayed because the asphalt on the shoulder we

were supposed to put traffic on in our pre-stage period began failing one week before starting,” said Kalin. “Because of that, we had to wait until Rieth-Riley (the HMA paving

Continued on page 39

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LEGISLATION MOVING TO PROTECT WORKERS

As work zone fatalities have increased over the past several years, MITA and MDOT formed the Work Zone Safety Task Force, that included a variety of stakeholders in the road construction industry. The task force had many separate sub-groups, including a legislative one. One of the objectives that came from the task force was pushing for allowing camera speed enforcement within work zones. Last legislative session, the legislation passed the initial House Committee that it was referred to; however, it was never considered in the full House of Representatives and thus died when a new Legislative cycle began this year.

The legislation was reintroduced as House Bill 4132 and House Bill 4133 and passed the House Committee on Regulatory Reform earlier this spring. The next step in the Legislative process is the full House of Representatives before it moves over to the Senate. The legislation passed Committee with bi-partisan support and is anticipated to pass the full House in a similar way. This is not about partisan politics; this is simply about protecting workers within road construction work zones.

In 17 other states across the country, camera speed enforcement is allowed and is successfully slowing drivers down within road construction work zones. These bills would allow for the Michigan Department of Transportation (MDOT) and the Michigan State Police (MSP) to place speed enforcement cameras within road construction work zones where and when deemed appropriate. The cameras would ticket individuals who are traveling ten or more miles per hour over the posted speed limit where workers are present. A written warning would go out for the first violation, a \$150 civil infraction for a second, and a \$300 civil infraction for the third and each subsequent violation.

Legislation is also moving that would increase the amount of physical barrier separation between workers and the motoring public. Senate Bill 43, introduced by Senator John Cherry, would require MDOT to use concrete barriers or equivalent crashworthy temporary traffic barriers when closing a freeway or a portion of a freeway for construction, improvement, or repair. The bill also allows MDOT to exercise its engineering judgment in designing and placing concrete

A red rectangular graphic containing the logo for Spartan Barricading & Traffic Control Inc. The logo features the word "SPARTAN" in large, white, stylized letters with a grey outline, arched over the words "BARRICADING & TRAFFIC CONTROL INC." in smaller white letters. Below the text is a white diamond-shaped icon containing a sun with rays and a road with a barrier. At the bottom of the graphic, contact information is listed in white text: "269.342.4733 Kalamazoo" and "734.722.2488 Romulus". At the very bottom, "Main Office" is flanked by two yellow circles, and "Mason 517.244.1500" is written below it.

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barriers or the equivalent barriers and associated traffic control devices for each closure of a freeway.

The legislation has already passed both Senate Committee on Transportation and Infrastructure and the full Senate with bipartisan support. It is anticipated that the House will quickly pick up the legislation and pass it on to the Governor's desk for her approval.

Both pieces of legislation are an attempt to increase safety within road construction work zones. The Michigan Work Zone Safety Task Force, which was created through a partnership between industry and MDOT, made these recommendations as they can have a positive impact on protecting workers.

If Senate Bill 43 moves through the full House this spring, you may see more usage of concrete barriers on your job sites. The camera speed enforcement legislation, if passed this spring, will take some time to get up and running. The state will have to enter into a contract with a third-party vendor to facilitate operations, and it will also take some time for the state police to establish a division within their units to monitor and issue tickets under the new system. **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 has started the year off strong, with one member spotlight company already, Dan's Excavating, which had five contributors in January alone. Thank you to all those who have contributed to the PAC already. As mentioned in other communications, the MITA PAC saw its strongest year in 2022, raising over the \$250,000 goal that the newly resurrected PAC Committee had established. That number should now be the floor on what the MITA PAC raises on an annual basis to support an equitable, long-term, sustainable infrastructure funding solution.

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 with advocates *Continued on page 46*

Name	Company	Donation	Name	Company	Donation
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John Schmidt	Tri-City Groundbreakers, Inc.	\$1,500.00	Benjamin Kohler	Ajax Paving Industries Inc.	\$500.00
Jennifer Slater*	Action Traffic Maintenance, Inc.	\$50.00	Yvonne Kur	Ajax Paving Industries Inc.	\$2,500.00
Michael Peake*	Action Traffic Maintenance, Inc.	\$100.00	Brandon King	Ajax Paving Industries Inc.	\$500.00
Michael Peake*	Action Traffic Maintenance, Inc.	\$100.00	Hugh Luedtke	Ajax Paving Industries Inc.	\$200.00
George Verscheure*	C. A. Hull Co., Inc.	\$110.00	Robert Liddell	Ajax Paving Industries Inc.	\$500.00
Kurk Schweitzer	GM & Sons, Inc.	\$250.00	Dave Marshall	Ajax Paving Industries Inc.	\$1,000.00
Fred Meram	F.D.M Contracting, Inc.	\$1,500.00	Josh Matuzak	Ajax Paving Industries Inc.	\$500.00
Robin Meram	F.D.M Contracting, Inc.	\$1,500.00	Bryant Moorman	Ajax Paving Industries Inc.	\$250.00
Karl Schweitzer	GM & Sons, Inc.	\$1,500.00	Sandy McMillan	Ajax Paving Industries Inc.	\$25.00
Ricky Gallegos	GM & Sons, Inc.	\$250.00	John Nguyen	Ajax Paving Industries Inc.	\$200.00
Hugo Gallegos	GM & Sons, Inc.	\$700.00	Patrick O'Connor	Ajax Paving Industries Inc.	\$20.00
Eric Walbert	GM & Sons, Inc.	\$250.00	Christina O'Brien	Ajax Paving Industries Inc.	\$200.00
Brad Stover	Toebe Construction LLC	\$1,800.00	Jackie Price	Ajax Paving Industries Inc.	\$25.00
Andy Stover	Toebe Construction LLC	\$1,800.00	Christine Poe	Ajax Paving Industries Inc.	\$1,000.00
Carrie Pennington	Toebe Construction LLC	\$1,800.00	Richard Poe	Ajax Paving Industries Inc.	\$250.00
Dave Fisher	Toebe Construction LLC	\$850.00	Mike & Maryann Podsiad	Ajax Paving Industries Inc.	\$500.00
Jason Fowler	Toebe Construction LLC	\$850.00	Leo Remijan	Ajax Paving Industries Inc.	\$1,000.00
Andy Thelen	Toebe Construction LLC	\$850.00	Ean Ridley	Ajax Paving Industries Inc.	\$100.00
Lori Adkins	GM & Sons, Inc.	\$100.00	Paul Selesky	Ajax Paving Industries Inc.	\$1,000.00
Sean Morrissey	GM & Sons, Inc.	\$400.00	Douglas Silverthorn	Ajax Paving Industries Inc.	\$200.00
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Francis Pytlowany	AIS Constrution Equipment	\$500.00	Rebecca Tohorz	Ajax Paving Industries Inc.	\$200.00
Byron Miller	AIS Constrution Equipment	\$1,000.00	Patrick Wagoner	Ajax Paving Industries Inc.	\$200.00
David TerBeek	AIS Constrution Equipment	\$500.00	Jerimah Wallace	Ajax Paving Industries Inc.	\$50.00
Scott Bazinet	Lowe Construction Company	\$5,500.00	Bashar Yohan	Ajax Paving Industries Inc.	\$200.00
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Jared Quick	Ajax Paving Industries Inc.	\$200.00	Alex Vasquez	Ajax Paving Industries Inc.	\$500.00
Jonnie Williams	Ajax Paving Industries Inc.	\$200.00	Robert Griggs	Ajax Paving Industries/Juicing With Jai LLC	\$200.00
Paul Resky	Ajax Paving Industries Inc.	\$200.00	Michael Rempalski	Give 'Em A Brake Safety	\$500.00
Jeffrey Robinson	Ajax Paving Industries Inc.	\$500.00	William Rizor	Hoffman Bros., Inc.	\$2,500.00
Nicholas Schroeder	Ajax Paving Industries Inc.	\$500.00	Remi Coolsaet	RL Coolsaet Construction Company	\$1,000.00
Chris Mondon	Ajax Paving Industries Inc.	\$300.00	John Zito	Zito Construction Co.	\$1,000.00
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Justin McLachlan	Ajax Paving Industries Inc.	\$200.00	Jay Desai	C. A. Hull Co., Inc.	\$300.00
Allan Isaac	Ajax Paving Industries Inc.	\$200.00	Benjamin Edwards	C. A. Hull Co., Inc.	\$100.00
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Tye Tignanelli	Ajax Paving Industries Inc.	\$500.00	Jake Welliver	C. A. Hull Co., Inc.	\$250.00
Chris Edwards	Ajax Paving Industries Inc.	\$100.00	Shawn Horejsi	C. A. Hull Co., Inc.	\$25.00
Pete Mann	Ajax Paving Industries Inc.	\$250.00	Martha Owen	C. A. Hull Co., Inc.	\$1,000.00
Donna Enyart	Ajax Paving Industries Inc.	\$100.00	J.W. Fisher	Fisher Companies	\$3,000.00
Jason Pestrige	Ajax Paving Industries Inc.	\$50.00	Mike Malloure	C. A. Hull Co., Inc.	\$12,500.00
Stephen Dargis	Ajax Paving Industries Inc.	\$200.00	Dave Turner	C. A. Hull Co., Inc.	\$12,500.00
Michael Reardon	Ajax Paving Industries Inc.	\$50.00			* Recurring
Ryan Crowley	Ajax Paving Industries Inc.	\$100.00			
Jonathon Fielden	Ajax Paving Industries Inc.	\$200.00			

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 (roboppersmith@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.



MDOT'S IMPROVED SIGNIFICANT PROJECTS LIST

Rachelle VanDeventer, P.E.

To contact Rachelle VanDeventer, P.E., email her at rachellevandeventer@thinkmita.org or call the MITA office at 517-347-8336.

At a meeting in late 2022 between MITA and MDOT, the topic of MDOT's Significant Project List was brought up. Some from industry had voiced the importance of the list to MDOT, and MDOT seemed genuinely surprised but also happy to hear of the significance of the list to the industry. MDOT had been unaware of how often the list was looked at or if it was even being used. This conversation expanded into a collaborative effort to improve the content value list.

The Significant Projects List has been posted on MDOT's website for many years to inform industry of anticipated significant MDOT trunkline projects over a given period. The list has always included information about the project location, a brief description, HMA and concrete estimates, and anticipated letting dates. The list can be found on MDOT's main Bid Letting page www.michigan.gov/mdot/business/contractors/bid-letting.

Many MITA members have commented that they count on this list and sometimes use it for planning purposes. However, they also voiced concerns about consistency and the lack of clarification of what defined a significant project. MDOT had been relying on individual Regions to determine which of their projects were significant. That process was very subjective and dependent on a Region's own perception of significance. It was agreed upon at the 2022 meeting that some clear and consistent metrics for the Regions to use for populating the list would be beneficial to all, and MDOT welcomed suggestions from industry.

After polling members about what consistent metrics they feel would be appropriate, a variety of suggestions were brought forward. They included setting a consistent dollar amount as a trigger for the list, setting a minimum footage of temporary concrete barrier as a trigger for the list, adding

the anticipated prime prequalification category, adding an initial project estimate, and adding anticipated start and completion dates. It was also discussed that it may be best if the trigger dollar amounts were considered regionally due to the variations in regional programs (i.e., it was recommended that the North and Superior Regions consider a lesser threshold). These industry recommendations, viewed as valuable for planning purposes, were shared with MDOT.

Considering the recommendations made by industry, MDOT implemented Significant Project List improvements earlier this year. The enhancements MDOT agreed to include revising the projects listed to be based upon a consistent criteria/dollar amount (not all Regions are based on the same amount) and including the anticipated construction start date. MDOT notified MITA they did not include footage of temporary barrier, prime prequalification category, initial estimates, or anticipated completion dates because those metrics could not be consistently provided by their Project Managers into their database. MDOT also declined to disclose the dollar amount thresholds they have set for each region. Although not all recommendations were implemented, the enhancements made are a step in a positive direction and should help with the reliability and usefulness of the list.

Another item discussed and worth noting is the frustration members have experienced due to the fact that the list is sometimes inaccurate because it continues to list projects that are postponed to a date out of the listed date range, or possibly even pulled completely, yet MDOT still continues to include the project on the list. MITA did bring up this concern to MDOT and requested that those projects be either removed, crossed out, or include a special note. MDOT

Continued on page 45



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INCIDENT INVESTIGATIONS IN CONSTRUCTION

Greg Brooks

To contact Greg Brooks, email him at gregbrooks@thinkmita.org or call the MITA office at 517-347-8336.

Construction sites are inherently dangerous places. Despite stringent safety measures, accidents can still happen, which is why incident investigation is an essential part of any construction project. An incident investigation is a process of systematically reviewing an event to determine its root cause and to develop effective corrective and preventative measures to prevent it from happening again. In this article, we will discuss the importance of incident investigation in construction and the steps involved in conducting a thorough investigation.

Importance of Incident Investigation in Construction

Construction incidents can result in injury, loss of life, property damage, and financial losses. A construction project can be a complex and interconnected system of many activities, involving numerous parties, including owners, contractors, subcontractors, and employees. When an incident occurs, it is crucial to identify its root cause and take corrective measures to prevent similar incidents from happening in the future. Conducting an incident investigation in construction can provide the following benefits:

1. **Improving Safety:** Investigating incidents helps identify the root causes of accidents and incidents, allowing for corrective measures to be taken to improve safety measures.
2. **Legal Compliance:** Many construction companies are required by law to report accidents and incidents, and conducting a thorough investigation helps ensure compliance.
3. **Financial Benefits:** Investigating incidents helps to reduce financial losses by identifying potential risks and taking preventive measures.

4. **Reputation Management:** A company that has a reputation for prioritizing safety and incident prevention is more attractive to clients and employees.

Continued on page 47

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SPOTLIGHT ON SAFETY

MITA's Safety Director Greg Brooks presents a [#spotlightonsafety](#) t-shirt to Greg Edmonson of Jackson-Merkey Contractors for his dedication to safety on the job.

During his nearly 35 years as an operator for Jackson-Merkey Contractors Greg has never wavered on his commitment to the safety of his crew. He is extremely humble and credits the team around him for the fact that there have been no major injuries, no MIOSHA citations, and no significant utility strikes with him in the operator seat. He has become a role model for younger employees and uses his excavations as an ongoing classroom to teach them the importance of safety and demonstrate the mastery of his trade.

The mantra "We are our brother's keeper" resonates with Edmonson (right), making him the most recent MITA Spotlight on Safety recipient.



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THERE'S POWER IN NUMBERS

Are all the contractors on your site MITA members? Encourage them to join so they can access the many member services that you enjoy! Contact Lindsay Leonard, MITA membership services coordinator, at lindsayleonard@thinkmita.org for more information.

NOT UNDERSTANDING YOUR INDEMNITY OBLIGATIONS COULD COST YOU—BIG TIME

By: Lauren Frederick, KaltzCoulombe PLLC

It's incredibly important to know and fully understand the contractual indemnity obligations in your contracts. Defense, indemnification, and hold-harmless provisions are contained in most, if not all, construction contracts, as they're used frequently between general contractors and subcontractors, who may very well be liable to project owners. Though these types of provisions are commonplace in the construction industry, they're often not totally understood. Many times, especially if the contracting parties have an established relationship, they use the same boilerplate indemnity language in every contract, despite the specific project circumstances, without really considering the implications. Unfortunately, it's not until something goes wrong on a project – and it's too late – that the parties realize the extensive impact these provisions can have.

Michigan law provides contracting parties with broad discretion in negotiating the scope of indemnity clauses. In the contractor-subcontractor context, parties have extensive latitude to enter into indemnification agreements with one notable legal exception: the prohibition on indemnification against the sole negligence of the contractor.¹ Note, too, that many indemnification provisions in construction contracts include the words "all" and "any," which impart the broadest possible obligation.²

Before we go any further, it's important to note that though often combined in a contract, the duties to defend, hold harmless, and indemnify are generally different and distinct duties. According to Black's Law Dictionary, indemnification is "[t]he action of compensating for loss or damage sustained." An indemnity provision, generally speaking, is designed to protect a party from the financial consequences that may result from another party's work.

"Hold harmless" usually means a release of liability. If a party agrees to hold harmless another party, it agrees to release the other party from liability and will not hold it responsible for potential loss or liability. So when combined

Continued on page 34



Lauren Frederick
KaltzCoulombe PLLC
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Lauren@kaltzcoulombe.com
Lauren Frederick is a Senior Attorney with KaltzCoulombe and represents individual and corporate clients in real estate, construction, and corporate matters. She's also litigated a variety of complex general civil liability matters for corporations, insurers, and insureds, from inception through trial.

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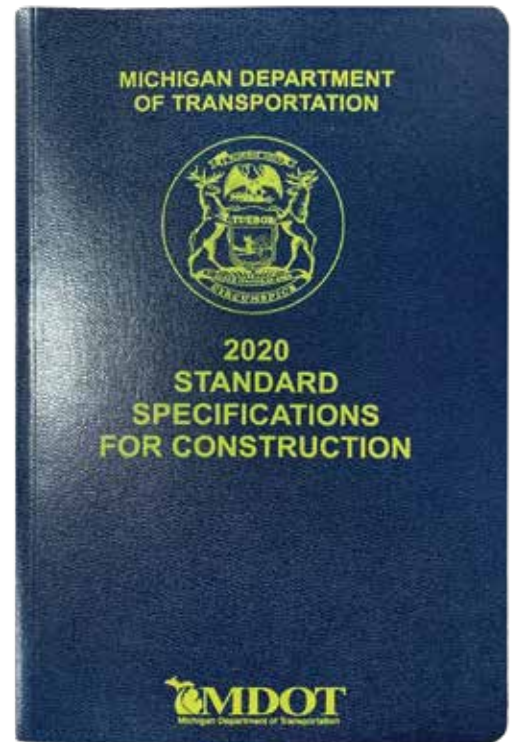
MDOT 2020 STANDARD SPECIFICATION FOR CONSTRUCTION

MITA has received more hard copies of the MDOT 2020 Standard Specifications for Construction Book that are available to be picked up at the MITA office. Books can also be shipped to your office or may be hand delivered by a MITA staff member if they plan a visit to your office in the near future.

2020 SPEC Books are \$14/ea. plus tax and shipping. To request several copies and arrange for a pick-up or shipping, please complete the 2020 MDOT Spec Book order form found on MITA's website.

If you have any questions regarding your order, pick up, or shipping, please contact Lindsay Leonard at lindsayleonard@thinkmita.org.

If you have questions specific to the 2020 MDOT Spec Book, please contact Rachelle VanDeventer at rachellevandeventer@thinkmita.org.



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ACEC/MICHIGAN PRESENTS “FIRM OF THE YEAR” HONORS

TO SMALL AND LARGE ENGINEERING COMPANIES

The American Council of Engineering Companies of Michigan (ACEC/Michigan) recently presented the 2023 member “FIRM OF THE YEAR” awards at the Engineering & Surveying Excellence Awards Gala held in Grand Rapids on March 11, 2023.

The Firm of the Year award is the highest ACEC/Michigan honor bestowed and the only award program instituted to recognize ACEC/Michigan member firms for their leadership in professional practice and community service. Recognition is based on actions taken by a member firm to progressively develop its management practices and for assuming leadership roles in community outreach activities and ACEC/Michigan programs that strengthen the profession for all members.

In the large firm category (>30 employees), ACEC/Michigan member firm WSP, with Michigan headquarters in Detroit, took the honor. The 2023 ACEC/Michigan small (1–30 employees) Firm of the Year award went to Cincar Consulting Group, also located in Detroit.

ACEC/Michigan Large Firm of the Year

WSP, one of the world’s leading engineering, environment, and professional services firms, brings together engineers, planners, technical experts, strategic advisors, and construction management professionals who are dedicated to collaborating in the best interests of serving local communities.

WSP has recently been recognized on Fast Company’s Brands that Matter List for 2022 as a top Community-

Continued on page 30

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In Michigan, WSP is proud to support ACEC and advancing the consulting design profession through leadership and involvement in the ACEC mentorship of rising firms, support of STEM education partnerships and programs, and enabling a culture of volunteerism. WSP's teams are united by the common purpose of creating positive and long-lasting impacts across Michigan through a culture of innovation, integrity, and inclusion.

ACEC/Michigan Small Firm of the Year

Cincar Consulting Group partners with clients to help communities realize their own futures. Their expertise is multidisciplinary, and their approach is collaborative, allowing them to walk alongside clients and communities to create great spaces and places to live, work, shop and play.

Cincar actively participates in the success and growth of ACEC, including recruiting and mentoring new member firms, participating on various committees, serving on the board of directors, sponsoring events, contributing to the scholarship and PAC funds, and more.

Learn more about WSP, Cincar Consulting Group and other ACEC/Michigan firms at www.acecmi.org. **CS**

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TOP ENGINEERING AND SURVEYING PROJECTS RECOGNIZED AT ANNUAL ACEC/MICHIGAN EXCELLENCE AWARDS GALA

The American Council of Engineering Companies of Michigan (ACEC/Michigan) recently honored firms for engineering and surveying excellence during the association's annual Engineering and Surveying Excellence Awards Gala. On March 11, design professionals and guests gathered at Frederik Meijer Gardens & Sculpture Park to recognize outstanding Michigan engineering and surveying projects from the past year, as well as engineering professionals who have significantly contributed to the profession. The ACEC/Michigan Awards Program recognizes outstanding efforts of professional design firms to solve clients' needs through exceptional projects and offers the opportunity to showcase the year's best engineering and surveying achievements to an audience of peers, clients and decision-makers at all levels.

"The knowledge and expertise that filled the room on Saturday evening was impressive. The infrastructure projects engineered by private sector firms have a profound effect on the quality of life for all Michigan residents. Their efforts result in quality roads and bridges, safe drinking water, and a clean environment for people to live, work and play," said Ronald Brenke, PE, ACEC/Michigan Executive Director.

This year's most prestigious award – the Engineering Eminent Conceptor Award – went to Bergmann Associates, Inc. (Lansing) for the I-69 / I-475 Interchange project for the Michigan Department of Transportation. Crumbling road/bridge conditions, traffic backups, and related safety concerns demanded improvements to keep pace with economic growth. MDOT and Bergmann developed short- and long-term strategies based on inspections/evaluations of existing bridges and roadway systems. Strategy minimized impacts on the community, environment and upgraded the corridor to meet travel demands.

Eight firms were honored with an Engineering Honorable Conceptor Award for their work on the following:

- Abonmarche Consultants (Benton Harbor) – Benton Harbor Lead Service Line Replacement for the City of Benton Harbor

- Anderson, Eckstein & Westrick (Shelby Township) – Shelby Township Library Project
- Barr Engineering Co. (Ann Arbor) – Landslide Mitigation Protects Hydropower Site for the Upper Peninsula Power Company
- Harley Ellis Devereaux (Southfield) – Ford Robotics Building for the University of Michigan
- OHM Advisors (Hancock) – Tahquamenon Falls State Park Lower Falls Enrichment Project for MDNR Parks and Recreation Division
- SmithGroup (Detroit) – Visitor Center and Administration Building for the Edsel and Eleanor Ford House
- SmithGroup (Detroit) – Henry M. Goldman School of Dental Medicine for Boston University
- SmithGroup (Ann Arbor) and Wade Trim (Taylor) – First & Ashley Two-Way Conversion and Bikeway for the City of Ann Arbor and Ann Arbor Downtown Development Authority

Engineering Merit Awards were presented to:

- Benesch (East Lansing) – US-31 Connector (I-94 & I-94BL) Design-Build for the Michigan Department of Transportation
- Benesch (Detroit) – Springwells WTP Sluice Gates Design-Build for Great Lakes Water Authority
- Byce & Associates, Inc. (Kalamazoo) – The Creamery Mixed-Use Development for Hollander Development Corporation
- C2AE (Lansing) – Offsite Infrastructure for McLaren Campus for the City of Lansing
- Fishbeck (Grand Rapids) – Mount Vernon Pedestrian Mall for Grand Valley State University
- Hubbell, Roth & Clark, Inc. (Bloomfield Hills) – What a Relief! Waste and Storm Water project for the City of Troy
- RS&H Michigan, Inc. (Novi) – Local Agency Bridge Bundle Pilot Project for the Michigan Department of Transportation

Continued on page 32

Continued from page 31

- SME (Plymouth) – Pontiac Silverdome Site Redevelopment for Seefried Industrial Properties
- SmithGroup (Detroit) – Brigitte Harris Cancer Pavilion for Henry Ford Health System
- Testing Engineers & Consultants, Inc. (Troy) – Deconstructing “The Joe” for the City of Detroit Building Authority
- The Mannik & Smith Group, Inc. (Detroit) – FCA Site 12: Vehicle Marshalling Yard for the City of Detroit – Detroit Brownfield Redevelopment Authority
- Wightman (Benton Harbor) – Pucker Street Dam Removal and Restoration for the City of Niles
- WSP USA, Inc. (Detroit) – City of Detroit Streetscape Program for the City of Detroit

This year’s Surveying Eminent Conceptor Award went to Wade Trim (Flint) for their TCARP Natural Gas Pipeline Construction Survey for DTE Energy. Working in northern Michigan’s hilly terrain without a reliable cellular network, numerous challenges were addressed to deliver construction survey data with the accuracy and details required for DTE Energy’s \$109-million Traverse City-Alpena Reinforcement Project. Survey construction staking and as-built measurements were provided for 23 miles of natural gas pipeline to comply with rigorous requirements for pipeline

safety and integrity.

A Surveying Honorable Conceptor Award was presented to Fleis & VandenBrink Engineering, Inc. (Grand Rapids) for the Challenges of Scanning Mackinac Island project for the City of Mackinac Island.

A Surveying Merit Award was presented to ROWE Professional Services Company (Flint) for the Neuro/Ortho Wellness Center for Memorial Healthcare.

The Board Design Award went to Harley Ellis Devereaux (Southfield) for their board designed to tell the story of the Ford Robotics Building for the University of Michigan.

This year’s ACEC/Michigan Vernon B. Spalding Leadership Award was presented to John Hiltz, PE, of OHM Advisors to honor his outstanding leadership roles in ACEC and several community organizations. The ACEC/Michigan Felix A. Anderson Image Award was presented to William Winiarski, PE, PS, of ROWE Professional Services Company, for his actions and contributions to enhance the image of the profession.

The Eminent and Honorable Conceptor award winners are eligible to compete at the National ACEC engineering competition in Washington, DC. For more information on the projects and award winners, please contact ACEC/Michigan at [517.332.2066](tel:517.332.2066) or visit their web site at www.acecmi.org.

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DUNIGANS HONORED BY LUMEN CHRISTI CATHOLIC SCHOOL

Many MITA members give back to their communities and recently the Dunigan family was honored for their work and dedication to Lumen Christi Catholic Schools. The Dunigans have been long-time members of MITA and are actively involved including serving as board members and board presidents.

Lumen Christi Catholic School, located in Jackson, Michigan, recently dedicated its baseball field to Joseph Dunigan, co-founder, of Dunigan Bros., Inc., and his wife, Marian Dunigan. Joseph was a member of the original committee that laid the groundwork for the consolidation of St. Mary and St. John Catholic High Schools into one regional Catholic high school. Joseph and Marian were graduates of St. Mary High School, making this dedication especially meaningful. Joseph's son, Steve, and other volunteers worked tirelessly to make the baseball field a beautiful and functional space for the players and visitors.

Continued on page 46



The Dunigan siblings (Pictured from L to R): Charlie, Joe, Dan, Dave, Patty, Steve and Jane. Not pictured: Pat Dunigan and Mary Jo Dunigan.



Dunigan Field proudly displayed on the press box.



Family, friends, donors and volunteers gather around the tribute plaque at the newly dedicated ball field.

Continued from page 26

with the duty to indemnify, the indemnifying party agrees to cover the indemnified party's losses resulting from certain liabilities and to not hold it responsible for those losses.

Now let's talk about the duty to defend, which, again, is often boilerplate and intertwined with other indemnification obligations in a contract. Significantly, the duty to defend is often broader than the duty to indemnify.³ However, it too arises from the specific language of the contract.⁴ The duty to defend obligates the indemnifying party to defend the indemnified party against third-party claims in litigation and arbitration, for example.⁵ And, significantly, even if a contract doesn't have a duty-to-defend provision, the indemnifying party may still be liable for the indemnified party's attorney fees.⁶

In sum, as one Michigan court stated, "Where the parties have contracted to create duties that differ or extend beyond those established by general principles of law, and the terms of the contract are not otherwise unenforceable, the parties must abide by the contractual duties created."⁷ Indemnification provisions are complex and have serious and far-reaching implications. Such provisions should be drafted specifically for each contract and situation. Therefore, it's

vital to consult with an experienced construction law attorney to help you evaluate and minimize risk and financial exposure – before you sign on the dotted line.

¹ Miller-Davis Co v Ahrens Constr, Inc, 495 Mich 161, 173 (2014), citing MCL §691.991(1).

² Id. at 175.

³ Busch v Holmes, 256 Mich App 4, 9 (2003).

⁴ Mich Educ Empl's Mut Ins Co v Turow, 242 Mich App 112, 117 (2000).

⁵ Citizens Ins Co v Secura Ins, 279 Mich App 69, 74 (2008).

⁶ Ajax Paving Indus, Inc v Vanopdenbosch Constr Co, 289 Mich App 639, 649 (2010).

⁷ Grand Trunk W RR, Inc v Auto Warehousing Co, 262 Mich App 345, 351 (2004). **CS**



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ED BOUCHER RECEIVES WASHTENAW CONTRACTORS ASSOCIATION'S 2023 VANDER HYDEN AWARD

Ed Boucher, a top construction lawyer at Kotz Sangster, was awarded the 2023 W. Nelson Vander Hyden Award by the Washtenaw Contractors Association (WCA) as part of their annual Pyramid Awards on March 10, 2023. The Vander Hyden Award is the only WCA award given to an individual instead of a company and has been awarded annually since its creation in 1978. Boucher received the prestigious award for his service to organizations in the construction industry for 25 years and is only the second attorney to ever receive the award in its 45-year history.

Named after Nelson Vander Hyden, a highly-regarded member of the Washtenaw County construction industry through the 1960s and 1970s, the award is given to individuals who "exemplify the high standards of professionalism and commitment to the improvement of the construction industry in Washtenaw County" and who are personally dedicated to improving the community as a whole. WCA seeks nominations for the award by industry and community members, with a committee composed of past award recipients making the final selection of the award winner.

"For over 25 years, Ed has been a strong ally and resource for the construction industry," the WCA said. "As a highly acclaimed construction



Ed pictured with four of his five sons, (L to R) Nicky, Ed, Lewis, Alex and Noah Boucher.

lawyer at the Law Firm of Kotz Sangster he works with his construction clients in the project planning and negotiation phase to identify and reduce risk, and also works with them during the project to help manage difficult events and brewing claims."

Boucher has represented construction industry organizations involving state administrative bodies including MDOT, Michigan Gaming Control Board and Michigan OSHA. Alongside his team, Boucher also participated in the first virtual oral argument heard by the Michigan

Supreme Court during the COVID-19 pandemic in 2020, successfully representing Skanska Construction and ultimately winning the case.

In addition to the 2023 W. Nelson Vander Hyden Award, Boucher has earned his place on a variety of "Best Lawyer" lists including "Best Lawyers in America," "Super Lawyers," "DBusiness Top Lawyer," and others. The W. Nelson Vander Hyden Award was presented to Boucher by Oscar Notz, Board of Directors President of WCA, and Jody Humphries, Executive Director of WCA. **CS**

LIVEGISTICS CEO HONORED

Livegistics, Inc., CEO and MITA member, Justin Turk, has been named the Metro Detroit Construction Financial Management Association's 2022 Executive of the Year! His unwavering dedication, exceptional contributions, and outstanding achievements have not gone unnoticed, and this recognition is truly well-deserved.



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RICK BECKER WINS FIRST-EVER GOVERNMENT RELATIONS IMPACT AWARD

Rick Becker, President of Michigan Companies, has won the first-ever Government Relations IMPACT Award. Given to an individual who demonstrates a commitment to building relationships with elected officials and making their business better through advocacy, the award celebrates those that have made a significant impact.

“Our CRH Americas grassroots and political engagement is best-in-class. When it comes to building enduring relationships and telling our story, Rick sets a high standard for us all. He’s a great leader, a great ambassador for CRH, and a great friend. We’re certainly thankful he is on our team. Congrats on being the first-ever IMPACT Award winner. You have, without a doubt, earned it.” *Ryan Lindsey, EVP, Government Relations.*



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MEMBER PROJECT PROFILE

Continued from page 17

subcontractor) could get us hot mix asphalt in mid-April 2022 so we could fix the shoulders and finally begin. This led to a seven-week delay in getting started, for which we have been granted an extension of time.

"It was the end of May 2022 when the construction engineer from the Michigan Department of Transportation (MDOT), Michael Meyer, Shawn Tinkey from HNTB (the engineering firm for the project) and my team, including Andy Grau and Stuart Nielsen got together and decided that because of the seven-week delay, a complete rework of the 2022 schedule was in order," said Kalin. "This was a daunting task given that this is a capital preventive maintenance project and I had just learned P6 (a project, program and portfolio management tool that is used for planning, managing and executing a project) a few months before. The team at HNTB were great to work with and we got through it."

In reworking the 2022 schedule, the project team noticed something that wasn't apparent before. The northbound and southbound sections of U.S. 127 between Kipp Road and Columbia Street would need to be reconstructed in 2022 instead of the original plan of only reconstructing the southbound lanes.

"The reason for this had to do with the under-bridge reconstruction at Columbia Street and South Street being lowered over 2 feet," said Kalin. "It came down to a maintenance of traffic safety problem if we didn't reconstruct northbound and southbound.

"Another challenge we faced was installing the open-graded underdrain pipe to the top of the aggregate base on the shoulders. Typically, the top of the open-graded is the top of the sub-base. Having to trench through the aggregate base leaves a 1-inch wide trench of pea stone flush with the aggregate base making it quite difficult to get the aggregate base fine graded." The U.S. 127 project was chosen by MDOT to pilot digital speed limit (DSL) signs.

"MDOT was looking for projects to pilot DSL," said Kalin. "Some of the criteria they were looking for was freeway projects, work zones longer than 2 miles where work is taking place in different locations and the work zone's lane closure is in place and remains up with work that is not occurring 24 hours per day, seven days per week and workers are present. Our project met all of those criteria, so I reached out to MDOT's work zone technical specialist, Chuck Bergmann, to see if our project could be considered, and it was chosen.

Continued on page 40

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MEMBER PROJECT PROFILE

Continued from page 39

"The neat thing about the DSL signs is that you can change the speed limit on the signs to 45 miles per hour with an app on your telephone. Because we had up to four crews spread out over 12 miles working in the median, it was nice to be able to move signs around exactly where we were working and pinpoint where we needed traffic to slow down to 45 miles per hour to protect our people.

"We are currently one year into this two-year project and are projected to finish on time. I am thankful that we have great laborers, operators and foreman that can handle these long-hour, high-pressure projects."

Material quantities on the project include 36,725 square yards of pavement removal, 131,397 cubic yards of compacted-in-place embankment, 251,081 cubic yards of earth excavation, 49,788 cubic yards of compacted-in-place subbase and 235,791 square yards of 6-inch aggregate base.

Additional material quantities include 74,939 square yards of 6-½-inch Class II shoulder, 23,659 feet of 12-inch Trench Detail A Class A sewer, 8,772 feet of 18-inch Trench Detail A Class A sewer and 3,283 feet of 18-inch Trench Detail B Class A sewer.

Material quantities also include 255,082 feet of 6-inch open-graded underdrain pipe, 45,000 feet of 12-inch to

24-inch plastic and concrete storm sewer pipe, 394,202 square yards of HMA cold milling, 241,484 square yards of HMA surface removal, 220,000 tons of HMA, 6,115 feet of double face concrete barrier and 53,744 feet of Type MGS-8D guardrail.

Subcontractors on the project include C.A. Hull, of Commerce Township (bridge rehabilitation, bridge deck demolition and replacement); Bella Concrete of Houghton Lake (permanent barrier wall, concrete patching and paving); Give 'Em A Brake Safety, LLC, of Grandville (traffic control); PK Contracting, Inc., of Troy (pavement markings); Action Traffic Maintenance, of Flint (guardrail and permanent signs) and Hayes, of LeRoy (restoration). **CS**



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WHERE'S MITA BEEN LATELY?

MITA's VP of Government Affairs gives testimony to the House Committee on Transportation, Mobility, and Infrastructure on road funding.



MITA's Engineering team poses with **Lisa Thompson**, Administrator for MDOT's office of Small Business Development at the 42nd Annual Small Business Development Conference.



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WHERE'S MITA BEEN LATELY?



MITA's EVP **Rob Coppersmith** spoke at the press conference in March, discussing the recently released infrastructure needs study.



MITA's VP of Engineering **Rachelle VanDeventer, P.E.**, was a featured speaker at the Work Zone Safety press conference in April.

(Photo courtesy of MDOT Media Services.)

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WHERE'S MITA BEEN LATELY?



MITA's Director of Engineering, **Jeremiah Leyba**, P.E. volunteers with a representative from RSNH at the Construction Science Expo event.



The County Road Association's annual conference keynote speaker was MITA's own, **Rob Coppersmith**. Rob shared details on the infrastructure needs study.

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WHERE'S MITA BEEN LATELY?



MITA's engineering team meets with MITA's Upper Peninsula members annually to discuss various industry topics. This year's meeting, hosted in Escanaba was well attended.



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MITA's safety director, **Greg Brooks** trains employees from **Michigan Paving & Materials** on how to properly administer CPR.



Continued from page 22

considered the request but responded that they are not able to delete or remove projects that may encounter this unique circumstance. MDOT did agree to add an additional notation to the overall list to indicate that there may be variability in the list as the program continues to be developed. MDOT stressed the importance of understanding that the Significant Project List, which is provided for information only, would continue to be dynamic.

Additional references contractors may find valuable for informational or planning purposes, and that are provided on MDOT's Bid Letting site, include upcoming projected lettings, Quantity Reports, Weighted Average Items Price Reports, and the newly added Temporary Concrete Barrier Projected Quantities list.

MITA appreciates MDOT's collaboration and the implemented improvements to the Significant Projects List. Please feel free to send any additional suggestions or feedback at any time to rachellevandeventer@thinkmita.org. **CS**

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Continued from page 8

who wish to tear things down and build them up. MITA issues are myopic or narrow in nature. We do not have the luxury or inclination to get bogged down in the issues of the day. That said, we are fierce about the needs of the industry. MITA's singular focus is the heavy construction industry. The less for more of you approach to raising PAC dollars is working, as witnessed by the regular donor spotlights MITA publishes. If you love your industry, please consider giving to the PAC on a regular basis. Visit www.thinkmita.org/long-term-sustainable-funding/ to see how.

I'm sure that by the time you read this, MITA has had several more issues added to the fray. Crisis to crisis is the nature of how issues seem to work these days. In regard to ball #1, with a little luck and hard work from all of us regarding political pressure, we can get something of substance in place prior to the floor falling out. **CS**

Continued from page 33

The dedication ceremony was held on April 29, 2023, and was attended by the remaining children, grandchildren, and great-grandchildren, as well as friends, volunteers, donors, educators, students, and athletes.

The dedication of the field to the Dunigans is a fitting tribute to their lifelong commitment to Catholic education,

Continued from page 20

for all those issues as well. It is also extremely important for us to speak as a unified voice, which the PAC provides. We know that a lot of you donate to various politicians on your own, and we appreciate that you maintain those relationships, and we can also speak with a louder voice if we are all speaking together.

There are always opportunities for members to contact MITA staff with any information, good or bad, or friendship with a lawmaker so that the PAC board can consider whether to give to a certain politician or not. It is important for MITA staff to understand what lawmakers are saying in their district to compare it with what they say to us in Lansing.

Please help us recognize those that have given to the PAC already this year, and we hope that you all can take some time and invest in your business by investing in the MITA PAC. **CS**

and their legacy will continue to inspire future generations of students and athletes at Lumen Christi Catholic School.

If you have a story or photos of your company giving back, please send them to Danielle Coppersmith at daniellecoppersmith@thinkmita.org. **CS**

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Continued from page 24

Steps in Conducting an Incident Investigation in Construction

1. **Secure the Scene:** The first step in incident investigation is to secure the scene to prevent further injuries and damage to property. The area should be cordoned off, and equipment and materials should be preserved for later inspection.
2. **Gather Information:** The next step is to gather information about the incident. This can be done by interviewing witnesses, reviewing documents, and analyzing available data, such as surveillance footage or equipment logs.
3. **Analyze the Data:** Once all the information has been collected, it is time to analyze the data to identify the root cause of the incident. It is essential to look beyond the immediate cause of the accident and investigate underlying issues, such as inadequate training or poor communication.
4. **Develop Corrective Measures:** Based on the analysis of the data, it is time to develop corrective measures to prevent similar incidents from happening in the future. The measures should be practical, feasible, and cost-effective.
5. **Implement Corrective Measures:** Once the corrective measures have been developed, it is essential to implement them promptly. The implementation process should be carefully planned and monitored to ensure that the measures are effective.
6. **Review and Evaluate:** Finally, it is crucial to review and evaluate the effectiveness of the corrective measures to ensure that they are working as intended. It is also important to share the lessons learned from the incident investigation with all parties involved in the construction project to prevent similar incidents from happening in the future.

Conclusion

Incident investigation is an essential component of any construction project. It helps identify the root cause of incidents and allows for corrective measures to be taken to prevent similar incidents from happening in the future. By following the steps outlined in this article, construction companies can conduct thorough incident investigations and improve safety, compliance, financial benefits, and reputation management. **CS**



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ROB M. COPPERSMITH **EXECUTIVE VICE PRESIDENT**

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

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

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

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

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.

NANCY BROWN **DIRECTOR OF COMMUNICATIONS**

nancybrown@thinkmita.org

Nancy brings to MITA over 35 years of experience in journalism, marketing and public relations. Contact her regarding articles/photos/ads in MITA's quarterly magazine, information/photos/videos for MITA's social media, and any issues related to media relations, marketing and public relations.

GREG BROOKS **DIRECTOR OF SAFETY & COMPLIANCE**

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

Danielle's main responsibility is to manage and organize each of MITA's many social, leadership and educational events. Contact her regarding registration and questions about MITA events, MITA website technical issues, placing paid ads in the MITA weekly newsletter. She is currently in training to take over the duties of the Director of Communications when she retires.

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

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

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 PHONE: (517) 347-8336

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MITA Safety Training



Regardless of the work you perform, MITA can meet your training needs. Schedule your training today. Contact MITA Safety Director, Greg Brooks at gregbrooks@thinkmita.org.



Made possible by a grant from MIOSHA



MITA 2023 Calendar of Events

January

- 5 – 8 – MITA Ski Weekend, Boyne Mountain
- 9 – 12 – OSHA 30 Training, MITA Office
- 18 – 19 – MITA Annual Conference, Soaring Eagle Casino and Resort
- 30 – Feb 1 – OSHA 30 Training, MITA Office

February

- 18–25 – MITA Management Conference, Grand Hyatt Kauai Resort and Spa, Kauai

March

- 8 – Foreman Bootcamp, Soaring Eagle Casino and Resort, Mount Pleasant
- 9 – Foreman Bootcamp, Oakland Center, Oakland University
- 10 – Foreman Bootcamp, Davenport University, Grand Rapids

April

- 14 – Foreman Bootcamp, Northern Center, NMU, Marquette

June

- 8 – Western Golf Outing, Boulder Creek, Grand Rapids

July

- 12 – Metro Golf Outing, Twin Lakes, Oakland

August

- 10 – 13 – Summer Conference, Crystal Mountain, Thompsonville
- 24 – Central Golf Outing, Eagle Eye, East Lansing

September

- 27 – MITA Wild Game Dinner, Palazzo Grande, Shelby Twp.

December

- 8 – Central Holiday Party, Location TBD
- 12 – Western Holiday Party, Location TBD
- 14 – Metro Holiday Party, Location TBD



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