

SPRING 2023

CROSSSECTION

**Meet MITA's Board
President Troy Broad**
pg. 8

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On The Cover

Photo courtesy of the Gordie Howe International Bridge project. See story on page 20



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Publication Design and Printing by
Gladstone Printing, Lansing, MI 48917 • 517.323.2111

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MEET TROY BROAD

Description of your company

I like to say that at Team Elmer's we handle everything from the ground down. We have amazing employees that are great at handling diverse smaller markets in northern Michigan. They tackle everything from selling a five gallon bucket of topsoil to building MDOT highways!

Family

My wife, Tamara, and I have enjoyed raising our five children in northern Michigan. I can't believe that we have a 36 year old! We have two daughters and three sons, all married, with 12 grandchildren. Tamara and I joke that we are so glad we didn't kill the kids to get to enjoy the grandkids. We are so blessed to have a quiver full of wonderful arrows!

Philanthropy

My brother, Todd; my sister, Tonya; and I love serving in our communities. We look at it as: We serve coast to coast

Troy and his wife Tamara at the MITA summer conference.



TEAM Elmer's

(Lake Michigan to Lake Huron)
... sounds cool! And we
and our employees
put more back into the
communities than we
take out. It starts with
honoring and glorifying
God and showing up for Him
and His duties for the day.

Philosophy

People are the key in everything! People buy from people and customer service is the key. Whether it's the actual one paying the bill, to the inspector on the job, to the traveling public, the key is to treat them as you would want to be treated and our employees do an amazing job at that.

Ideas for MITA in 2023

I am so humbled to be involved with MITA and where it's going. There is so much talent in our membership. We do cool stuff! We have had a lot of wonderful changes and we look forward to continuing that. The goal this year is to get all the membership involved to continue getting sustainable funding for our industry. The new relationship with MDOT, MIOSHA, the unions and the Governor's office is great in order for MITA to have a voice. We have a voice and collectively can take that to the streets to get things done, not only for the industry but for future generations and the betterment of the state. **CS**

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Rob Coppersmith

To contact Rob Coppersmith, email him at roboppersmith@thinkmita.org or call the MITA office at 517-347-8336.

In early February, I was invited to sit on the floor of the Capital as our Governor gave her State of the State address. MITA knew that infrastructure would be a talking point, but to what extent was unclear prior to the event. The day after the speech, MITA was asked to be part of a WJR broadcast, and the tone indicated that it seems infrastructure has taken a back seat on the Governor's agenda. The following excerpt was taken from her speech and was essentially at the end of the address:

If you haven't heard, roads are pretty important to me and every Michigander—our state flower might as well be an orange barrel! Since I took office, we've fixed 16,000 lane miles and 1,200 bridges, supporting 89,000 jobs. Throughout my second term, I will continue finding ways to keep fixing the damn roads. And as we fix them, let's build the most innovative transportation systems in the country. With new smart road technology, we can avert hundreds of crashes and get the next generation of made-in-Michigan vehicles on the road.

We also have billions in federal resources from the Bipartisan

THE ROAD AHEAD

Infrastructure Law headed our way. To invest in them as efficiently as possible, I established the Michigan Infrastructure Office. This year, it will redouble its efforts, helping to build up every kind of infrastructure—roads, high-speed internet, clean energy, and lead-free pipes.

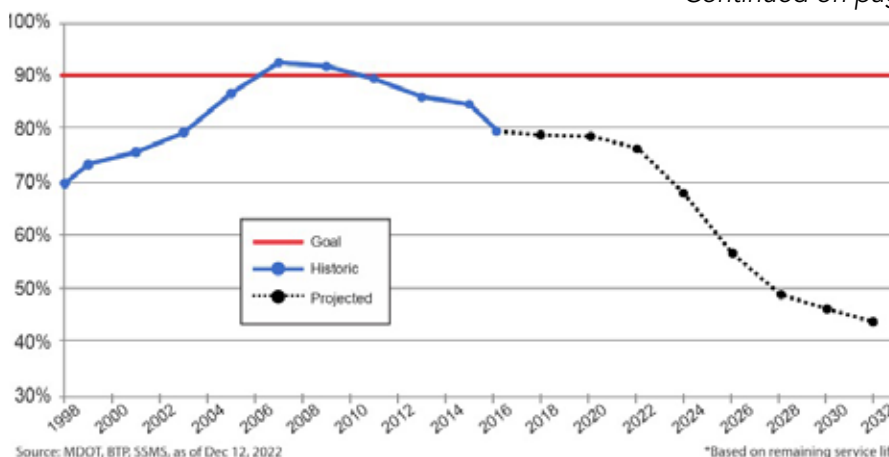
Last, but certainly not least, it is our shared duty to face climate change head-on and protect our land and water. We must pursue climate action while creating jobs, lowering costs, and becoming a hub of clean energy production. Last year, we unveiled the MI Healthy Climate Plan, and this year, we should make bold investments in climate action to deliver on its targets. Let's get it done.

Personally, I think our Governor reaffirmed her position on our number one issue – equitable, long-term, sustainable funding. To think that we could even move forward on her vision without a long-term plan is impossible. The creation of the Michigan Infrastructure Office (MIO) only serves to solidify my view of her intentions. I know there are varying opinions on climate change, but the work she is suggesting certainly creates opportunity for our membership.

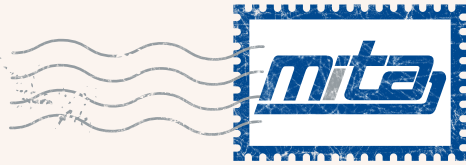
MITA often takes a little heat from within the walls of the membership, particularly in the area of road funding. Many members that don't perform MDOT work don't see a direct benefit or ROI concerning MITA's work on this issue. If you're in that position, I'd ask you to envision a private market that is full of MDOT contractors and then ask yourself if MITA should continue working in this area. Additionally, billions of new dollars have been brought into the underground market over the past several years, and MITA will continue to work hard to secure adequate funding in this market too. Funding underground work is always part of any funding conversation we have.

By the time you are reading this, MITA will have released its Michigan Transportation Infrastructure Needs and Funding Solutions report completed by Public Sector Consultants. It was done to draw attention to our current needs and funding cliff. If you're not sure what the funding cliff is, it is the time when Michigan's Federal IJA dollars and the Governor's bonding program dry up, and we are back to inadequate funding levels of approximately 10 years ago. Depending on inflation and several other factors, this cliff will occur without

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Infrastructure Funding at a Glance



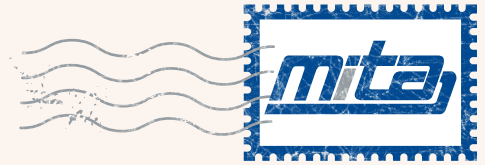
MITA Team,

From all of us Livegistics we want to thank you for being awesome! Last week at the annual conference we felt your sincere appreciation and enthusiasm for our involvement. Our interactions with your team throughout the event were fun, insightful, and valued. We are excited to explore other opportunities within MITA and become more involved in the organization. Thank you for making us feel so welcomed.

We are already looking forward to the next event.

Thank you for everything,

Justin, Karah, Drew, Bob and J.Smith
Livegistics

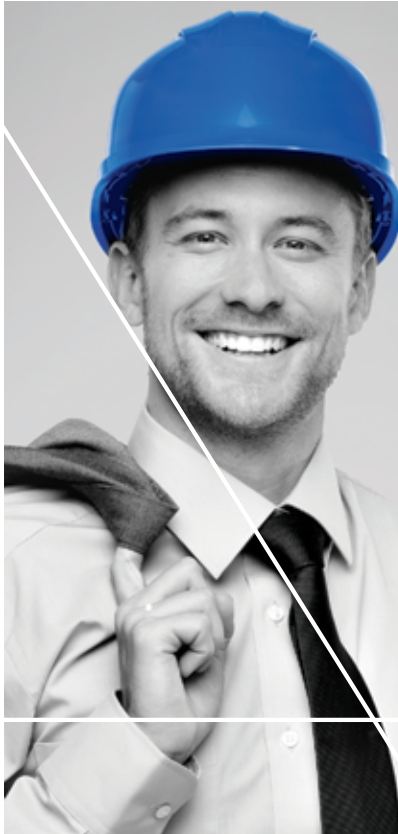


Dear Danielle,

I just wanted to take a second to thank you and the MITA Team for the future leader's program. It was a great experience and opened my eyes up to a broader spectrum of our industry. Part of being successful is understanding the BIG picture and this program really helped me with that. It was also a great opportunity to network with peers in different areas of our field.

I hope the remainder of the conference was a success! I wish you well and will be in touch!

Thanks Again!!
Cherilyn Banas
Project Manager
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CONTRACTOR MEMBER PROFILE

Born in late 2011, Leavitt & Starck Excavating was considered a new kid on the block by industry standards. However, that has not dampened an impressive growth rate. From digging residential basements with an open ROPS mini excavator in the middle of winter to a three-year-\$41 million-dollar City of Lansing CSO project, the climb has been steep over the past 11 years. Leavitt & Starck Excavating has grown from four employees and four pieces of equipment the first year to over 70 employees and 70 pieces of equipment. Leavitt & Starck now includes a concrete division, sewer televising, cleaning, and hydro excavation division, and operates sand and gravel pits.



Cedar St. reconstruct project in Holt



Sanitary sewer interceptor, Dewitt

Dean Leavitt joined the industry from a somewhat unconventional path. He initially wanted to be a farmer, an architect, a structural engineer, and then finally found his calling was a mixture of all those trades. Dean attended University of Detroit and Michigan State University, where he received a degree in Civil Engineering.

On the contrary, Tom Starck has always been intrigued with civil construction. As a young boy, he would ride his bike to local construction sites in his hometown of St. Johns to watch excavators hard at work. Quite often, the operators and laborers on site would notice him there day after day and allow him to ask them questions about their tasks and even allow him to ride in and operate equipment. This engagement fueled his desire to be a part of the excavating community. Tom attended Michigan State University while working full time at different excavating companies and graduated with a degree in Construction Management.

Establishing a new business in this industry is an intimidating task. Thankfully, four individuals with unique roles in different areas of the industry believed in Dean and Tom and were instrumental in helping them navigate through challenges encountered

while starting the business. Because of their trust, advice, and belief in Dean and Tom, L & S has been able to grow at an accelerated pace. For that trust, both are forever grateful to those individuals.

Dean and Tom believe the key to their success has been the exceptional employees that have sacrificed much to be a part of their dream. Leavitt & Starck believes strongly in investing in their employees and has been very successful in developing operators and foremen while promoting from within the company. Their very first employee, Bryan Haskins, started as a laborer and is now a site foreman. It seems that at every critical juncture in the business cycle, a new key team member arrives on their doorstep, eager to contribute to the cause. They extend a deep gratitude to each one of their employees for their individual talents and contributions. **CS**

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Chief Financial Officer

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In 2010 Ron retired, and his daughter, Kara Louisell, purchased the company. "I've been working at Diamond since 1990," Kara said. "I started working summers when I

was in high school, and after college, I joined the company full-time. I have spent my entire professional career in and around Diamond listening, learning, growing, and each year gaining more knowledge of the industry, processes, latest technology, and our customer's needs."

Continued on page 16



American Village Builders needed to demolish and remove five concrete decks and balconies at Borgess Hospital without damaging the building. Diamond used a remote-controlled, Brokk 90 Robotic Demolition Excavator, a BobCat MT55 Series loader, and scaffolding to get the job done. According to Ryan Leaser, American Village Builders' project manager, "Diamond brought professional people and know-how to the job. They knew what needed to be done and did it within the time that we had scheduled."



Diamond's management team at company headquarters during their weekly Wednesday meeting.

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Continued from page 14

Kara said that she's very proud of the Diamond team and their commitment to the company's culture. "Our most valuable asset at Diamond is our people," she added. "We view our staff as family. This relationship helps us provide them with one of the best working environments, benefits, and training in the industry. As a result, their knowledge, professionalism, and do-it-right attitude are visible in everything they do. This explains why we've continued to grow and developed trusting, long-standing relations with our clients—a trust based on doing what we promised—day in and day out." Kara also noted that when she took the company reins, she became a member of a very small group of women who lead construction-related organizations in the United States—and only one of a very few who lead a sizable concrete cutting company.



Superior Asphalt needed to cut over 140,000 linear feet of integral curb-head of East and Westbound U.S. Highway 90 in Mississippi. To meet schedules, 1,000 feet of curb had to be cut daily. With custom-built ride-on saws, Diamond cut 1,800 linear feet per day—80% percent above client specifications. Edd Black, Senior Estimator for Superior Asphalt, commented, "Diamond's knowledge and innovativeness allowed them to be thorough and fast while never compromising safety or quality. They are consummate professionals."

Ed Drozdowski, Diamond's Chief Operations Officer, said that Kara brings fresh perspectives and innovative operational ideas to the job every day. "This attitude has strengthened our service offerings," he said. "An example of one of those services, and one that traditional concrete cutting companies normally do not offer, is our Ground Penetrating Radar (GPR) locating services. Many clients in the road, bridge, underground, and utility industries use our state-of-the-art GPR equipment and highly trained and

Continued on page 18

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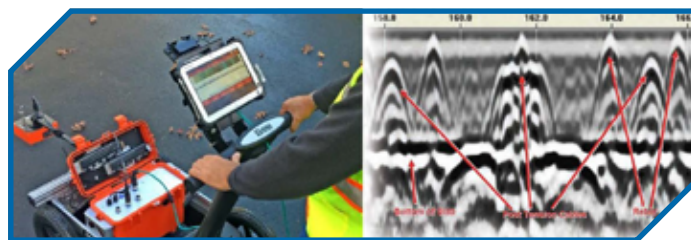
Working on an MDOT project, Slagter Construction had to replace a bridge barrier rail and concrete deck structure over the Grand River without debris and slurry falling into the river. Using custom-built curb-cutting machines, Diamond cut the 12-inch-thick barrier wall flush to the pedestrian walkway on both sides of the 500-foot-long bridge. Debris and slurry were contained for safe disposal. After project completion, Mark Price, project manager at Slagter Construction, said, "The horizontal cuts Diamond made were flush to the remaining sidewalk, which is not always easy to do. We were very pleased with their work."

Continued from page 16

skilled GPR technicians to identify and locate what is buried in the construction area before the start of the project. In addition, our processes allow us to be highly responsive. We are committed to continually providing our services when and where our clients need them while meeting the highest quality and safety standards with OSHA-certified technicians."

According to Ed, one example of Diamond's commitment to its clients can be seen in their equipment. "We know that to do our best for our clients, we need to give our techs not only the best training but also the best and newest equipment to work with," he said. "With GSSI 3D GPR scanners, Husqvarna and Hilti saws, Brokk demolition robots, Diamond saw blades, and fully stocked trucks, our techs show up at a worksite ready to go every time."

Kara said Diamond has benefitted from being a Michigan Disadvantaged Business Enterprise (DBE). "However," she added, "while we know the DBE designation helps us get our foot in the door of many organizations, we also know that this is only the beginning. Performing at the very top end of our craft, again and again, is what gets our clients to invite us back, not because we are a DBE, but because we're the best at what we do. **CS**



To avoid damage during excavation at Michigan State University's Spartan Stadium, Fishbeck, Thompson, Carr & Huber (FTC&H) needed to locate all buried objects and their depth. Diamond scanned over 7000 linear feet with Ground Penetrating Radar, locating and mapping all objects and their depth. "This is one of many projects for which we've used Diamond Subsurface Imaging," said John Lefevre, FTC&H project manager. "As always, they provided the high-level results we've come to expect."

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GORDIE HOWE BRIDGE CONSTRUCTION PROCEEDS

By Aram Kalousdian

Work is approximately halfway through the six-year construction schedule for the Gordie Howe International Bridge that will connect Detroit with Windsor, Ontario, Canada, over the Detroit River.

Construction activities are advancing at the U.S. port of entry (POE) as buildings are taking form. Underground utilities, electrical and plumbing work proceeds at some buildings while excavation and foundational work are underway at other buildings.

With a clear span of approximately one-half mile, the Gordie Howe International Bridge will have the longest main span of any cable-stayed bridge in North America and the fifth longest in the world.

Having the bridge piers located on land, the main section of the bridge will extend over the Detroit River and will be constructed using a technique called the “unbalanced cantilever system” or “stick build.”

“Starting from the main towers on the Windsor and Detroit side, the construction of the bridge is being built outward toward the center of the river, one segment at a time, meeting at the center of the river. The term cantilever in construction typically refers to a balanced approach with the same level of construction occurring on each side of the tower. However, in the case of the Gordie Howe International Bridge, we will be constructing in an unbalanced fashion with the back span of the bridge being constructed first, then temporary supports will be installed and then removed as the cables are



A crane is lifting a girder for the bridge road deck near the U.S. tower for the Gordie Howe International Bridge. (Photo courtesy of the Gordie Howe International Bridge project.)

installed. Construction materials and equipment will be transported over the back span to the construction zone. These activities will be undertaken on the bridge deck. That eliminates the need for equipment to be operated from the water,” Heather Grondon, vice president of Corporate Affairs and External Relations for Windsor-Detroit Bridge Authority (WDBA), said at a community meeting. The bridge will have six lanes and will be a total of 1-½ miles long.

The bridge project is being delivered through a public-private partnership with WDBA and Bridging North America (BNA). BNA team

members include: ACS Infrastructure Canada Inc.; Fluor Canada Ltd.; RBC Dominion Securities Inc.; AECOM; Carlos Fernandez Casado S.L./FHECOR Ingenieros Consultores, S.A.; Moriyama and Teshima Architects; Smith-Miller + Hawkinson Architects, LLP; Dragados Canada Inc.; Turner Construction Company; DBi Services, LLC and URS Federal Services, Inc. an AECOM company.

WDBA is a not-for-profit Crown corporation that reports to Parliament through the Minister of Intergovernmental Affairs, Infrastructure and Communities. WDBA is also responsible for project



Crews perform underground work on the Michigan Interchange for the Gordie Howe International Bridge project. (Photo courtesy of the Gordie Howe International Bridge project.)

oversight and the operation of the bridge. The bridge will be publicly owned by the state of Michigan and Canada. The total cost of the bridge is \$5.7 billion (Canadian). The Michigan Department of Transportation (MDOT) is working with WDBA on the U.S. components of the Gordie Howe International Bridge project, which include the U.S. portion of the bridge, POE and the Michigan Interchange.

"BNA has accomplished a great deal over the past three years of construction," says Michael Hatchell, chief executive officer of Bridging North America. "As the components continue to go up, the project further ignites the excitement on the team for being part of this once-in-a-generation mega project. BNA looks forward to continuing our momentum, all while ensuring we keep our excellent safety record.

"Over the summer we reached a key milestone which was the construction of the cross brace, which joined the two tower legs on the Canadian and U.S. bridge sites. BNA has been able to reach this point in the project safely and efficiently and is extremely proud of the team. Now, we just need to continue to build straight up."

One of the challenges that the BNA team overcame was the approach to construction of the bridge. Original methods followed the traditional balanced cantilever construction. Obstructions in the early days, including limited water access, deep soft clay and winter weather caused BNA to re-visit this erection method in order to mitigate potential delays. Additional challenges on the project have included:

- Execution of deep foundation work within the immediate vicinity of the Detroit River requiring the implementation of temporary sea wall protection (scour protection).
- Artesian groundwater conditions requiring the implementation of groundwater control plans as well as the implementation of a special underwater concrete mix design for the drilled shaft construction.
- Environmental challenges requiring fisheries management as well as specific management of waste, spoils and concrete wash out; H2S gas procedure; specific erosion and sediment plans.
- Adverse soil conditions requiring the implementation of specific/specialized deep-foundation construction methodology (i.e., a group of approximately 10-foot diameter drilled shafts with permanent steel casing embedded into the bedrock in order to control seepage of underground water).
- Impacts to the supply chain and availability of materials, staff and craft during the COVID pandemic. The team has implemented a number of actions to mitigate and minimize schedule delays.

Continued on page 54

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Lance Binoniemi

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MITA RELEASES NEW INFRASTRUCTURE FUNDING STUDY

By the time this edition of Cross-Section magazine is delivered, two major moves toward MITA's efforts for equitable, long-term sustainable infrastructure funding will have already taken place. In early March, MITA released a new study prepared by Lansing think tank Public Sector Consultants (PSC) on behalf of MITA.

The new study was commissioned to analyze the current funding level needs for our road and bridge network in Michigan. As revenues increased in 2015, with road funding legislation that passed to raise \$1.2 billion more annually, a recent \$3.5 billion bonding program from the state, and some increased federal money from the Infrastructure Investment and Jobs Act (IIJA) passed by Congress, we thought it would be important to look at what impact those investments have made and what more needs to be done.

Prior to this new report, the most recent report of this nature came from the 21st Century Infrastructure Council in 2016. That report shows that the state needed to raise an additional \$2.1 billion annually for its roads and bridges to keep them in 90% good and fair condition. Since then, the Legislature has appropriated general fund money from time to time but nowhere near the level of \$2.1 billion over that time, let alone in a single year.

PSC's report "Michigan's Transportation Infrastructure Needs and Solutions" shows that Michigan needs to invest an additional \$3.9 billion each year, ongoing, to keep our road system at 90% good and fair-conditioned roads. Despite the increased investments put into our transportation network over the last several years, our overall pavement conditions in Michigan continue to get worse. The poor state of our

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road and bridge system did not develop over a short period of time and certainly won't be solved over a short period of time. Our campaign for equitable, long-term, sustainable funding is intended to solve our problem for the unforeseen future.

After the release of the PSC report, a MITA-led coalition of Michigan organizations in the transportation, business, local government, tourism, agriculture, and manufacturing sectors formed to educate and advocate for long-term funding. The broad coalition touches every aspect of Michigan's economy, as the participants all know that good infrastructure will bring businesses and people to Michigan.

In parallel with the coalition and release of the PSC report will be MITA's Fix MI State campaign's increased efforts to educate the public, media, and lawmakers. After the 2015 ballot initiative that only received 19% of the vote, it was obvious that MITA had not engaged the public enough. In 2016 the Fix MI State campaign was formed, and a much more concerted financial effort was put together to

educate and engage the public so that they will demand that policymakers fix our funding problem in Michigan.

As the campaign to find an equitable, long-term, sustainable funding solution for Michigan's roads and bridges continues, we encourage our members to get involved. There are many opportunities to do so, but the easiest way is to spread the message. Please follow FixMIState.org on all social media platforms, and when something piques your interest, send it to your friends, neighbors, and co-workers. Until there is demand from the public to fix our funding problem, politicians in Lansing will continue to kick the can down the road.

And as you can see on page 24, MITA members are also stepping up in our Political Action Committee (PAC). Last year, the MITA PAC raised more money than it ever has in a single year. Our PAC is one of our most important tools, enabling us to support candidates who support our issues. We need to keep the momentum going on our efforts for the PAC, and I encourage all of you to consider making an investment into your own businesses by supporting our PAC efforts. **CS**



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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 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**

Name	Company	Donation
Michael Peake	Action Traffic Maintenance, Inc.	500
Toni VandenBos	Pete's Contracting	1000
Pete VandenBos	Pete's Contracting	1000
Jason Workman	Anlaan Corporation	500
M. Todd Chartier	M.L. Chartier	2500
Patty Meyer	Patty Meyer	25
James Doescher	Dan's Excavating, Inc.	1000
Justin Peyerk	Dan's Excavating, Inc.	1000
Robert Hentkowsksi	Dan's Excavating, Inc.	500
Joe Goodall	Dan's Excavating, Inc.	500
Dennis Rozanski	Dan's Excavating, Inc.	500
Jeff Irvin	Action Traffic Maintenance, Inc.	125
Kelly Weber	Action Traffic Maintenance, Inc.	125
Matt Kalin	Kain Construction Company	250
Bob Nobbs	NBSX LLC	500
Thomas R Peake, Jr	Action Traffic Maintenance, Inc.	125
Timothy Peake	Action Traffic Maintenance, Inc.	125
Michael Kalin	Kain Construction Company	100
Jason Reinhardt	Ace-Saginaw Paving	500
Jack Dykstra II	Jack Dykstra Excavating, Inc.	1000
Paul Selesky	Ajax Paving Industries	1000
John Schmidt	Tri-City Groundbreakers	1500
David TerBeek	AIS Construction Equipment	815
Jennifer Slater	Action Traffic Maintenance, Inc.	50

Name	Company	Donation
Michael Peake	Action Traffic Maintenance, Inc.	100
Kirk Schweitzer	GM & Sons, Inc.	250
George Verscheure	C. A. Hull Co., Inc.	100
Fred Meram	F.D.M Contracting, Inc.	1500
Robin Meram	F.D.M Contracting, Inc.	1500
Patty Meyer	Patty Meyer	25
Jeff Irvin	Action Traffic Maintenance, Inc.	125
Karl Schweitzer	GM & Sons, Inc.	1500
Ricky Gallegos	GM & Sons, Inc.	250
Hugo Gallegos	GM & Sons, Inc.	700
Kelly Weber	Action Traffic Maintenance, Inc.	125
Thomas R Peake, Jr	Action Traffic Maintenance, Inc.	125
Timothy Peake	Action Traffic Maintenance, Inc.	125
Michael Kalin	Kain Construction Company	100
Eric Walbert	GM & Sons, Inc.	250
Brad Stover	Toebe Construction	1800
Andy Stover	Toebe Construction	1800
Carrie Pennington	Toebe Construction	1800
Dave Fisher	Toebe Construction	850
Jason Fowler	Toebe Construction	850
Andy Thelen	Toebe Construction	850
Jennifer Slater	Action Traffic Maintenance, Inc.	50

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.



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.

SPEAKER OF THE HOUSE: JOE TATE



Speaker of the House
Joe Tate

Q: How has your variety of experience in the Marines helped you as a State Representative, and how will it help you as Speaker?

A: Public service called me to serve my country in the Marines, and it also called me to serve the state in the Michigan House of Representatives. The House is a consensus-building institution, and it is the importance of lessons learned during my military service in terms of teamwork and leadership that I carry with me today in my work as Speaker. The Marines emphasize the value of each team member and the importance of their contribution to the group. Similarly, the House Democrats benefit from a caucus of individuals that improve our collective effort through the unique experiences and background they bring to the process of governing. My caucus represents a diverse

group of constituencies, and that experience and diversity improves the policymaking process.

Q: There have been a lot of reports on what it means to Michigan politics and to our state that you are Michigan's first Black Speaker of the House of Representatives. What does that mean to you?

A: It's a historic moment for our state, and I recognize the importance of the history. For me, being Speaker is about the responsibility of the position. I stand on the shoulders of those who have come before me in service to their communities. I have a duty to my caucus and to the people of Michigan to use the position to put people first and deliver on the promises made by Democrats. I feel a duty to show people the good that can come from government.

House Democrats started the legislative term by introducing an initial six bills that represent the priorities of the residents of Michigan. Those include repealing the retirement tax to help benefit 500,000 seniors; increasing the working families tax credit to give 700,000 Michigan families over \$3,000 in tax relief and help lift 25,000 families out of poverty; eliminating the state's archaic 1931 abortion ban; expansion of Michigan's Elliott-Larsen Civil Rights law to extend protection to ALL; repealing so-called "right to work" legislation; and restoring Michigan's prevailing wage law.

In the first 30 days, we have already passed legislation to repeal the retirement tax and increase the working families tax credit. We also voted to deliver inflation

relief to more than four million Michiganders.

Q: What legislative priorities do you have for the 2023 – 2024 legislative cycle?

A: House Democrats are committed to supporting Michigan families, guaranteeing the rights of all Michiganders are protected and respected, ensuring workers know they are valued, protecting and investing in our future, and promoting safe and strong communities. Our commitment to make good on our promise to advance the priorities of the people is made clear with the introduction of the first bills of the session.

The bills include the repeal of the unfair and unpopular "retirement tax;" enabling workers to keep more of their hard-earned dollars through an increase in the working families tax credit; expansion of the Elliott-Larsen Civil Rights Act; restoration of the state's prevailing wage law; restoring workers' rights by repealing the so-called "Right to Work" policy, and, legislation to repeal the state's 1931 statute criminalizing abortion.

Last month, the House and Senate also delivered to the Governor's desk legislation to prevent water shutoffs across the state, support small businesses, support housing and community development with an emphasis on affordable housing, enhance workforce training, and direct millions of dollars for economic development. It is the first time since 1947 that a bill has been passed and signed by a governor in the first month of a legislative session.

Q: As Speaker, what do you feel is the next step towards adequately funding our roads, bridges, and underground infrastructure in Michigan?

A: Exploring options for new sustainable funding is the next step in ensuring proper investment in infrastructure. The state legislature has repeatedly prioritized investment in infrastructure by directing available funds to roads, bridges, and other systems.

Q: What has been your reaction to the public's calls for increased underground infrastructure investment in Michigan?

A: It comes as no surprise that people want to see government invest in public assets that ensure the strength of our communities. This legislative session brings many

opportunities for supporting local communities in a variety of ways.

Q: What lessons, if any, can we learn from Flint and Benton Harbors' water crises?

A: We have learned that we have to regularly invest in our critical infrastructure. We all want to show up for the events in our districts that focus on the highly visible work of government, but it is the foundational systems relied upon by our communities that make the difference in the lives of our residents. Safe drinking water, better roads, reliable internet service—all these things and more are the basic building blocks of strong communities.

Q: What are your thoughts or comments on your relationship with MITA and the heavy

construction industry?

A: I hope MITA will continue to utilize the open line of communication they have with my office to advocate for the needs of their members.

Q: How can our MITA members better advocate for their industry and encourage the Legislature to act on increased investment for our infrastructure?

A: The saying that "All politics is local," always rings true. The more information any organization can share about the local impact of the issue for which they are advocating, the more relevant that issue becomes. The members of the House Democratic Caucus are passionately committed to working to advance the priorities of their constituents.

Continued on page 55

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MITA ANNUAL CONFERENCE

MITA hosted its 19th Annual Conference, January 18–19, 2023 at Soaring Eagle Casino and Resort. Over 1,200 industry professionals gathered to learn, network, and exhibit. Mark your calendar for next year's conference, scheduled for January 17–18, 2024 at Soaring Eagle Casino & Resort. **CS**



Future Leaders Class # 13 receives their awards.



MITA board member, Jack Dykstra, II delivers the In Memoriam.



ML Chartier truck welcomes MITA conference attendees.



Jeff Rawles, Foster Blue Water Oil, chats with a conference attendee in his booth.



MITA's Engineering Consultant, Glenn Bukoski, poses with Manoj Mulki, M & K Transport, the recipient of the Emerging Business award.



Brandon McGhan and Mike Czartoszewski, MacAllister HYDROVAC.



Stoneco's finest: Lindsay Knudson, Tammy Anson and Mike Jackson.



A tale of two presidents. Troy Broad, Team Elmers and JW Fisher, Fisher Companies.



MITA executive board hard at work.



Keynote speaker, Shawn Kanungo.



Stacy Harris and Mike Buck, Salus Group.



AIS's Mike Detzler poses in his booth.



ALTA sales team in full force.

MITA ANNUAL CONFERENCE



MITA Board member, Mike DeFinis, introduces the MDOT leadership for their presentation.



Like father, like son. Tim Hughes (middle), C & D Hughes, poses with his son Andrew Hughes (left) and Ryan Craven of Rieth-Riley.



L to R: Michael Phelps, Z Contractors; Gabriel Cipparrone, Cipparrone Contractors; Dave Cowper, Ajax Paving; and Peter McClorey, Medina Resources Group.



Craig Merritt & Ugo Mancini, Rauhorn Electric.



Kirk Schweitzer, GM & Sons, Inc. and Rhonda Rowe, Rowe Trucking.



MITA's EVP, Rob Coppersmith, delegating.



John and Tamara Schmidt, Tri-City Groundbreakers.



Dave Pytlowany, AIS and Ken Nowicki, M & M Excavating.



Political Pundits Panel.



MDOT Acting Director, Brad Wieferich, (left) poses with MDOT Partnership award winner, Mike Meyer and Rachelle VanDeventer, MITA.



The Liveagistics team. L to R: Karah Ruczynski, Justin Smith, Justin Turk and Andrew Devich.



Brent Vanderveen, MacAllister Rental, poses with four construction management students from Ferris State University.



Anne Coursey and Christine Davis, Champagne and Marx, pose with Russ Smith from Action Traffic Maintenance.

All conference photos are courtesy of Paul Zurek, LIUNA.

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MITA ANNUAL CONFERENCE - POSITIVE PROJECT SAFETY AWARDS

The Positive Project Safety Collaboration awards are given out annually to contractors with innovative safety ideas on job-sites. The recipients of the awards are decided by the Work Zone Safety Task Force which is comprised of MDOT officials and contractors. **CS**



Fishbeck's Chris Linsley with Al Rhodes Jr and Dave Huff both of Rieth-Riley Construction Company; and MDOT's Tanya Pawlukiewicz were presented with work zone safety award for the M-11 resurfacing project in Kent County.

SCAN ME



Scan the code to watch the 2023 Positive Project Safety Collaboration Award Video.



(L-R): Alex Vasquez of Ajax Paving Industries; MDOT's Colin Forbes; and Matt Payne, also of Ajax Paving Industries, are presented with a work zone safety award for the US-24 resurfacing and bridge repair project in Wayne County.



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.

MDOT'S APRIL PILOT LETTING

As those of you who work in the MDOT arena are aware, on January 25th, 2023, MDOT released a Contractor Announcement notifying contractors of process changes for the 2023 April bid lettings. The announcement stated that MDOT will not be providing the Eligible Bidders List or a financial rating with the work classifications, although they did state they would provide a financial range (up to \$2M, between \$2M and \$10M, and greater than \$10M). MDOT stated they are hoping the changes may help them get more bidders and better bids.

This announcement went over like a lead balloon from our industry perspective. MITA quickly heard from many members who cited numerous reasons why they felt this pilot was a bad idea and why it would be disruptive to the bidding process. Many of the initial concerns raised included variations of the following:

- Suppliers and the subcontractor community, including DBE's and small business contractors, rely on the Eligible Bidders List to identify and quote prime contractor bidders. Without the Eligible Bidders list, suppliers and subcontractors will be faced with an increased administrative burden as they try to establish who the actual bidders are or by having to send quotes to all the contractors on the Plan Holder list.
- Contractors use the Eligible Bidders List to verify that they are, in fact, eligible prior to the letting. Various examples have been shared with MITA where a contractor understood they were eligible but were not on the list. In all the cases, the contractor was able to contact MDOT and get this rectified prior to the letting but would otherwise not be aware without

the published list. Multiple contractors have let us know that double-checking the Eligible Bidders list is a part of their standard internal process because they have been left off the list multiple times.

- Many small to medium contractors use the MDOT-published financial rating to get early confirmation from their bonding company that they will be able to get the required project bonding. Without the published financial rating, those contractors will now have to expend significant prebid effort to internally develop a project estimate to submit to their bonding company to get that early bond confirmation.

When MITA asked MDOT why they were pursuing the pilot, one answer included that this effort is being driven by public comments made by the State Transportation Commission Chairman at the November meeting suggesting that MDOT review their bidding processes/practices. MDOT also shared with us the results of a research project Western Michigan University (WMU) performed for them regarding competitive bidding in construction contracting that also seemed to be driving their decisions related to this pilot. (The research report can be found at <https://www.michigan.gov/MDOT/-/media/Project/Websites/MDOT/Programs/Research-Administration/Final-Reports/SPR-1717-Report.pdf>) Interestingly, the research report concluded, based on actual survey data obtained from 29 state DOTs, that states bidding practices often vary in many aspects and that construction bidding in Michigan was more competitive than, or at least as competitive as, that in its peer states.

Another question that has been raised is how will success be measured. It is hard to understand how the success or failure of this letting pilot will be measured. There seems to

Continued on page 54



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Greg Brooks

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

MITA'S TOP THREE CITED MIOSHA VIOLATIONS

At the beginning of every year, OSHA and MIOSHA publish their lists of the most commonly cited violations. Because these lists pertain to the entire construction industry, they provide us with some interesting information; however, they don't truly represent the issues that MITA's members face in our niche of the industry.

In an effort to provide some more valuable data that our members can use to help concentrate their safety and compliance efforts, I have compiled a list of the top three citations that we have provided assistance in the appeal process. These three citations total approximately 70% of the total number of citations.

R 408.40941. Excavation; angle of repose. Rule 941. (1) The side of an excavation more than 5 feet deep shall be sloped as prescribed in table 1, unless supported as prescribed in this part.

At the top of the list, and by a long shot, is improperly sloped excavations. This citation is almost always written with the serious classification, and has an average penalty of over \$3,500. With the Excavating and Trenching emphasis program that has been in place for the last few years by direction of Federal OSHA, MIOSHA has placed a focus on job sites that involve employees working in an excavation, resulting in heavy fines levied on MITA members.

In an effort to remain compliant and protect our employees, employers can focus on a couple of different things.

Training: Ensure employees are all trained on the methods to protect themselves in an excavation. MITA provides training specifically on MIOSHA's part 9 (Excavation and Trenching standard). Tool box talks can and should be performed regularly on safe practices while excavating.

Resources: There are many resources available for employers and employees to utilize to help ensure compliance and safety. MITA's trench safety book is a pocket sized book that provides employees with a quick, easy to read, reference guide. It also helps make soil classification

Continued on page 52



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A SUMMARY ON HOW TO HANDLE UTILITY CLAIMS

By: Michael C. Decker & Eric J. Flessland, Butzel Long



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Michael C. Decker is a Shareholder who practices in Butzel's Troy office. He concentrates his practice in the areas of construction and construction litigation and business and business litigation.



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flessland@butzel.com

Eric J. Flessland is a Shareholder practicing in Butzel's Detroit office. He received his B.A. with honors from Michigan State University in 1980, and his J.D. (cum laude, 1983) from Wayne State University Law School. Mr. Flessland was named "Lawyer of the Year" for Litigation-Construction (2022) and is listed in The Best Lawyers in America for Construction Law.

The MISS DIG Underground Facility Damage Prevention and Safety Act (the "Act") was designed to create coordination between contractors and utility companies with respect to blasting and excavation work. It certainly has, but not without issues. And, those issues have only escalated in recent years, in particular, with utility companies attempting to dodge or completely disregarding or failing to comply with the requirements of the Act, which has put MITA on a crusade to prevent and to resolve. But, for MITA to succeed on that crusade, it needs assistance from contractors like you. Specifically, MITA needs you to stand up to the utility companies and bring lawsuits, holding them responsible for their actions and inaction relative to the Act.

At the 2023 MITA Annual Conference, attorneys from Butzel Long's Construction Law Practice Group conducted a seminar on how to handle a utility claim. There, they covered three (3) utility claim scenarios and the way to handle each.

The first situation is the "run around," where the utility company, or its staker, says, "additional information is needed from the contractor..." asks, "can we delay the ticket," or falsifies its response to a ticket by stating, "they have talked to the contractor and were given verbal permission to postpone the ticket." In that situation, you should send correspondence that says something such as:

Continued on page 38



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LEGAL ISSUES

Continued from page 37

You have stated that additional information is required for you to properly mark facilities covered by our ____ [insert date of notice] staking request. That is incorrect. All information required by the MISS DIG Act (Act) and by the notification system to enable you to mark the facilities in the covered area was provided in our staking request. Please proceed with marking your facilities in accordance with the Act. You are already [insert number of days] days late and are delaying our ability to proceed with the work. You are legally obligated to comply with the Act and have not done so. We expect you will comply with the Act. Please be advised that your failure to comply with the Act is causing and will continue to cause delay and economic damage to us. Please also be advised that we intend to hold you liable for damages suffered by us, including delay damages and liquidated damages, because of your failure to comply with the Act. Please govern yourself accordingly.

The second scenario is where there is a lack of marks or a positive response is not provided. In that scenario, take these steps:

1. Immediately contact Miss Dig if the utility company does not take appropriate action to mark and provide a response.

2. If the utility company has not responded after 72 hours has passed from the time the dig notice is submitted to the notification system, contact Miss Dig for additional assistance.
3. If no response is provided after 3 hours, notify the notification system and the project engineer. Do not start an excavation or a blasting without a positive response. If you have started an excavation or a blasting in an area without a positive response, stop that excavation or that blast until you have received a positive response. You are officially on downtime. At this point you should screen shot the Miss Dig positive response webpage that shows the utility company did not respond within the required timeframe and start with documenting your downtime costs.
4. Also, update your CPM if a controlling operation is affected and notify the project engineer and the utility company in writing (e.g., email) that you are on downtime and/or on limited productivity because of the delay and that you will be submitting a claim.
5. Once the delay has been remedied, compile your costs as a result of the utility company's lack of response and submit your claim for damages to the

Continued on page 51



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By Heather Smith,
Michigan Construction

MICHIGAN CONSTRUCTION MITA PARTNERSHIP

HOW DOES MY COMPANY USE THIS NEW MEMBER SERVICE?

Last year Michigan Construction partnered with MITA to bring forth a new and exciting member service as well as a new experience for construction job seekers.

First, we have created an extensive searchable database of MITA employers. A job seeker can now search the MITA directory by region, type of employer, or name and be forwarded directly to their website.

Every MITA employer has a listing with a logo and the type/s of employer they are. Please take a moment to search your company name and check your listing. If you did not submit a logo image, your image is automatically set to a default MITA Member image.

The next member service is a job seeker database of individuals looking for careers in construction. Michigan Construction began an extensive paid advertising campaign via social media on February 20, 2023, running through July 1, 2023. The advertising targets individuals that are looking for careers in construction. The job seekers are directed to our web page that contains a form collecting information useful for employers.

The page and form can be found at: <https://www.michiganconstruction.com/job-seeker-page>

The information from the form is aggregated in an online spreadsheet that updates automatically with job seeker leads. The spreadsheet can be downloaded by any employer, filtered, and used to reach out to potential candidates for employment via text, email, or phone.

Please scan the QR code below to access the spreadsheet.

We also have a spreadsheet for potential MDOT OJT Candidates.

Please use the QR code to access this database.



Please contact Heather Smith at heather@michiganconstruction.com if you are interested in learning more about advertising for your company, how to update your MITA listing, or if you have any questions. **CS**



Mark McRobie

Lansing, Michigan – The American Council of Engineering Companies/Michigan (ACEC/Michigan) is proud to announce Mark McRobie has joined as deputy director, effective January 23. Mark will assist ACEC/Michigan with achieving its strategic goals and will play a key role in major initiatives, including workforce development, water/wastewater, government affairs, and the promotion of Qualifications-Based Selection (QBS). Mark's 14-year career has been spent in the AEC industry working for consulting firms with a primary focus on transportation and water resources, working in roles including business development, marketing, and human resources.

"I'm excited to continue working with my industry partners to advance the business environment for our member firms," said Mark. "Our members do important work, whether it be providing clean water, safe roads, and bridges, or sustainable building designs. I'm looking forward to working in my new capacity to help members meet their goals and provide quality services on behalf of their clients."

One initiative Mark will focus on is ACEC/Michigan's workforce development efforts. This will include promoting engineering careers to attract both K-12 and college students to the A/E community. He will also work with member firms to provide professional development opportunities for the next generation of firm leadership.

"Adding to our excellent staff to tackle additional industry initiatives has been a goal of the Board of Directors for a few years," stated Executive Director Ron Brenke. "Mark is a great hire for us and brings a wealth of knowledge and experience to ACEC/Michigan as we improve and expand our benefits to ACEC member firms."

Mark holds a master's degree in business administration from Charleston Southern University and a bachelor's degree in business from Seton Hill University. His professional involvement includes the Design-Build

ACEC/MICHIGAN HIRES DEPUTY DIRECTOR

Institute of America – Michigan Chapter and the American Segmental Bridge Institute.

ACEC/Michigan is a business association of more than 100 independent private consulting engineering firms employing more than 8,000 people in Michigan. ACEC/Michigan member firms are managed by licensed professional engineers that use their knowledge and expertise to create superior engineering designs that improve Michigan's infrastructure and enhance the quality of life for our residents. **CS**

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118TH CONGRESS: NEW LEADERSHIP & NARROW MARGINS

WHAT IT MEANS FOR TRANSPORTATION INVESTMENT



by Lauren Schapker, vice president of legislative affairs,
American Road and Transportation Builders Association

New House Transportation & Infrastructure (T&I) Committee Chair Sam Graves (R-Mo.) said it best, "Without both sides working together, it's a mess."

Those were his insightful comments last December to ARTBA's Board when he spoke about the need for members of the new 118th Congress to build relationships and pass meaningful legislation.

In the latest era of divided government, it will not be an easy task. Like the previous two years, narrow margins in both the U.S. Senate and House will test the ability of elected leaders to work together.

ARTBA also has some relationship building to do, especially given the more than 80 new members in both chambers. Our focus now is getting to know them, their staff, and educating them on the importance of transportation infrastructure investment to their states and districts.

U.S. House of Representatives

Speaker Kevin McCarthy (R-Calif.) will lead this chamber with a four-vote margin. A similar margin proved challenging at times for his predecessor, Rep. Nancy Pelosi (D-Calif.). If his quest for the speakership is any indication, corralling the House GOP caucus will not be easy. Finding consensus

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6 LOCATIONS TO SERVE YOU!

ARTBA NEWS

Continued from page 41

will require policies that attract both conservatives and moderates.

Amid these tight margins are dozens of new rank-and-file members on both sides of the aisle. Several Republicans take the helm of committees for the first time, and nearly two-thirds of House members were elected in the last 10 years.

The T&I Committee is smaller than the last Congress and features 22 new members. Their focus will turn to a multi-year federal aviation program reauthorization. Legislation authorizing airport construction programs is due this year. Given Chairman Sam Graves' background as a commercial pilot and Ranking Member Rick Larsen's (D-Wash.) experience as former T&I Aviation Subcommittee chair, both leaders are interested in getting something done. Funding would

come from the Airport and Airway Trust Fund.

You can also expect House Republicans to hold hearings questioning U.S. Department of Transportation officials on the status of project delivery process improvements, grant awards, and other IIJA policies. ARTBA will support these efforts, including the "One Federal Decision" and revisions to Buy America, while also working to shape the narrative around how IIJA resources are being put to work.

U.S. Senate

Democrats gained one seat, picking up an open race in Pennsylvania. This gives them a 51-49 majority and a stronger hand in controlling committee work and bringing legislation to the floor.

Transportation-related leadership remains the same, with the exception of Sen. Ted Cruz (R-Texas), who becomes the ranking member on the Commerce, Science & Transportation Committee. The panel oversees reauthorization of airport construction programs.

Michigan

Michigan's congressional delegation has three new members for the 118th Congress, and two of them gained seats on the House T&I Committee, along with subcommittee leadership roles. Rep. John James (R-10th) was selected as vice chair of the Water Resources and Environment Subcommittee and Rep. Hillary Scholten (D-3rd) was selected as vice ranking member of the Coast Guard and Maritime Transportation Subcommittee. Rep. Shri Thanedar (D-13th) is also new this

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Congress. Sen. Debbie Stabenow (D), who has announced she will not run for re-election, returns to the Senate Environment and Public Works Committee, which oversees IIJA implementation. Sen. Gary Peters (D) is serving on the Senate Commerce, Science & Transportation Committee responsible for this year's aviation bill.

Funding

In late December, Congress completed action on a Fiscal Year (FY) 2023 budget that included \$93 billion for federal highway and public transit programs through Sept. 30. It featured an additional \$3.4 billion and \$542 million to highway and transit programs, respectively, beyond what was authorized in the Infrastructure Investment and Jobs Act (IIJA). It also marked the sixth consecutive year

lawmakers provided supplemental investment for transportation programs.

Much of the \$3.4 billion in supplemental highway investment for FY 2023 comes from congressionally directed spending projects, also known as earmarks. Thirty-one Michigan projects received nearly \$80 million in funds to support surface transportation improvements.

The year-end spending bill also expanded flexibility for COVID-19 relief aid by enacting language sponsored by Sens. John Cornyn (R-Texas) and Alex Padilla (D-Calif.). This provision gives state and local governments additional flexibility to spend COVID-19 resources on transportation infrastructure projects.

The Republican-led House will bring a renewed eye toward federal spending. Having transportation investment levels in place through

September means any talk of spending cuts will be delayed for months.

Your Role

Laying the groundwork for broad-based support of continued robust investment begins now. Effective advocacy is a team sport and the new Congress has taken the field. Plan on getting in the game this May 15-17 and come to Washington for ARTBA's annual Federal Issues Program. It offers a special opportunity for you to build relationships with newly elected leaders and share with them the IIJA-related project success stories taking place in communities across America. **CS**

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ARTBA URGES MEMBERS TO SIGN SUICIDE AWARENESS PROCLAMATION

MITA is standing with Ajax Paving of Florida and ARTBA in the "Suicide in Construction Awareness" proclamation and is urging our members to do the same.

Ajax Paving of Florida President Vince Hafeli, Feb. 7 successfully generated signatures for a new "Suicide in Construction Awareness" proclamation during the Florida Transportation Builders' Association Construction Conference in Orlando. FTBA President Ananth Prasad signed the document, as did Immediate Past ARTBA Chair Ward Nye and ARTBA President Dave Bauer.

What's happening: ARTBA is backing a national campaign announced Feb. 7 by Ajax Paving of Florida President Vince Hafeli to spread awareness of the suicide epidemic plaguing the construction sector.

Why it matters: There are more than 5,500 construction industry suicides annually. According to the Centers for Disease Control & Prevention, that equates to 45.3 suicides per 100,000 workers, or 3 ½ times greater than the national average.

The Facts About Construction Industry Suicides

- 45.3 suicides per 100,000 workers
- Estimated >5,500 suicides each year
- 3 fatalities per day vs. 15 suicides per day
- 3.5 times greater than the national average

More construction workers die by suicide each year than by all other construction-related fatalities.

"We just can't afford to ignore this crisis any longer," Hafeli says. "Our industry must take steps to help our workers cope with mental health and its frequently tragic outcome—suicide."

What you can do: the centerpiece of Hazel's initiative is a "Suicide in Construction Awareness Proclamation," which seeks signatures from those who commit to address construction industry suicides with open communication, mental health support systems, and safe and healthy work environments.

Sign the proclamation now. And ask your colleagues to do the same.

The desired outcome: Hafeli will hit the road to speak at industry events and share his personal story. His ambitious goal: garner 700,000 signatures by December 2024.

To sign the proclamation visit

<https://www.artba.org/suicide-awareness/>. **CS**



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MITA HIRES NEW ENGINEER



Jeremiah Leyba, P.E.

To contact Jeremiah, email him at jeremiahleyba@thinkmita.org or call the MITA office at 517-347-8336.

Jeremiah Leyba, P.E., is MITA's newest staff member; and, as Director of Engineering, he 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.

Jeremiah will work alongside MITA's VP of Engineering and Engineering Consultant, adding to the base of knowledge and expertise available to members. He will also serve on various committees and coalitions with MDOT and other organizations to facilitate industry and member representation from a technical perspective.

Jeremiah received his Bachelor's and Master's degrees in Civil Engineering from the University of New Mexico, where he performed research for the New Mexico Space Grant Consortium and for Los Alamos National Laboratories. He started in the industry with Kiewit Infrastructure Engineers in the greater

Continued on page 52

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C.A. Hull has been named a winner of the 2023 USA Top Workplaces Award.

In its first year of submission, C.A. Hull was awarded both the regional and national Top Workplaces Award in the 150-499 employee category.

The USA Top Workplaces award celebrates nationally recognized companies that make the world a better

place to work together by prioritizing a people-centered culture and giving employees a voice.

This award is based entirely on feedback from an employee engagement survey completed by the employees of participating workplaces.

According to Top Workplaces, on average, fewer than 3% of eligible organizations earn a Top

Workplaces designation, making these achievements clear differentiators among peers.

For over 90 years, C.A. Hull has held true to its core values of safety, teamwork, innovation, quality, and integrity, with these being leading factors of employee satisfaction. **CS**



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GIVE 'EM A BRAKE SAFETY ACQUIRES CAPITOL BARRICADING

Give 'Em A Brake Safety, LLC ("GEBS") is pleased to announce that it reached an agreement to acquire Capitol Barricading, Inc. ("CBI") with a closing date of January 31, 2023. Diana Folleth, CBI Owner, Diane Brandt, CBI Secretary/Treasurer, and Ken Brandt, CBI Estimator have elected to retire. Diana and her team built a great business over the past 40 years, and GEBS is fortunate to have this opportunity. We are pleased to welcome CBI management and the traffic control professionals to the GEBS family.

The CBI location in Lansing, MI formed GEBS' newest branch beginning on February 1, 2023. Ken Wolverton,

current CBI Manager, will remain as the manager of the Lansing location. It is the intention of GEBS to assume and execute all pre-existing contracts held by CBI prior to the January 31 transaction date.

GEBS wishes Diana, Diane, and Ken all the best in their retirement and thanks them for trusting us to embrace the CBI team as members of the GEBS family. Contractors/customers are welcome to reach out to Jamie Lemke (jlemke@gebsafety) or Marc Van Til (mvantil@gebsafety) with any questions. **CS**



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TRUCKLOAD OF BOOKS

Megan Chartier of M. L. Chartier read to a kindergarten class at St. Peter Lutheran in Macomb in February as part of the Truckload of Books program organized by Michigan Construction. For more details about this program, visit michiganconstruction.com. **CS**

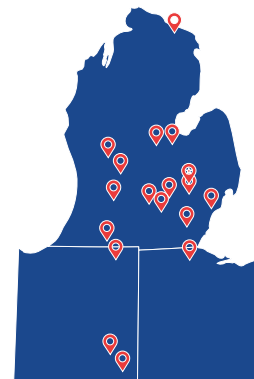




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HISTORIC INFRASTRUCTURE INVESTMENT UPDATE

Back in March of 2022, MITA put out a bulletin that said that the Legislature and Governor had agreed to a \$4.7 billion supplemental budget that went towards long-neglected infrastructure, including water infrastructure, dams, roads, and bridges, amongst other areas. The majority of the money comes from surplus money from COVID relief funds, with the other portion coming from the new Infrastructure Investment and Jobs Act (IIJA) passed by Congress. In addition, the state invested \$571.6 million from its general fund coffers.

This is by far the most significant investment by the state towards our underground infrastructure ever. In total, there is over \$650 million allocated for stormwater and wastewater construction and over \$800 million in drinking water infrastructure to be used for drinking water improvements, including lead service line replacement, watermain improvements, and water treatment plant upgrades. There is also \$66 million to improve stormwater

Continued on page 50



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Continued from page 49

pumping stations servicing state trunkline highways.

This is all great news for many communities and many MITA members who will perform work on these jobs. That money will begin to start flowing this construction season. Check with your own individual public facility owners to see if they are planning on going after some of this money from the state.

In addition, Governor Whitmer proposed even more money to be allocated to underground infrastructure in her annual budget recommendations. As there is much need around the state, communities should be seeing a lot of investment in their underground infrastructure over the next several years.

While this new construction is occurring, an effort to streamline the permitting process will be underway as well. MITA has met several times with the Michigan Infrastructure Office, which is tasked with building a bridge between MDOT and EGLE to ensure timing permits to discuss some of the issues that our members have with the permitting process from the state. As you see things change or not change, please let MITA staff know what problems you are seeing working with the various departments at the state. **CS**

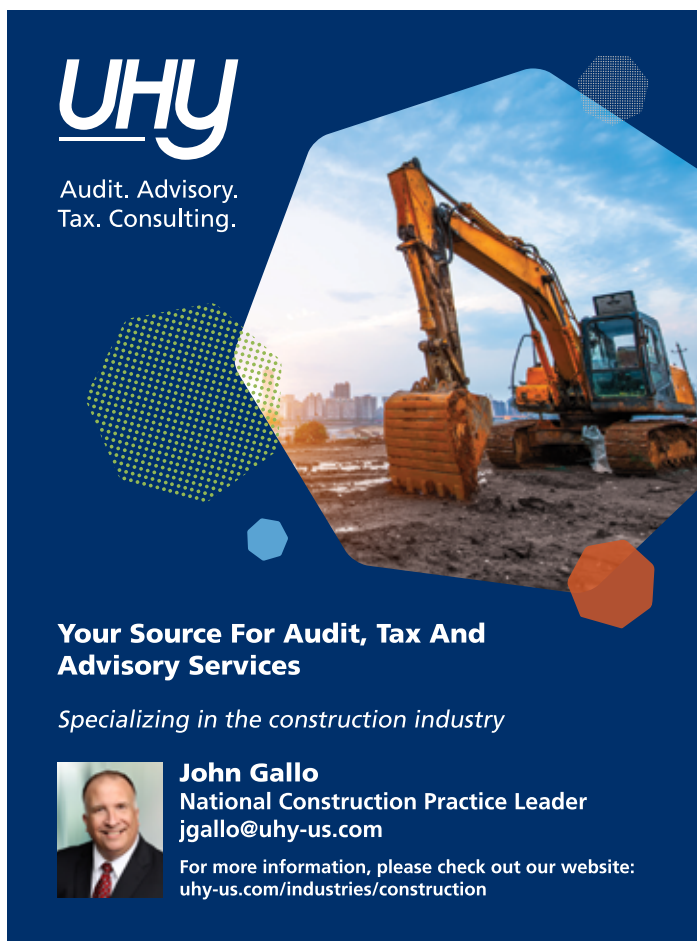
Continued from page 10

a new funding mechanism around 2026. I'm personally tired of the solutions-by-crisis times that we seem to continually live in, and hopefully, we are getting the proper jump on this issue.

Here comes the rant. I find it terribly ironic that the "infrastructure association" is the main advocate for a better Michigan. Most legislators avoid the funding issue like the plague. I get it. Who wants to raise dollars for infrastructure funding and still try to get elected? I hope we are nearing a point where if a legislator doesn't put Michigan's infrastructure at the forefront and work toward putting our systems in good condition, you simply won't be elected. An Epic MRA poll conducted in the spring of 2022 shows that the public supports that sentiment.

We all deserve a Michigan with good grades on its roads, bridges, and water infrastructure report cards instead of the dismal grades that have become the norm. Think about it; we're not even mediocre concerning our infrastructure! I'd challenge you to ask your friends and others to add up what they pay in a year in cable and entertainment subscriptions like Netflix, HBO, Paramount Plus, Amazon, Apple TV, Discovery Plus (I know I missed a few), cell phones and related apps & distractions and compare it to whether they'd prefer to have

Continued on page 52



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Continued from page 38

utility company and for time to the project engineer. [On projects where the Owner represents a conflicting utility will be moved by a date certain, submit a claim for interference damages to the project engineer.]

The third situation is where the utility company improperly marks its utility or fails to mark its utility. In that situation, follow the same steps above for the scenario where there is a lack of marks or a positive response is not provided. Those steps will also assist you with providing a defense if a utility is damaged. You will also want to take pictures of the unmarked utility and/or damage. Those pictures should be taken as soon as it is safe to take them. For a damaged utility, document with pictures of all measurements as it relates to proximity to the damaged utility. Also, keep a record of when utility personnel arrive and leave the job site. Ask for names of utility personnel (picture of vehicle's license plate may suffice if you cannot get names).

Regardless of the situation, it is imperative you arm yourself with the facts, as they will provide you with the means to defend yourself and recover damages (i.e., exercise and enforce your rights and remedies) for any utility hit incident. The key is documenting and preserving all relevant

facts. To ensure you document and preserve all relevant facts, we suggest your company implement a mandatory and simple procedure for any utility hit incident and use a standard utility damage report form. A copy of such damage report form can be found on MITA's website at <https://thinkmita.org/utility-claim-forms/>.

As mentioned above, MITA's crusade may require contractors like you to sue utility companies to hold them responsible for their actions and inactions relative to the Act and to recover damages incurred by you because of those actions or inactions. If you need to sue, templates for the documents you will need to sue can be found on MITA's website at <https://thinkmita.org/utility-claim-forms/>. In addition to retrieving the template documents, we recommend you contact the attorneys from Butzel Long's Construction Law Practice Group (or your attorney) before you sue given there are aspects of the template documents which are not necessarily self-explanatory and to address any questions or concerns that you may have.

If you have any questions or concerns about or need any assistance with handling any utility scenario, incident, or claim, please contact the authors of this article. **CS**



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very easy, and it provides charts that can be used to take most of the math out of determining angle of repose.

There are several Apps available for use that will help determine angle of repose, MITA's Trench Right app is available for iPhone users in the App store. For Android and other users, there are several apps available that can be used to determine angle of repose, just be careful that the app you are using is using MIOSHA rules, as they differ from all other rules in the country.

1926.28(a) The employer is responsible for requiring the wearing of appropriate personal protective equipment in all operations where there is an exposure to hazardous conditions or where this part indicates the need for using such equipment to reduce the hazards to the employees.

This exact rule is not the rule that lands at number 2 on the list, but when we add the citations up for lack of PPE that number would land at number 2. In particular, not having hard hats on, or eye and face protection when there is a hazard present. On most job sites where MITA members perform work, there are hazards that would require the wearing of hard hats, safety glasses, face shields, or a combination of the three. The root cause determined in most of these citations is the lack of enforcement by the foreman on the site.

1926.1153(c) SPECIFIED EXPOSURE CONTROL METHODS 1926.1153(c)(1) For each employee engaged in a task identified on Table 1, the employer shall fully and properly implement the engineering controls, work practices, and respiratory protection specified for the task on Table 1, unless the employer assesses and limits the exposure of the employee to respirable crystalline silica in accordance with paragraph (d) of this section.

Much like is the case with PPE we find the same situation with Silica, there is not just one rule that appears frequently, but 2. Unlike PPE, with Silica these two rules are almost always written in conjunction with each other.

Employers are cited for not following table 1 of the silica standard correctly, and as result, are also cited for not doing the required air monitoring that comes with not adhering to table 1. In most of these instances, the intent was to adhere to table 1, so the employer did not deem air monitoring to be necessary.

To avoid being cited for these, the competent person should be ensuring that all of the control methods listed for the particular task are being adhered to 100%. If they are not, or it is not feasible to do so, the operation should be put on hold until the proper air monitoring/testing can be done. **CS**

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their toilet flush, have safe drinking water (it does come from taps, not just bottles), or be able to travel to their favorite destinations around the state in a safe manner. Then, just then, some may reconsider proper funding and at least support the idea of fixing our collective problem. **CS**

Continued from page 45

Denver area as a structural engineer in their construction engineering services group, working across many of the industries in which Kiewit is involved throughout the US and Canada. Most recently, after moving to Michigan, he worked as a structural engineer for Ruby + Associates, structural engineers in the Bingham Farms area working on various designs for several local and national projects.

Jeremiah is passionate about problem-solving and creating clarity through bridges of communication. He is always ready for a conversation or brainstorming session and looks forward to serving the MITA membership and the broader industry in the state of Michigan.

You can reach Jeremiah by calling the MITA office at 517-347-8336 or emailing him at jeremiahleyba@thinkmita.org. **CS**



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Before building up, crews had to build down. Each tower pylon, or leg, is supported by six shafts that were drilled into the bedrock to a depth of 118 feet. That is the equivalent of a 10-story building. Each of the shafts are filled with approximately 69,000 gallons of concrete. Approximately 5,250 feet of post tensioning cables were also required to connect the footings from end-to-end. Other material quantities on the project include:

- 133,000 wick drains that have been installed at the Canadian POE to create a solid base on which to build facilities for the new plaza and Canadian Border Services Agency Operations.
- 170,000 wick drains that have been installed at the U.S. POE to create a solid base for the construction of facilities for the new plaza and operations for U.S. Customs and Border Protection.
- Approximately 3,976 cubic yards of concrete and 1.4 million pounds of rebar that will be used in the construction of the 12 pier columns that will support the side span road deck.
- Approximately 6,824 cubic yards of concrete and 1-½ million pounds of rebar that will be used for the construction of the piers for the approach span.

- Over 30,000 feet of electric cable that has been installed in the U.S.
- Approximately 6,640 cubic yards of debris that has been removed from vacant parcels of land in the U.S.
- Approximately 1,600 feet of pipes and box culverts that have been installed.
- Approximately 7,700 feet of gas lines that have been installed. **cs**

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be agreement within the industry, including within MDOT, that our current bidding environment is outside of any norm. The current economy, material availability, and price volatility all seem to make for a disadvantageous "pilot" environment. It is unclear how MDOT is going to determine the impacts, good or bad, by changing two significant variables within one letting. Again, MDOT has stated that the hope is to get more bidders and better bids with the changes, but it is unclear what MDOT will be measuring against when every project is unique, and this pilot will only be providing one data set.

MITA is very disappointed with MDOT's lack of collaboration and industry

Continued on page 55

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Continued from page 54

involvement on this significant matter prior to MDOT's announcement. MITA has often complimented MDOT's level of openness and transparency employed in the execution of its bid-letting procedures. MITA holds great value in a strong collaborative relationship with MDOT, and the lack of collaboration on these changes has been noted by many to be disappointing. Although MITA has expressed significant opposition to MDOT's pilot plan, at the time of this article, it appears MDOT is moving forward with the pilot as planned. Please reach out to MITA with any questions, concerns, and/or issues experienced regarding the pilot letting at any time. (Emails can be sent to RachelleVanDeventer@thinkmita.org.)

Author's Note: At the time of submission of this article, discussions with MDOT were ongoing and specific details regarding the pilot letting are subject to change. **CS**

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About Speaker Joe Tate

Speaker Joe Tate is serving his third term and now represents the 10th House District.

Tate is Michigan's first Black Speaker of the House, now holding the gavel and setting House priorities in a legislative term in which Democrats have the majority for the first time in over a decade. His policy priorities include uplifting Michigan families; protecting the rights of all people; ensuring workers are valued; and investing in a world-class education system, a strong infrastructure, and a thriving economy.

The Speaker decided to run for office as a part of his deep and lifelong commitment to public service. The value of service was taught to him by his parents — a teacher in the Detroit public school system and a Detroit firefighter. His life has been shaped by teamwork, commitment, and community.

As a teenager, Tate earned a scholarship to play football at Michigan State University before joining the National Football League. After the NFL, he went on to serve in the U.S. Marine Corps, deploying twice to Afghanistan during Operation Enduring Freedom.

After an honorable discharge from the Marine Corps, he earned both an MBA and a master's in environmental policy and planning from the University of Michigan. Before joining the Legislature, Tate helped small businesses grow their capacity as a program manager for the Detroit Economic Growth Corp. **CS**



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MITA STAFF LIST

ROB M. COPPERSMITH **EXECUTIVE VICE PRESIDENT**

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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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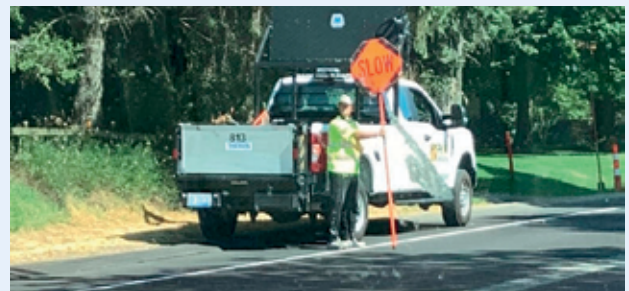
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MITA 2023 Calendar of Events

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

- 9–13 – 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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