

THE FIRST WORD

April, 2008

April is "Meetings Month" for ACEC OKLAHOMA

ODOT/ACEC OKLAHOMA Partnering Conference; Webinar on the "Wal-Marting of Engineering"; and, April General Membership Meeting

The 7th Annual ODOT/ACEC OKLAHOMA Partnering Conference will be held on Thursday, April 24th at the Clarion Meridian Conference Center in Oklahoma City. Registration will begin at 8:30am, with the program slated to begin at 9:00am.

An outstanding program has been developed by the ODOT/ACEC OKLAHOMA Partnering Steering Committee.

The morning will begin with a program entitled, "NETWORKING: HOW TO BUILD RELATIONSHIPS AND THE BOTTOM LINE" presented by Karen Susman. You need this program if you hate networking, if you're a tongue-tied introvert or if you don't like to sell yourself. Get over it. This fun, yes FUN, on your feet program will give you career and life building skills you'll use everyday.

Following a review of Federal Highway Trust Fund issues in 2009 and beyond during lunch, the afternoon will feature three Breakout sessions. Topics for the afternoon sessions are: QUALITY CONTROL ISSUES; WORKFORCE ISSUES: MENTORING, DEVELOPING, & KEEPING; and, TASK GROUP ISSUES & RESOLUTIONS.

Registration is \$60 per person. Registration information has been sent to all member firms, and can also be found on the ACEC OKLAHOMA website at www.acecok.org.

It's going to be an outstanding program, and we look forward to seeing you at the 7th Annual ODOT/ACEC OKLAHOMA Partnering Conference on April 24th.

WEBINAR

The next in ACEC OKLAHOMA's "Lunch & Learn" webinar series will be held on Tuesday, April 15th in both Oklahoma City and Tulsa.

"Escaping the Wal-Marting of Engineering" will be presented by Robert vanArsdall, XL Design Professional at 12:30pm at C.H. Guernsey & Company office in Oklahoma City, and at Garver Engineers' office in Tulsa.

External pressures are forcing a commoditization of the engineering industry—the Wal-Mart effect. To succeed, firms will need to learn how to differentiate themselves from competitors, understand and deliver on client demands, and maximize the knowledge value of their workers.

The program is \$40.00 per person, and each attendee receive 1.5 professional development hours (PDHs). Please fax or e-mail your registration ACEC OKLAHOMA as soon as possible.

GENERAL MEMBERSHIP MEETING

The April ACEC OKLAHOMA General Membership Meeting will be held on Thursday, April 17th at the Doubletree at Warren Place in Tulsa at 5:00pm

The program for the General Membership Meeting will be an overview of two new programs that have begun recently in Oklahoma City and Tulsa....**Engineers Without Borders and Engineers in Action.** The programs have been established to help volunteers from all engineering disciplines aid impoverished and developing nations overseas. John Blickensderfer and Aaron Peck, both with ACEC OKLAHOMA member firm Guy Engineering Services, Tulsa, will outline the programs.

Registration information has been sent to all member firms and can also be found on the ACEC OKLAHOMA website at www.acecok.org. We look forward to seeing everyone on Thursday, April 17th!

April Legislative Report

The 2008 Legislative Session is rolling in “high gear” with just seven weeks left in the Regular Session. Major deadlines are upcoming on April 9th, and it’s been very busy at the State Capitol...which is one of the reasons the April “First Word” is a little delayed this month!!! There are still many bills which ACEC OKLAHOMA is actively working and watching, and here’s a brief update on some of those issues:

TRANSPORTATION FUNDING - The major issues being addressed in these bills are: 1) Removal of the 3% “trigger” which requires state revenues to grow by 3% for ODOT to receive the full \$50 million increase in annual funding; 2) Raising the “ceiling” on ODOT funding from \$270 million per year to \$500 million per year; and 3) eliminating the “diversion” of Title-Tax-License (TTL) fees by incrementally shifting the TTL revenues from the General Fund to ODOT.

All of the bills, on both the House and Senate sides, have passed and are awaiting final floor action in the opposite house. While that, in and of itself, is good news, we are a LONG WAY from the final resolution of these issues and the Governor’s signature!

All of these are budget issues, which means that the final determination on which, IF ANY, of the bills become law hinges on the budget negotiations which will dominate the last few weeks of the session. As always during the budgetary process, everyone will be trying to “maximize” the dollars they receive from the State Budget, and the big players.....Education, Corrections, Human Services, State Employees, etc..... will be in there trying to squeeze out every penny they can, much of it at the expense of Transportation funding.

All of this will come to a head in the next few weeks, and we very well may put out a “CALL TO ACTION” asking for your calls and letters to the Legislature. It’s not too early to begin contacting your Legislators now, but watch your e-mail updates as we start the “final push” on this critical issue.

ODOT DEMAND SERVICES CONTRACTS – SB 1181 (Sen. Rabon & Rep. Thompson) would clarify existing language regarding Demand Services contracts used by ODOT and the Oklahoma Turnpike Authority. There have been some recent concerns by the Federal Highway Administration as to interpretation of Oklahoma’s statutes. This bill addresses these concerns and has the full support of ODOT, ACEC OKLAHOMA, and the FHWA.

The bill has passed the full Senate and the House Committee, and will now go to the full House. ACEC OKLAHOMA is working closely with ODOT on this, and are optimistic that final passage will be secured to rectify the situation with FHWA.

LEED CERTIFICATION FOR STATE BUILDINGS - There were three bills which were introduced which would have

required LEED “Silver” Certification for all new or reconstructed state buildings. Only one of the bills, HB 3396 by Cargill (R-Harrah), has survived and is currently awaiting Senate floor action.

As ACEC OKLAHOMA understands it, this bill will be going to a Conference Committee, which will try to work out the final details.

PE/LS BOARD STATUTE UPDATE – The State Board of Licensure for Professional Engineers and Land Surveyors proposed updates to the State Licensing Act. The bill is mostly “clean up” language but also includes authorization for the Board to enact Rules allowing for the use of “Electronic Signatures” by engineers and land surveyors.

The bill has received Senate and House Committee approval, ACEC OKLAHOMA expects no problem with this bill receiving House approval in the next couple of weeks.

DESIGN/BUILD & CONSTRUCTION MANAGEMENT – There are two pieces of legislation dealing with D/B and CM for “vertical” construction which ACEC OKLAHOMA is watching.

SB 1850 by Sen. Coates would modify the criteria for use by the State of these project deliver methods, and is an outgrowth of an Interim Study which Senator Coates held this past summer. The bill has passed the Senate and is awaiting House action.

HB 3123 by Rep. Tad Jones would continue to allow school districts to use the D/B or CM project deliver systems, but would remove the requirement that school districts select Construction Managers (CM) from the pre-approved list maintained by the Construction and Properties Division (C & P) of the Department of Central Services.

While ACEC OKLAHOMA is not opposed to the use of CMs by schools, but we and other construction industry groups are concerned that some public school districts may not have background or expertise to fully assess the qualifications and/or expertise of individuals claiming to be competent construction managers.

This bill has passed the House and Senate, and is headed to a Conference Committee which will work out the final details of the bill.

That’s the latest update. As always, ACEC OKLAHOMA is closely watching the activities as the State Capitol and is actively working to represent your interests. If you have any questions regarding the issues addressed above, or any other bills in which you might be interested, please don’t hesitate to contact ACEC OKLAHOMA.

ACEC Business Trust Renews Contract with The Hartford

The ACEC Business Insurance Trust (BIT) has renewed a new five-year agreement for The Hartford Insurance Company to continue as the underwriter of the ACEC Business Insurance program. The Trust conducted a careful review of carrier options and performance before again selecting The Hartford, which has underwritten the valuable member benefit program for the past 25 years.

As a benefit of ACEC membership, you have direct access to the ACEC Business and Professional Liability Insurance Program. With oversight by the ACEC Business Insurance Trust (BIT), you get a team of practicing engineers and insurance experts with more than 25 years of experience working specifically for you. The BIT understands the issues you face every day and knows that a one-size-fits-all insurance approach doesn't work for engineering firms. Your business risks are unique and your business and liability coverage should be too.

That's why the business insurance and professional liability products offered through the Program receive the oversight of the BIT at three Trustee meetings held during the year. Here's what the BIT offers:

Expert Resources

- The ACEC Business Insurance Trust is guided by practicing engineers with experience finding solutions to practice management issues.
- The BIT provides strategic direction and continuously reviews coverage to make sure it meets the ever-changing needs of our business environment, including offering comprehensive coverage and competitive rates.
- The BIT, Marsh and The Hartford monitor the service and claims handling to make sure you're responded to in a prompt, efficient and professional manner.

Customized Products

- **Business insurance** includes broad coverage for property, general liability, auto, workers' compensation, umbrella liability and employment practices liability. Features may include identity theft protection, blanket additional insured, reclassification of engineers as draftsmen and a billable hours component on Business

Interruption Coverage

- **Professional liability** policies provide comprehensive coverage tailored to your firm's needs, including access to expert legal counsel and defense of claims and lawsuits.

Partners with Industry Leaders

- As the Administrator, Marsh brings 25 years of experience in risk management, insurance products and financial solutions serving ACEC member firms.
- The Hartford is the underwriter for Business Insurance and is an A+ rated carrier. Hartford has been the Business Insurance underwriter for the 25 years of the Program.
- Multiple carriers—all with A or higher A. M. Best ratings—offer top-notch professional liability coverage tailored for engineering firms.

Outstanding Service

- The Marsh dedicated sales and service team is very familiar with the unique exposures of engineering firms and only services ACEC Program policyholders.
- Sales, service and day to day administration is provided by Marsh, and The Hartford performs the underwriting and direct billing on the Business Insurance Program.
- Certificates of Insurance are issued within 24 hours of request, and claim reporting is available 24/7.

Let the ACEC Business Insurance Trust be your firm's voice for business insurance and professional liability coverage. Call the ACEC Business Insurance Trust today at 1-800-338-1391.

ACEC Retirement Trust Renews Contract With Prudential/Wachovia

Trustees of the ACEC Retirement Trust has announced a new three-year contract with Prudential Retirement and Wachovia Securities. The new contract focuses on continuing the high level of service to the Member Firms, and passes on even greater savings to both the firms and their employees.

The Trust provides retirement programs to ACEC Member Firms at discounted rates. Retirement programs available include 401(k), Profit Sharing, Defined Benefit, Deferred Compensation, ESOP, Simple IRAs and more, for member firms of all sizes.

Under the new contract, the average ACEC plan will save roughly 50 percent on its investment and administrative expenses.

To receive a proposal, plan comparison analysis or more information, please contact Nancy Barrette at Wachovia Securities. Call 248-433-8562.

ACEC PRESIDENT'S REPORT

April, 2008

David Raymond, President, ACEC

General

- Two state organizations have already crossed the finish line in meeting their 2008 ACEC/PAC goal: ACEC/Wisconsin and ACEC/Tennessee.
- 2008-2009 Chair appointments have been made for 26 national committees; and as membership is “open” for most committees, membership interest is solicited on a continuing basis and may be accessed through the ACEC website.
- □ Deadline for state nominations for the Executive Committee is April 11.
- March/April *Engineering Inc.* features an excellent in depth report on BIM challenges, as well as “Across the Federation” highlights, and the 2007 ACEC/PAC honor roll.
- Attended ACEC/New York Board meeting and EEA banquet; and was featured in *ENR* on transportation needs.
- Co-sponsored Department of Commerce Best Practices Exchange with the Chinese Ministry of Construction that focused on engineering licensure in China and design-build.
- Provided feedback to the Small Business Administration’s Office of Advocacy in support of reforming or repealing the practice of retainage on federal engineering contracts.

Institute for Business Management

- Hosted six online seminars: *Liability of Design Professions for Construction in Flood Hazard Locations*, Edward A. Thomas, and Dr. Jon Kusler; *Effective Project Planning to Improve Profits*, Gary Bates; *Economic Loss Doctrine: Peculiar Name, Critical Loss Prevention Tool*, Richard Nakamura and Nicholas M. Wiczorek; *Conceptual Estimating for Engineers*, Wade Martin; *The Talent War – Recruitment & Retention in Today’s Competitive Engineering Industry*, Lori Oakes-Coyne; *New Approaches to Design Management*, Glenn Ballard.
- Held ACEC’s flagship Business of Design Consulting course on March 26-29 in New Orleans, Louisiana (class was completely sold out).
- Senior Executives Institute Class 12 concluded their 18-month leadership training program with the last of five sessions, March 15-18, at Amelia Island, Florida.
- Added 17 books to the Bookstore and two on-demand webinars, including “Failed Dams and Levees” and “Liability of Design Professions for Construction in Flood Hazard Locations.”
- In addition to six “families” of contract documents available on ACEC’s *contractscentral.net* web site, this resource includes an expanding number of other materials including two recent court cases on limitation of liability and no damage for delay.
- Helped to secure provisions in the House and Senate-passed budget resolutions to restore the FY’09 transportation funding shortfall; the Senate resolution adds an additional \$4 billion for transportation as part of a future stimulus package.
- Hosted successful 2008 PAC Leadership Conference at ACEC headquarters which featured strong participation from PAC Champions and Executive Directors, as well as outside political and fundraising experts.
- Launched new ACEC/PAC “Capitol Club” for contributors who give the legal annual maximum of \$5,000 to ACEC/PAC.
- Hosted fundraising events for U.S. Representatives Earl Blumenauer (D-OR), Shelley Berkley (D-NV), and Ciro Rodriguez (D-TX).
- Launched 2008 QBS Grant Program, which provides \$25,000 in funding for MOs to assist with the creation of initiatives to promote QBS.

Government Affairs

ACEC MID-STATES CONFERNECE
(Oklahoma/Missouri/Arkansas/Kansas
Annual Convention)
June 12-14, Chateau on the Lake, Branson,
Details Coming Soon!!!!