

THE FIRST WORD

February, 2011

Major Transportation Bill Field Hearings & Public Forums To Be Held in Oklahoma ACEC OKLAHOMA Invited to Testify

House Transportation and Infrastructure Committee Chairman John L. Mica (R-FL) has announced a series of national field hearings and public forums on pending major surface transportation legislation.

ACEC OKLAHOMA, through ACEC, has been invited to present testimony at the hearing in Oklahoma City. ACEC OKLAHOMA will have at least one spot on the panel, and we are hoping for two. Chairman of the Board Jim Benson, Poe & Associates, Oklahoma City, and/or Chairman-Elect Stacy Loeffler, BKL, Inc., Tulsa, have been presented to the Committee Staff for consideration, and one or both will make the presentations on behalf of ACEC OKLAHOMA and the consulting engineering community.

The nationwide meetings with state and local officials and transportation stakeholders will help inform the Committee's drafting of a long-term reauthorization of the nation's highway, transit, and highway safety programs. The legislation will help improve our transportation infrastructure and promote job creation in the nation's hard-hit construction industry.

The Committee, which includes Oklahoma's newly elected Congressman James Lankford (R-5th), will seek input on how to consolidate and improve the performance of programs, cut government red tape and streamline the project delivery process, increase private sector investment in our infrastructure, identify creative financing alternatives, and other ideas for writing the legislation to replace the previous multi-year law (SAFETEA-LU) which expired in September 2009.

"The best ideas to improve and streamline government programs often come from outside of Washington, and

before we draft any legislation these meetings will provide the Committee with valuable insight and information," Mica said.

Chairman Mica, Members of the Committee and other lawmakers will participate in the hearings and meetings, which will begin on February 14th. At least a dozen other sessions across numerous states are currently planned for February 17-25, including Oklahoma City.

While no firm date for the Oklahoma City event has been set, it looks as though the Oklahoma City hearing will be held on or around February 24th.

For this important and highly visible hearing, ACEC OKLAHOMA will want to populate the room with ACEC members in the audience.

While we don't know the format yet, there may be opportunities for audience participation during the hearing. Regardless, ACEC OKLAHOMA wants to make a strong industry showing for the committee and the press, to demonstrate the interest of our members in these hearings.

As soon as a date and location is confirmed, we will let you know, and we hope that you will make every effort to attend!

Lunch & Learn Webinar
The Perfect Storm:
A Bad Lawsuit, A Bad Contract,
Indemnification, and Duty to Defend
Thursday, February 17, 2011
12:30pm - 2:00pm
\$40/person. Register Today!!!!

Garver Wins Engineering Excellence "Grand Conceptor Award" C P & Y, Cobb Engineering, Garver Receive Honor Awards

The ACEC OKLAHOMA Engineering Excellence Awards was a spirited competition for 2010 Awards. There were four entries, and all were excellent presentations and close in the final judging.

The 2010 ACEC OKLAHOMA Grand Conceptor Award was awarded to Garver for the City of Norman "Reclaiming Water and Revenue Project."

The City of Norman, as well as a number of other central Oklahoma municipalities, depends on groundwater for their public water supply. In 2006, the EPA lowered the maximum contaminant levels for arsenic in drinking water from 50 to 10 parts per billion, forcing cities to remove wells from service and provide public health notices. For Norman, this translated into the loss of nearly 50% of the city's well field, adding stresses to the city's Surface Water Treatment Plant, and requiring the purchase of expensive treated water from a neighboring community.

Taking a proactive approach, Norman officials piloted a wellhead arsenic removal system on Well #31 which was one of the wells which tested above 40 parts per billion of arsenic.

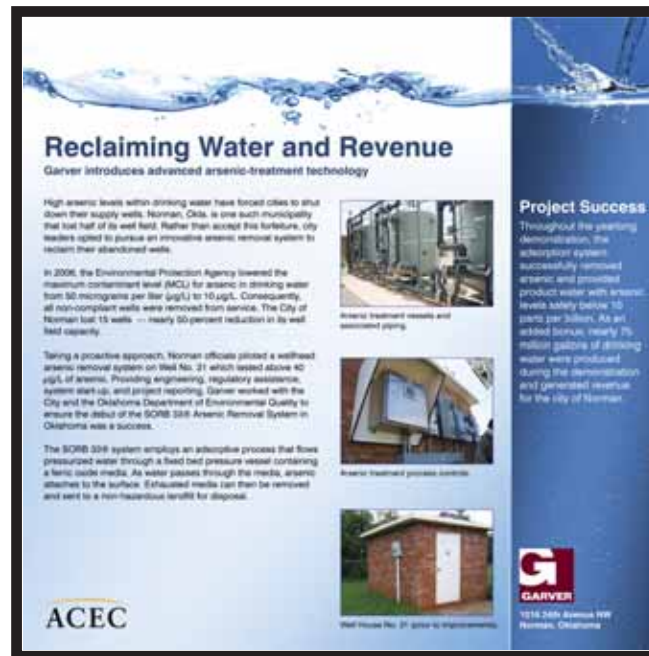
Garver provided engineering, regulatory assistance, system start-up and project reporting, the firm worked with the city and DEQ to debut the SORB 33 Arsenic Removal System in Oklahoma.

Throughout the year-long demonstration project, the adsorption system successfully removed arsenic from Well #31 and provided product water with arsenic levels safely below 10 parts per billion. As an added bonus, nearly 75 million gallons of drinking water were produced during the demonstration, generating approximately \$155,000 in revenue for the city which helped offset the piloting costs for the demonstration project.

The pilot project showed that the cost of this arsenic system is a competitive way to produce finished water, especially when comparing it to the cost of expanding conventional surface water treatment plants, drilling new wells, or buying

finished water from other municipalities. Currently, the city is making provisions to convert the demonstration project to permanent infrastructure at Well #31, and are also pursuing opportunities for collective treatment at other locations within the distribution system.

The first of three "Honor Awards" was presented to C P & Y for their "Efficient OZONE Generation" project at Oklahoma City's Hefner Water Treatment plant. Over the years the plant had struggled to produce maximum amounts of ozone gas from its aging generation system during peak summer months. Generators were running at maximum capacity year round with no redundancy to meet treated water demands and the existing system was prone to breakdowns and frequently operated at half capacity.



In the midst of a major plant expansion, the City realized ozone capacity would soon become a critical variable. The goal was to design and reliable, efficient, and economical system. A combination of Intelligent Gap System (IGS) dielectric components along with a Liquid Oxygen (LOX) based feed source for the generation of ozone provided the most innovative and environmentally friendly solution. This enabled the plant to generate enough ozone to successfully treat up to 2.5 times more water than the current capacity.

Through creative engineering and construction scheduling, the project was completed with zero disruptions. The project was designed and implemented utilizing a parallel construction methodology where additions were installed and all preparatory work was completed in advance of connection allowing for minimum downtime.

Since the startup in April, 2010, there have been no interruptions in ozone delivery while at the same time using 40% less electricity.

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Engineering Excellence Awards (Cont.)

Garver was also a recipient of an "Honor Award" for the City of Mustang's "Water Treatment Plant Upgrade."

The City was under a Department of Environmental Quality Consent Order to meet water quality targets which required the financially strapped city to upgrade its wastewater treatment plant as well as to double the plant's efficiency and capacity to meet future growth demands on the city.

Working together, Garver and the city tackled this major capital expense by designing the project in two phases, separating them by 10 years, and utilizing government funding sources.

Garver worked with DEQ to develop a two-phased project that would bring the plant into compliance and ultimately expand the facility to meet a 20-year build-out flow rate by 2017. Using a phased approach enabled the city to build the infrastructure necessary to treat 10 years worth of future wastewater flow now rather than tackling a full 20 years in one project. This approach also cut the improvement expenses into two manageable costs.

After construction bids came in under the original costs estimates, the two-phased approach again proved financially beneficial as the city was able to incorporate some of the Phase 2 infrastructure into Phase 1 at no additional cost.

While the project was not "shovel ready" at the time of the passage of the American Recovery and Reinvestment Act, the firm worked with DEQ and the Oklahoma Water Resources Board to ensure the project would meet ARRA requirements. Additionally, the project was funded through a 20-year loan from the Clean Water Revolving Fund, which forgave \$2 million in debt through the program. According to the OWRB, this funding saved the rate payers in Mustang \$4.7 million.

Cobb Engineering Company also received an "Honor Award" for the "Interstate 35 Widen & Overlay" project in Norman.

Interstate 35 travels from Laredo, TX to Minneapolis, MN, stretching out 1,568 miles. Some sections of I-35 in Oklahoma City were constructed in 1953, and the section of I-35 through Norman was opened in 1959.

Oklahoma commuters were bracing for the worst when it came to the 4.5 mile widening and overlay from Indian Hills Road to Main Street through Norman, which also included a three-span pre-stressed concrete beam bridge on US-77 over I-35. Because I-35 is an urban highway known to bottle neck through Norman, everyone concerned expected

slowdown, traffic safety issues, and a long construction schedule for this project.

Public involvement was critical to the success of the project. Public meetings using a visual presentation which included a 3-D graphical representation of the proposed construction in Google Earth as well as 3-D cross section renderings enabled the public to visually see the improvements that would take place, and made the overall concept easier for the media and public to understand.

Throughout the project, Cobb Engineering, ODOT, and the contractor were able to successfully maintain two open lanes of traffic, which resulted in minimal traffic accidents due to construction and general overall public support.

The project was completed 6 months ahead of schedule, and in the end, the State of Oklahoma was rewarded with a safe, reliable interstate system that handles a high volume of traffic and allows for future expansion.

Congratulations to all of our award recipients! Information for the 2011 ACEC OKLAHOMA Engineering Excellence Awards competition will come out in September, and we urge all member firms to begin planning now for the 2011 competition.

ACEC Business Insurance Trust New Benefit!

ACEC members participating in the ACEC Business Insurance Trust (ACECBIT) Program and which have incurred losses and paid deductibles related to **Property** and **Automobile** insurance (comprehensive and collision) are now eligible to request from the ACECBIT financial assistance to help with the cost of the deductible.

Under a new "**Member Deductible Assistance Program**" payments of up to \$1,000 per year will be made on a voluntary basis subject to available funds. Assistance will be limited to \$500 per claim with a total of \$1,000 per firm per year.

This is an ACECBIT "MEMBER ONLY" benefit, not found in any other insurance program...just another benefit of ACEC membership and participation in the ACECBIT!!!

For more information, on this benefit contact the BIT Treasurer, Woody Germany, at 406-728-4611. For more information on any of the Business Insurance Trust coverages, contact Kevin Woolley, Oklahoma's dedicated representative, at 1-800-338-1391.

PRESIDENT'S MONTHLY UPDATE

David Raymond, ACEC President
February 1, 2011

This month, ACEC/Illinois won a landmark legal victory for our industry: their state supreme court ruled that an engineer's scope of duty is limited to the terms of the contract and not a higher standard of care after-the-fact. This is the latest in a string of important court cases won by ACEC state organizations with the help of the Minuteman Fund. As the Courts become increasingly important for our industry, ACEC will continue to ramp up its efforts to prevail on legal battlegrounds.

We also invite you to come to the ACEC Annual Convention in Washington, D.C., March 30-April 2, for a full political and business program on behalf of our industry. [Click here](#) for more details on the convention.

General

- * Executive Committee approved ACEC's 2011-12 legislative agenda prioritizing passage of transportation, aviation, water and energy infrastructure; amended the Minuteman Fund strategic goal to accommodate a \$2 million reserve war chest (subject to Board approval); underscored the importance of state leadership in meeting PAC goals; met jointly with the FIDIC Executive Committee to discuss international objectives of mutual concern; and with the ACEC/Hawaii leadership on membership issues.
- * ACEC/Illinois' landmark legal victory two weeks ago, supported by the Minuteman Fund, affirmed that the scope of a design professional's duty is limited to the terms of the contract.
- * ACEC/Connecticut was awarded a Minuteman Fund grant to help the MO defend the contracting-out of engineering services in the state.
- * ACEC/PACs final year-end receipts for 2010 were \$580,000 again establishing ACEC/PAC as the top engineering Political Action Committee in the nation – and in the top 4% of all PACs; 30 states achieved their 2010 ACEC PAC goals, up from 29 in 2009.
- * *Engineering Inc.* won a "Bronze Eddie" from Folio Awards – the largest national competition recognizing excellence in magazine content – for a story on the use of social media in our industry.

Government Affairs

- * Updated state executive directors on ACEC legislative efforts in wake of Presidents State of the Union address, emphasizing importance of lobbying program at the upcoming Spring Convention. Solicited names of State Coordinators to promote member participation in this program.
- * Gained support from key members of the new Congress for repeal of the 3% withholding mandate, including Congressmen Herger (R-CA) and Blumenauer (D-OR) taking the lead in the House; and Senators Snowe (R-ME), Brown (R-MA) and Vitter (R-LA) taking the lead on the Republican side in the Senate.
- * Met with the Presidents Office of Procurement Policy and Small Business Administration to oppose federal in-sourcing and discuss changes to small business size guidelines.
- * Lobbied the Millennium Challenge Corporation and USAID for greater infrastructure spending and buy American priority.
- * Opposed Department of Labor proposed changes to the definition of a fiduciary for retirement plans that would adversely affect employee stock ownership plans (ESOPs).

Join Us in Washington for the ACEC Annual Convention

As mentioned above, the ACEC Annual Convention will be held March 30th - April 2nd in Washington, DC.

In addition to the convention activities, ACEC's Consulting Congress Day is our and your chance to go to Capitol Hill and meet with the Oklahoma Delegation regarding issues of importance to the engineering community.

This year we have a nice contingent planning to attend, including Jim Benson, Stacy Loeffler, Jim Stewart, Chuck Mitchell, and Mike Vahabzadegan, along with Jim Sullins. But, we can always have more.

Please consider joining us in Washington for the Convention and Consulting Congress Day. It's your opportunity to influence how your government works!!!!