

# THE FIRST WORD

April, 2012

## ACEC Midwest States Conf. May 31st - June 2nd, Branson

The Chateau on the Lake will play host to the annual ACEC Midwest States Conference, a joint meeting of ACEC organizations in Oklahoma, Missouri, Arkansas and Kansas.

It's not too early to make your hotel reservations. To make your reservations, call the Chateau toll-free at **1-888-333-5253**, and be sure to say you are with the "ACEC Midwest States Conference." **Rooms will go fast, so don't delay!**

Registration information will be out soon, so mark your calendar and make your hotel reservations now.

### - Tentative Agenda -

#### Thursday, May 31

6:00pm-7:00pm **Welcoming Cocktail Reception**

#### Friday, June 1

7:30am - 8:45am **Breakfast & Program on  
Small Business Size Standards**

9:00am - 12:00pm **CEO Roundtable Seminar**

1:30pm - 4:00pm **Annual Meetings of Each State**

5:30pm - 8:00pm **Dinner & Show at Dixie Stampede**

#### Saturday, June 2

7:30am - 8:30am **Breakfast / Speaker: Ray Messer,  
ACEC Life/Health Trust**

8:45am - 10:15am **Understanding Ethics for the Design  
Professional Seminar**

10:20am - 11:50am **Cloud Computing & Impact on  
Business Seminar**

12:00pm **Golf Tournament - John Daly's Murder Rock**

6:30pm - 10:00pm **Closing Reception/Banquet**

## Legislative Session Speeds Past Half-Way Mark

Mid-March saw the half way point of the 2012 Legislative Session, and now Committees are back at work reviewing bills sent over from the opposite House.

Additionally, the budgetary process is beginning to heat up as it's becoming the time of year where decisions on where and how much money it going to be allocated to the various agencies and programs.

Of interest to ACEC OKLAHOMA members is the Governor's Bridge program, which would provide funding to rehab or reconstruction some 700 bridges over the next eight years. Bills to implement the Governor's program are moving through the process, but final funding of the program is yet to be finalized.

ACEC OKLAHOMA is watching a few other bills of interest, but at this time, none have any negative impact on member firms or the profession.

As the Legislature works toward final adjournment, the major issue of the session will be reforms in State Income Tax. The Governor and Leadership have made Income Tax Reform a major goal for the session, with the ultimate goal being the elimination of the State Income Tax.

Several plans have been floated, but it seems that some sort of "phased-out" reduction will be the likely outcome, with the personal income tax be lowered over a 6-8 year period. Growth revenues would be used to offset the reduction, with a "safety net" in place to protect against an economic downturn.

The last few weeks of the Legislative session are generally known as "silly season," where anything can happen. Be assured that ACEC OKLAHOMA will be keeping a close and watchful eye on the Capitol, and will be working to protect your interests at all times.

## 11<sup>th</sup> ANNUAL ODOT / ACEC OKLAHOMA PARTNERING CONFERENCE

Thursday, April 26th is the 11th Annual ODOT/ACEC OKLAHOMA Partnering Conference. The Conference will be held at the Meridian Conference Center, I-40 and Meridian, in Oklahoma City.

This year's conference, as always, will feature great educational and informational programs as well as networking opportunities for consultants and top ODOT staff.

The morning program will focus on Conflict Management with Dr. Eric Cupp. "**How To Keep Your Remote Control: Conflict Management**" is not your father's conflict management seminar. Forget your dry, boring ideas about conflict management. You will hoot and holler your way to magnificent skills which you will be able to use right away. You will learn that life is a decision, the definition of conflict, myths concerning conflict, rules for conflict, and much more including how to build a "proactive" environment conducive to positive conflict resolution.

Afternoon breakout sessions will include programs on: **Construction Management Contracts/Site Manager/Change Orders; Solicitation of Interest Submission Packages/Selection Interviews;** and an **Overview of the Governor's Bridge Plan.**

Governor Mary Fallin has been invited to present the Keynote Address. Secretary of Transportation Gary Ridley will also address the gathering providing his overview and expectations regarding the Federal Highway Program Reauthorization as well as the state of the current State Transportation program.

Registration is \$70.00 per person, and registration information has been sent to all ACEC OKLAHOMA members.

This is going to be an outstanding program, and we look forward to seeing everyone on April 26th at the 11th Annual ODOT/ACEC OKLAHOMA Partnering Conference.

## Federal Highway Funding Extended through June 30th

ACEC informed us that on Friday, March 29th, the House and Senate both passed a 90-day extension of federal highway and transit programs, averting a shutdown that would have taken place this weekend when the previous law expired. The bill maintains current funding levels and Highway Trust Fund revenue collection through June 30.

The short-term extension gives House leaders time to continue generating enough support to pass H.R. 7, their five-year, \$260 billion authorization bill (with certain key revisions, such as maintaining the current highway-transit financing structure). ACEC continues to work in coordination with our industry allies in promoting passage of the bill in the House, so that negotiations can commence with the Senate to enact a final long-term bill as soon as possible.

Speaker of the House John Boehner said this today: "*We are working on putting together the final touches on that bill. It will be ready when we get back. We will move quickly and kick it over to the Senate.*"

Debate in the House was rancorous with charges of bad faith on both sides. Rep. John Mica, R-Fla., who chairs the trans-

portation and infrastructure committee, said Democrats approved six similar extensions when they were in the majority in both houses of Congress.

Democrats accused Republicans of being ideologically blinkered or motivated by a desire to hurt President Obama.

"We're going to lose half of the proposed projects this construction season around America, tens of thousands of jobs, needed investment, because they got a bunch of bozos in their caucus that don't believe we should have a national transportation system," Rep. Peter DeFazio, D-Ore., said.

The White House called for a longer extension. "While it is critical that we not put American jobs and safety at risk and hurt our economic recovery by allowing funding to run out, it is not enough for us to continue to patch together our nation's infrastructure future with short-term band-aids," the White House said Thursday in a statement. "States and cities need certainty to plan ahead and America's construction workers deserve the peace of mind that they won't have to worry about their jobs every few months."

## In Memory

ACEC OKLAHOMA is saddened to report the passing of two gentlemen who were important parts of the Oklahoma engineering community.

Bob Bruton was a founding partner in the firm now known as BKL, Inc., of Tulsa. Bob was a very active member of ACEC OKLAHOMA serving as the Council's President in 1975-76. He served on a variety of Committees during the years, and attended almost every meeting prior to his retirement seven years ago.

Hugh Baysinger was a partner in the law firm of Pierce, Couch, Hendrickson, Baysinger and Green, specializing in construction law. He represented numerous ACEC OKLAHOMA member firms throughout the years, and was also ACEC OKLAHOMA's legal counsel on two different Oklahoma Supreme Court cases defending the Oklahoma Statute of Repose.

We extend our deepest sympathies to the families of Bob and Hugh. They were both great individuals and dear friends. They will be deeply missed, and their passing is a tremendous loss of the Oklahoma engineering family.

### ROBERT O. BRUTON, SR.



Robert O. Bruton, SR. passed from this life on March 17, 2012 at home surrounded by his family. Bob was born in Oklahoma City, OK on January 1, 1927, to Jeannie and Owen Bruton.

He was the first New Year's baby born in Oklahoma City that year. The family later moved to Norman, OK where Bob graduated from Norman

High School. After high school he entered the United States Army and served in the Philippines.

When Bob left the Army, he enrolled at Oklahoma University and earned his Civil Engineer Degree. The family moved to Tulsa in 1959 where Bob started a very exciting and rewarding career. Bob's company, BKL Engineering, was involved in the Riverside Drive Extension, Turnpikes, the County Jail, the IDL Loop, the Broken Arrow Expressway, the Port of Catoosa, and numerous other projects. Bob loved his work, since he did not retire until he was 78 years old! Bob was an avid fisherman, who also enjoyed traveling.

Bob was a loving husband and father. He was preceded in death by his wife Lanell Bruton, his sister JoAnn Waring, and his parents. He is survived by his four children, Bob Bruton, JR. of Tulsa, Nancy Knight and husband Jim of Lee's Summit, MO, Beth Richison and husband Cliff of Tulsa, and Tom Bruton and wife Jan of Littleton, CO; 7 grandchildren, 9 great grandchildren, and two great-great grandchildren.

### HUGH A. BAYSINGER



(June 24, 1938 - Feb 1, 2012) Hugh A. Baysinger was born and raised in Kansas City, Missouri, where he was active in Boy Scouts and achieved the rank of Eagle Scout.

He graduated from Paseo High School in 1956, where he ran in track and field. He graduated with Honors from [Yale University](#) in 1960 with a B.E. in Civil Engineering. He achieved his Master's Degree in Civil Engineering in 1961.

During his time at Yale, he was a member of Tau Beta Phi, Chi Epsilon, the Yale Glee Club, and the Duke's Men.

He was accepted to the University of Oklahoma Law School, where he graduated with a Juris Doctorate in 1966. During his Law School career, he taught Engineering at OU.

He practiced law with Pierce, Couch, Hendrickson, Baysinger & Green since 1966 until his death. He was a partner since 1974.

He is survived by his best friend and beloved wife, Nancy Wheat Baysinger; his children: Aimee Baysinger and fiance Gary Audette, Jenny Baysinger Beasley and husband Scott Beasley, Melody English, Richard English and Deini English; his grandchildren, Grayson, Miles, and Ashlyn English; sisters, Kathie Altman and Marty Gardner; nephews and nieces, David Gardner, Kristyn Gonzales and husband Anthony Gonzales, Allison Day and husband Brian Day, and Kurt Altman; and grandnephews and nieces, Jasper, Hannah, Ira, Grace, and Jason.

# PRESIDENT'S MONTHLY UPDATE

April, 2012

David Raymond, ACEC President & CEO

Looking forward to seeing you all at our Annual Convention in Washington, D.C. in just a few short weeks; already some 1,200 have registered. We've got a great program, and I'm sure you'll have a fantastic time. It could be the week that the House transportation bill will be voted on, making your lobbying efforts on the Hill all the more timely. This month's Update reflects our across-the-board agenda in advocacy and business programs on issues of priority to our industry.

## General

- Gained 90-day extension in both House and Senate on surface transportation bill, while continuing to aggressively pursue passage of long-term legislation.
- ACEC is co-filing an amicus brief to the U.S. Supreme Court seeking to protect the Minnesota statute of repose from retroactive nullification by the state legislature, an unjust law which would remove critical liability protection for our member firms.
- As part of ACEC's "all the above" energy development campaign, the Denver Business Journal carried a pro-Keystone XL Pipeline editorial by ACEC's Environment & Energy Committee Chairman, Ralph Christie.
- As part of ACEC's leadership in the "sustainability" area, ACEC will participate in a news conference at the National Press Club in Washington, D.C. on Tuesday, April 3<sup>rd</sup> to introduce the new ISI Envision sustainable infrastructure rating system, created in association with APWA and ASCE.
- ACEC/WI is the first state in 2012 to meet their entire annual ACEC/PAC fundraising goal – in the first three months of the year – and for the sixth consecutive year – following a "board-led" fundraising strategy.
- House Small Business Committee cleared two bills that include new ACEC-backed contracting out provisions: one mandates agency review of any activity proposed for insourcing; the other makes any decision to insource subject to protest, as well as requiring agencies to make insourcing procedures and decisions public.
- House cleared legislation that included ACEC-backed medical malpractice reforms, including limiting non-economic damages to \$250,000 and allowing courts to restrict attorneys' fees.
- Obtained beneficial changes to FHWA policy guidance on potential conflicts of interest for firms providing services to public agency clients on multiple phases of the same project.
- A Minuteman Fund grant was awarded to ACEC/North Carolina to support advocacy for Certificate of Merit legislation.
- Submitted comments to the Financial Accounting Standards Board (FASB) on its revised proposal to change how revenue from contracts is recognized.
- ACEC/PAC hosted or co-hosted fundraising events in March for Senators Ben Cardin (D-MD), Dick Durbin (D-IL) and Bill Nelson (D-FL); Members of Congress Earl Blumauer (D-OR), Dave Camp (R-MI), Jim Gerlach (R-PA), Bob Gibbs (R-OH), Nydia Velazquez (D-NY), House Majority Leader Eric Cantor (R-VA), House Transportation and Infrastructure Chairman John Mica (R-FL), Dan Lipinski (D-IL) and Bill Schuster (R-PA); and congressional candidates Kirk Adams (R-AZ) and Robert Garagiola (D-MD).

## Business Resources

## Government Affairs

- Engaged ACEC members and state organizations in grassroots actions leading to Senate clearance of a two-year, \$109 billion surface transportation reauthorization bill, and building House support for a five-year bill that includes a strong contracting out provision.
- March Bookstore Top Sellers: *Mergers and Acquisitions: A Step-by-Step Legal and Practical Guide*; *Construction Operations Manual of Policies and Procedures*; *Construction Management at Risk*