



THE FIRST WORD

March, 2015

2015 Legislative Session Heads to First Deadline

The 2015 Legislative Session is well underway, with the first major deadline passing on Thursday, February 26th. Bills that didn't clear the Committee to which they were assigned, with a few exceptions, are "dead" for this session. For perspective, there were 2153 bills & resolutions initially filed. Following Thursday's deadline, only 910 remain active!

While Committees have been very active, most eyes are closely watching the "elephant in the room".... the some \$600 million budget shortfall which the Governor and Legislature has to address while formulating the state's new budget.

ACEC OKLAHOMA has been active during the first couple of weeks of the session, watching some 60 bills which are either of immediate interest, or, have the possibility of developing as the session progresses.

First up was **Senate Bill 513**, by Senator Fry, which would have virtually mandated the use of PVC pipe in all water and wastewater projects.

ACEC OKLAHOMA strongly fought against the bill, not because of an inherent dislike of PVC, but rather because the language of the bill would have taken away an engineer's ability to specify the type of pipe best suited for the specific project.

ACEC OKLAHOMA was allowed to speak before the Senate General Government Committee to express our concerns with the bill. Following our comments, it was apparent that there were not enough votes to pass the bill, and the bill was "laid over," which is a procedural move to avoid defeat. While technically still "alive" for future consideration this year, it is highly unlikely that there will be any action this session.

Much of the success in defeating this bill goes to YOU, the ACEC OKLAHOMA members! You responded to our Legislative Alert with phone calls and e-mails, and we could tell from the questions and reactions of the Committee members that

they had heard your message of strong opposition to SB 513! You did great work, and made our job of defeating the bill much easier. Our THANKS to you for all of your efforts.

House Bill 1328 by Rep. Morrisette, would extend immunity to engineers and architects who "voluntarily" provide risk assessment reports to schools regarding "safe areas" for students in the event of weather or other natural events.

ACEC OKLAHOMA was very active a similar bill last session, and has worked closely with the sponsor and other interest groups to develop the language this year. The bill has passed the House Judiciary Committee, and is awaiting floor action.

Lastly, **House Bill 1682** by Rep. Lee Denney, would create a new funding mechanism for Education very similar to the ROADS fund for Transportation.

As proposed, the bill would create the "**Securing Educational Excellence**" (SEE) fund, which would be funded through annual "off the top" transfers from the State General Fund.

Funding into the SEE fund would not begin until the ROADS fund reaches the current maximum annual transfer/cap of \$575 million per year, which will occur in two years. The ROADS funding would not be lost, and the ROADS fund would still receive \$575 million annually even after the SEE fund begins receiving transfers. While there would be no immediate impact on the ROADS fund, ACEC OKLAHOMA is concerned that any future effort to raise the ROADS "cap" would be inhibited.

At this time, we are closely watching this proposal, and while ACEC OKLAHOMA is not opposed to the bill, we will work closely with our industry partners to assure that no current or future harm comes to the ROADS fund.

That's it for now. As things develop, we will keep you up to date, and if necessary issue "Legislative Alerts" to call for your assistance!



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Welcome New Members

ACEC OKLAHOMA is excited to welcome two new member firms to the Council.

Freese and Nichols has opened an Oklahoma City office headed by Tricia Hatley. The firm provides a full service of engineering, architecture, environmental science, construction services, and planning.

The Tulsa office **Mead & Hunt** has also joined. Miroslav Kurka and Heather Goodson are the key contacts for this full service engineering, architecture, construction services, environmental, cultural resources management, planning, and program management firm.

ACEC OKLAHOMA welcomes **Freese and Nichols** and **Mead & Hunt**, and looks forward to having both firms as active members!

RAB and RAP Performance Workshop Set for March 12th

WORKSHOP SERIES 2015

Sponsored by: Oklahoma Department of Transportation
Co-Sponsored by: Southern Plains Transportation Center

Thursday, March 12, 2015 1:00pm – 4:00 pm

Oklahoma Department of Transportation
200 N.E. 21st Street, Oklahoma City
1st Floor, Commission Room
(3.0 Professional Development Hours)

For questions regarding this event and to register, please contact Dr. Rouzbeh Ghabchi at ghabchi@ou.edu

Topic: Fatigue Performance of Asphalt Pavements Containing RAS and RAP
(OOOT SP&R ITEM NUMBER 2245)

With increased environmental awareness, using reclaimed asphalt shingles (RAS) and reclaimed asphalt pavement (RAP) in pavements have been gaining momentum nationally and globally. Despite their advantages, there are national concerns associated with fatigue and low-temperature cracking potential of pavements when containing increased amounts of RAS and RAP. This workshop is focused on the fatigue performance of hot-mix asphalt (HMA) containing RAS and RAP. Specifically, changes in fatigue resistance and cycles to fatigue failure with changes in the amount of RAS and RAP will be discussed in light of laboratory data from flexural fatigue (four-point beam) and axial fatigue (cyclic direct tension) tests on laboratory compacted specimens. Effect of virgin binder grade on the fatigue performance will also be examined. In addition, the effect of RAS and RAP on creep compliance and dynamic modulus of HMA will be highlighted. The laboratory study covered in this workshop involved eight different surface course mixes (S4) with different types of asphalt binders (i.e., PG 64-22 OK and PG 70-28 OK). Mixes were designed using different amounts of RAS and RAP and tested in the laboratory. The amount of RAS and RAP in HMA mixes varied, but the total amount of replaced binder was kept limited to 30% (binder replacement). The results from this study were used to make recommendations on the use of RAS and RAP in HMA mixes. These recommendations will be discussed in this workshop.

Consulting Engineers PAC ACEC OKLAHOMA's Political Action Committee

ACEC OKLAHOMA Chairman Joe Davis has appointed Jim Benson to Chair the Council's new political action committee: **CONSULTING ENGINEERS PAC**. Keith Angier and Mike Homan will serve as PAC Trustees.

It has taken a little time to get the PAC started due to new Oklahoma Ethics Commission statutes and rules which went into effect January 1st, but all of that has now settled out.

Your firm's "key" contact will receive e-mail information in the next few days, and then the Trustees will begin a fundraising campaign.

Please watch your email for this important information.

Thanks in advance for your attention and support of our Legislative advocacy program!!!!

TRUST Transportation Day Wednesday, March 11th



Please join fellow TRUST members for
2015 Transportation Day at the Capitol

Wednesday, March 11, 2015

*State Capitol Building, 2nd Floor Rotunda
2300 North Lincoln Boulevard*

12:15p.m.
Registration & Legislative Luncheon

1:15p.m.
Legislative Briefings
Blue Room

Sponsorship \$1,000 Individual Admission \$50

RSVP with Helra
HelraHan@gmail.com or (405) 802-8184
www.restoreTRUST.org/Events



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President's Report

March, 2015

David Raymond, ACEC President

With the 2015 Annual Convention in Washington fast approaching, we will need all hands on deck to help secure reauthorization of MAP-21, energy legislation, and tax and procurement reforms. This convention will not only be important from the standpoint of legislative advocacy, but will also feature important business practice and markets sessions, provocative speakers, and an exciting social program. We are in a new venue – the Marriott Wardman Park – which allows us to run a bigger and better convention program. Visit www.acec.org for Convention registration information and remember that the “early bird” discounts deadline is March 20th. Also, the Nominating Committee is soliciting applications for ACEC’s chair-elect and four vice-chair positions for terms commencing April 2016 on ACEC’s Executive Committee. I would encourage MO leaders who have been active in ACEC activities and who are interested in national leadership positions to seriously consider becoming candidates and submit their applications through state MOs to the national office by April 3, 2015 (Please feel free to call me if you wish to discuss this further).

General

- ACEC/Iowa scored a big victory, supported by the Minuteman Fund, securing a ten cent increase in the state gas tax (the first time the fee has been raised in 26 years) to support roads and bridges.
- The Minuteman Fund awarded a joint grant to ACEC/Metro Washington and ACEC/Virginia to support an amicus brief seeking Virginia Supreme Court review of a lower court ruling that design professionals have a duty to guarantee the representations made by manufacturers of products used in a project.
- ACEC/Hawaii has already reached its 2015 ACEC/PAC goal, joining Indiana as the first two states to cross the finish line.
- ACEC positions on infrastructure financing and Keystone pipeline highlighted in ENR.
- Testified before the House Small Business Committee in favor of reforms in the design-build procurement process for federal work, including limiting the use of single-step design build and reducing the shortlist on the two-step process.
- Senior Capitol Hill staff, the Corps of Engineers, and the EPA briefed ACEC’s Environment and Energy on new initiatives to expand water and energy markets.
- The House of Representatives passed ACEC-endorsed legislation that would permanently raise the Section 179 expensing level to \$500,000, and would also make it easier for S corporations that were previously structured as C corporations to access the firm’s capital without tax penalties.
- The State Department’s Bureau of Overseas Building Operations (OBO), USAID, and the International Financial Corporation briefed ACEC’s International Committee on market opportunities and program changes.

Government Advocacy

- Joined forces with industry allies in securing signatures of nearly 300 Members of Congress—including a majority of House Republicans—on a bipartisan letter to House Speaker John Boehner and Minority Leader Nancy Pelosi urging them to work toward a long-term transportation bill as soon as possible.
- ACEC/PAC hosted engineering industry meet and greets for newly elected Members of the U.S. House Transportation and Infrastructure Committee – Rep. Crescent Hardy (R-NV), Rep. Barbara Comstock (R-VA) and Rep. Mimi Walters (R-CA).



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