

Inside this issue:

RAMCA Elects New Board 1

Directory Updates Needed 1

General Assembly Convenes 2

2008 Dues In the Mail 3

Safety Programs Scheduled 3

OSHA Report Due 3

Traffic Control Training 4

Increase in Reverse Safety Requirements? 4

Damage Prevention Technology to Change 5

Locator Issues 6

Mediation, Try It 6

Richmond Area Municipal Contractors Association
1108 E Main, Suite 1200
Richmond, Virginia 23219
804-346-0522
804-346-8287 (FAX)
www.ramca.info

RAMCA Elects New Board of Directors, President Appoints Committees

At the November RAMCA Annual Business Meeting members heard reports from each of the association's standing committees, along with comments from outgoing RAMCA President Dave Cosby (Sovereign Paving) and the Executive Director. In addition, members elected the 2008-09 RAMCA Board of Directors, who will be recognized at the upcoming Annual Installation of Officers Banquet on February 16th.

A listing of the 2008-09 Officers and Directors is attached with this newsletter, and can also be found by visiting the RAMCA website at www.ramca.info. Should you have any issues arise during the course of the year that you believe deserve the attention of the RAMCA board, please feel free to contact any of your representatives listed, or the RAMCA office. We thank each board member for their commitment and service to RAMCA over the next two years.

President-Elect James Martin (J.H. Martin & Sons Contractors, Inc.) has also appointed his committee chairs for his two-year term. As President Martin pointed out in his letter to committee members, "RAMCA's most important work is accomplished at the committee level." A listing of committee chairs and members is also attached with this newsletter. RAMCA members, however, who desire to serve on any RAMCA committees are encouraged to contact the RAMCA office.

Directory Updates Require Your Immediate Attention

Every two years RAMCA prints and distributes a directory featuring information on the association, its members, and the services they provide. Copies are distributed to members, representatives of local and state government, elected officials, design professionals, owners, developers and a host of other important business contacts. Requests for directory updates have been sent to each RAMCA member. Your prompt response to this request for updated directory information is greatly appreciated. Once the deadline for responses has passed, your firm may not be included in the directory so please give this matter your attention. Receipt of 2008 dues is required for inclusion in the 2008-09 RAMCA Directory & Buyers' Guide. Should you have any questions or desire to advertise in the directory, please contact Judy at the RAMCA office.

2008 VIRGINIA GENERAL ASSEMBLY CONVENES

Virginia lawmakers are coming back to town on January 9th for a 60-day "long session" that looks like it will be dominated by the discussions of the Governor's proposed 2008-09 biennial budget and issues related to the Virginia Tech massacre. Democrats, emboldened by their takeover by one seat of the Virginia Senate, are doing some chest pounding regarding the need to revisit the whole issue of transportation funding, which was supposedly "addressed" last year by gluing together an array of sometimes unrelated revenue enhancements earmarked for transportation in order to avoid a general gas tax increase. RAMCA's Executive Director/ lobbyist feels that at best one of those unrelated enhancements – the abusive driver fees – may be tweaked or discarded but no broad effort to fully address Virginia's long-term transportation funding needs will survive the session.

As every RAMCA member knows, dedicated, long term and sustainable transportation funding is an essential ingredient for successful construction development in any sector of our economy. The jobs, business growth and quality of life of all RAMCA members and their employees are affected by transportation funding issues. For that reason RAMCA will continue to explore solutions that meet the test of dependable, sustainable funding.

And in what many believe severely diminishes the chances for any meaningful discussion of transportation funding at the 08 session, Governor Tim Kaine recently announced that as part of his budget proposal, he intends to borrow (divert) some \$180 million in General Fund money approved in the current fiscal year budget for transportation . He says there will be no net impact because when the money is needed for projects, Virginia's growing economy will allow for the funds to be returned to the Transportation Trust fund for their intended use. Many are now asking what will happen if the economy in the next twelve months is less robust than the Governor anticipates it will be. And Republican leaders in both the House and Senate are promising a fight to restore the funds.

Whatever happens at the 2008 General Assembly RAMCA, through its financial support of the Virginia Utility and Heavy Contractors Council (VUHCC) which includes our sister associations in northern Virginia and Hampton Roads, will be monitoring the session and lobbying on behalf of our members on a daily basis. Weekly legislative updates can be obtained by going to the Legislation/Members Only section of the VUHCC website at www.vuhcc.org. The Members Only password is politics. And a final legislative summary of actions taken at the 2008 session will be presented to attendees via this newsletter and at the March RAMCA General Membership meeting. Stay Tuned!!

2008 RAMCA Dues and PAC Requests in the Mail

2008 RAMCA dues and PAC invoices were mailed to all members in early December. RAMCA greatly values your membership and support of the association's many activities. So please take a moment now and renew your commitment to central Virginia's only regional utility, road and heavy construction association. Special discounts apply if payment is received before January 31st. Should you have any questions, please contact the RAMCA office, and thank you for your support.

RAMCA Safety Programs Scheduled

RAMCA began the New Year by announcing the scheduling of two of its most popular safety training sessions. The first was a General Construction Safety program scheduled for January 19th. This session was specifically designed for RAMCA members and covered basic safety requirements for utility, road, and site contractors. In addition, attendees were briefed on how to handle an unannounced OSHA inspection, and the new state interpretation regarding expanded liability on multi-employer worksites. The second session is the always-sold-out CPR/First Aid program which provides construction first aid training and certification required by state and federal safety laws. This session is scheduled for February 16th.

The CPR session mailing will go out in mid-January. Members are encouraged to take advantage of this low-cost, short-session winter training opportunity. Both sessions are presented by Mr. Jamie Accashian, President of Safety Consultants of Virginia, a RAMCA member firm that performs safety consultations and training for numerous RAMCA members. Space is allocated on a first-come, first-served basis so you are encouraged to register your attendees early. For more information contact the RAMCA office.

Federal/State Posting Requirements, OSHA Annual Report Due

At the beginning of each New Year it is always a good idea to review certain compliance requirements to order to avoid problems and fines in the coming year. RAMCA employers are reminded that the following state and federal posters are required to be prominently displayed at most work sites and that failure to do so can lead to criminal penalties as well as civil liability.

State Posting Requirements

Virginia Human Rights Act
Unemployment Insurance
Workers' Compensation Notice/Rules
Job Safety and Health Law

Federal Posting Requirements

Uniform Services Employment Rights Act
Employee Polygraph Protection Act
Equal Employment Opportunity Law
Family and Medical Leave Act
Federal Minimum Wage Act
Federal OSHA

While unaffiliated with RAMCA, all posters can be purchased locally by contacting the Virginia Labor Law Poster Service in Richmond (1-877-321-4144). In addition, there are numerous other services online that can help ensure your company's compliance with this ever-growing list of posting requirements.

RAMCA members are reminded that federal OSHA requires all employers to post the summary (OSHA Form 300 A) of the total number of job-related injuries and illnesses that occurred the previous year. The report must be posted from February 1st to April 30th, 2008. In addition to the total numbers, employment information about your average number of employees and total hours worked is required in order to calculate the accident incidence rate. Companies with no recordable injuries or illnesses during 2007 must still post the form with zeros in the Total line. All summaries must be certified by a company executive.

Work Zone Traffic Control Training

Contractors needing specific and basic training in work zone traffic control should also consider attendance at a special program presented by the Virginia Center for Transportation Studies on February 14th in Charlottesville. This session is the same training required of certain VDOT personnel as required by federal mandates to train personnel in work zone traffic control relevant to properly installing and maintaining short-term work zone operations. Emphasis will be placed on traffic control, work zone devices and how to effectively install and maintain them. At the conclusion of this workshop, a short open-book written exam will be administered to all attendees and a VDOT-issued training card will be given to each attendee who achieves a passing grade of 80% or higher.

The instructor team is led by David Rush, Work Zone Safety Program Manager for VDOT. The fee for this one-day class, which includes the session, all course materials, and meals is \$85. For more information contact Jane Carlson at 434-982-2897 or ltap@virginia.edu.

State Proposes Increasing Current Truck Reverse Safety Requirements

RAMCA recently learned that Virginia OSHA was proposing to exceed federal OSHA requirements by requiring both a back-up alarm and an "observer" when trucks, and a host of other potential vehicles with somewhat obstructed rear views, operate in reverse. Current state and federal safety requirements only require one or the other of these two options.

RAMCA has formally expressed our concern regarding this proposed change, and has alerted a host of other associations who have raised similar doubts about the merits of this proposal. Any time Virginia feels it must require more than the federal safety law requires, RAMCA's ears go up! In this case your association believes it will be hard to justify the cost of implementing this change given the suggested safety benefits. In fact, RAMCA believes that requiring thousands of new employees to stand behind vehicles backing up may in fact lead to an increase in injuries and deaths associated with back-up accidents.

As a result of RAMCA's efforts, state OSHA has agreed to re-open the comment period and hear additional testimony on this matter before consideration of its adoption. RAMCA's Executive Director is expected to testify at the upcoming hearing, and RAMCA will keep you posted on the outcome of our efforts. A copy of RAMCA's letter to state OSHA officials is enclosed.

www.ramca.info – Use It!

Hundreds of hours have been spent, and significant time continues to be spent each month, making sure that the RAMCA website remains an accurate and informative tool for members and users of RAMCA member services. When is the last time you spent a few moments "surfing" around the RAMCA website? Aside from current and future information on the association's activities and events, there are links to dozens of important sites that you need access to. So take a moment and check it out and most importantly, make sure your company information is accurate. Details on your company can be found in the Members Only section of the site. The password to enter this portion of the site is info.

Technology About to Change Underground Damage Prevention

Excavation damage continues to be a leading cause of damage to underground facilities. It was cited as the cause in over 15% of all pipeline incidents in 2006. Effective damage prevention programs are necessary to prevent damages to underground facilities and to ensure public health and safety, environmental protection and continuity of vital services. All stakeholders, including the public, share responsibility for, and the benefits of, damage prevention. Although much has been done to address excavation damage, it continues to be a problem.

So in 2005, Virginia's State Corporation Commission took the lead in establishing a pilot project to enhance the one-call damage prevention process through the use of GPS-enhanced electronic white-lining technology. Contractors in northern Virginia and the Tidewater region volunteered to test the technology. The results indicate significant improvements in the costs and efficiencies related to implementing one-call damage prevention programs. These in turn should lead to improvements in the benefits of such programs to all stakeholders and to significant improvements in underground facility safety. Consider the following:

The number of locate notification tickets issued was reduced by 8.04%.

The average notification area for locate requests was reduced by 89.42%.

3-hour notices were reduced by 56.78%.

Cancelled locate requests were reduced by 36.51%.

The need for extended marking schedules was reduced by 66.22%.

Locator responses of incorrect addresses were reduced by 32.60%.

Locator responses that the scope of work is larger than allowed by Virginia law were reduced by 100%.

Locator responses that marking instructions are unclear were reduced by 91.80%.

The Pilot Project provided a more efficient locate request process, ensuring that locate requests were processed in a more timely and accurate manner. Preventing incidents that can cause serious injury and even death is paramount. Preventing outages of vital energy pipelines, electric services, telecommunications networks, and water supplies is also extremely important. Improving the damage prevention process through the application of this new GPS technology has now been shown to work, and RAMCA contractors will soon be asked to participate in this program as its use spreads throughout the state. RAMCA believes that in a few short years all locates will be called in and accomplished using GPS technology. So the sooner you get on board, the easier the transition will be!

Visit the link on the RAMCA website home page on this subject for more detailed information on this project, and how it may benefit your firm.

RAMCA Officers

President
James H. Martin, Jr.
J.H. Martin & Sons Contractors

Vice President
Steve Rhyne
Rhyne Contractors, Inc

Secretary/Treasurer
J. Michael Todd
Keiter, Stephens, Hurst, Gary &
Shreaves

Immediate Past President
Dave Cosby
Sovereign Paving, Inc.

RAMCA Directors**Contractors**

J. Alvin Collins, Jr.
McLane Construction Company

Johnny Glazebrook
Branscome Richmond.

Chris Shelton
Shelton Corporation

Richard E. Smith
RJ Smith Construction

Associates

Ken Powell
James River Equipment VA, LLC

Hardy Josephson
Luck Stone Corporation

At Large Directors

Lee White
Draper Aden Associates

Wilson Whitehurst
Whitehurst Paving

Staff

Executive Director
Mark I. Singer

Office Manager
Judy Frederick

RAMCA Insists Locators Do Their Jobs

In a recent letter to the State Corporation Commission (see attached), RAMCA expressed concern at the alarming number of instances of contractors calling Miss Utility for underground locates, only to have those locate responses not occur in a timely fashion or in some instances be totally falsified (i.e. locator indicates site is clear when no actual locate occurs). Fortunately, this problem is not widespread and for the most part locates do occur in a timely and accurate fashion. But the danger to life and property, and the potential for down time when false or late locates occur, require the immediate attention of all stake holders. RAMCA members are urged to contact the RAMCA office if they experience any of these, or other significant problems associated with underground locates.

MEDIATION – TRY IT!!

For some two years RAMCA has worked on ways to allow member contractors to resolve disputed claims for underground damages. That effort yielded a pilot study using mediation rather the courts or collection agencies to resolve these issues. In most instances, disputes are resolved to both parties satisfaction within one month of initiating the process. Costs rarely exceed \$300 and all mediators have been trained in Virginia's damage prevention law and regulations.

If not enough contractors have at least TRIED this approach to resolve their damage prevention claims, this option will simply fade away at the end of the eighteen-month pilot program due to lack of interest on the part of excavators. That would be a huge step backward for our industry.

RAMCA CONTRACTORS ARE STRONGLY URGED TO AT LEAST TRY THIS NEW MEDIATION OPTION ONE TIME TO DETERMINE IF IT REPRESENTS AN IMPROVEMENT FOR YOUR COMPANY WHEN FACING CLAIMS FOR UNDERGROUND UTILITY DAMAGES.

Upcoming Events

- January 19th – RAMCA Construction Safety Seminar
- February 16th – RAMCA First Aid/CPR Training Session
- February 16th – Annual Installation of Officers Banquet
- March 13th – RAMCA Board of Directors Meeting
RAMCA General Membership Meeting