

## **AGC of Minnesota Update to All Members for the Week Ahead (December 5, 2011)**

### **Toys for Tots Update**

A sincere thank you to all who generously brought toys, games, cash, and checks to AGC's annual Holiday Reception yesterday. The collection was a resounding success – we collected \$1,500 in cash and checks, more than doubling last year's campaign. Checks and a car full of great kid items will be going to KARE11 TV. AGC's Construction Leadership Council (CLC) will be presenting our donations tonight during the 5:00 p.m. news. Watch for them!

### **Notice to All Members – Amendments to Articles of Incorporation**

At the Annual Meeting on January 25, the Board of Directors and general membership will be asked to approve amendments to the association's current Articles of Incorporation. Please see the attached for a summary of the proposed changes and the proposed new Articles.

### **New Federal Rule Restricts Use of Handheld Mobile Phones By Commercial Motor Vehicle Operators**

In today's Federal Register (attached), the Federal Motor Carrier Safety Administration has published a new federal rule that amends the Federal Motor Carrier Safety Regulations (FMCSRs) and the Hazardous Materials Regulations (HMR) to restrict the use of handheld mobile telephones by drivers of commercial motor vehicles (CMVs). The rulemaking is intended to improve safety on the nation's highways by reducing the prevalence of distracted driving-related crashes, fatalities, and injuries involving drivers of CMVs. The Agency also amends their regulations to implement new driver disqualification sanctions for drivers of CMVs who fail to comply with this restriction and new driver disqualification sanctions for commercial driver's license (CDL) holders who have multiple convictions for violating a state or local law or ordinance on motor vehicle traffic control that restricts the use of handheld mobile telephones. Additionally, motor carriers are prohibited from requiring or allowing drivers of CMVs to use handheld mobile telephones. This rule is effective January 3, 2012 and enforcement can start on that date.

### **State Budget Forecast Shows Surprisingly Large Surplus**

The November state budget forecast released this week by the State Office of Management and Budget yielded a surprising \$876 million surplus of forecast revenue. Speculation leading up to the announcement had budget watchers anticipating a large deficit in the \$500m-\$1b range. The strong economic forecast came just five months after state leaders managed through a difficult \$5 billion deficit by enacting a mix of service reductions, borrowing from public schools and private lenders – all following an unprecedented 20-day state government shutdown.

The surprisingly good budget news was tempered by the reality of state law that dictates the surplus go to refill the state's cash flow account and tapped-out budget reserves. Additionally, none of the surplus will be used to repay public schools the more than \$2 billion they are owed by the state and it will likely take years of strong budget forecasts before rating agencies restore the state's battered credit rating. The surplus projection was also accompanied by a less welcome prediction: A \$1.3 billion deficit for 2014-15, and a greater than normal chance of recession in 2012. The complete MMB November Forecast is available at <http://www.mmb.state.mn.us/doc/fu/11/complete-nov11.pdf>.

### **Mn/DOT Releases Draft Specifications – Comments Requested**

The Minnesota Department of Transportation has opened for review the Draft 2012 Standard Specifications for Construction, available at <http://www.dot.state.mn.us/pre-letting/spec/2012/2012index.html>. If you have comments regarding how to improve the standard specifications, please follow the link on that page and fill out a survey. Please limit each survey response to a single suggestion topic and be as detailed as possible. If you have multiple comments, please complete a survey for each comment.

The purpose of the surveys is to collect feedback regarding the language of the standard specifications that may be considered ambiguous, repetitive, inconsistent, conflicting, unclear, or incorrect. Because Mn/DOT desires transparency in this process to ensure the comments are legitimate and to obtain potential clarification of the suggestions, the industry feedback received will not be held confidential. Comments will be accepted until Friday, **January 6**.

### **MPCA Encourages Compliance With Stormwater Sampling**

All industrial stormwater permittees are required to start collecting quarterly stormwater samples one year after they receive permit coverage. As of last week (11/18/11), nearly half of all permittees required to collect a sample and submit results on a Stormwater Monitoring Report Form (SWMR), or provide an explanation as to why they were unable to, have not yet done so. Further, another 25% are missing results/data on a previously-submitted SWMR. That means that 349/565 permittees required to submit a completed SWMR by October 21 did not do so. The December 2011 Industrial Stormwater e-newsletter will feature this monitoring compliance issue. If you're not currently a subscriber, visit [www.pca.state.mn.us/industrialstormwater](http://www.pca.state.mn.us/industrialstormwater) and click on Sign up for "Industrial Stormwater" in the upper right. Subscribers will receive the e-newsletter on or around December 1.

As a result of this compliance issue, the University of Minnesota will hold a sampling training workshop on Tuesday, **December 13**. It will focus on information about sampling requirements, including a demonstration on how to collect a sample, and other compliance issues. To register for the workshop, download the [brochure](#).

### **Blueprint MN - A Look at Our Aging Water Infrastructure**

For nearly two years, a group of industry volunteers have been busy developing a storyboard and collecting video footage to tell the story of a very serious problem in Minnesota - its aging water infrastructure. Stormwater, waste water and our drinking water systems are old and failing. Regardless of small towns or large cities, the fact that these systems are failing threatens the public's health and our environment. This near crisis situation is not unique to Minnesota but is mirrored in nearly every other state in the U.S.

Twin Cities Public Television (TPT) will be airing a one-hour documentary that describes the current water infrastructure situation and brings to light what needs to be done to get back on track. AGC of Minnesota is proud to be a sponsor of this program and also helped to collect some of the construction video that clearly shows what is at stake.

For a complete description of the Blueprint MN effort, a listing of the TPT program show times and a quick peek at the program

(via a 3 minute YouTube clip), click on the following link: <http://blueprintminnesota.com/blog/>.

For any other questions, contact Dan Hannan at 651-796-2192 or [dhannan@agcmn.org](mailto:dhannan@agcmn.org).

### 93<sup>rd</sup> Annual Meeting

Mark your calendars now for the AGC of Minnesota 93<sup>rd</sup> Annual Meeting, to be held Wednesday, **January 25**, at the Minneapolis Marriott Southwest. The keynote speaker will be Steve Siemens, a behavioral speaker and author. Learn more about Steve and his dynamic presentations at [www.thepeoplebuilder.com](http://www.thepeoplebuilder.com).

How can you support your association's most important event of the year?

- Attend – registration information will be available shortly
- Sponsor – sponsorship information, not just for the Annual Meeting but for all of 2012, is attached
- Donate items to the silent auction – information is attached
- Exhibit – information is attached

### Nominate an Outstanding Member

Nominations for the Skill-Responsibility-Integrity Award and the Lifetime Achievement Award, to be presented at the Annual Meeting on January 25, are now open. Nominations will close on Friday, **December 16**. Please consider nominating a fellow AGC of Minnesota member you feel exemplifies the qualities these awards represent. The nomination form is attached.

### Bonding, Financing, and Good Faith Effort

How? Maximize the prime contractor and subcontractor relationship through assistance with bonding, financing, DBE/WBE/MBE programs, exceeding Good Faith Effort for minority and woman participation, and maximizing subcontractors' participation in Workforce Compliance Goals. Join us for informational meetings with member North American Construction Services, Inc. (NACS).

When? Over breakfast on Tuesday, **December 13**, from 8:30 am – 10:00 am or over lunch on Wednesday, **December 14**, from 11:30 am – 1:00 pm

Where? AGC of Minnesota office, 525 Park St. #110, St. Paul, MN 55103 – free parking

Who? Attendees should include senior leadership, risk management and diversity staff. See the attachment.

RSVP to Jane Sanem – [jsanem@agcmn.org](mailto:jsanem@agcmn.org) – 651-796-2187

### 10% Staples Discount for AGC Members

A 10% discount is available at Staples retail stores **December 4 – December 10**. [Follow this link to visit the Staples website](#) to learn more about the discount and the many product offerings available to you. If you haven't registered for the Staples program yet, go to [www.myntpp.com](http://www.myntpp.com), call NPP at 1-800-810-3909, or contact Jane Sanem – [jsanem@agcmn.org](mailto:jsanem@agcmn.org).

### AGC Bookstore Monthly Featured Products – Construction State Law Matrix – Save \$100

Through its on-line bookstore, AGC of America offers monthly featured products, available at a discount to AGC members. A link to the bookstore is available through our home page, [www.agcmn.org](http://www.agcmn.org), or at <http://store.agc.org?Affiliateld=AGCO254>.

Available for a reduced price of only \$49 (a savings of \$100), the Construction State Law Matrix is the most comprehensive and concise resource available for locating information on state laws affecting public and private construction projects. Updated annually by AGC and the national law firm of Smith, Currie, and Hancock, LLP, your annual subscription provides access to searchable information and answers for all 50 states, DC, and Puerto Rico. Your purchase provides instant access from a web browser on any computer or mobile device to information that can be easily sorted by state or topic area. Topics covered include requirements for licensing, bidding, contracting, lien, payment, and more than 60 other topics.

This item is available at a \$100 discount through December using coupon code WeeklyFeature.

### Boyd Stofer

Boyd Stofer, a leading Twin Cities real estate developer, passed away earlier this week. Many AGC members may have worked with Boyd during his 33-year career. A memorial service will be held on Saturday, December 3, at 3:00 pm at Plymouth Congregational Church, 1900 Nicollet Avenue, Minneapolis.

### iSqFt Subscribers

If you are an iSqFt subscriber, remember AGC of Minnesota members receive a discount. Check when you renew your iSqFt subscription that you are receiving the AGC discount. If you have questions, or want to know about member discounts for other products and services, please contact Jane Sanem at [jsanem@agcmn.org](mailto:jsanem@agcmn.org) or 651-796-2187.

### Projects in the AGC of Minnesota Internet Plan Room (IPR), Powered by iSqFt, on December 2, 2011

**Planning: 646, Bidding: 118, New Projects in the last 7 Days: 56, Projects with Plans: 375**

Project details, plans, and specs are available at [www.isqft.com](http://www.isqft.com). Ask for a free trial – **AGC members get a discount!** For a list of 118 bidding projects posted on December 2, use this link: <http://www.agcmn.org/files/This%20Week's%20Bidding%20Projects.pdf> or go to [www.agcmn.org](http://www.agcmn.org).



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