



“CONSTRUCTING A WAY FOR A BETTER FUTURE”

ECA NEWSLETTER

JOHNS SOAPBOX

John’s Soapbox, I am stating the opinion of myself in this Soapbox



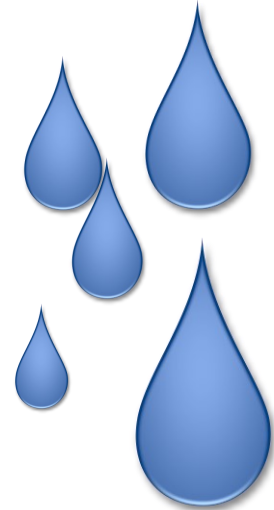
Skilled Worker Shortage Continues

It is my contention that the City of SR has some serious dollars available for letting TPW and Utility projects go to bid on the street, but there is some delay in doing so. Either there is no funding available, or projects are hitting the street, or there is a delay in getting projects to the street. I firmly believe it is the latter. What could be the cause of delaying projects hitting the street? I have heard everything from right of way issues, to environmental scoping by native tribal consultants, to a lack of engineering expertise in certain areas. I say the private sector suffers from the same lack of skilled people, yet we figure it out. I want our municipalities to do the same.

I have had recent discussions regarding the lack of public works projects in the Santa Rosa going to bid that concern utilities and public works that our guys work on. Although it is true that the City has recently bid some very big TPW projects, the fact is, those projects do not involve our contractors and suppliers (as an example, a UV disinfection system upgrade was issued recently at the Llano Road Wastewater plant for over \$80 million and several sewer trunk lining projects are ready to start but none of our guys do that work). So where are all the utility and TPW jobs to fix sewer, water and roadways?

Years ago, the city used to meet with the ECA on a fairly regular basis with a list of infrastructure assets and their expected life expectancy of those assets (roads, water lines, sewer lines). This is how you all do your budgets at home, and how you figure out your needs to replace your firm’s assets such as equipment, tools, computers, etc. It is a common way to budget and forecast. I believe the list still exists somewhere, but apparently; we are not able to see it anymore.

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A larger issue that continues to plague municipalities, some worse than others, is the lack of qualified and experienced engineering staff that can “scope” a project and take it from scoping to design to bid. I am told that staffing is only at 50% for key engineering staff in SR. This is a subject that I have written about before, held a workshop/seminar with the City of Santa Rosa (particularly impacted by loss of institutional knowledge and experienced engineering staff over the last few years), and had many discussions with city staff and management. We discussed possible collaborative remedies for the problem such as design build, outsourcing, and restricting the need for 30% and 70% drawings to be made as part of the design process. I have also suggested the City can save long term dollars by considering doing less work with their own employees and equipment and outsourcing the work (corp yard and maintenance work) to private firms such as ours. I recognize this would be an issue with labor unions but if the work is still done by private union members rather than City union members, I think the argument could be moot.

The problem of staffing is complex and is not easily solved in the short term. Private firms have similar issues to face.

If your firm relies on TPW and utility projects coming to the street to bid, and there is a delay in getting those to the street, our firms have to decide what to do about staffing needs while facing a delay in public projects. This Soapbox is more about thinking long term rather than short term for your (and the City’s) staffing needs. I suggest that the city should be hiring more staff, and I suggest that private firms need to think long and hard about cutting staff because replacements may be very hard to find when the work finally comes back.

The city is going to do a comprehensive survey and analysis of their salary structure for all personnel. The expected outcome of this survey (in my opinion) is that the City of SR will probably determine they are not offering the top engineering prospects a good package and good young engineers are choosing other municipalities or the private sector to start or continue their careers. As an example, the 1% sales tax measure passed two years ago in Petaluma has revitalized their funding for street work, and their ability to attract and pay more for top engineering prospects (even though there is a guideline that is in place between the unions and the city). The City of SR may find from their survey results, that one thing they need to do, is to “beef up” their offer sheets to attract and retain talent. Unfortunately, the survey will take time to do, then the recommendations will take courage and dollars to enact any kind of “fix” that will make a big difference. The solutions that are needed could take 2-3 years to get any results in my opinion. That means the City of SR will continue to operate with being understaffed to the tune of about 50% for engineering talent (if my opinion is correct that they are that understaffed). This will continue to delay TPW projects going out to bid in my opinion.

Continue on page 3

Other municipalities are not immune from the problem of retaining key staff and attracting key employee talent. Nor are private engineering firms and contracting firms. Being creative in retaining and attracting the best new talent should be, and is, a difficult and primary need for most of our ECA member firms. In the next few weeks, I will be sharing some of the creative efforts that are being seen by municipalities trying to retain and attract talent. In the meantime, be careful to let go personnel that have institutional knowledge, experience, and potential for growth in your firms. There is a shortage and if you choose to let certain folks go, you may not be able to fill their departed duties without major reorganization efforts.

Skilled worker shortages continue. Period. Be aware and be flexible in retaining key employees!

That's All Folks!

John

It saddens us to announce the death of [Donald Wayne Hunsperger](#) Wayne worked at the City of Santa Rosa until he retired in 2005.

COMMITTEE NEWS

1. **ECA Executive Meeting** (1st meeting of the year!) to be at 10:00 AM on January 17 at the NCBE small conference room-this is a one-time SPECIAL TIME
2. **ECA Board Meeting** (1st meeting of the year!) to focus on strategic planning for the 2023 year to be held from 11:00 to 1:30pm on January 17 at the NCBE Board room.
3. **Car Show Committee**-led by Walt Turner, the Car Show committee has its first meeting of the year to plan for the Father's Day Car Show at Julliard Park in Santa Rosa. The 1st meeting will be held at NCBE on 1-12-23 at 4pm.
4. The **Government Affairs Committee**-led by Art Deicke will have its first meeting of the year on 1-18-23 at 3pm, location is NCBE. Special guest will be Victoria Fleming (newly elected City of Santa Rosa Council Member).
5. The **ECA Specification Committee**-led by Casey Wood of GBI and Dale Smith of RCX, will hold its 1st meeting of 2023 at the NCBE on 1-18-23 at 4pm. Issues to be discussed will be public works spec issues including contract closeout, pay estimates, and clear submittal requirements and whether submittals are just for information or need to be reviewed and approved.
6. **ECA Auction Committee** has no meeting scheduled, but will soon. If you would like to join the Auction Committee please email mary@nceca.org

NEWS THAT YOU CAN USE:

Survey: Contractor spirits buoyed by federal spending

The outlook among contractors for public-sector construction remains favorable in the new year, although activity elsewhere is expected to lag, according to a forecast based on responses from more than 1,000 members of the Associated General Contractors of America. "Many contractors hope to finally see the benefits of a flurry of new federal investments in infrastructure and construction," AGC CEO Stephen Sandherr says, citing funding under the bipartisan infrastructure law, the CHIPS Act and Inflation Reduction Act. **Full Story:** [Engineering News-Record \(tiered subscription model\)](#) [Houston Chronicle \(tiered subscription model\)](#) [The Denver Post \(tiered subscription model\)](#)



The Northern California Engineering Contractors Association

cordially invites you to attend our

44th Annual Installation & Awards Dinner

DoubleTree by Hilton Sonoma Wine Country

One Doubtree Dr., Rohnert Park

Saturday, February 4, 2023

Sustaining Member Sponsors



Premier Sponsor & President's Reception



President's Champagne Reception 6:00 pm

Dinner & Awards 7:00 pm

Coffee, Dessert, Port & Cigars 9:00 pm

Welcome incoming President:
Antonio Mencarini, Ghilotti Construction &
The 2023 ECA Board of Directors

We will be also honoring
Volunteer of the Year
Jeannine Clary, Argonaut Constructors
Contractor of the Year
Dick Ghilotti, Ghilotti Construction
Affiliate of the Year
Raul Valdivia, Valdivia Trucking
The **Hermesmyer Hall of Fame Award**
will be awarded to Robert Lee, Team Ghilotti
Posthumous – Ed Winters, Argonaut Constructors

To sponsor click [HERE](#). To register click [HERE](#)

Thank you to:

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[Northgate Ready Mix](#)—Dinner Wine Sponsor

Jim Persons, Safety Pride—Bar Sponsor

Emergency Response Manual for 2023—2024

Now is the time to assure your ad is included!

There is still time to get your information in!!!

Every two years ECA gathers information we believe will be valuable to city officials, our associates, business partners, and the general public.

In the event of an emergency, we would like you to have information available that will help those that need it in the fastest way possible.

Should you be in need of assistance in the following areas, our members can help you! This manual will include in alphabetical order, who to contact for: • Counties Served • Services • Equipment • Materials

Obviously, we hope that an emergency situation will not be the reason you need to contact our members, but at least this will help you if the circumstance does arise.

No cost to be included in the manual

To be included in the Emergency Response Manual click [here](#)

To have an ad in the Emergency Response Manual click [here](#)

The application for the North Bay Construction Corps are now open! The North Bay Construction Corps (NBCC) is an after-school, 3-month basic construction training program for seniors in their last semester of high school. Classes are held on Saturdays in April and May and are taught by local contractors and construction managers. Participants are introduced to a variety of trades and earn certifications in Personal Protective Equipment and CPR/First Aid. Every year, nearly all Corps members who want to work in construction are offered a job at the graduation ceremony and interview event on the last day of Boot Camp. For more information or to apply for the 2023 North Bay Construction Corps program, visit www.ncbeonline.com/nbcc

For more information about the 2023 North Bay Construction Corps program or to request a presentation to staff or students, contact Nicollette Weinzveg, Director of Workforce Development and Education at (707) 542-9502 or workforce@ncbeonline.com click [here](#) to apply online—Due February 10th



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WORKER'S COMPENSATION

Worker's Compensation Endorsement By ECA-

HELLO!!! HAVE YOU ASKED YOUR HUMAN RESOURCES PERSON TO CHECK OUT THE WORKERS COMP PROGRAM ECA HAS ENDORSED? Everybody likes to save money, don't they? Doesn't cost you a thing to consider this as an option! Jeff Okrepkie at 707-360-4338.



George Petersen Insurance Agency

FIRE CLEAN UP LIST:

The Sonoma County Environmental Health Department, Transportation and Public Works, and James Gore's office are utilizing the ECA as a resource for debris testing, and debris cleanup for fire victims from the Kincadee Fire. Please review the list that has been provided to the fire victims and the County, of ECA Firms that are interested and listed in various categories as being helpful in the fire aftermath. This is another benefit for ECA members and if you want to be included on the list, and are not, please contact mary@nceda.org. There is no charge for this. You can access the list by clicking [here](#):

EMERGENCY RESPONSE MANUAL

Emergency Response Manual is now available online!

In the event of an emergency, we have put together this manual to help our community receive quick service from our members.

Thank you to our sponsors for helping to get this manual completed. It is sent to city and county agencies in case of an emergency so they will know who to call for services, equipment and materials.

Click [here](#) for the manual.

Continued from page 3—News that you can use

I have received several inquiries into prevailing wage designation for trucking on haul and off haul for public works projects lately. We are trying to schedule a seminar with Smith Dollar and the Department of Industrial Relations (State of California) to clear up issues pertaining to recent clarifications and confusion regarding trucking prevailing wage. Until we do, here is some very recent news on hauling materials onto a public works site for you:

January 4, 2023

As we roll into 2023, we continue to receive questions on what, if any, impact AB 1851 has on the industry and day-to-day operations. The detailed explanation below serves as a primer of what happened and what, if anything, your company needs to do.

The Basics: What Happened?

*Effective January 1, 2023, [AB 1851](#) codifies into law a longstanding enforcement interpretation from *O.G. Sansone v. DOT* (1976) and *Williams v. SnSands Corp.* (2007) that prevailing wage coverage applies to "the on hauling of materials used for paving, grading, and fill onto a public works site, if the individual driver's work is integrated into the flow process of construction."*

Simply put, AB 1851 imported the longstanding interpretation of prevailing wage hauling coverage into Labor Code. Therefore, AB 1851 actually maintains the status quo for prevailing wage hauling coverage on public works. Clearing Up the Confusion

*One area of confusion for some is that in August 2021, Sansone was actually overturned by the California Supreme Court under *Mendoza et al v. Fonseca McElroy Grinding Co. et al*. However, the DIR and awarding bodies never issued any new guidance, and most contractors did not change their business practices.*

Another area of confusion stems from the claim that, under AB 1851, prevailing wage coverage does not apply if the truck driver does not exit their vehicle during delivery. However, it is not advised to operate under that interpretation since it is not corroborated by the law, legislative history, or any interpretation from the DIR or other enforcement agencies. ~ continue on page 8

From the Desk of Jim Persons

Hazard Control for Lasers

The type of laser which has found the greatest use in the construction industry has been the helium neon gas laser. Its beam has been used to project a reference line for construction equipment in such operations as dredging, tunneling, pipe laying, bridge building and marine construction.

Click [HERE](#) to read more



Expert COVID-19 Safety info Available at a Discount

The Shelter in Place Orders issued by County Health Officers in Sonoma, Napa, and Mendocino - as well as the Governor, have highlighted for the building industry the need for all contractors to have an up-to-date written COVID-19 Exposure Control Plan.

This should be an addendum to your IIPP and safety meetings for COVID-19

Jim Persons, SafetyPride, an ECA member who serves as a consultant and safety instructor for ECA, is offering his services to our members and they will receive a 40% discount on his regular rates if you are a current member of ECA.

Contact Jim if you are interested in getting his help on COVID-19 related issues or other health and safety programs. email: jimpersons@safetypride.com or phone: 707-889-0881



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ECA SAFETY TRAINING CLASSES

CPR / First Aid

Wednesday, February 1

9 am – 11 am

Instructor Larry Richmond Jr., Mill Creek Safety

Training includes bleeding control, strokes, seizures, broken bones and other life-threatening emergencies. Adult/child/infant CPR & airway obstruction management covered. This course is designed as both a course for first-timers and as a refresher. Click [HERE](#) for flyer...

Competent Person / Trenching & Excavation

Wednesday, February 1

1 pm—3 pm

Instructor Larry Richmond Jr., Mill Creek Safety

The course will cover soil analysis, sloping, shoring and shielding, hazardous situations, excavation, standards and more... Click [HERE](#) for flyer

Continued from page 6 - News you can use

What Else Do Contractors Need to Know?

While AB 1851 simply restores a previous interpretation (Sansone), not all contractors, truckers or suppliers have been following it consistently. Some have continued to rely on outdated guidance such as owner-operator exemptions or material supplier exemptions, and the DIR has not updated their [Off-Site Hauling FAQ](#) or the on-/off-haul information in their [Public Works Manual](#) in many years.

AB 1851 does not, however, include any greater clarity on what exactly is meant by "integrated into the flow process of construction," such as a definition of the timeframe, or if rehandling of materials has any bearing on this. Interpretation of these variables could vary by different awarding bodies, as has always been the case.

What Should Contractors Do?

For now, it's advisable to maintain your past practice regarding prevailing wage coverage for hauling, so long as it has been compliant in the past.

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Application for appointment to the Citizens Oversight Committee

Residents of Marin and Sonoma counties are invited to [apply for appointment](#) to the SMART Citizens Oversight Committee (COC). The nine-member COC is an advisory committee established by the SMART Board of Directors and is comprised of private citizens who collectively represent the diversity of Sonoma and Marin County. Click [here](#) to apply

Northern California Engineering Contractors Association

The ECA, and its Board of Directors, has been the voice of the engineering construction industry for over 40 years.

The foundation of the ECA has been to address local needs and issues.

The purpose and goal of ECA and its staff are to provide services to the members that help them run their businesses safely, efficiently, and in compliance with the many rules and regulations and mandates of government.

The working committees are the heart and soul of the ECA. The committees are comprised of ECA members.

The committees promote events that enable the ECA to fund community projects that include: Fathers Day "Show & Shine" Car Show, Public Officials Night, the Golf Tournament, and, the "Days of Wine & Dozers" Auction Dinner.

If you would like to join a committee, please email mary@nceca.org ~ We would love to have you!



Northern California Engineering Contractors Association

John Bly, Executive Vice President
email: john@nceca.org

Mary Kennedy Cabrera, Member Services Director
email: mary@nceca.org

Cheryl Long, Bookkeeper
email: cheryl@nceca.org

Postal Address: P.O. Box 8249 Santa Rosa, CA 95407 ~Phone: 707.546.5500

