

# PIPELINE NEWS

Suncoast Utility Contractors Association Newsletter

July 2016



## SUCCESS ON CAPITAL HILL @ The Annual NUCA Washington Summit.

SUCA Executive Board took on the  
Capital with important advocacy issues on  
May 25th, 2016.

### *Inside this issue:*

*Letter form the  
Chairman*

*SUCA Showcase*

*Washington Summit*

*Bid Specification  
Protest Article*

*Chartered Fishing Trip*

*Calendar of Events*

*Get To Know Your  
Board Members*

*Safety News*

*Scholarship Winner*

*NUCA Fall Leadership*

letter from the  
chairman

SUCA's trip to Washington D.C. for NUCA's D.C. Summit was quite the success. We had five members attend, and had eight appointments—three of which were not with aides, but with the congressmen themselves. NUCA prepared us very well to meet with our legislators and discuss three major issues.

The first issue is ***Invest in America's Infrastructure***. The key components of this investment are supporting the Water Resources Development Act, the State Revolving Fund Reauthorization and lifting the cap on Private Activity Bonds. All three of these measures fund infrastructure spending, in slightly different ways.

The second issue is ***Promote Workforce Development and Training***. The focus of this issue is promoting more trade and vocational training in order to keep our workforce strong and able. There is also proposed legislation that would allow federal student financing for vocational/technical training.

The third issue is ***Curtail Job-Killing Regulations***. These regulations are OSHA's Silica Rule, which was just passed and will go into effect next summer and overriding the veto of WOTUS. Both these regulations will severely burden our industry—the use of the phrase “job-killing” is not an embellishment.

I encourage you to check in with our legislators and let them know that we are watching to ensure they support the construction industry. If you happen to contact the office of David Jolly, Richard Nugent or Gus Bilirakis, please let them know that we appreciate that they took the time to meet with us. We welcome all the appointments we can get, but the one-on-one appointments are the most meaningful, and show that the legislators acknowledge that we are as important to them as they are to us.

Links to all the information we received at the Summit can be found here: <http://www.nuca.com/summit> .

It is important that we attend these events to support our industry, but it is also quite fun. When we show up at an office, we are the experts. As much as they are the ones considering the legislation, we are the ones that really educate them on the effects of the legislation. Please do not hesitate to reach out to our legislators and voice your opinion—they will pay attention and our opinion does carry weight.

The August Recess just started. Our representatives will be available at their home offices until September 5, 2016. This is a great opportunity to schedule an appointment without having to travel to Washington D.C. If you do schedule an appointment, please let Theresa Mannix know. If you need help scheduling an appointment, Theresa will be glad to help ( [tmannix@suca.org](mailto:tmannix@suca.org) ).

As a result of all your support SUCA is one of the largest and strongest chapters in the nation. Let's use that strength to our advantage—call your legislators, join us at meetings, and we'll remain vibrant and respected. One small thing we can all do to help remain strong is to ***do business with SUCA members***. By doing so we all work towards bettering our industry.

- Thomas Butler



# 2016 SUCA SHOWCASE



## Grand Door Prizes:

**50" Flat Screen TV & YETI Cooler**

Door Prizes all night! Approximately 50 Gift Cards totaling over \$2,000 will be given away

On display will be the latest technologies, products and services being offered by the leading manufacturers and suppliers in the utility construction industry.

- FREE Hors d'oeuvres
- Cash Bar
- Give-Away Bag
- 50/50 Raffle
- Grand Door Prizes!
- 50" Flat Screen TV
- YETI Cooler

**WHEN:**  
**Thursday**  
**August 11th, 2016**  
**Showtime 4-7 pm**

**WHERE:**  
**DoubleTree Hotel**  
**4500 W. Cypress St.**  
**Tampa, FL**

**General Admission is FREE!**

To Pre-register and get a FREE Drink Ticket! Email Theresa Mannix at [tmannix@suca.org](mailto:tmannix@suca.org).



[www.suca.org](http://www.suca.org)



# SUCA Showcase

Join us for one of the biggest events of the year!

## EXHIBITORS LIST

- Associated Construction Products
- Sunshine 811
- Xylem Dewatering Solutions
- Technical Sales
- Ferguson Waterworks
- Team Fishel
- Southeastern Surveying and Mapping Corp.
- Fortiline Waterworks
- Vermeer Southeast
- Nortrax, Inc.
- Clow Valve Co.
- Atlantic TNG
- TBETF
- Professional Towing
- Pepper Contracting
- US Foundry
- Ritchie Brothers Auctioneers
- Nielson, Wojowicz, Neu & Associates
- Hayes Pipe & Supply
- R.H. Moore & Associates
- HD Supply Waterworks
- Mabey, Inc.
- National Trench Safety
- Mader Electric Motors
- Advanced Drainage Systems
- Guignard Company
- Dirt on Demand
- Paul Blastic & Company
- CULTEC, Inc.
- Trench Plate Rental
- Port Consolidated
- Wager Company of Florida
- Safety Training & Consulting
- MWI Corporation
- United Rentals Trench Safety
- Thames & Associates
- First Citrus Bank
- Walters Levine, P.A.
- US Pipe Fab

## THANK YOU TO OUR SPONSORS:

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## WASHINGTON SUMMIT

Members of SUCA attended meetings with our Congressman on Capital Hill to discuss priority issues of our industry to include :

- ◆ Investment in America's Infrastructure
- ◆ Promote Workforce Development & Training
  - ◆ Curtail Job-killing Regulations



Meeting with Congressman David Jolly



Waiting to meet with Congressman Jolly



T. Carmichael having a laugh with Congressman Nugent



SUCA Chairman T. Butler in discussion with Congressman Nugent



# BID SPECIFICATION PROTEST

## SPECIFICATION PROTESTS —

### WHEN IS IT TOO LATE?

Contractors are facing ever increasing competition for government contracts. For this reason, it is important for you to understand your rights as a bidder and how to protect those rights if you suspect there may be an irregularity or discrepancy in a contract solicitation.

As we all know, state agencies such as the Florida Department of Transportation are generally required to competitively solicit bids or proposals for public projects, and a disappointed bidder has the opportunity to challenge the agency's decision through a bid protest. Although most bid protests occur at the end of the solicitation process, after the agency issues its notice of intended award, often times the disappointed bidder's basis for challenge is not based on the agency's actions in evaluating and awarding the project, but rather on deficiencies in the solicitation's specifications. However, if a bidder waits to challenge the specifications until after the agency has posted its intended award of the project, its protest will likely be denied as untimely.

### What is a Specification Protest?

As the name implies, a specification protest is a way for a potential bidder to challenge or seek clarification of the terms or requirements in an agency's solicitation documents prior to submitting a bid or proposal. A specification protest is not limited to the terms of the initial solicitation document (e.g. an Invitation to Bid or Request for Proposal), but can also be brought against any subsequent revisions or addenda.

As one court has explained, the purpose of a bid solicitation is to

[a]llow an agency, in order to save expense to the bidders and to assure fair competition among them, **to correct or clarify plans and specifications prior to accepting bids.**

(emphasis added). Thus, if there is a term or provision in the bid documents that is ambiguous, vague, unreasonable or is inconsistent with other portions of the bid documents and/or the agency's governing statutes and rules, a potential bidder has the opportunity to protest that provision and seek correction or clarification from the agency.

Below are some examples of specifications that would be subject to challenge through a specification protest:

- Participation goals for women and socially and economically disadvantaged individuals;
- Weight given to criteria an agency uses to evaluate proposals;
- Requirement for an equipment manufacturer's certification;
- Discrepancy between pay item quantity listed in plans and Invitation to Bid; and
- Agency's failure to correct a known quantity error.

The above list is not exhaustive and there are a myriad of objections a potential bidder may have to any given solicitation.

What is important to ask yourself when determining whether a specification protest is necessary is whether a term or specification as currently worded prevents a potential bidder from properly responding to a solicitation or would confer an advantage to another bidder. If the answer is "yes," then a specification protest may be appropriate.

### Requirements for Bringing a Specification Protest

Much like other forms of bid protests, a specification protest must follow a strict timeline. Section 120.57(3) of the Florida Statutes sets forth the "procedures applicable to protests to contract bidding or award[s]" by state agencies. Specifically, subsection 120.57(3)(b) provides that

[w]ith respect to a protest of the terms, conditions, and specifications contained in a solicitation, including any provisions governing the methods for ranking bids, proposals, or replies, awarding contracts, reserving rights of further negotiation, or modifying or amending any contract, **the notice of protest shall be filed in writing within 72 hours after the posting of the solicitation. The formal written protest shall be filed within 10 days after the date the notice of protest is filed.**

(emphasis added). In short, a potential bidder must file a notice of protest within 72 hours of the posting of the solicitation and a formal protest within 10

days thereafter to timely initiate a specification protest. It is crucial that a potential bidder adhere to these deadlines because they are strictly construed and the agency under ordinary circumstances does not have the ability to waive or alter them. In other words, this is not a situation where a bidder can wait and see if it is awarded the contract before deciding whether it wants to challenge a specification.

Although the 72-hour deadline is definite, when the clock begins to run may not be as clear, and there may be multiple points of entry in a single solicitation. For instance, there may be an opportunity to protest when the initial solicitation is posted and when an addendum issued. There may also be an opportunity to protest where an agency should have issued an addendum, but failed to do so. The important thing to keep in mind is that regardless of the format of the specification, the 72 hours begins to run from when the particular provision in question was posted or should have been posted. For instance, if there is a flawed specification in the RFP that could be challenged, and another flaw in a subsequently issued addendum, a bidder cannot file a protest for both provisions at the same time if the time for challenging the terms of the initial solicitation has already passed. Moreover, because the time for the notice of protest is counted in hours, not days, it is important to pay close attention to the exact time the specification was posted.

Last, a protest bond will be required either at the time of filing the notice of protest or the formal protest, depending on the agency involved. For instance, while most public agencies require the posting of a protest bond at the time the formal written protest is submitted, the Florida Department of Transportation requires that the protest bond be posted when the written notice of protest is filed. The amount of the bond for a specification protest is usually a fixed amount and not based on the estimated contract amount.

#### **Consequences of Failing to Timely Protest Specifications**

A potential bidder's failure to comply with the time requirements set forth above waives its right to protest the specifications. If a bidder chooses to submit a bid or proposal rather than contest the specifications, the bidder will have waived its right to initiate such a challenge. This is true even if it turns out that the specification in question gave one or more bidders an advantage.

Another concern is that the affected agency will often respond to a bid protest by framing it as a specification protest, rather than a protest of the evaluation or award process. Doing so may allow the agency to dismiss the protest as untimely without the need for a formal hearing and further delay to the solicitation process. For this reason, it is especially important to carefully analyze the impact of any questionable bid specification as soon as

the bid documents are released. If a bidder believes that it may have any impact on the outcome of the award, it may be prudent to file a protest and seek clarification from the agency.

#### **Co-Authors:**

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# ANNUAL CHARTERED FAMILY FISHING TRIP

**Thank you to our many Sponsors for supporting this great annual event!**

**Platinum:**

**Trench Plate Rental Co.**

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**Hayes Pipe Supply, Inc.**



THANK YOU TO WAYNE JENSEN, STAHL & ASSOCIATES FOR THE BEAUTIFUL PHOTOS

# July 2016

SUN	MON	TUE	WED	THU	FRI	SAT
					1	2
3	4 Independence Day	5	6 TBETF	7	8	9
10	11	12	13	14 BOD Meeting	15	16
17	18	19	20	21 NUCA Florida Conference	22 NUCA Florida Conference	23 NUCA Florida Conference
24	25	26	27	28	29	30
31						

# August 2016

SUN	MON	TUE	WED	THU	FRI	SAT
	1	2	3 TBETF	4	5	6
7	8	9	10	11 SUCA Showcase	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

## Dates to Remember

July 6th—Tampa Bay Excavation Task Force

July 14th—Board of Directors Meeting

July 21st—23rd—NUCA of Florida Conference

August 3rd—Tampa Bay Excavation Task Force

August 11th—SUCA Showcase

September 1st—Board of Directors Meeting

September 1st—Blue Martini Mixer

September 16th—Fish Fry

October 11th—13th—NUCA Fall Leadership

October 21st—OSHA Alliance Presentation

October 28th—Clayshoot

November 3rd—Elections Dinner

December 9th—Banquet



## MEET DON CAMPBELL, RIPA & ASSOCIATES

GET TO KNOW YOUR BOARD MEMBERS!

How long have you lived in Florida?

I've lived in the Greater Brandon Area since 1984, with a short stint in New Hampshire. Prior to that I bounced around the country as my father was transferred working for Bechtel as a QC Engineer for nuclear power plants.

What interest you about the Underground Utility Industry?

This industry continues to keep me engaged with the constant need to solve problems. Whether they are routine or complex, that is the part that I enjoy the most. Since every project life cycle is similar but different, it allows you to build on experience while learning new aspects that are project specific and overcome those challenges.

What is your favorite book?

Any book by Tom Clancy - just not his surrogate writers.

What are your hobbies?

Poker (when I get a hall pass), Cub Scouts (or anything else my son is active or interested in).

Tell us about the services your company provides?

Ripa & Associates is a full service site construction and underground utilities with a focus on outstanding customer service specializing in the residential and commercial markets.

What is your business philosophy?

I'm a firm believer in team work, continuing education, cross training and the need to build long lasting relationships that help solve the challenges that we all have. Insuring that we can all relate to one another regardless of our background, situation or role is key to fostering meaningful relationships. It begins with respect and humility and ends with success.

What is your favorite sports team?

Boston Red Sox followed closely by the New England Patriots, Boston Celtics and Boston Bruins.

What was the first car you drove?

I believe it was a 1980 Chrysler Cordoba (POS). Amazingly, I don't think I owned a single car that cost more than \$500.00 until after I graduated college. I think I even sold a couple of them for a small profit.

What is one interesting thing we should know about you?

I am a master of useless knowledge. Just try me.

What is your favorite Charity?

Currently it would be the Boy

Scouts of America, as they support so many other charitable organizations through their work, volunteerism and generous giving.

What is one thing you would like to see SUCA accomplish?

I would love to see SUCA take the lead on organizing the municipalities that we work within to unify their specifications and allow for a more consistent expectation throughout the region. This would increase productivity and transparency on all sides of the fence. The current set-up is akin to living in a Europe-an country, where there is some commonality using the English language, but the constant need to learn the language of the land that you're currently to better get things accomplished.

What do you find to be the best benefit of being a SUCA member?

I enjoy getting to put the faces to the names and continuing to network while building the peer to peer relationships.



# FLORIDA ADVANCED MAINTENANCE OF TRAFFIC (MOT)

SUCA is pleased to offer the **Florida Advanced MOT Training Course** to our members. The course will be held:

**Friday, Aug. 26th – Saturday, Aug 27th, 7:00 am – 5:30 pm**  
**Dallas 1 Corporation – Training Room**  
**10328 Main St., Thonotosassa, FL 33592**  
**Cost: \$400.00 per person (SUCA MEMBER)**  
**\$450 (NON-MEMBER)**

**COURSE DESCRIPTION:**

This 20-hour course is required for personnel with the responsibility or authority to decide on the specific MOT requirements to be implemented in the State of Florida. These positions include:

- The engineer responsible for the Work Zone traffic control plan development (TCP)
- The Work Zone traffic control supervisor

The course is designed for individuals actively involved in the design of temporary traffic control in a work zone. Participants learn to read and interpret plans and specifications, and implement them in the field. As well as, how to design and implement temporary traffic control plans to make the project as safe as possible for fellow workers, motorists and pedestrians.

**References used in the course include:**

- Index 600 Design Standards (FDS)
- Part 6 of the Manual on Uniform Traffic Control Devices (MUTCD)
- Florida’s Plans Preparation Manual (FPPM)
- Florida’s Construction Project Administration Manual (FCPAM)
- Florida’s Standard Specification for Road & Bridge Construction (FSSRBC)

A written test with 60 questions is required. Successful completion of this course allows individuals to train flaggers for their company. Course good for 4 years from date of card issue.

**Please register the following individuals for the August 26<sup>th</sup> – 27<sup>th</sup>, 2016 Florida Advanced Maintenance of Traffic (MOT) Seminar. I understand that if I cancel my company will be required to pay a \$250.00 no show or cancellation fee if done within 7 days prior to start of class. This fee will be used to offset cost for class material that must be ordered 7 days prior to the class.**


Name (to send certificates to):	Phone:
Company:	Fax:
Address:	



Always call 811 before you dig

**Media Contact:**

Wendy Schaefer

386-575-2050

[wendy.schaefer@sunshine811.com](mailto:wendy.schaefer@sunshine811.com)

## 5 THINGS EXCAVATORS MUST DO TO MAKE THE POSITIVE RESPONSE SYSTEM WORK FOR THEM

I want to share a recent experience with you. I was on a conference call, listening to an excavator and locator talk through their experiences with the call-before-you-dig process. There was the usual he said she said, but then we got to the heart of the issue. Communication...or lack thereof.

So, they talked some more. The result? A better understanding of the "other side" and solutions moving forward. Listening to the whole process unfold, I couldn't help but jot down a few takeaways that could be helpful for all excavators.

Check out these five tips to get the most out of positive response by effectively combining it with good old-fashioned communication:

1. Verify the positive response codes BEFORE the end of two full business days. If a code says unmarked or has special instructions, do what is required. The locator could be waiting on clarification of the marking instructions, access to the property, white lining, etc. During this call, we learned that the gated community didn't allow gate code sharing. If that's the case where you're working, let the locator know what number to contact so they can get their own gate code.
2. Make sure the in-field phone number you provided during ticket entry is for someone a locate technician can text or call to ask a question, reschedule or set up another arrangement. It's important for this number to have a functioning mailbox that is not full and is checked frequently. Due to the sheer ticket volume locators carry, if they cannot reach you, they will move on to the next job.
3. Always, ALWAYS, compare the codes to what you see at your job site.  
Example: Let's say you arrive at the job site and see marks for communications, but the response summary says there should also be marks for electric. What? Was the wrong job site marked? Were the red marks destroyed? You won't have any answers until you call the locator or utility.
4. Verify the codes periodically using the positive response link at [sunshine811.com](http://sunshine811.com). This gives you the most updated information and includes locator/utility comments. This is especially important if a utility changes a code at any time throughout the life of the ticket. If you notice a change, and even if you don't, you may want to take a screen shot of the response summary for your documentation.
5. Save any positive response emails that come directly from a utility. These companies are using a system that does not update to the Sunshine 811 online positive response comments.

For education on the Positive Response System, contact the Sunshine 811 damage prevention [liaison](#) for your county.

# # #

## OSHA TABLE 1 SILICA STANDARD

<b>Table 1. Exposure Control Methods for Selected Construction Operations</b>			
<b>Operation</b>	<b>Engineering and Work Practice Control Methods</b>	<b>Required Air-Purifying Respirator (Minimum Assigned Protection Factor)</b>	
		<b>≤ 4 hr/day</b>	<b>&gt; 4 hr/day</b>
Using Stationary Masonry Saws	<p>Use saw equipped with integrated water delivery system.</p> <p>NOTE: Additional specifications:</p> <ul style="list-style-type: none"> <li>• Change water frequently to avoid silt build-up in water.</li> <li>• Prevent wet slurry from accumulating and drying.</li> <li>• Operate equipment such that no visible dust is emitted from the process.</li> <li>• When working indoors, provide sufficient ventilation to prevent build-up of visible airborne dust.</li> <li>• Ensure saw blade is not excessively worn.</li> </ul>	None	Half-Mask (10)
Using Hand-Operated Grinders	<p>Use water-fed grinder that continuously feeds water to the cutting surface.</p> <p>OR</p> <p>Use grinder equipped with commercially available shroud and dust collection system, operated and maintained to minimize dust emissions. Collector must be equipped with a HEPA filter and must operate at 25 cubic feet per minute</p>	None	Half-Mask (10)
	<p>(cfm) or greater airflow per inch of blade diameter.</p> <p>NOTE: Additional specifications (wherever applicable):</p> <ul style="list-style-type: none"> <li>• Prevent wet slurry from accumulating and drying.</li> <li>• Operate equipment such that no visible dust is emitted from the process.</li> <li>• When working indoors, provide sufficient ventilation to prevent build-up of visible airborne dust.</li> </ul>	Half-Mask (10)	Half-Mask (10)
Tuckpointing	<p>Use grinder equipped with commercially available shroud and dust collection system. Grinder must be operated flush against the working surface and work must be performed against the natural rotation of the blade (i.e., mortar debris must be directed into the exhaust). Use vacuums that provide at least 80 cfm airflow through the shroud and include filters at least 99 percent efficient.</p> <p>NOTE: Additional specifications:</p> <ul style="list-style-type: none"> <li>• Operate equipment such that no visible dust is emitted from the process.</li> <li>• When working in enclosed spaces, provide sufficient ventilation to prevent build-up of visible airborne dust.</li> </ul>	Powered air-purifying respirator (PAPR) with loose-fitting helmet or negative pressure full facepiece (25)	Powered air-purifying respirator (PAPR) with loose-fitting helmet or negative pressure full facepiece (25)

Using Jackhammers and Other Impact Drillers	Apply a continuous stream or spray of water at the point of impact.	None	Half-Mask (10)
	<p>OR</p> <p>Use tool-mounted shroud and HEPA-filtered dust collection system.</p> <p>NOTE: Additional specifications:</p> <ul style="list-style-type: none"> <li>Operate equipment such that no visible dust is emitted from the process.</li> <li>When working indoors, provide sufficient ventilation to prevent build-up of visible airborne dust.</li> </ul>	None	Half-Mask (10)
Using Rotary Hammers or Drills (except overhead)	Use drill equipped with hood or cowl and HEPA-filtered dust collector. Eliminate blowing or dry sweeping drilling debris from working surface.	None	None
	<p>NOTE: Additional specifications:</p> <ul style="list-style-type: none"> <li>Operate equipment such that no visible dust is emitted from the process.</li> <li>When working indoors, provide sufficient ventilation to prevent build-up of visible airborne dust.</li> <li>Use dust collector in accordance with manufacturer specifications.</li> </ul>		
Operating Vehicle-Mounted Drilling Rigs for Rock	Use dust collection system around drill bit and provide a low-flow water spray to wet the dust discharged from the dust collector.	None	None
	<p>NOTE: Additional specifications:</p> <ul style="list-style-type: none"> <li>Operate equipment such that no visible dust is emitted from the process.</li> <li>Half-mask respirator is to be used when working under the shroud.</li> <li>Use dust collector in accordance with manufacturer specifications.</li> </ul> <p>For equipment operator working within an enclosed cab having the following characteristics:</p> <ul style="list-style-type: none"> <li>Cab is air conditioned and positive pressure is maintained.</li> <li>Incoming air is filtered through a prefilter and HEPA filter.</li> <li>Cab is maintained as free as practicable from settled dust.</li> <li>Door seals and closing mechanisms are working properly.</li> </ul>	None	None

<p>Operating Vehicle-Mounted Drilling Rigs for Concrete</p>	<p>Use dust collection system around drill bit and provide a low-flow water spray to wet the dust discharged from the dust collector.</p> <p>NOTE: Additional specifications:</p> <ul style="list-style-type: none"> <li>• Use smooth ducts and maintain duct transport velocity at 4,000 feet per minute.</li> <li>• Provide duct clean-out points.</li> <li>• Install pressure gauges across dust collection filters.</li> <li>• Activate LEV before drilling begins and deactivate after drill bit stops rotating.</li> <li>• Operate equipment such that no visible dust is emitted from the process.</li> <li>• Use dust collector in accordance with manufacturer specifications.</li> </ul>	<p>None</p>	<p>Half-Mask (10)</p>
	<p>For equipment operator working within an enclosed cab having the following characteristics:</p> <ul style="list-style-type: none"> <li>• Cab is air conditioned and positive pressure is maintained.</li> <li>• Incoming air is filtered through a prefilter and HEPA filter.</li> <li>• Cab is maintained as free as practicable from settled dust.</li> <li>• Door seals and closing mechanisms are working properly.</li> </ul>	<p>None</p>	<p>None</p>
<p>Milling</p>	<p>For drivable milling machines:</p> <p>Use water-fed system that delivers water continuously at the cut point to suppress dust.</p> <p>NOTE: Additional specifications:</p> <ul style="list-style-type: none"> <li>• Operate equipment such that no visible dust is emitted from the drum box and conveyor areas.</li> </ul> <p>For walk-behind milling tools:</p> <p>Use water-fed equipment that continuously feeds water to the cutting surface.</p> <p>OR</p> <p>Use tool equipped with commercially available shroud and dust collection system. Collector must be equipped with a HEPA filter and must operate at an adequate airflow to minimize airborne visible dust.</p> <p>NOTE: Additional specifications:</p> <ul style="list-style-type: none"> <li>• Use dust collector in accordance with manufacturer specifications including airflow rate.</li> </ul>	<p>None</p> <p>None</p> <p>None</p>	<p>Half-Mask (10)</p> <p>Half-Mask (10)</p> <p>Half-Mask (10)</p>
<p>Using Handheld Masonry Saws</p>	<p>Use water-fed system that delivers water continuously at the cut point.</p> <p>Used outdoors.</p> <p>Used indoors or within partially sheltered area.</p> <p>OR</p>	<p>None</p> <p>Half-Mask (10)</p>	<p>Half-Mask (10)</p> <p>Half-Mask (10)</p>



	<p>Use saw equipped with local exhaust dust collection system.</p> <p>Used outdoors.</p> <p>Used indoors or within partially sheltered area.</p> <p>NOTE: Additional specifications:</p> <ul style="list-style-type: none"> <li>• Prevent wet slurry from accumulating and drying.</li> <li>• Operate equipment such that no visible dust is emitted from the process.</li> <li>• When working indoors, provide sufficient ventilation to prevent build-up of visible airborne dust.</li> <li>• Use dust collector in accordance with manufacturer specifications.</li> </ul>	<p>Half-Mask (10)</p> <p>Full Facepiece (50)</p>	<p>Half-Mask (10)</p> <p>Full Facepiece (50)</p>
Using Portable Walk-Behind or Drivable Masonry Saws	<p>Use water-fed system that delivers water continuously at the cut point.</p> <p>Used outdoors.</p> <p>Used indoors or within partially sheltered area.</p> <p>NOTE: Additional specifications:</p> <ul style="list-style-type: none"> <li>• Prevent wet slurry from accumulating and drying.</li> <li>• Operate equipment such that no visible dust is emitted from the process.</li> <li>• When working indoors, provide sufficient ventilation to prevent build-up of visible airborne dust.</li> </ul>	<p>None</p> <p>Half-Mask (10)</p>	<p>None</p> <p>Half-Mask (10)</p>
Rock Crushing	<p>Use wet methods or dust suppressants.</p> <p>OR</p> <p>Use local exhaust ventilation systems at feed hoppers and along conveyor belts.</p> <p>NOTE: Additional specifications:</p> <ul style="list-style-type: none"> <li>• Operate equipment such that no visible dust is emitted from the process.</li> </ul> <p>For equipment operator working within an enclosed cab having the following characteristics:</p> <ul style="list-style-type: none"> <li>• Cab is air conditioned and positive pressure is maintained;</li> </ul>	<p>Half-Mask (10)</p> <p>Half-Mask (10)</p> <p>None</p>	<p>Half-Mask (10)</p> <p>Half-Mask (10)</p> <p>None</p>

	<ul style="list-style-type: none"> <li>• Incoming air is filtered through a prefilter and HEPA filter;</li> <li>• Cab is maintained as free as practicable from settled dust; and</li> <li>• Door seals and closing mechanisms are working properly.</li> </ul>		
Drywall Finishing (with silica-containing material)	<p>Use pole sander or hand sander equipped with a dust collection system. Use dust collector in accordance with manufacturer specifications.</p> <p>OR</p> <p>Use wet methods to smooth or sand the drywall seam.</p>	None	None
<p>Use of Heavy Equipment During Earthmoving</p> <p><b>CRITICAL TO NUCA MEMBERS</b></p>	<p>Operate equipment from within an enclosed cab having the following characteristics:</p> <ul style="list-style-type: none"> <li>• Cab is air conditioned and positive pressure is maintained;</li> <li>• Incoming air is filtered through a prefilter and HEPA filter;</li> <li>• Cab is maintained as free as practicable from settled dust; and</li> <li>• Door seals and closing mechanisms are working properly.</li> </ul>	None	None

## What's Next for Public Safety in the Right-of-Way?

BY WAYNE JENSEN

There is no question that there is a need to develop new strategies to protect the integrity of buried facilities in the public Rights-Of-Way. The number of instances is increasing where damages result in major losses of life. With each event, we hear the public outcry to protect buried facilities for the sake of public safety. The challenge of utility damage prevention professionals everywhere is to uncover new strategies to protect the public and all parties working in and around the public ROW.

### Current Status Of Damage Prevention:

The current status of damage prevention in most, if not all, geographies is good enough to keep the rate of damages to buried facilities to less than 1 damage per 1,000 dig tickets. It is interesting that many locating organizations, while all strive for zero damages, will often accept a quality metric for acceptable damage ratios of their locators to be about the same ratio of 1 "at fault damage" per 1,000 locates.

### The "Norms" For Damage Prevention:

If the number of damages per 1,000 tickets has been successfully reduced to meet the same quality metric for locating we may have reached the "norms" for acceptable damage rates. This could be preventing us from driving damages to even lower levels. The damage prevention industry is focused on failures to prevent damage, as it should be. However, if we look at the same data as a "success ratio" the industry has eliminated all but one damage per 1,000 episodes of excavating represented by a ticket. If we were talking about aircraft landings at Atlanta's Hartsfield, that rate would mean three crashes per day killing hundreds. That rate is clearly unacceptable for that industry. But in an industry where damage may have life threatening consequences once in 10,000 or maybe 100,000 episodes, we may have reached a level of damage that may be considered "acceptable" by the risk managers of facilities that are buried in the ROW. Acceptable meaning we will not invest more in the effort to prevent damage.

The "cost versus benefit" barrier surfaces when it comes to investment in damage prevention that may be required to improve the quality of utility locating. The quality of utility locating is a direct function of: (1) the quality of information provided to locators; (2) the quality of the technology being used to locate facilities; and (3) the skill of the locator in using the technology. Out of these three areas, almost nothing is being done to improve the quality of data provided locators. We continue to uncover many instances where the utility owner believed their facility was on the other side of the street from where damage occurred. The truth is that improving the quality of buried facility location data is the area of damage pre-



vention which has the most direct bearing on public safety, and it is the area of greatest opportunity for improving public safety.

### Critical Drivers For The Adoption Of Best Practices:

There is an increasing public outcry to do more to protect the public with regard to damage prevention, as evidenced by initiation of the Pipeline and Hazardous Materials Safety Administration in 2004. The cost of damage in the court of public opinion will likely drive the next generation of damage prevention. Today, the current condition is that the responsibility for protecting buried facilities has been mostly shifted to the realm of the locator and the excavator. The ability of both parties to prevent damage is largely dependent on the quality of facility location data, which falls into the realm of responsibility of the utility owners.

It is well established that utility owners will not provide SUE services for locates except in very special circumstances. That is easy to understand when the utility is trying to keep the cost of locate tickets in the field down to \$10 when they would have to spend \$100 on a SUE vacuum excavate to verify the location of buried facilities at a single point.

A number of damage prevention professionals, including myself, have put it on the table that public owners should consider funding SUE data recovery for all future projects. It is well documented by the DOT's that the ROI for SUE efforts range from \$4 to \$22 for every dollar spent. However, the resistance remains. The ROI is usually attributed to using high quality utility location data to design around conflicts to avoid the

“What is being suggested is the establishment of a formal, legal and binding Partnership Contract...”

high cost of dealing with conflicts during construction. It also has the additional benefit of establishing high quality utility location data for the use of locators and contractors during construction.

What we are finding is that many public owners, both large and small, are more than willing to accept low quality data for design, and see little value in SUE for just damage prevention when they can rely on One Call laws as their damage prevention shield. Additionally, many public owners don't feel they should pay to protect utilities they don't own. We are simply not winning the battle for damage prevention that requires non-existent funds to pay for what many in the public owner community believes is the responsibility of “others.”

### **Excavators And Damage Prevention:**

Professional Excavators are extremely capable of avoiding damage without any locate markings at all. Avoiding damage was a function of digging much slower and with much more care to avoid damage. The advent of locates to protect buried facilities increased the production of excavating dramatically by reducing the space where an excavator had to dig much slower to prevent damage. In the early days of “excavating with locates,” most contractors knew that locating was fuzzy science and would generally verify location of facilities prior to going into full production mode. If there was power or gas indicated in a given area, the contractor would not stop looking until they found such facilities no matter what the locate marks indicated. Times have changed. Attitudes have changed.

### **Excavators Today:**

Now, only a few excavators follow the best practice to “verify the location of facilities indicated in a given area no matter how far off locate marks are.” However, even the few that verify the location of facilities without respect to the inaccuracy of locate marks will not look for a facility in their excavation area if the utility owner states it is on the other side of the street. And, by the same token, the locator will not check to see if a utility is actually in the area of the excavation when the utility has provided them this same information. This exact circumstance comes up often across the nation. Readers need to understand that in many respects we were better off when backhoe operators knew that a utility was in their work space, because as they excavate they can see changes in the color of the disturbed soil as a result of past excavations. Today, backhoe operators pay attention to locate marks, not changes in soil color, to determine the location of buried facilities. Most excavating contractors believe it is their responsibility to exercise “hand-dig” care within the tolerance area defined by One Call laws. My greatest fear is that excavators will “only use hand-dig care” within the tolerance area as required by law.

### **Public Safety And Damage Prevention:**

Increased public safety that results from damage prevention will not change until all stakeholders find a way to work together and share the burden and responsibility. I have worked with utilities in the past when they were in very difficult conflict circumstances and, as a contractor,

got paid to protect their facilities. Fees for the extra cost of protecting buried facilities were many times less than the cost of the utility having to relocate. Some regions pay the contractor to be responsible for locating and protecting facilities. Design build projects are beginning to show us that shared responsibility for damage prevention can work. Design build functionally works on the “no excuses for damage” premise.

### **If Change Comes It Will Be For The Sake Of Public Safety:**

For the “sake of public safety,” I believe that much more can be done. The contractor is the critical stakeholder because they control the backhoe. We all know that the law alone is totally inadequate for taking us to the next level of damage prevention.

What may work to improve damage prevention is the establishment of “Damage Prevention Partnerships” involving all stakeholders on a project-by-project basis. All initiatives to improve data quality for design are years away if initiated today, but partnerships can be developed for our “next projects.” What is being suggested is the establishment of a formal, legal and binding “Partnership Contract” that outlines the roles and responsibilities of all parties to damage prevention. Today, utility relocation agreements are widely used to pay contractors to relocate facilities on behalf of utilities that are known to be in conflict. The partnership agreement would similarly define responsibilities for dealing with what may not be “known” at the onset of construction. Some funding may be required in circumstances where a utility would “want” to pay the contractor to use additional care to prevent damage either because of a conflict or the fact that the utility is unsure of their location data. It would be likely that the services of a SUE organization would be employed to investigate troublesome locates as a part of the Damage Prevention Partnership contract. There may be some instances where no money at all changes hands and the partnership contract would simply outline responsibilities of all parties for damage prevention as it applies to a specific project.

### **Education Is Critical:**

One of the best outreach mechanisms around the country are “Excavator Safety Awareness Events” that are sponsored by the One Call systems and utilities. Universally, these safety awareness events provide excavators with information about the One Call laws of the state and sometimes associated topics. The Damage Prevention Partnership described in this article would make attendance at such events a part of the partnership documents to include all personnel on the project, especially backhoe operators. Very often, projects are of such size that a single project could generate more attendees than typically come to such events.

Having personally attended many of these industry Excavator Safety Awareness events, notably absent are the people from the field. It is always hoped that the people who do attend will take the information back to their people in the field, but it is always feared the information provided doesn't reach the backhoe operator and others. The Partnership would put field workers in the room for Excavator Safety Awareness Events.

*What's Next for Public Safety in the Right-of-Way? continued on page 53*



# How to Use the CGA Communications Plan

KHRYSANNE KERR, COMMON GROUND ALLIANCE /

In December 2010, Common Ground Alliance (CGA) introduced the very first CGA Communications Plan to the public. CGA designed this document as a reference tool for anyone who works in damage prevention education, not just CGA members. Now, more than midway through 2011, CGA has found this 85-page document is an extremely successful resource to all damage prevention professionals who want to spread the word about safe digging.

The entire plan can be found online at [www.call811.com/campaign-materials](http://www.call811.com/campaign-materials). It contains a comprehensive 13-month calendar, general 811 talking points, fact sheets, and a graphic standards guide for using the 811 logo and tagline. The plan also features a variety of template communications materials including press releases, media advisories, public service announcements and contributed columns, all intended to be customized according to the user's organization.

Many successful stakeholder campaigns are profiled in the plan with the goal of other stakeholders giving them a try. Each case study covered in the plan contains helpful information including how-to guides, timelines and press-ready material to help anyone successfully reproduce a campaign.

It is also extremely effective to reference the Communications Plan when an unfortunate incident occurs that could have been prevented by a call to 811. In these instances, the Communications Plan can help prepare a media statement that serves as an opportunity to remind the public about calling 811 when the safe digging message is most timely in the media.

Evidence of professionals using the Communications Plan can be found all over the country throughout the year. Most recently, on 8/11



## Know what's below. Call before you dig.

Day (Aug. 11), the Communications Plan was used by organizations nationwide for earning media coverage, drafting and placing op-ed columns, creating website advertisements, ordering Call 811 T-shirts, and even creating special 8/11 Day cakes for local media outlets or employees.

In December, CGA will publish a revised Communications Plan for 2012 based on the feedback, success stories, and recommendations received throughout the year. If you have any recommendations or questions about the Communications Plan, please email the CGA staff at [811@commongroundalliance.com](mailto:811@commongroundalliance.com). **DP**

### What's Next for Public Safety in the Right-of-Way? *continued from page 19*

It is envisioned that a Damage Prevention Partnership would establish meetings for both workers and managers that have audience-specific topics to address the unique roles of each in damage prevention. Excavator Safety Awareness events around the country are well attended by representatives of One Call systems and utilities providing attendees the opportunity to create personal relationships that benefit damage prevention. Damage Prevention Partnerships would also include specific locators assigned to the project, to provide the opportunity for relationships to be made that will have a very positive impact a specific project. I believe that this would provide a mechanism for all stakeholders to "act their way into a new way of thinking" with new and better approaches to damage prevention on a project-by-project basis.

One of the flaws of providing education to people you are likely never to see again at awareness events can be overcome when they are associated with a specific project. Industrial trainers all know that in order to determine if any element of training was successful in delivery they must confirm "behavior change" in the field. On a project-by-project basis, all

the stakeholders will have the opportunity to confirm behavior change as a result of training and each stakeholder would be provided guidelines for such documentation. I believe the recovery of project data, including behavior change, will allow us to predict damage based on observed behaviors in time to prevent damage.

The APWA could be the logical forum for exploring this concept of public/private "Damage Prevention Partnerships" initiated on a basis of Public Safety. It is a concept worth exploring because it does not require legislative action, and in the scheme of things the cost to any one party will be minimal and the ROI should be astronomical, especially if we can also protect the lives of the public in our rights-of-way. **DP**

*Wayne Jensen is the Director of Safety for Stahl & Associates Insurance and the Chairman of the Tampa Bay Excavation Task Force, which he founded in 2008. Wayne has served on the Board of NUCA and currently serves on the Board of the Suncoast Utility Contractors Association. He can be reached at [wayne.jensen@stahlinsurance.com](mailto:wayne.jensen@stahlinsurance.com).*



## 2016 SUCA SCHOLARSHIP WINNER

On behalf of the Scholarship Committee, it is with great pride that we congratulate our 2016 \$6,000 Scholarship Award to Ariana Wenglarski, daughter of Jeff Wenglarski, US Foundry & Kimberly Wenglarski. Ariana is graduating from East Bay High School where she was ranked 15<sup>th</sup> out of 517 students with a GPA of 6.0. Ariana scored an impressive 1760 on her SAT's and 29 on her ACT's.

Ariana will be attending the University of Florida to study Chemical Engineering with a primary focus on the environment. Ariana took college preparatory classes that included honors, AP & Dual enrollment.

Ariana has received many honors and awards throughout her high school career to include Varsity letter in

Lacrosse, Track & Cross Country. Ariana has competed in and placed in multiple science competitions including Hillsborough County's Brain Bowl and the University of South Florida Balsa Bridge Competition. Ariana is a varsity Track & Field High jumper and runner making the Regional Competitions, as well as being a member of the Cross Country team that won Highest Team GPA award.

Outside of school Ariana volunteers her time as a lacrosse coach for youth girls. She also enjoys reading, drawing, ceramics and surfing.



In addition to our 2016 Scholarship Winner we were so impressed with another candidate that the Committee chose to also offer a \$2,000 Runner Up Scholarship to Kyla Berglund, parents Eddie Berglund & LaVerne Berglund of Burgess Civil. Kyla graduated from Wiregrass Ranch High School and will be attending Florida Atlantic University in the accelerated nursing program. Kyla is currently working in a nursing home as a certified nursing assistant and plans after obtaining her degree and license to work as a registered nurse in a long term care or hospice facility. Kyla has studied the course of the academy of medical professions and has been in all honors and advanced placement classes to prepare herself for her college career. She is ranked 44 of 461 students and has a GPA of 4.27. Kyla scored a 1780 on her SAT's and a 29 on her ACT's. Throughout her high school career Kyla has earned academic letterman for maintain her position on the honor roll and was awarded this year with the CNA Student of the Year Award. She is a member of the National Honor Society, National English Honor Society and Ranch Ambassadors which is a program of students who volunteer and serve as model students. She also was the treasurer for her schools Key Club, a club dedicated to community service. Kyla enjoys reading, writing and photography in her spare time.

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