



HCCA to Offer VDOT Erosion and Sediment Control Contractor Certification Course (ES-Triple C)

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DIG IT!

THE NEWSLETTER OF THE
HEAVY CONSTRUCTION CONTRACTORS ASSOCIATION

The HCCA, in conjunction with our sister association HRUHCA (Chesapeake, VA) is in the process of finalizing an agreement with VDOT to allow both associations to offer the **VDOT Erosion and Sediment Control Contractor Certification** training classes in our respective localities.

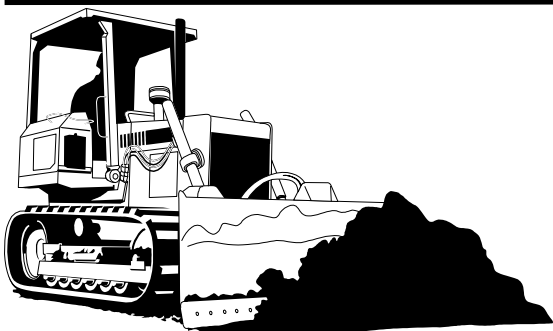
From the inception of the course (ES-CCC or more commonly called the ES-Triple C); it has been exclusively offered by VTCA (Virginia Transportation Construction Alliance (the former Road Builders association) under contract to VDOT. VTCA has printed all materials, taught all classes, maintained all records (and answered all record questions), and issued all certification cards. In short, VTCA has been the exclusive service provider to VDOT for the ES-CCC effort.

As a general rule VTCA has offered the class only a few times each year – and only twice per year in Northern Virginia. Members that have a need for this class and have not been able to attend the local offering have been forced to travel elsewhere. This will no longer be the case.

The HCCA proposes to initially offer the ES-Triple C class on a monthly basis in order to service any latent demand in our membership area. The class lasts one day and will probably cost \$150 (members) and \$180 (non-members).

The course is intended to train individuals involved in implementing Erosion and Sediment Control Plans on VDOT projects and rights-of-way. Participants who complete the course and pass the examination at the end of the training will receive a certification of completion. This certificate meets VDOT's E&S certification requirements. There are no prerequisites for this course.

More details will be made available once the arrangements with VDOT are finalized. HCCA would like to get this program underway as early in 2012 as possible – especially to take advantage of the [potentially] slower work levels during the winter months.



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HCCA Making Plans to Offer NCCCO Crane Operator Certification Testing



HCCA has begun the planning process that will hopefully lead us toward offering the written core and specialty testing as well as practical testing for NCCCO Crane Operator Certification. OSHA will require that all crane operators be certified by 2014. HCCA will concentrate on the NCCCO Mobile Crane Certification Program. Tower, Overhead and Articulating cranes will NOT be included as they are not commonly used in our industry.

NCCCO certification is a 3-step process. One has to pass a core written exam, a specialty written exam for the type of crane to be operated, and a practical exam for the same type of crane referenced in the specialty exam. It is possible to obtain multiple equipment certifications by taking the specialty and practical exams for the other equipments.

Mobile crane certification includes Fixed Cab Hydraulic, Swing Cab Hydraulic, Lattice Truck, and Lattice Crawler. We also plan to offer a “prep” class that covers all of the materials necessary to take any of the four crane written exams. As NCCCO offers two load charts for each of the four crane type, all eight load charts. The four load charts covered in class are: Manitex Fixed Cab Telescopic (Hydraulic), Grove Swing Cab Telescopic (Hydraulic), Manitowoc Lattice Boom Truck and Manitowoc Lattice Boom Crawler.

We are still in the early stages of pulling this program together. Written testing will be conducted at the HCCA offices and proctored by an NCCCO proctor. Practical testing will be conducted at an NCCCO-approved site yet to be determined. Prep classes will be conducted at HCCA and taught by Heather Fitzgerald of member firm Rent-A-Crane. Fees for the various components have not been finalized, but will be in line with similar activities offered in our area.

For now we ask that you give consideration to the scope of crane training that might be needed during 2012 and let us know at the HCCA office so we can gauge the requirements as we work our way through the planning for 2012 offerings.



Virginia Transportation Bond Primer

Farewell Ms. FRAN, Greetings Ms. GARVEE



Federal Reimbursement Anticipation Notes (FRANs) have been a Virginia transportation program financing staple since \$1.2 billion in revolving debt was authorized by the Virginia Transportation Act of 2000. Since then the Commonwealth Transportation Board (CTB) has authorized three series of FRANS (\$1.1 billion), of which \$176 million remains outstanding and will be paid off by 2016.

Virginia chose to repay FRANS by using state tax revenues insurance companies pay on automobile insurance premiums, not federal revenue. Until 2010, major FRANS repayment obligations precluded sale of the Capital Project Revenue (CPR) bonds authorized by

the Virginia General Assembly in 2007 as part of HB 3202. With declining FRANS obligation levels, insurance premium tax revenues are now adequate to fund the CPR bonds, the sale of which was accelerated in Governor McDonnell's 2011 Omnibus Transportation Funding Bill.

Grant Anticipation Revenue Vehicles (GARVEEs) are secured by future federal highway reimbursements. GARVEEs will use the same \$1.2 billion revolving revenue stream authorized for FRANS, which will no longer be issued.

Unlike FRANS, which can be used as part of the overall transportation fund, GARVEES must be invested in specific projects. The first sale (\$350) is expected to occur early next year, involve a 15-year period and be used to subsidize tolls for the Downtown Tunnel/Martin Luther King Expressway project in Hampton Roads. I-95 HOT Lanes and the Route 460 alternative could be recipients of future sales.

Estimated annual debt service for the first issue is expected to be \$30 million. Actual FY 2010 federal reimbursements totaled \$975 million and this debt service approximates 3% of anticipated federal revenue.

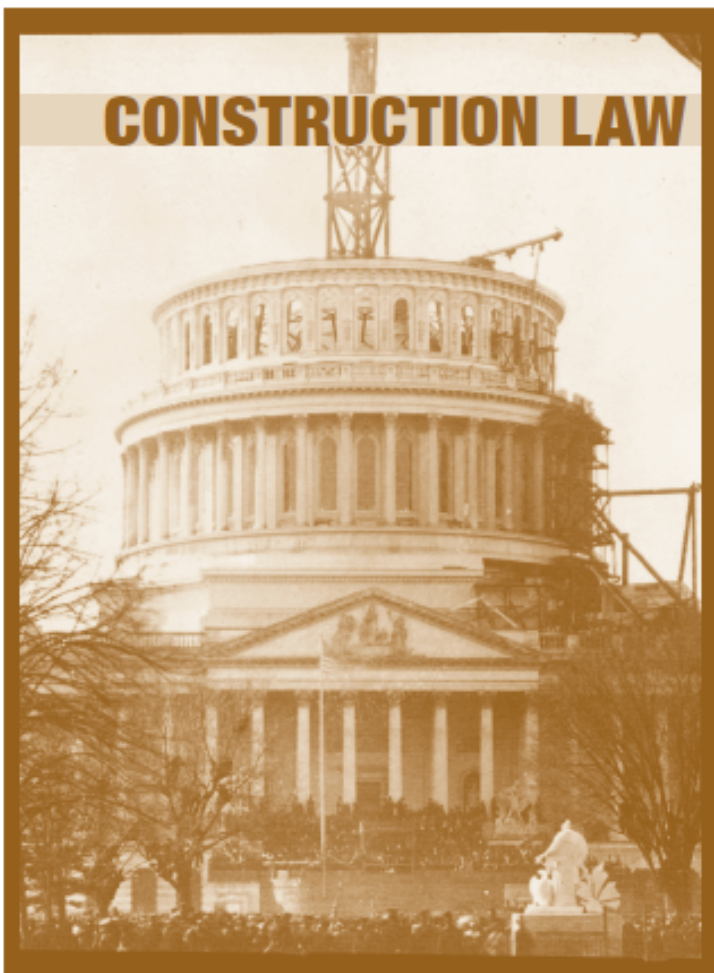
While bond rates continue to be favorable, major bond rating agency's (Fitch, Moody's, and Standard & Poor's) have issued warnings as to the long term viability of GARVEEs due to uncertainties surrounding the future federal role in transportation, including "political unwillingness to raise the gas tax."

Bonds are Good, but New Long-Term Revenues Are Even Better

**HCCA Member Firm Fullerton and Knowles PC
Offering Construction Law Survival Seminar**

CONSTRUCTION LAW

SURVIVAL SEMINARS



Mechanic's Liens

- Time Limits, Notices and Claims to preserve rights in Virginia, Maryland, Pennsylvania and D.C.

Public and Private Payment Bond Rights

- Federal Miller Act and State Little Miller Acts

Construction Contracts

- How to write, review and revise contracts
- Conduit, Pay when Paid Clauses and Claims Procedures

Changes, Delays and other Claims

- Protect your Profit and Rights to Additional Time or Money

Each seminar participant will receive continental breakfast, buffet lunch, refreshments and a copy of the newest edition of the 550 page *Construction Law Survival Manual*. Cost of \$129 per attendee. Check-in starts at 8:30 am. Seminar runs from 9:00 am to 4:00 pm.

Hyatt Fair Lakes ■ Fairfax, VA
12777 Fair Lakes Circle
Fairfax, VA 22033
March 13th

Sheraton Washington North ■ Beltsville, MD
4095 Powder Mill Road
Beltsville, MD 20705
March 22nd

For more information call Fullerton & Knowles, P.C. at (703) 818-2600 or visit the website www.FullertonLaw.com for more seminar information and to see the FREE 550 page internet *Construction Law Survival Manual* including Mechanic's Liens, Payment Bond Claims, Construction Contracts, Changes, Delays and other claims, Credit Management, Uniform Commercial Code, Security Agreements, and ready to use Contract Forms.

Congressman Gerry Connolly Addresses HCCA Dinner Meeting

On Wednesday, November 16, 2011, Congressman Gerry Connolly (D-11th District) spoke to the members attending the November Dinner Meeting at Country Club of Fairfax.

Representative Connolly concentrated his remarks around the topics of transportation, federal infrastructure improvement projects, and the impact on jobs in Northern Virginia.

He cited a number of major projects, recently completed, ongoing and in the planning stages that not only have/will serve to improve the local transportation scene, but have/will increase the number of jobs available in our area.

Congressman Connolly provided a very clear, concise, and more-or-less bi-partisan perspective on the specifics of the current budget debate on Capitol Hill. He takes the position that there are some who still believe that infrastructure improvements can be made without any increase in available funds — all be done with “pixie dust” were his exact words. Of course, what he is referring to is the stalemate over the need to increase taxes to some degree as well as make cuts in federal programs. Politically, this has proven to be a non-starter in Congress [Note: Consider the Supercommittee.]

The Congressman made it perfectly clear that funding shortfall is in such a state that we are nearing the point where nothing but maintenance on the existing, rapidly deteriorating infrastructure may be all that is possible.

He used an interesting analogy around the subject of the Metro to Dulles Airport. He said that 30 or so years ago there was strong opposition to Metro insofar as its proponents were convinced that business would thrive around the rail routes. The Congressman asked if there is anyone that be will-

ing to say now that Metro didn't prove to be a boon to local businesses.

In this same manner, he is confident that business will grow along the new airport route as well. He named the major companies that have already announced their intentions of building along the new Metro route, and he hoped that considerable new

businesses, shopping, residential and other kinds of infrastructure would eventually “spring up” along the line. Of course, he indicated that such growth would initially manifest itself in construction, and that means jobs for all of the trades.



Congressman Connolly noted that the construction industry has been one of the most impacted labor forces in Virginia during the recent economic downturn. He indicated that everything that is possible must be done to improve that situation because construction jobs bring wages into the marketplace for goods and services — or as they say “a rising tide lifts all boats.”

One of Congressman Connolly's most adamant beliefs is that tiny fixes and patches are not the way out of this infrastructure predicament. He says that the time is ripe for thinking and acting at the “big picture” level, and he paid homage to President Eisenhower who in 1958 pushed through the legislation to form the Interstate Highway System at a time when many politicians were strenuously opposed to Government spending on such projects. He says that we need to be able to respond to the current malaise in our infrastructure with the kind of thinking and programs that made our transportation system great than — and make them that way again.

Association Bulletin Board



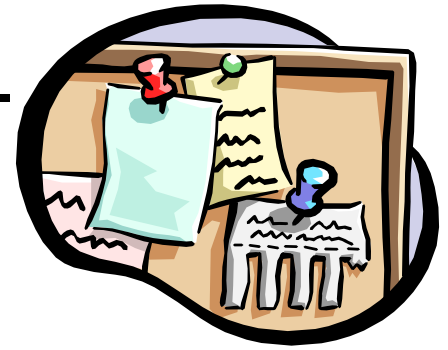
Proposed
HCCA calendar
of events for
2012:

- 1/18 – January Dinner Meeting
- 2/15 – February Dinner Meeting
- 3/21 – March Dinner Meeting
- 4/18 – April Dinner Meeting
- 5/11 – Spring Golf Tournament
- 5/16 – May Dinner Meeting
- 9/10 – Fall Golf Tournament
- 9/19 – September Dinner Meeting
- 10/17 – October Dinner Meeting
- 11/21 – November Dinner Meeting
- 12/8 (FRI) or 12/9 (SAT) – Holiday Party

Also under consideration at this time:

- Chesapeake Bay Rock Fishing
- Dinner Cruise
- Motorcycle Rally
- PAC Pigeon Shoot
- Legislative Breakfast
- PAC Pool Hustlers Holiday
- Fredericksburg Chapter (1 or 2)
- Oktoberfest
- HCCA Picnic
- PWCC Joint Event(s)

More information will be forthcoming in early January 2012.



HCCA Business Partners Program

The following organizations have paid to advertise in our newsletters and on our web site. We encourage you to patronize these companies and take advantage of the discounts that they offer to employees of HCCA member firms.



Visit www.va811.com for details

Congratulations to Gina Thurston of HCCA Member firm American Infrastructure on the birth of her daughter **Arya Helen Thurston**, Born: October 11, 2011.



Only a Few Days Left Until the HCCA 2011 Holiday Party



The HCCA 2011 Holiday Party The Sidney R. Johnston Memorial Trust Raffle The HCCA Silent Auction

Saturday December 3, 2011 6:00 P.M. – 11:00 P.M.
Hilton Washington Dulles Hotel
Herndon, Virginia

Evening Events

6:00 P.M. – 7:00 P.M. Reception
7:00 P.M. – 8:30 P.M. Dinner
8:30 P.M. – 11:00 P.M. Dance

Program Fees

| | |
|---------------------------|----------|
| Individual Reservation | \$ 110 |
| Table of 8 | \$ 880 |
| Table of 10 | \$ 1,100 |
| No Tables of 12 This Year | |

Sponsorships for the Band are most welcome!

Suggested Dress: Suits or Coat & Tie for Men (Black Tie Optional); Cocktail Dresses for the Ladies

In lieu of open bar, all participants will be provided with three drink tickets. Thereafter there will be a cash bar.

Punch will be available in the reception area.

Wine will be available for purchase separately at the dinner table.

Dinner will be dual plated, beef and chicken. Vegetarian option is available.

Registration Form

You may fill-in the requested information and return this form by fax (703) 392-7249; email it to Janice@hcca.net or mail (8424 Quarry Road, Manassas, VA 20110). Table reservations are taken on a first-come, first-serve basis. No exceptions!

Company Name _____

Name of Contact _____ Telephone: _____ FAX: _____

Table Number(s) Requested (See attached diagram): _____

Note: Our group will require _____ Vegetarian Meals

PLEASE RESERVE (Note: All reservations must be paid prior to the event)

____ Individual ____ Table(s) of 8 ____ Table(s) of 10

Sponsor the Band ____

____ Check Enclosed ____ Please bill us ____ Bill Credit Card

Credit Card # _____ Expiration _____ Security Code _____

Name on Card _____

Note: Formal Invitations will be sent to your office to distribute to your invited guests/employees after your table reservation has been received. Only HCCA Member firms can be billed for reservations. Payment is to be made prior to the event. All reservations are considered definite. No refunds after November 23, 2011.

Calendar of Events (Dates, Locations, & Times Subject To Change)

| December 2011 | January 2012 | February 2012 |
|--|---|--|
| <p>12/3— Saturday, HCCA Holiday Party, Silent Auction and Sidney R. Johnston Memorial Scholarship Raffle, Hilton Washington Dulles Airport Hotel, Herndon, VA</p> | <p>1/18—January Membership Dinner Meeting</p> | <p>2/15—February Membership Dinner Meeting</p> |



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