Spring 2016

AGC Summer Events
RC Golf - Fishing - SF Golf

Right around the corner are the AGC Summer networking events benefiting the AGC Education Foundation! There are three opportunities to mix & mingle with other AGC members while spending the day on the golf course or the Missouri River!

The first event is the Rapid City Golf Tournament taking place on Saturday, June 4th at Hart Ranch Golf Course! More teams are needed to fill the tournament and a few sponsorships are still available.

Taking place the following weekend, is the Annual Fishing Tournament on June 10-11th in Pierre. This event begins with a social & dinner on Friday night, and the tournament begins bright & early on Saturday morning!

The final Summer networking event is the Sioux Falls Golf Tournament taking place on July 19th at Willow Run in Sioux Falls. This event has sold out each year, so if you don’t get your registration in early, you might miss out.

All three event flyers are included as an insert, if you’d like to participate or sponsor! In addition, all details are posted on www.sdagc.org!

Don’t Miss...

WHAT’S INSIDE:
• Welcome New Members!
• 2015 Award Winners & Charities
• Mark Knight Event Photos
• AGC Legal Brief
• SDDOT Hall of Honor
• Open Shop Survey
• Welcome Dustin Baertsch
• AGC Cares
• Safety Sam
• Membership Scrapbook
• Training Trailers Update
• LATI Governor’s Luncheon
• Jobs Bank
• 2016 Primary Election Info
• Corps of Engineers Recap
• 2016 Directory Re-Order
• TCC Fly-in Recap

ENCLOSED:
• RC Golf Form
• Fishing Tournament Form
• SF Golf Form
• Convention Call for Presentations
• Directory Order Form
• User Sales Tax (2) forms
• AGC Strategic Plan

Mission Statement: “The AGC of South Dakota and its members promote skill, responsibility and integrity through construction and services which enhance the quality of life for all who live, work or travel in South Dakota.”
ASSOCIATED GENERAL CONTRACTORS
OF SOUTH DAKOTA, INC.
Highway-Heavy-Utilities Chapter
300 E. Capitol Ave., Ste. 1
Pierre, SD  57501
Phone 605-224-8689
Fax 605-224-9915
Toll Free 1-800-242-6373
www.sdagc.org  -  info@sdagc.org

Purpose Statement:
“To be the voice that promotes and represents the construction industry.”

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Pierre Office

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Pierre, SD 57501

Rapid City
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Rapid City, SD 57702

Sioux Falls
2307 W. 57th St. Suite 101
Sioux Falls, SD 57108

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2 - SDAGC Bulletin - www.sdagc.org
My fellow AGC Members:

Spring has certainly come and summer is around the corner. Schools are in their final weeks and the biggest season in South Dakota is well under way. As we all get rolling faster and faster please keep your crews aware of safety in the work zones. The National Work Zone Awareness week has passed but the message was strong and very well delivered by the SDDOT, SD Highway Patrol and AGC HHU. A special thank you to Past President Patty Nohr for delivering our message!

In keeping safety at the forefront, the AGC/DOT work group has been working behind the scenes to do all we can to keep our employees safe as well as the traveling public. We have been reviewing and implementing new technology for speed detection, traffic flow and automated flagging stations. If you have some interest in these or other methods, please contact the AGC office and we will help you to get the technology out to your projects. We have also drafted a letter to the SD Highway Patrol encouraging them to continue using the DOT COP program, and keep troopers visible in our work zones. As an organization we understand that the HP can’t be everywhere all the time, but we really need their presence as much as possible to help moderate traffic speeds and safety. This letter was a joint effort between the AGC and SDDOT and will benefit everyone.

I mentioned in the last message that the Board of Directors had been working on a strategic plan for our association. We have completed the planning, now the implementation is starting to happen. The challenge will be to keep it rolling forward during the construction season. All of our committees need to find a way to make these directives happen in their area of oversight. Enclosed as an insert are the five main areas, please review them and GET INVOLVED!! These areas are all important to each and every company that is part of our Association.

With the upcoming tax increase for teacher pay in South Dakota, the AGC HHU was proactive in looking out for our members to address how the increase would affect our projects after its implementation. The Government Affairs Committee worked with the SD Department of Revenue to clarify how projects bid before July would not be held to the new tax increase. If at times you wonder what your dues are going towards, this is a great example of the power of the Association.

With all the hard work that is going on, please take some time to consider participating at one of the golf outings in Rapid City or Sioux Falls or fishing in Pierre. These events are put on by our Associate Division and give us all a great opportunity to network and meet new people on a social level. Plus, they are a lot of fun and we all need some fun and enjoyment to reduce the stress. Take the time, it will be well worth it and good for your health!

~ Dean Herll
As a Member of the AGC of SD, you can participate in these highly valued benefits:

**EMPLOYEE RETIREMENT PLAN**

Fringe Benefits Design Inc. is the administrator for the AGC of South Dakota-sponsored 401(k) Profit Sharing Plan. They provide all contractors and associate members the education, investments, documents and other administrative needs to implement a qualified retirement plan. Contact Fringe Benefits Design, Inc. for more information at 605-331-5082.

**LEGAL COUNSEL**

The AGC of South Dakota, HHU Chapter has an attorney, Jason Smiley, on retainer to assist members and staff with construction-related legal questions. Member firms may contact Jason directly at 605-342-1078 or by email JSmiley@gpnalaw.com.

**DENTAL PROGRAM**

The AGC of South Dakota has a dental insurance program available to in-state member firms. For more information or to discuss eligibility requirements, please contact the Delta Dental office at 605-224-7345 or by email sales@deltadental.com.

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**AGC Members Receive a 10% Lifetime Discount On All Citrix Cloud Products**

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- RightSignature, which allows you to send contracts, applications and other forms for instant e-signature.
- See more at: [https://www.agc.org/citrix-sharefile#sthash.u3IpxZJw.dpuf](https://www.agc.org/citrix-sharefile#sthash.u3IpxZJw.dpuf)

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This section of the bulletin highlights AGC of SD Members and/or Staff who have been quoted, interviewed, published, etc. by the media recently. If you are aware of AGC of SD “In the News” items, please forward them to the AGC Office.

- January 2016 SDDOT, Connecting the DOTS’s: Media One mentioned in article titled “DOT Has Talent”.

- January 2016 SDDOT, Connecting the DOTS’s: HDR Engineering mentioned in article titled “Highway 85 in Lead”.

- February 2016 SDDOT, Connecting the DOTS’s: AGC HHU Chapter mentioned in article titled “AGC/DOT Continuous Improvement Work Groups”.

- February 2016 SDDOT, Connecting the DOTS’s: Bituminous Paving and HDR Engineering mentioned in article titled “Cooperation Pays Off, Lemmon Railway St. Project”.

- February 2016 SDDOT, Connecting the DOTS’s: Dave Dailey, Heavy Constructors and AGC HHU Chapter mentioned in “Rapid City Ramblings” section.

- February 2016 SDDOT, Connecting the DOTS’s: Heavy Constructors pictured and featured in article titled “AGC Good Citizen Award”.

- February 24, 2016 Argus Leader: AGC of SD’s Skills Dakota Training Trailers pictured and mentioned in article titled “Mobile Construction Labs Expose Thousands to Trades.”

- February 28, 2016 Argus Leader: AGC of SD mentioned in article titled “A City in Training”.

- March 1, 2016 Concrete Openings Magazine: Northwest Concrete Cutting & Crane Service mentioned and pictured in article titled “CSDA Member Scores Big with Sports Stadium Upgrades.”

- March 2016 SDDOT, Connecting the DOTS’s: Mark Knight, Knight Construction Services pictured and mentioned in article titled “Accolades” section.


- March 21, 2016 Argus Leader: AGC HHU Chapter Officers mentioned in “On the Move” section.


- April 11, 2016 Argus Leader: Mark Knight, Knight Construction Services pictured and mentioned in “On the Move” section.


- April 20-26, 2016 Sioux Falls Business Journal: Wade Humphreys, 44 Interactive pictured and featured in article titled “Add Color to Deliver Communication in Best Way”.

- January 2016 SDDOT, Connecting the DOTS’s: Media One mentioned in article titled “DOT Has Talent”.

- January 2016 SDDOT, Connecting the DOTS’s: HDR Engineering mentioned in article titled “Highway 85 in Lead”.

- February 2016 SDDOT, Connecting the DOTS’s: AGC HHU Chapter mentioned in article titled “AGC/DOT Continuous Improvement Work Groups”.

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- March 2016 SDDOT, Connecting the DOTS’s: HDR Engineering mentioned in article titled “Innovation in Aberdeen”.

MEMBER NEWS CORNER

Welcome New Members!!

Timber Ridge Construction (Contractor)
Jody Branstad
Rapid City, SD
(605) 343-2115

Knight Construction Services, LLC (Contractor)
Mark Knight
Aberdeen, SD
605-380-3144

SD Technology & Manufacturing (Associate)
Wes Kelly
Sioux Falls, SD
(605) 367-5757

Aero Tek (Associate)
Chase Frederickson
Sioux Falls, SD
605-221-2150

B2B CFO (Associate)
Kurt Whitesel
Sioux Falls, SD
(605) 376-2677

Chef Dominique’s Catering & Banquet Facility (Associate)
Jessica Fontenille
Sioux Falls, SD
605-336-0455

Twilight First Aid & Safety (Associate)
Leah Braun
Sturgis, SD
605-347-6496

Congratulations!

Journey Group Companies has joined forces with Ainsworth-Benning Construction, Inc., through an acquisition by Journey Group.

Congratulations, Roger Johnsen of Stanley J. Johnsen Concrete Construction on the sale of your equipment and work on hand to Complete Contracting, Inc. Congratulations also to Complete Contracting, Inc.!

Congratulations, Bill Whitney of Stanley J. Johnsen Concrete Construction on your recent retirement from the industry! Best of Luck!

Condolences

With deepest regrets we advise you of the death of Eugene Miller, of Miller Construction in Isabel, SD. Eugene was born on September 9, 1934 and passed away on April 22, 2016.

CALENDAR OF EVENTS

May 18, 2016  SDDOT EBS Letting
May 26, 2016  SD Transportation Commission Mtg. - Pierre
May 30, 2016  Memorial Day Holiday - AGC Office Closed
May 31, 2016  Associate Division Board Conference Call
June 1, 2016   SDDOT EBS Letting
June 4, 2016   AGC Golf Tournament - Rapid City
June 7, 2016   Finance Committee Conference Call
June 9, 2016   NAWIC Golf Outing - Sioux Falls
June 10-11, 2016 AGC Fishing Tournament - Pierre Area
June 15, 2016  SDDOT EBS Letting
June 15, 2016  CFMA Meeting & Golf Outing - Sioux Falls
June 26-29, 2016 WAASHTO - Laramie, WY
July 4, 2016    Independence Day Holiday - AGC Office Closed
July 6, 2016   SDDOT EBS Letting
July 18, 2016  Public Relations Committee Mtg. - Sioux Falls
July 19, 2016  AGC Golf Tournament - Sioux Falls
July 20, 2016  SDDOT EBS Letting
July 27-28, 2016 Jt Exec Mtg / Board Social & Board Mtg - Chamberlain
August 3, 2016 SDDOT EBS Letting
August 10, 2016 Summer Social - Sioux Falls
August 11, 2016 SDRMCA/SDACPA Golf Outing - Sioux Falls
August 17, 2016 SDDOT EBS Letting
August 18, 2016 Summer Social - Rapid City
August 20, 2016 CIC Golf Outing - Rapid City

SAVE THE DATES

September 22, 2016  Construction Awareness Days - Pierre
October 11, 2016   Const. Awareness Days - Sioux Falls
October 18, 2016   Const. Awareness Days - RC & Watertown
October 25, 2016   AGC Fall Meeting & Mixer - Rapid City
Oct. 27-28, 2016  AGC Exec, Jt Exec, BOD, Fall Mtg & Mixer- SF
Nov. 4-5, 2016    Construction Leadership Pheasant Hunt - Pierre
Nov.17-18, 2016  Joint AGC / SDDOT Meeting - Pierre
January 9-11, 2017 AGC/LICA State Convention - Sioux Falls
2017 State Convention
The 2017 State Convention is scheduled for January 9 - 11, 2017 at the Downtown Holiday Inn in Sioux Falls! Please take some time and brainstorm ideas for the type of speakers, topics and entertainment you want at the 2017 State Convention. The planning committee will begin working on another successful event in the next couple of weeks. We would love your feedback and ideas, please see the enclosed insert and return it to the AGC office!

2016 HHU Strategic Plans & Goals
The past few months the AGC Board of Directors developed a new AGC HHU Chapter Strategic Plan. The strategies will now be implemented into the daily operations of our association and committee work. The strategies are broken into five main strategies, which are included as an insert. The hope is that these goals will make the AGC HHU Chapter an even better construction Association!!

2016 AGC of SD Directories
The 2016 Naylor published Membership Directories have been mailed. Contractor’s received three complimentary copies and associate’s received one complimentary copy. Additional copies may be purchased for $15.00/each, please see the enclosed form. The electronic copy of the directory is also available on www.sdagc.org!

2016 AGC/Corps of Engineers Annual Meeting
The 2016 AGC/Corps of Engineers Annual Meeting was held on May 4-5 in Omaha. On the first day, AGC Members from states in the Omaha District met to discuss issues and assemble questions for the Corps. AGC of America’s, Jimmy Christianson, also provided a Federal Construction update from the national perspective. Later that evening a joint social was held. The next day, Ted Streckfuss, Deputy District Engineer addressed the group and key Corps staff provided updates on Civil, Military, Environmental Remediation and Special Projects construction opportunities.

The Corps also provided an update on their safety manual and CPARS. The presentations from this meeting will be posted to the AGC website (www.sdagc.org) very soon. This meeting is held every year in early to mid-May and is a great opportunity to learn more about Corps projects. If you do Corps work, or want to get involved in Corps work, please plan to attend next year!

Need a Job Position Filled? Start by Posting your Open Positions FREE for Members on: www.sdwork.org
A media campaign is currently running driving the public to the AGC-HHU Chapter’s Free Jobs Bank - www.sdwork.org! Posting to the jobs board is FREE for all members and is easy! To get registered for this member benefit email lindsay@sdaqg.org! Creating a great job ad and getting it to the right candidates, sets the stage for hiring a great team. If you struggle with this process, listen to a previously recorded webinar that was offered to AGC members earlier this spring and now available at www.sdagc.org.

Building Chapter Sporting Clays Event
The AGC Building Chapter will host its annual Sporting Clay Tournament September 16th at Hunter’s Pointe Shooting Club in Humboldt, SD. Make plans to attend for a full day of fun, food, excitement & great prizes! More details will be available soon, on their website: www.agcsdbuild.org or call 605-336-9338!

NAWIC Golf Event
The 21st Annual Sioux Falls Chapter NAWIC golf tournament will be held on Thursday, June 9th at Willow Run in Sioux Falls. The cost is $80/per person with a shotgun start at 10am CT. Forms can be found at: http://www.siouxfallsnawic.org.

CFMA Golf Event
The Siouxland Chapter of CFMA is hosting their 6th Annual Industry Builder Golf Tournament on June 15th! The event will be held at Prairie Green golf course in Sioux Falls. Registration forms are available at: http://cafe.cfma.org/siouxlandsiouxfalls/home

AGC Online Store
The AGC, HHU online store has been re-stocked with ALL NEW apparel items for members to purchase! Log on to: www.sdagc.org/onlinestore and help us brand our great association!!

Join the Social Media Revolution!
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AGC/SDDOT to Review Seasonal Limitations - Contractor & Supplier INPUT NEEDED!
During the AGC-SDDOT Joint Meeting this past November a workgroup was created to review SDDOT’s Seasonal Limitations. This workgroup is currently reviewing seasonal limitations for chip seals and mainline asphalt paving.

The workgroup’s next step is to review seasonal limitations for any other type of SDDOT work that contractors bring forward. To help with this, the SDDOT has a spreadsheet identifying all the seasonal limitations in new specification book. Contractors and suppliers interested in recommending changes to the SDDOT’s seasonal limitations should contact Steve Wagner directly at swagner@rap.midco.net or 605-209-4192. Thank you for your input!

AGC Submits Work Zone Awareness and Speed Enforcement Letter to Highway Patrol
In an effort to increase the traveling public’s adherence to construction work zone speed limits and reduce accidents, the AGC & SDDOT recently submitted a letter asking for the South Dakota Highway Patrol’s help. In the correspondence AGC asked the SDHP to meet with AGC & SDDOT Leaders to develop a process for contractors to work through when they experience high risk situations on jobs sites caused by speeding drivers. The idea is that Contractor’s will report high risk incidents to the SDDOT representative responsible for the job, and they will in turn work with the Highway Patrol to help lower these risks. We are hoping that the Highway Patrol would be willing to send enforcement out to the jobsites during high risk periods of time to serve as a visual deterrent.

DOT Seeks Nominations For Transportation Hall of Honor
The SDDOT is now accepting nominations for consideration of persons to be inducted into the South Dakota Transportation Hall of Honor. The committee is looking for people who have made a lasting or valuable contribution to the state’s air, highway or rail transportation. Forms are available at www.sddot.com - the deadline is May 27th!

AGC Legislative News
CONPAC Working to Elect Business-Friendly Legislators
The 2016 election cycle is shaping up to be one of the busiest campaign seasons in years. There will be larger that usual turnover in the legislature with 16 of 35 senators not returning to that chamber, either due to term limits, running for a house seat or personal decisions. And 24 of 75 sitting house members will not return for the 2017 Legislative Session, due either to term limits, jumping chambers or personal decisions.

AGC, through its political action committee CONPAC, is engaging in both primary and general election races so that business friendly candidates are elected. The political action process is also important in developing our grass roots network with legislators. Campaign contributions are delivered to candidates by contractors. Candidates then have a go-to person for business and construction questions. And the contractor is then comfortable with contacting a legislator about an upcoming vote on a bill.

CONPAC has met and decided on an initial round of campaign contributions. Campaign contributions are awarded based on voting percentages for incumbents or former legislators. For new candidates, CONPAC relies on input from CONPAC members. Initially, 46 contributions exceeding $16,000.00 have been made. CONPAC members are now delivering the contributions to each candidate. After the June 7 primary election, CONPAC will assess the general election and decide if further contributions are needed. In addition to large turnover in the state legislature, the ballot is full of issues for the voters to decide. Five constitutional amendments, two referred laws and four initiated measures will also be on the general election ballot on November 8, 2016. AGC and CONPAC are evaluating these issues to determine any impact to the construction industry. Want in on the process? Make a contribution to CONPAC today and become a member. Contact info@sdagc.org for details.

Get OUT & VOTE on Tuesday, June 7!!
Primary elections will be very important in several legislative races this year. AGC has targeted a
few where construction-friendly candidates have close races. Please check out the candidate list at www.sdagc.org and vote for these candidates in the primary election.

Sales and Use Tax Increase - What Contractors Need to Know!
Following the passage of HB 1182 during the 2016 Legislative Session, the AGC HHU Chapter has worked diligently with the Dept. of Revenue to clarify how the increased sales tax rate should be applied to construction projects bid before the tax increase becomes effective. As a result of our on-going efforts and cooperative relationship with the Dept. of Revenue, we now have this clarified. Shown below is a summary of AGC’s success in “Saving our Members Money!” Effective June 1, 2016 the state sales and use tax rate in South Dakota increases from 4 to 4.5%. AGC wanted to make sure there was an exception so contractors did not pay the increased tax rate on materials purchased after the tax hike. Included as inserts are the exception form and fact sheet. If you have any questions, call the AGC office!

Unemployment Insurance Advisory Council to Contemplate Changes
The Unemployment Insurance Advisory Council will discuss possible changes to the trust fund level and employer contribution rates over the course of the summer. During the first meeting in May, the UI Advisory Council discussed three ways that an adequate level for the trust fund could be determined. The UI Advisory Council directed staff to present data on one of these methodologies at the next meeting. Yet to be discussed are what happens to employer contributions when the determined adequate trust fund level is reached. AGC will attend the UI meetings to participate in these discussions.

SAVE THE DATES!!
The AGC Summer Socials will be held on:

Wednesday, August 10th
Sioux Falls - 5:00pm

&
Thursday, August 18th
Rapid City - 5:00pm

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Legal Implications of Unmanned Aerial Vehicle Use in the Construction Industry

Unmanned aerial vehicles (UAV), a/k/a drones, are everywhere you look these days. Essentially every major industry is either already using or planning on using UAVs. The construction industry is unquestionably exploring potential uses. There are reports of companies using drones for 3D site models, measuring stockpiles, locating supplies on site, and monitoring progress. As this technology becomes more commonplace in the construction industry, the legal implications of using drones need to be carefully considered.

There are probably as many legal implications as there are uses for drones. The potential for accidents caused by drones is apparent. This creates special insurance coverage concerns because CGL coverage does not typically cover aircrafts. Separate aircraft coverage is likely necessary. This is particularly important if your company is to be named as an additional insured. Indemnity agreements are also implicated since this will be your last line of defense to claims caused by other project participants using drones if insurance coverage falters.

There are also licensing requirements to consider. The Federal Aviation Administration is the regulatory body governing UAV use for commercial purposes. The current regulations are behind the pace of technology. The basic requirements call for a “Section 333” grant of exemption, a Certificate of Waiver or Authorization, an aircraft registered with the FAA, and a pilot with an FAA airman certificate. Applications for the required Section 333 exemption are proceeding on a case-by-case basis. As of April 2016, the FAA website states that only 399 petitions for this exemption had been granted. Instructions for the application process can be found at the FAA website, www.FAA.gov.

There are also state laws to consider. South Dakota has not yet acted upon the issue, but it can’t be far behind. According to the National Conference of State Legislators, “At least 41 states have considered legislation related to UAV in the 2016 legislative session. Seven states—Idaho, Indiana, Oregon, Tennessee, Utah, Virginia and Wisconsin—have passed 10 pieces of legislation.” http://www.ncsl.org.

The potential for the use of drone technology brings exciting opportunities to the construction industry, but companies need to take a cautious approach until the legal landscape becomes more settled.
Golden Hard Hat Award Thank You Note
by: Mark Hasvold

As many of you know I was presented with the Golden Hard Hat award at our state convention in January. If you were in attendance at the breakfast you also know that I had no advance knowledge of the award and thus had no prepared remarks to share. That was probably a good thing because really, who needs to hear more speeches.

I did manage to make a couple of statements about the award and after having a few weeks to think about it I really do not have too much to add. First of all I made the comment that there were many people in the room that morning and in our association that were more deserving of the award than I was and I stand by that. What makes AGC the great organization that it is are the many people willing to set aside time from busy work schedules to do important work on behalf of all members and our industry as a whole. The other thought that I managed to convey was gratitude to my company for supporting the AGC organization and allowing me the time and financial support to participate in association activities for the past 36 years. I would like to add thanks to all member companies for the same thing; supporting and allowing your good people to take the time to serve our industry.

AGC contractors have always been a vital component of the life blood of Bierschbach Equipment and Supply. Thanks to all of you that have placed trust in our company and have allowed us to serve you and become one of your business partners.

In closing I would like to express my sincere and heartfelt gratitude to all members for selecting me as recipient of the Golden Hard Hat award. It is greatly appreciated and most of all humbling to be recognized by friends and a great organization. I hope to stay connected and see many of you soon. ~ Mark Hasvold
2016 Spring Membership Meetings

The 2016 Spring Membership Meetings were held on March 29th at The Adoba Hotel in Rapid City and March 31st at CJ Callaway’s in Sioux Falls. Thank you for participating & attending these annual events. The turnout was great at each social and fun was had by all! These meetings were combined with the AGC Building Chapter and included the 2015 award presentations, a presentation from the new South Dakota OSHA office and a 2015 legislative session summary given by Deb Mortenson. Award winners were present along with the charities chosen to receive a $500 donation.

Congratulations Award Winners!!

Golden Hard Hat - Mark Hasvold, Bierschbach Equipment & Supply
Good Citizen - Rapid City Area Office of the SDDOT & Heavy Constructors
Build South Dakota Category I - Mainline Contracting, Inc. – Rapid City, SD
Charity: $500 – Children Home Society, Rapid City, SD
Build South Dakota Category III - Heavy Constructors, Inc. - Rapid City, SD
Charity: $500 – The Boys Club
The 2016 Spring Safety Summit was held in Chamberlain on April 14th and April 15th with 20 member company safety professionals in attendance! The Safety Summit provided an opportunity to meet & greet the new SD OSHA Area Director Sheila Stanley and network with other industry safety professionals. A Safety Committee Meeting and MSHA Alliance Meeting were held on the final day. Thanks to all members who attended.

WZAW PRESS CONFERENCE & BILLBOARDS

National Work Zone Awareness Week (NWZAW) is an annual spring campaign held at the start of construction season to encourage safe driving through highway work zones. The AGC, SDDOT, FHWA and other state officials kicked-off WZAW press conference held on Silver Street in Rapid City! In addition, the AGC is also participating in the 4th grade coloring/billboard contest. Billboards will be up soon in Lennox, Presho & Belvidere.

Skills Dakota Training Trailers at State Basketball Tournaments

One of the main missions of the AGC of South Dakota HHU chapter in 2016 is to get in front of high school students and parents to let them know about the great career opportunities that are available in the construction industry! One way the trailers have been utilized this Spring is at the AA and B State High School State Basketball Tournaments! The tournaments were held on March 17th – 19th in Sioux Falls and Aberdeen. This event was the perfect opportunity for AGC to highlight careers in the construction industry and the opportunities available at South Dakota Tech Schools.
Congratulations Mark Knight!

South Dakota’s Mark Knight was installed as the 2016 AGC of America National President at the Installation Banquet held in conjunction with the Annual Convention on March 11th in San Antonio, TX! Over 100 South Dakota AGC members were in attendance to support Mark & our state! Congratulations Mark on being the first ever South Dakotan to be President & thank you members for attending!!
AGC HHU’s all new initiative, AGC Cares, was busy launching pilot projects in 2015! Now that the new year is here, it’s time to get going again on all of our 2016 happenings!

The goal behind “AGC Cares” is to give back to communities who support the construction industry by helping our members & their employees in times of need. When duty calls, together AGC & our members can make a difference by lending an extra hand, or two!

If you know of a project and/or circumstance that could use some “AGC Cares,” please email lindsay@sdagc.org. Thank you volunteers for making these projects a success!!

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AGC Welcomes New Workforce Coordinator - Dustin Baertsch!
Dustin was born and raised in Sheridan, WY and lived there until he decided to attend Western Dakota Tech to become an Electrician. After he completed the program he worked in the industry for several years, before making a career change. Because of his positive experience at WDT, he went back to school to earn an Associate’s degree in Business Management & Marketing. Shortly after graduating he accepted a job as an Admissions Counselor at Western Dakota Tech, where he has remained for the past five years.

Dustin’s experience as an Admissions Counselor has given him the skills to sell the many benefits of a technical education, and learn first hand the need for Workforce Development. Dustin has his wife Emily have one son and one daughter. When he isn’t working, he enjoys spending time with his kids, camping and exploring the Black Hills, watching and participating in sports, and mostly spending time with friends and family. Dustin is based out of the Rapid City Office and can be reached via email at: dustin@sdagc.org! We’re excited to have Dustin join our team! Please help us in welcoming Dustin to the AGC of South Dakota!

LATI “Build Dakota” Scholarship Winner Presentation at Governor’s Luncheon
The AGC, HHU Chapter has partnered with LATI’s “Stretch the Millions” Program and presented our chosen winner, Quinton Bohlman with a “Build Dakota” scholarship during the Governor’s Luncheon on May 3rd. Quinton will be participating in LATI’s Heavy Equipment Operator Program in the Fall. Thank you AGC leaders for being a part of this special event!

AGC of South Dakota & Home Builders Association Workforce Training Labs
The AGC of South Dakota and the Home Builders of the Sioux Empire have worked together with other industry stakeholders to address the workforce skills gap. As recipients of a Workforce Development Grant from both the City of Sioux Falls and the State of South Dakota, three skills training labs have been designed and outfitted with the tools needed to promote and teach middle and high school students about the construction industry. The training labs are going to be used in many venues around the state this year. The AGC is planning on 4 Construction Awareness Day Events in Watertown, Sioux Falls, Pierre and Rapid City. The most recent events the Mobile Training Labs where used by our members to promote the construction industry, were the Dell Rapids Sidewalk Project, Scouts in Action, and the State Basketball Tournament in Sioux Falls and Aberdeen for our members. The Training Simulators are currently being used at the CTE Academy in Sioux Falls by the students of various programs to help promote the Heavy Equipment Operation side of construction. With the help of our members, the training labs are and will be a valuable asset in promoting the construction industry across the state.

To that end, we need the help of our members to use these labs in any way possible to help promote and train the new and current workforce. If there are any community projects, high school partnership opportunities, or member company events the training labs could be used at, please don’t hesitate to contact the AGC. You can also find all the information on getting the mobile labs to your events on the www.buildsouth-dakota.com website.

Training Trailers at Work!
Students at Dell Rapids High School had a chance to get hands-on experience in the construction field alongside professionals from BX Civil & Construction and use of the Skills Dakota concrete training trailer. Students from Dell Rapids’ High School’s woodworking class performed concrete work in early May at Dell Rapids Veterans Memorial Park. BX’s Nic Auringer & Amy Parlet were instrumental in setting up this hands-on learning experience for the students!
Human Resources Alliance Committee
The HR Alliance met recently at Brocco’s restaurant in Sioux Falls. This meeting featured a round table discussion on various HR hiring topics. The next Alliance meeting will be held in June. We are currently working on having someone from the Dept. of Labor speak. There will be more to come in the coming weeks. In addition, there is always room for more participation from our members, so please plan on attending our next meeting. If you have a topic you’d like to submit for an HR Alliance webinar please email Michael@sdagc.org!

2016 Open Shop Survey - Deadline is May 31st!
The AGC, HHU Chapter has elected to participate in the 2016 MERIT SHOP WAGE AND BENEFIT SURVEY. For our participation, we will receive special compensation reports for our chapter’s geographical location. As an AGC member participating in this survey, you will receive a free special AGC Chapter report consisting of as many area breakdowns as your Chapter data will permit. In addition, you can purchase the full 180 page report for $140.00, 70% off the regular survey price. Please call the AGC office to receive a copy, or check out Monday’s Weekly News for the link!

BuildSouthDakota.com
It’s a big challenge to recruit workers to the construction industry. Our workforce development website, www.BuildSouthDakota.com, is designed to put accurate information in front of teachers, parents and students. The site includes videos, web links and info about construction careers. The website will be ever evolving to keep the most relevant information at the finger tips of those considering careers in construction. The AGC of SD will be promoting the site more in the coming months; help us get the word out by sharing the website address with people you know. In addition, we are going to be pushing hard to get into each middle & high school as well as South Dakota’s Technical schools and provide information to instructors & counselors on the BuildSouthDakota.com website. The site can help students map out one of the many careers in construction leading them in the direction they need for their career choice. Whether it is a 2-year or 4-year degree or on the job training, this website is the resource kids need!

SDSU Construction Management Mock Letting Results
Gary Johnson’s CM class at SDSU participated in a mock letting on May 6th, using the SDDOT EBS system. Thank you SDDOT central office for your continued support of this class event which now completed its fifth year. Also, thank you to the many AGC firms who submitted quotes and the suppliers too. Without the total team effort by all the stake holders, the reality of what this class brings to them would be far less than it has been. Gary Johnson would like to add that he is grateful for the support offered and say a heartfelt thank you to all of you for your participation.

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AGC Safety Activities
Through the first week of May, your safety team has provided training on various subjects to 1104 participants. When your employees have a need for training classes in your busiest season, don’t hesitate to contact us. Contact Mike O’Neal, mike@sdagc.org or Jim Heaphy, jim@sdagc.org.

Site Audits or Inspections
Don’t forget about this member service – job-site audits. Whether you refer to them as inspections or visits or audits, the focus is generally the same – site safety. The scope for on-site inspections is defined by the member – it can be from a full project walk-thru to focusing on a specific issue or area of concern after the site audit agreement is completed. Again, contact Mike or Jim to schedule this member service.

It’s Official – OSHA Opens Area Office in South Dakota!
OSHA as established an area office in South Dakota, located in Sioux Falls. Details can be found on OSHA’s website here: https://www.osha.gov/oshdir/sd.html The Area Director, Sheila Stanley has attended a couple AGC events, including the Spring Membership meetings and the AGC Safety Summit in Chamberlain.

OSHA Announces Final Rule to Improve U.S. Workers’ Protection from the Dangers of Respirable Silica Dust
OSHA announced a final rule to improve protections for workers exposed to respirable silica dust. The rule will curb lung cancer, silicosis, chronic obstructive pulmonary disease and kidney disease in America’s workers by limiting their exposure to respirable crystalline silica.

“The previous exposure limits were outdated and did not adequately protect workers,” said OSHA Assistant Secretary Dr. David Michaels. “Limiting exposure to silica dust is essential. Every year, many exposed workers not only lose their ability to work, but also to breathe. Today, we are taking action to bring worker protections into the 21st century in ways that are feasible and economical for employers to implement.”

About 2.3 million men and women face exposure to respirable crystalline silica in their workplaces, including two million construction workers who drill and cut materials such as concrete and stone, and 300,000 workers in operations such as brick manufacturing, foundries and hydraulic fracturing. OSHA estimates that when the final rule becomes fully effective, it will save more than 600 lives annually and prevent more than 900 new cases of silicosis – an incurable and progressive disease – each year. The agency also estimates the final rule will provide net benefits of about $7.7 billion per year.

Most employers can limit harmful dust exposure by using equipment that is widely available – generally using water to keep dust from getting into the air or a ventilation system to remove it from the air. The rule provides greater compliance assistance to construction employers – many of which run small businesses – by including a table of specified controls they can follow to be in compliance. The rule also staggers compliance dates to ensure employers have sufficient time to meet its requirements.

The final rule is written as two standards, one for construction and one for general industry and maritime. In addition to reducing the permissible exposure limit for crystalline silica, the rule includes employer requirements such as limiting worker exposure through work practices and engineering controls (such as water or ventilation); providing respiratory protection when controls are insufficient; training workers; limiting their access to high exposure areas and providing medical exams to highly exposed workers.

For more information, see the news release—available
in English and Spanish—and a blog post by U.S. Secretary of Labor Thomas E. Perez, which includes a video featuring one worker’s personal experience with silicosis. Visit OSHA’s silica rule webpage for fact sheets, answers to frequently asked questions, and to sign up for email updates on compliance dates and resources.

2015 Paul Lepthian Safety Award Winner – Stacie Bechtold
The Paul Lepthian Safety Award is given to an outstanding leader in the construction field. Paul Lepthian demonstrated his passion for safety throughout his career by teaching, inspiring, and being proactive in all aspects of safety. This year’s award winner is no different. Stacie demonstrates these qualities by proactively working with other AGC Safety Committee Members to help change and shape the safety landscape of jobsites across South Dakota. When she uncovers safety infractions or violations, it is never used as a “gotcha” moment but a teaching opportunity to help employees understand why we should be vigilant when it comes to safety. It is evident that Stacie has a deep concern not only for the safety of the team, but for all individuals on the jobsites. This proactive approach to safety creates a positive atmosphere where employees actually buy into the safety culture that she teaches and portrays throughout her company. AGC is honored to present the 2015 Paul Lepthian Award to Stacie Bechtold of Beck and Hofer Construction.

Early Data Shows 2015 Safest Year in Mining History
Data shows that last year was the safest year in mining history, both in terms of number of deaths and fatal and injury rates. In 2015, 28 miners died in mining accidents, down from 45 in 2014. “The progress we made in 2015 is good news for miners and the mining industry. It is the result of intensive efforts by MSHA and its stakeholders that have led to mine site compliance improvements, a reduction of chronic violators, historic low levels of respirable coal dust and silica, and a record low number of mining deaths,” said Joseph A. Main, assistant secretary of labor for mine safety and health. More: http://www.msha.gov/news-media/press-releases/2016/04/07/preliminary-msha-data-indicate-2015-was-safest-year-mining.

Evaluation: First year of OSHA injury reporting requirement helps agency engage with employers and focus resources where needed
Since Jan. 1, 2015, employers have been required to report any severe work-related injury – defined as a hospitalization, amputation or loss of an eye – within 24 hours. (The requirement to report a fatality within 8 hours was unchanged.)

During the first full year of a new reporting requirement, employers reported 10,388 severe injuries, including 7,636 hospitalizations and 2,644 amputations. For more statistics and the evaluation of the impact of the new requirements, see the full report*

In the majority of cases, OSHA asked employers to conduct their own incident investigations and propose remedies to prevent future injuries. OSHA provided employers with guidance materials to assist them in this process. Known as a Rapid Response Investigation, this collaborative, problem-solving approach invites the employer and an area OSHA expert to work together toward the shared goal of fixing hazards and improving overall workplace safety. At other times, the agency determined that the hazards described warranted a worksite inspection.

“In case after case, the prompt reporting of worker injuries has created opportunities for us to work with employers we wouldn’t have had contact with otherwise,” said report author David Michaels, assistant secretary of labor for occupational safety and health. “The result is safer workplaces for thousands of workers.” Read Dr. Michaels’ blog for examples of workplace safety success stories that resulted from collaboration between employers and OSHA.

An evaluation of 2015 results found that the requirement met its intended goals of helping OSHA focus resources where they are most needed, and engaging employers in high-hazard industries to identify and eliminate hazards.

“OSHA will continue to evaluate the program and make changes to improve its effectiveness,” Dr. Michaels wrote in the report. “And we are seeking new
ways to make sure that small employers know about their reporting obligations and the resources available to them.”

**MSHA Issues Stockpile Accidents Safety Alert**
During calendar year 2015, seven dozers were involved in stockpile accidents. Most of the accidents involved the dozer falling into a hidden cavity created when material “bridged” over a feeder and material beneath the bridge was withdrawn. While none of the miners were injured, all accidents had the potential to be serious. Details: [http://arlweb.msha.gov/Alerts/041316-stockpile-accident.pdf](http://arlweb.msha.gov/Alerts/041316-stockpile-accident.pdf)

**Upcoming AGCA Safety Training**
Advanced Safety Management Training Course
June 1-3, 2016 in Arlington Virginia

This unique three-day course provides construction safety and health professionals with the next-level knowledge required to successfully manage a company-wide safety program. Moving beyond the basics of Focus Four training, AGC’s Advanced Safety Management Training Program will give participants a more holistic view of safety’s role in project and company success, as well as advanced tactics and best practices for managing all aspects of a corporate safety program. Participants will also focus on the importance of “selling” safety throughout the organization and methods to generate buy-in from different audiences. - See more at: [https://www.agc.org/learn/education-training/safety-training/advanced-safety-management-training-course#sthash.oWN39mYo.dpuf](https://www.agc.org/learn/education-training/safety-training/advanced-safety-management-training-course#sthash.oWN39mYo.dpuf)

**Safety Sam Available on Member Job Sites!**
The AGC has three (3) Safety Sam work zone awareness barrel guys who are ready to be put up on different jobsites across the state. This is a member benefit to help raise awareness of safety in the work zones & remind drivers to slow down! One Sam is up in Murdo, SD right now, and another will take part in the Rapid City Golf Tournament. If you would like to have Safety Sam on your jobsite this summer, please email lindsay@sdagc.org.
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TCC Fly-In Calls for Highway Trust Fund Fix
AGC members joined our industry partners in the 15th Annual Transportation Construction Coalition (TCC) Fly-In to bring the industry’s message to Congress. While there was much good feeling from the over 400 participants this year because past efforts successfully delivered a five year, fully funded FAST Act in December 2015, reality tempered the positive theme of the meeting due to the realization that the job is not yet done.

South Dakota was represented by Mark Knight, Knight Construction Services, Tim Forester, Hills Materials Co., Dean Herll, BX Civil & Construction and Toby Crow. Members spent a day visiting with our Congressional delegations discussing future funding and the need for Congress to find a sustainable user-fee based funding mechanism for the next bill and to begin the process now. Another topic discussed was Federal Aviation Administration funding, which is set to expire on July 15, 2016. It is very important that an extension or a new bill be passed soon to ensure continued funding for this program.

AGC Supported FAA Bill Passes Senate
By a vote of 95-3 the Senate completed action on the AGC-supported reauthorization of the Federal Aviation Administration (FAA) programs for fiscal years 2016 and 2017. The bill increases funding levels for the Airport Infrastructure Program (AIP) and includes provisions related to drones and the creation of one size standard for businesses participating in the FAA’s Disadvantaged Business Enterprise (DBE) program. Unfortunately, the bill does not include an AGC priority – increasing the Passenger Facility Charge – which would result in more airport infrastructure funding. The bill now heads to the House where several options on how to proceed prior to the expiration of the current FAA authorization on July 15 are under consideration. AGC will work to ensure the final FAA bill addresses the construction industry’s priorities.

AGC Successful in Advancing Clean Water Trust Fund and Other Water Infrastructure Provisions in Senate WRDA Bill
AGC and its industry coalition partners in the Water Infrastructure Network have been working for a number of months to get significant water infrastructure provisions included in the 2016 Water Resources Development Act (WRDA) in the Senate. We were successful in getting many important provisions approved by the Committee. The bill creates a longtime AGC priority, a Clean Water Trust Fund, and, while this bill itself does not carry additional funding, it authorizes voluntary contributions to the trust fund. Creation of a trust fund dedicated to water infrastructure opens many new possibilities for future dedicated revenue prospects. AGC will continue to advocate for this legislation as it advances to the Senate floor.

The U.S. Environmental Protection Agency is asking for public input on its proposed 2017 Construction General Permit, which authorizes stormwater discharge from construction sites. Although the Agency’s general permit directly applies in only a handful of states and territories, it serves as a national model for state-issued Construction General Permits. AGC needs your help in crafting comments on how the proposed permit will significantly impact construction operations and overall environmental management on regulated construction sites. Please provide any comments to Leah Pilconis at pilconisl@agc.org.
AGC-backed Suit to Block Fed's New Silica Rule to Be Heard in DC Circuit Court

Court officials recently announced that an AGC of America-backed lawsuit to block the Obama Administration’s misguided new silica rule will be heard in the D.C. Circuit Court. AGC, via the Louisiana AGC, filed suit in the 5th Circuit earlier this month to block the measure, arguing that the Administration established a new standard that is beyond the technological limits of current dust removal equipment. As a number of other groups filed similar motions in other circuit courts, judicial officials were forced to select a venue via random lottery. While the DC Circuit is considered less favorable than the 5th Circuit, some of the circuit’s prior case law does appear favorable. The legal challenge will be long, lengthy, and far-from certain tactic. That is why AGC is continuing to push for legislation in Congress to force the Administration to put in place workable silica measures that will be far more effective in improving workplace health and safety. For more information, contact Kevin Cannon at cannonk@agc.org or 703-837-5410.

DOT Calls for Better Monitoring of Prompt Pay Requirements for DBE Program

US DOT has issued new guidance to states regarding the prompt payment requirements in the DBE program. The guidance is not new policy but reemphasizes what is already in the DBE regulations and points out the need for State DOTs to monitor payments to subcontractors. The provision requires primes to pay all subcontractors (DBE and non-DBE) within 30 days of the prime receiving payment from the state. The payment should include any retainage held by the prime on the sub after the sub has successfully completed its subcontract. According to the guidance states are supposed to accept portions of the work on a contract as completed thereby eliminating the need for the prime to hold retainage. DOT issued the new guidance because it has been receiving complaints from subs saying they are not getting paid promptly.

Building a Better Congress

AGC PAC is the nonpartisan political action committee (PAC) sponsored by AGC of America. It is registered with the U.S. Federal Election Commission (FEC) and allows eligible employees of AGC member companies to pool personal, voluntary financial contributions. The contributions are used to support candidates running for elective office who, regardless of party affiliation, understand the construction industry and the specific needs, interests and concerns of AGC member companies and their employees. For more information about AGC PAC, please contact David Ashinoff, Director of AGC PAC & Political Advocacy at ashinoffd@agc.org or (202) 547-5013.
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