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inside

JANUARY-FEBRUARY 2019 / VOLUME 30, ISSUE 1



ON THE COVER

10 ARTBA Veteran Dave Bauer Takes the Helm

FEATURES

- 14** 2019: Infrastructure's Big Moment?
- 16** ARTBA's Reauthorization Task Force
- 18** Guest Columns by House & Senate Transportation Leaders
- 24** One-on-One with Idaho's Brian Ness

"ARTBA's top three priorities are:

- 1) fix the Highway Trust Fund;
- 2) fix the Highway Trust Fund; and
- 3) fix the Highway Trust Fund."

ARTBA President & CEO Dave Bauer, page 10.

IN EVERY ISSUE

- From the Chairman, p. 6
- Dave Bauer: The Arena, p. 8
- AEM Corner, p. 26
- Regulatory Roundup, p. 28
- The Last Turn, p. 30

ADVERTISER INDEX

CONSTRUCTION EQUIPMENT, PRODUCTS & SERVICES

Gomaco Corp., p. 2

Wirtgen America, p. 13

Heritage Construction & Materials, p. 25

Weiler, p. 27

Case Construction, p. 32

HIGHWAY SAFETY PRODUCTS & RESOURCES

Safety Certification for Transportation Project Professionals™ Class of 2018, p. 9

Trinity, p. 17

OSHA Safety Training, p. 22

Safety Certification for Transportation Project Professionals™, p. 23

Work Zone Safety Information Clearinghouse, p. 29

Laura Metaal, p. 31

SOFTWARE

HCSS, p. 21

B2W, p. 16

ARTBA

P3 Conference, p. 5

FIP/TCC Fly-In, p. 7

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TRANSPORTATION BUILDER®

"Transportation Builder" (TB) is the official publication of the American Road & Transportation Builders Association (ARTBA), a federation whose primary goal is to aggressively grow and protect transportation infrastructure investment to meet the public and business demand for safe and efficient travel. In support of this mission, ARTBA also provides programs and services designed to give its members a global competitive edge. TB is the primary source of business, legislative, regulatory, safety and economic news that matters most to transportation development professionals.

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Crumbling Infrastructure

Googling “crumbling infrastructure” returns more than 4 million hits in 0.48 seconds.

The six-syllable shorthand is overused by politicians and journalists alike to reference America’s need to invest in its large inventory of roads, bridges, transit, railroad, and airport systems, as well as utilities and other important economic networks, that largely date to the first half of the last century.



Mark Holan
Editorial Director
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“Rebuild and replace,” you might say.

President Donald Trump used “crumbling infrastructure” in his Feb. 5 State of the Union (SOTU) address, just as he did in 2018 and 2017 speeches to a joint session of Congress.

But he didn’t offer any details on a plan or propose any funding to fix it.

Here’s an idea: a cliché toll. From now on, every time a politician or writer uses the term “crumbling infrastructure,” they must pony up \$1 million for transportation capital improvements.

My Google search results would yield more than \$4 trillion.

I’m joking, of course, but the issue is serious. Here’s what ARTBA’s new CEO Dave Bauer, profiled on page 10, said in a statement after the SOTU:

“A permanent revenue solution to the chronic shortfall plaguing the Highway Trust Fund should be the foundational priority for any infrastructure package. It’s time to stop talking about investing in infrastructure and get to work fixing it.”

That’s much closer to a specific solution for eliminating “crumbling infrastructure.”

New Ad Representative

Peter Embrey, ARTBA’s advertising sales director since 2011, has retired. We wish him well.

A new team led by Dave Weidner is now handling ad sales for Transportation Builder, the digital Washington Newsline, and other publications.

Expect to hear from them soon. You also can email adsales@artba.org, or call 202.683.1026.

And you are always welcome to contact me with questions. Thank you for your advertising support ... past and future.



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American Road
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Builders Association



FROM THE CHAIRMAN

ROBERT E. ALGER | President & CEO, Lane Industries, Inc.

May Rallying Call: Fix the Highway Trust Fund

The transportation construction industry's top priority in 2019 remains building political support for and moving a permanent revenue solution for the Highway Trust Fund (HTF). As a grassroots advocate, you can play a critical role in helping get the job done.

By attending the ARTBA Federal Issues Program (FIP) and Transportation Construction Coalition (TCC) Fly-In, May 13-15 in the Nation's Capital, you'll have the opportunity to meet directly with your congressional delegation to press them for action this year. The 116th Congress has more than 100 new members. This presents a huge challenge—and opportunity—for all of us to help educate them about how the federal highway/transit program works, and the enormous economic benefits transportation investment brings to their states or districts.

Legislative, regulatory, economic, and safety program updates from senior ARTBA staff are on the agenda as are face-to-face meetings with federal agency officials via council, division, and committee meetings. You'll also receive a progress report from leaders of the ARTBA FAST Act Reauthorization Task Force as they continue developing the industry's legislative blueprint for the scheduled 2020 highway/transit bill.

In this tough political climate, it's more important than ever that elected leaders hear our industry's rallying call about the urgent need to fix the HTF and then pivot to action on a long-term infrastructure package.

Please review this year's FIP and TCC Fly-In schedule on the opposite page. More details are available at artbafederalissues.org. Register today.

I look forward to seeing you this May.

87% SAY YES

“Should the Democratic leadership and President Trump should work together during 2019 to pass legislation that would improve other infrastructure?”

96 % SAY VERY or SOMEWHAT IMPORTANT

“How important is improving infrastructure like our roads, bridges, public transit, water systems and the power grid?”

Source: Jan. 23-24, 2019, Rasmussen Reports survey for ARTBA/APTA



PROGRAM SCHEDULE

MONDAY, MAY 13

11:30 a.m.–1:30 p.m.	Executive Committee (Executive Committee Members Only)
1:30–2:30 p.m.	Bridge Policy & Promotion Council Public Private Partnerships Division
2:30–3:30 p.m.	Industry Leader Development Council
2–3 p.m.	Transportation Development Foundation Trustees (Trustees Only)
2:30–4:30 p.m.	Contractors Division Roundtable with Federal Highway Administration
3:30–5 p.m.	Nominating Committee (Committee Members Only) Planning & Design Division Meeting Transportation Officials Division
5–6 p.m.	Council of State Executives (ARTBA Chapter Executives, Staff & Invited Guests Only) Women Leaders Council
6–7 p.m.	Reception (Hosted by the Materials & Services Division)

TUESDAY, MAY 14

7:30–8:55 a.m.	Contractors Division
9–9:45 a.m.	General Session
9:45–10 a.m.	Networking Break
10–11:15 a.m.	General Sessions
11:15 a.m.–1 p.m.	Board of Directors Meeting
1–2:30 p.m.	ARTBA Foundation Awards Luncheon
2:30 p.m.	Transportation Construction Coalition Fly-In (TCC) Begins
2:30–5 p.m.	TCC Legislative Session
6–7:30 p.m.	TCC Capitol Hill Reception

WEDNESDAY, MAY 15

7–8 a.m.	TCC Breakfast
8–5 p.m.	TCC Meetings with Members of Congress



THE ARENA

DAVE BAUER | President & CEO, American Road & Transportation Builders Association

ARTBA's Philosophy: Strive for Improvement & Never Accept the Status Quo

To improve is to change; to be perfect is to change often.
-- *Winston Churchill*

Striving for improvement and never accepting the status quo are as important today as in Churchill's time. The power of such concepts is their application to government, business and our personal lives. They are certainly ARTBA foundational philosophies.

This is how the muddy roads ARTBA-founder Horatio Earle confronted in the early 20th century became transformed into the Interstate Highway System. It's why we've launched void-filling solutions such as the Transportation Investment Advocacy Center (TIAC) and ANSI-accredited Safety Certification for Transportation Project Professionals™ (SCTPP) program.

Now, as your new ARTBA president, I believe it is time to improve—and expand—such initiatives, while remaining true to our core mission: market development and protection.

Aggressive Advocacy

The return of divided government provides ARTBA and its members with a unique opportunity. The new Democratic-controlled House, along with the Republican-led Senate and President Donald Trump, each have identified infrastructure as an area for common ground. From ARTBA's perspective, a permanent revenue solution for the Highway Trust Fund is advocacy priority #1.

Coalitions and partnerships will be a strategic element of our efforts. ARTBA recently partnered with the American Public Transportation Association to quantify the overwhelming support (nearly 90 percent) from Republicans, Democrats and Independents for 2019 passage of a bill to significantly increase federal infrastructure investment. We will work with industry allies who share our commitment to ensuring Washington delivers.

Finally, to support contractor chapters and business groups working to increase funding at the state and local levels, we plan to expand TIAC's activities. This includes valuable resources about legislation, ballot initiatives, and communications campaigns to advance the pro-transportation message.

Safety Certification

More than 300 industry professionals from 85 firms and public agencies in 36 states have become "safety certified" through the ANSI-accredited SCTPP program. And yet, we've just scratched the surface.

The 50,000 injuries and fatalities that occur in, and around, U.S. transportation project sites annually remains unacceptable. That's why SCTPP is bringing the "safety vision" to the tens of thousands of people involved in transportation projects from inception to completion, not just safety professionals. Working with the Certification Commissioners and other leaders, we plan to certify as many people as possible to dramatically reduce the number of preventable safety incidents.

Looking further down the road, we envision bringing SCTPP to international audiences.

Expanded Member Engagement

An association's success is driven in large measure by the engagement of its membership. ARTBA has been successful in the policy arena for 117 years because of its steadfast commitment to its mission and outstanding leadership contributions from its volunteers and state contractor chapter affiliates. But, the continual pace of change means that we can't rest on our laurels. The recently-announced FAST Act Reauthorization Task Force, Disadvantaged Business Enterprise Work Group, and Workforce Development Task Forces, present opportunities for new engagement.

Over the next year, I will travel outside the Beltway to visit key members and our state chapters. I want to hear personally from you about how ARTBA can provide tangible benefits that will help better meet your business needs. These efforts will also lay the groundwork for an upcoming strategic planning exercise.

As we move forward with making progress top of mind, any changes we make will be guided by the core values in our bylaws: "an action-oriented approach" coupled with "intelligent risk taking."

We may not realize perfection, but we will never falter in our commitment and determination to achieve it. Our members who design and build the nation's transportation network—and the public that uses it—deserve nothing less.



The Safety Certification for Transportation Project Professionals™ was created to boost the hazard awareness and risk management skills of all transportation project professionals who are in positions of influence—from project inception through completion—to cause a major decline in safety incidents.



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“Dave was clearly the best choice to lead ARTBA’s outstanding staff. His passion and unwavering commitment to advancing ARTBA’s mission will help drive his—and the association’s—success.”

--2019 ARTBA Chairman Bob Alger, president and CEO of The Lane Construction Corporation



ARTBA Veteran Dave Bauer Takes the Helm

By Mark Holan
mholan@artba.org

David C. Bauer was unanimously selected as ARTBA's president and CEO in October 2018 by the association's board of directors. He assumed the role Jan. 1, becoming the eleventh chief executive since ARTBA's founding in 1902.

Bauer joined ARTBA in 1997 and was its executive vice president of advocacy prior to his promotion. His experience has focused on federal transportation capital investment issues and programmatic improvements. He directed ARTBA's direct lobbying, grassroots initiatives, policy development, regulatory engagement, and political fundraising.

He played key association leadership roles in the passage of four major federal highway and public transit investment laws: TEA-21 (1998), SAFETEA-LU (2005), MAP-21 (2012) and the FAST Act (2015).

Bauer has been recognized by "CEO Update," a top association management publication, as a lobbyist most "skilled at moving the ball for their industries and effective at selling their story to targeted audiences."

Among other achievements, Bauer accepted an "Industry Partner Award" in 2005 on ARTBA's behalf from the Renewable Fuels Association. The award recognized the work between the two associations to find common ground on the appropriate role ethanol motor fuel use should play in supporting federal highway and bridge improvements. This policy reform boosted revenues for transportation programs by more than \$2 billion per year.

A veteran of Capitol Hill, Bauer spent seven years on the personal staff of now retired U.S. Senator Mark O. Hatfield (R-Ore.).

Originally from Oregon, Bauer has a bachelor's in economics from Willamette University and an M.B.A. from The George Washington University in Washington, D.C. He and his wife, Julie, and two sons, reside in Alexandria, Va.

I recently interviewed Bauer about his career, his thoughts about becoming CEO and his priorities for the future of the association. Below is the transcript of our conversation:

TB: What are your initial thoughts as you become ARTBA's new CEO?

BAUER: It is an honor to work on behalf of this great industry. Our members deliver the transportation mobility that is part of the very fabric of American society and the foundation the U.S. economy. I am humbled and energized by the opportunity to help them continue the critical role they play for this nation.

TB: What do you want the ARTBA membership to know about you and your approach to the job?

BAUER: I know full well the high bar Pete Ruane and past volunteer ARTBA leaders have set for this association and the transportation construction industry. We will embrace that history and it will motivate us to build on those past successes to achieve even more in the future.

TB: What are your top legislative priorities in the year ahead?

BAUER: ARTBA's top three priorities are: 1) fix the Highway Trust Fund; 2) fix the Highway Trust Fund; and 3) fix the Highway Trust Fund. We have a full advocacy plan and always will, but with federal highway funds supporting more than 50 percent of all state highway and bridge improvements, there is nothing more meaningful we can do than to permanently stabilize and grow this critical source of capital investments.

Failure to put in place a solution to the trust fund's permanent revenue shortfall imperils a timely reauthorization of the federal surface transportation programs in 2020 and a robust federal infrastructure package. We are always willing to work with Congress and the administration on any legislation that will improve the safety of our workers and the users of U.S. transportation systems.

TB: In an era of divided government, what are the prospects for a Highway Trust Fund fix or infrastructure package?

BAUER: There is no denying the polarization of American politics and the brand of partisans both parties are sending to Capitol Hill. That is why one of the first things we did was commission a public opinion survey that quantified despite the deep divisions that exist on issues like a southern border wall, Americans from both parties (and Independents, too) overwhelmingly support Congress and the president working to fix the nation's failing infrastructure facilities. Nothing of significance is easy or guaranteed in today's Washington, D.C., but infrastructure investment is one of the few areas of common ground between the two parties and we are going to make sure officials from both sides certainly remember that is the case.



“Dave’s encyclopedic knowledge of transportation policy issues, his non-partisan approach, and his strong relationships with the staff, the association’s membership and its industry coalition partners make him the right person to lead ARTBA.”

--2015-17 ARTBA Chairman David Zachry, CEO of Zachry Corporation, who chaired the search committee

TB: What are you hoping to achieve on the regulatory front?

BAUER: Thanks to the hard work of our members and ARTBA staff, we are making significant strides in regulatory reform with this administration. We should soon learn whether the Federal Highway Administration will amend or repeal the century-old proprietary products rule, which ARTBA believes impedes innovations that could save lives, reduce congestion, and otherwise improve our nation’s highways. The Obama-era “waters of the United States” regulation that transformed roadside ditches into protected waterways is being rolled back. As with legislative initiatives, these efforts take time and diligence. We are committed to seeing through the regulatory reforms that will help our members grow their businesses and improve the national economy and quality of life.

TB: Can you discuss the importance of transportation safety to the overall ARTBA mission?

BAUER: ARTBA’s commitment to safety cannot be overstated. We have long held a leadership role in this area, and it will not flag or fail on my watch. The ARTBA Foundation-created Safety Certification for Transportation Project Professionals™ (SCTPP) program continues gathering momentum. We have hired a new staff professional to make sure this continues and grows. Our stewardship of the National Work Zone Safety Information Clearinghouse is now in its third decade. We are committed to providing safety training through in-person and digital formats. We will never be satisfied until we reach zero safety incidents.

TB: What do you view among the greatest challenges facing the U.S. transportation construction industry?

BAUER: This is an industry of innovators and entrepreneurs. Current challenges like workforce shortages, excessive regulations, anti-competitive tax policies and uncertainty around public investments have always existed in one form or another. I certainly understand the complications from these and other trials, but the transportation construction industry has routinely demonstrated challenges are not obstructions



Dave and Julie Bauer with their sons Josh, left, and Davis.

because its fundamental strength is solving problems. Our goal is to help our members continue to overcome their hurdles.

TB: ARTBA has been in business since 1902. What are the reasons for its longevity and success?

BAUER: Excellent membership and excellent staff. You are as good as the company you keep. Whether multinational firms or local contractors, ARTBA members have a long and distinguished record of building great projects that help the national economy and improve our quality of life. Many of our members do additional public service in their communities beyond their construction-related work. We have a diverse staff that is fully committed to the ARTBA mission. The energy of our membership and staff is a powerful combination. I’m proud to work with both. What we do collectively makes this nation a better place.

TB: In your nearly 30 years of working in the Nation’s Capital, what’s the best piece of professional advice you’ve been given?

BAUER: I have been fortunate to have multiple great mentors over the years and I am a better person and professional thanks to the lessons I learned from each of them. Underneath all the pomp, posturing, and parlor games in Washington, D.C., the business of government and advocacy still comes down to personal relationships. Treating people honestly and with respect will always be a cornerstone of my personal philosophy.

Mark Holan is ARTBA’s editorial director.

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Is 2019 Finally Infrastructure's Big Moment?

By Dean Franks
dfranks@artba.org

President Donald Trump promised to build more than a wall on the U.S.-Mexico border when he announced his candidacy in June 2015. He also committed to a \$1 trillion infrastructure package during his first 100 days in office, part of a national rebuilding program.

Two years into his presidency, Trump has not signed a grand infrastructure bill into law. In February 2018, he released a proposal to leverage \$200 billion in federal dollars for new programs designed to incentivize state, local, and private sector investment to exceed the \$1 trillion level. Senate Democrats also outlined their own \$1 trillion infrastructure plan. Neither proposal garnered bipartisan support on Capitol Hill.

Legislators did agree to \$10 billion per year in extra spending on broad infrastructure investments in FY 2018 and FY 2019 as part of a larger, two-year budget deal. The investment is helpful, to be sure, but falls far short of the nation's documented infrastructure needs.

Now, Trump faces a House controlled by the Democrats after the party's 40-seat pick-up in November. While it may sound counter intuitive, the return to divided government could help improve the prospects for both a robust infrastructure package and a user fee revenue solution to support highway and transit investment through the Highway Trust Fund (HTF). Many Democrats campaigned with an infrastructure message similar to Trump's and for the last two years repeatedly called on their Republican counterparts to act. And recall the last two surface transportation laws—2012's MAP-21 and 2015's FAST Act—were accomplished in an era of divided government.

House Transportation & Infrastructure Committee Chairman Peter DeFazio (D-Ore.), a chamber veteran, and other key members, have pledged to make sustainable revenue for dedicated highway and public transit funding a central piece of any infrastructure package. Without such a fix, the next transportation authorization law, due in October 2020, will require an \$18 billion annual average infusion to the HTF just to maintain current investment levels.

Obstacles Remain

A record five-week shutdown driven by Trump's desire for a border wall with Mexico closed much of the federal government at the start of this year. A temporary funding deal in late January paved the way for a final agreement in the middle of February.

These delays on final FY 2019 spending levels reduced the time Congress and the president have to deliver an infrastructure package before the 2020 presidential campaign hits full stride. But the final deal also demonstrated that the two sides can work together.

Given the divided majorities in the House and Senate, any deal on infrastructure will need to be bipartisan. Speaking Jan.

23 to a group of U.S. mayors, House Speaker Nancy Pelosi (D-Calif) said, “I’m optimistic because one of the subjects I have some common ground with the president on is the subject of infrastructure. Maybe 80 percent of the conversations I’ve had with him since his election have been about infrastructure.” In his Feb. 5 State of the Union address, Trump also discussed the importance of infrastructure and highlighted it as an area of common ground.

Senate Majority Leader Mitch McConnell (R-Ky.) and the GOP picked up two seats in the 2018 elections, but so far have been silent about an infrastructure package. If the House sends the Senate a bill and the president remains engaged on the issue, it will likely increase pressure on the Senate to act.

Reauthorization Coming

On the heels of an infrastructure package debate is the 2020 expiration of the FAST Act. Some Republicans are discussing the possibility of combining reauthorization with an infrastructure package, though the idea has been met resistance from some Democrats.

ARTBA is already taking steps to prepare for the next highway and transit reauthorization. In January, ARTBA Chairman Bob Alger announced creation of a member-led task force charged with developing the industry’s legislative blueprint for the 2020 bill. See the story on page 16.

Regulatory Progress

On the regulatory front, the Trump administration has continued working to remove barriers that it believes were negatively impacting the economy. One of the most significant developments was the introduction of the “One Federal Decision” policy, an agreement by 12 federal agencies to streamline environmental reviews for major infrastructure projects by placing one agency in charge of all permitting decisions and completing the process within two years.

Progress also has been made in streamlining federal clean air act regulations. The U.S. Environmental Protection

Agency (EPA) declined to tighten national standards for nitrogen dioxide, and the U.S. Department of Transportation (DOT) struck down a proposal that would have required new transportation projects to measure greenhouse gas (GHG) emissions.

Arguably the administration’s most prominent regulatory reform is its ongoing effort to repeal and replace the “waters of the United States” (WOTUS) rule. The EPA is taking comments on a proposed rule to replace the Obama administration’s 2015 WOTUS definition, which was so overly broad it made roadside ditches subject to EPA and U.S. Army Corps of Engineers regulation. The revised WOTUS rule would exempt most ditches from such oversight. See story on page 29.

Other areas of likely regulatory activity this year include:

- ARTBA’s petition submitted to the Federal Highway Administration (FHWA) to repeal its 1916 rule prohibiting the use of federal funds on patented and proprietary products used in transportation construction;
- Reforming the Federal Motor Carrier Safety Administration’s (FMCSA) hours of service rules for construction equipment operators; and
- EPA’s revisions to average fuel economy (CAFE) standards. CAFE standards reform is significant because, after years of prompting by ARTBA, the agency is finally considering how changes to the standards impact the Highway Trust Fund.

Be a Grassroots Leader

We encourage you to remind your members of Congress to keep their campaign promises to boost federal infrastructure spending. While ARTBA’s government affairs and economics teams are embarking on an effort here in D.C. to educate more than 100 new members about the benefits of transportation investment on their states/districts, you can be a leader at home by inviting elected officials to your headquarters or job site. Share with them how your business runs. Tell them how important a permanent HTF fix and infrastructure package are to your company and its employees.

We will continue to keep you informed on legislative developments via ARTBA’s Washington Newslines, artba.org., targeted emails and our Phone2Action grassroots action platform.

Finally, register today for the May 13-15 Federal Issues Program and Transportation Construction Coalition Fly-In in Washington, D.C. It offers an excellent opportunity to meet industry peers, hear from congressional staff and federal agency officials, and visit members of the House and Senate in their Capitol Hill offices.

2019 could be a year of key infrastructure-related developments. We know you will be ready to act.

Dean Franks is ARTBA’s senior vice president, congressional relations.



ARTBA Task Force Readies for 2020 FAST Act Reauthorization

By Eileen Houlihan
ehoulihan@artba.org

ARTBA Chairman Bob Alger, president and CEO of The Lane Construction Corporation, Jan. 21 announced the creation of a member-led “FAST Act Reauthorization Task Force.”

The group is charged with developing the association’s legislative blueprint for the next reauthorization of the nation’s federal highway and public transit programs, due in 2020. Federal investment accounts for, on average, more than 50 percent of annual highway and bridge capital investments made by the states.

Paula Hammond, a WSP USA senior vice president and national transportation market leader based in Seattle, and Tim Duit, president of Oklahoma-based Duit Construction Co., Inc., are co-task force co-chairs.

Hammond dedicated her 34-year public service career to improving transportation systems in Washington state, and served as its secretary of transportation from 2007-2013. She is WSP USA’s leader in emerging transportation areas such as connected and automated futures, system operations, pricing, resilience and integrated corridor management.

Duit is a director on the Oklahoma Associated General Contractors (AGC) board and Oklahoma AGC Workers’ Compensation. He is also on the UMB Bank advisory board. He has held several positions with Duit Construction since joining the company in 1982. Duit Construction is part of a



ARTBA Vice Chair At-Large
Paula Hammond



ARTBA Vice Chair At-Large
Tim Duit

family of companies—including TKK Construction, which Tim formed in 1994—that have become the premier group of concrete and asphalt paving and bridge construction contractors in Oklahoma, Texas, Arkansas and Kansas.

Other task force participants from all eight ARTBA membership divisions will be named shortly as work gets underway.

The task force will issue a final report on its proceedings during the 2019 ARTBA National Convention, scheduled this September in Savannah, Georgia.

Eileen Houlihan is ARTBA’s senior writer/editor.

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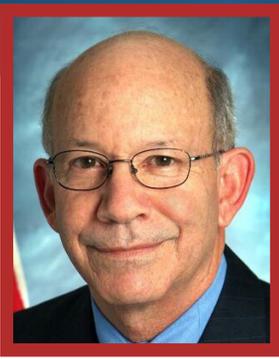
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Getting a Robust Infrastructure Package Across the Finish Line

By Rep. Peter A. DeFazio (D-Ore.)

We've come a long way since 1956, when construction began on the U.S. Interstate Highway System. President Dwight D. Eisenhower championed the project, which linked our nation like never before. Generations of Americans have invested in this vision, knowing our transportation system binds our national economic well-being, security and communities together.

After years of federal neglect, however, our system is in jeopardy.

Years of underinvestment have led to an \$836 billion backlog of unmet capital investment needs for aging highways and bridges. A recent Transportation Research Board study found that the United States will need to invest \$45 billion to \$70 billion annually over the next 20 years to rebuild crumbling roads and bridges and to increase Interstate capacity. This is two to three times more than what is currently spent at the state and federal level combined. And yet, federal gasoline and diesel user fees, the principal means to fund the Highway Trust Fund, haven't been raised since 1993.

Inaction is not the answer. In fact, the cost of doing nothing is much higher in the long-term than fixing the problem. In 2017, the cost of congestion increased to over \$300 billion. According to a 2016 report prepared for the American Society of Civil Engineers, "From 2016 to 2025, each household will lose \$3,400 each year in disposable income due to infrastructure deficiencies."

There is no shortage of work, but I am ready. As the new chairman of the House Committee on Transportation and Infrastructure, I plan to work with my colleagues to continue its long history of bipartisanship and reaching across the aisle in order to get things done.

It is imperative we identify and dedicate sustainable revenue that will provide a reliable funding stream for all modes of our transportation network. That is why I plan to reintroduce legislation that will help to rebuild our nation's airports, ports, roads, bridges, and transit systems, including the:

- "Investing in America: A Penny for Progress Act," which indexes gas and diesel user fees and bonds the proceeds to generate more than \$500 billion to improve our Nation's highways, bridges, and public transit systems, and meet future needs through 2030. The increase in user fees is estimated to be 1 cent per year, and is capped at 1.5 cents per year.

- "Investing in America: Unlocking the Harbor Maintenance Trust Fund Act," which provides nearly \$20 billion over the next decade for investments in critical harbor and port projects by guaranteeing the money collected from shippers to dredge the nation's ports is actually used for harbor maintenance—and not to hide the size of the budget deficit.
- "Investing in America: Rebuilding America's Airport Infrastructure Act," which lifts the cap on the passenger facility charge allowing airports to generate billions of dollars locally to rebuild and rehabilitate aging terminals, runways, and taxiways to keep pace with the ever-increasing demands of the 21st century.

With that in mind, we need to ensure the investments made today will meet the needs of tomorrow. It's not enough to simply maintain what we have. We need to look forward and modernize how we plan and build transportation projects to accommodate changing technology, including electric and autonomous vehicles. Our transportation network needs to be stronger and more resilient with a lifespan that can withstand the changing climate. We must identify ways to ensure our state and local partners can deliver projects quickly and efficiently—without undercutting safety, critical environmental protections, or worker rights.

We also must focus on how to move people and goods more efficiently. Congestion already costs each U.S. driver an average of \$1,400 per year and this number will grow exponentially without significant investment in a range of transportation options, including transit. As part of this effort, we must preserve access to affordable transportation options. We can't toll our way around massive underinvestment.

With this new Democratic Congress, and experienced leadership on the Transportation and Infrastructure Committee, there is tremendous opportunity to make critical investments in our nation's infrastructure. But we can't do it alone. We need a commitment to real revenue from the White House in order to get a robust infrastructure package across the finish line. I stand ready and willing to work with the president to make this happen.

Rep. Peter DeFazio is chairman of the House Transportation & Infrastructure Committee.

Let's Work Together for the Future of America's Infrastructure

By Rep. Sam Graves (R-Mo.)



Republicans and Democrats are eager to get something done for our infrastructure: an issue that impacts every person and business in America.

Growing up as a farmer, I understood the importance of infrastructure to our way of life in rural North Missouri. Roads and bridges, rail routes, inland waterways, and distant seaports formed a strong infrastructure network that allowed us to send our products to markets across the country and around the world. So, when I first came to Congress, infrastructure was an issue I wanted to focus on. Everything in America moves, and infrastructure moves our entire economy.

In Congress, infrastructure can frequently bring political parties together, and we have worked in a bipartisan manner, along with stakeholders like ARTBA, to get results. For example, as Highways and Transit Subcommittee chairman, I helped lead the effort to enact the bipartisan Fixing America's Surface Transportation (FAST) Act. In recent years, we also passed multiple Water Resources Development Acts and an FAA reauthorization. These few bills provided over \$380 billion in infrastructure investment.

Through such legislation, we have made progress in addressing our infrastructure needs. But the work is not done. And with infrastructure remaining at the top of the agenda in Washington, we have an opportunity to do more.

I believe there are several key issues for the future of America's infrastructure.

An obvious challenge is how we will pay for it. A large part of that solution will be finally fixing the Highway Trust Fund, the source of federal funding for the surface transportation system.

Since the 1950s, the federal fuel taxes – the main sources of revenue for the Trust Fund – have mostly provided an efficient, straight-forward way to collect fees from system users and make necessary transportation improvements. The user fee concept is sound, but the current fuel taxes no longer work.

As Congress works to address infrastructure, we will look at all options for fixing the Trust Fund. I believe the most sustainable, long-term solution – one that doesn't rely on regular General Fund transfers – is to transition from the fuel taxes to a Vehicle Miles Traveled (VMT) program.

VMT is being pioneered at the state level, and it's time to

pursue it at the national level. There are challenges with any new approach, but I am confident we can address them. We can't put off the future any longer. We need a sustainable solution that ensures all users are paying into the system.

Once we fix the Trust Fund, we will be able to address our near-term needs and build the modern transportation network America needs to compete in the always-evolving global economy. Just as the fuel taxes of the 1950s no longer work today, we cannot rely on 20th century infrastructure in our 21st century economy.

Shoring up our finances will allow us to begin unlocking the potential for technology to help improve infrastructure, efficiency, and transportation safety. The federal government has taken some steps towards this goal, but government frequently lags far behind innovation.

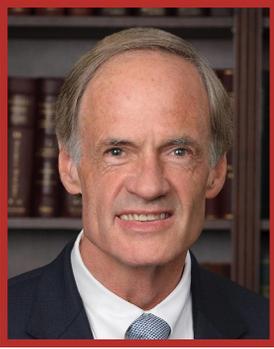
We must encourage the use of technology where it makes sense and strike the right balance between private sector ingenuity and federal regulation that won't stifle innovation: an approach that could slingshot our infrastructure into the future.

Technology will also help stretch our limited resources along with cutting red tape in the project delivery process.

Streamlining this process is a priority of the administration and will continue to be a priority in our work on the Transportation and Infrastructure Committee under my leadership. We can always look for ways to build infrastructure more efficiently, because there will always be fat to trim in federal processes. Nobody knows this better than President Donald Trump, who cut his teeth as a successful builder in the private sector.

As a farmer, I know that the rest of the world doesn't wait on you to bring in the crops. There's no other option than to get to work and get the job done. If you don't, you don't survive. Simple as that. The same is true for the future of our infrastructure and the economy. I am confident that we can work together – Republicans, Democrats, the administration, and Congress – to get the job done for the American people.

U.S. Rep. Sam Graves is ranking member of the House Transportation & Infrastructure Committee.



Fixing the Highway Trust Fund, Modernizing Infrastructure

By Sen. Tom Carper (D-Del.)

Shortly after we gaveled open the 115th Congress, I penned a column for Transportation Builder and postulated that, even in these particularly partisan times, infrastructure policy can and will unify both Congress and our country. Less than two years later, Senate Committee on Environment and Public Works Chairman Barrasso and I proved that could be true as we stood together in the Oval Office and watched the president sign our bipartisan water resources legislation into law.

That law authorizes hundreds of millions of dollars for modernizing projects across the country, supporting American jobs and protecting the environment. It's a testament to what we can achieve by working together. And now, as we embark on the 116th Congress, before us we have yet another opportunity for bipartisanship: transforming our nation's aging surface transportation system into the roads, highways, bridges, rail, and transit systems of the future.

As we look around, it's clear that a 21st century transportation system must take on the myriad challenges posed by climate change. We must first acknowledge—then address—how our vehicles and travel patterns are accelerating and exacerbating climate change. To reduce greenhouse gas emissions, federal policy should encourage consumers to shift to lower-emission travel on trains, buses, and bikes, or to purchase electric or alternative fuel vehicles. We can incentivize these shifts through changes to our federal transportation programs, as well as by enacting tax policy and funding electric vehicle charging stations and hydrogen fueling stations.

While our transportation sector undoubtedly contributes to climate change, it also suffers because of it. According to the National Climate Assessment report released by 13 federal agencies across the Trump administration, "[e]xpected increases in the severity and frequency of heavy precipitation events will affect inland infrastructure in every region, including access to roads, the viability of bridges, and the safety of pipelines." We must respond to this growing threat by planning and designing projects that will endure the corrosive and, at times, destructive effects of increasingly extreme weather events and sea level rise.

Congress should also embrace the rapidly evolving landscape of our transportation sector, and the new data and technology that are now disrupting traditional practices of planning, building, operating, and using infrastructure. Constantly improving management software will help to reduce the costs and environmental impacts of construction

work. Stronger datasets will enable agencies to better plan and prioritize transportation investments to improve mobility. Connected signals, for example, will ensure that roadways function more safely and efficiently for users.

This vision for a climate-friendly, modern, safer, and more connected transportation system requires a sustainable source of funding.

Over the last decade, Congress has bailed out the Highway Trust Fund (HTF) with \$140 billion dollars of transfers from the General Fund. Simply put, we can't keep kicking the can down the road. Our country has a tradition of user fees—the idea that users, businesses, and others who benefit from infrastructure help to pay for it. For more than two decades, however, the federal gasoline and diesel taxes have not been increased even to keep pace with inflation or the rising costs of construction. I, along with so many business and trade organizations, including ARTBA and the U.S. Chamber of Commerce, continue to be an ardent supporter of restoring the purchasing power of federal gas and diesel taxes in the near term while migrating over the coming decade to a Vehicle Miles Traveled (VMT) approach and exploring other innovative user fees, to put the HTF on a path to long-term solvency.

Despite the clear science, some will still cast doubt on the inextricable link between harmful emissions and our changing climate. Some may dispute the need to either promote alternative technologies or regulate disruptive ones. These changes create challenges for federal policy, yet they also create an opportunity to build a transportation system that will improve our health and environment, provide meaningful employment, and expand our access to jobs and services.

At a time when Americans are paying more and more each year in car repairs because of the dilapidated state of our roads, it's clear that business as usual is no longer an option. The vast majority of Americans—Democrats, Republicans, and Independents alike—would agree that now is the time for Congress to fix the HTF and modernize our decades-old infrastructure. As we move forward to reauthorize our surface transportation programs, that's where we should start.

Sen. Tom Carper is the ranking member of the Senate Environment & Public Works (EPW) Committee.

Sen. John Barrasso (R. Wyo.), chairman of the EPW Committee, declined ARTBA's invitation to provide a column.



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ONE ON ONE

with Idaho's Brian Ness

Editor's Note: ARTBA is highlighting state transportation department leaders through this ongoing Question & Answer feature. These columns are additions to our other ongoing information-sharing tools for the public and private sectors, including regional conference calls; the Planning & Design Division's "Engineering Issues" events at the American Association of State Highway & Transportation Officials (AASHTO) summer regional meetings; and ARTBA's four regional meetings in the fall.

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Idaho Transportation Department (ITD) Director Brian Ness is responsible for an annual budget of nearly \$700 million and provides leadership and vision for 1,700 employees. Last year, he was appointed to the Transportation Research Board's (TRB) Executive Committee. He was 2017 chair of AASHTO's Special Committee on Research and Innovation, and 2016 president of the Western Association of State Highway and Transportation Officials (WASHTO).

TB: One of major issues facing state transportation departments is the retirement of veteran leaders within the organizations. What you are doing in Idaho and throughout the western region to address this challenge?

NESS: We have several programs to address the loss of knowledge due to retirements at ITD. We double-fill positions to allow new employees to gain valuable knowledge, experience, and mentoring from employees before they retire.

We have an Emerging Leaders Program to help employees develop their leadership skills and potential. ITD provides similar training for the Western Association of Transportation Officials' Emerging Leaders Program for the 18-state region. The program has been so successful that it is being looked at as a model for the other AASHTO regions.

As more of our workforce becomes eligible to retire, we have reduced layers of management and eliminated assistant manager positions. This allowed us to move positions and decision-making to the front lines and improved our performance measures, which we track on our website. For example, we cut vehicle title process time from nine days in 2014 to four days in 2018.

TB: What are the major trends in your state that the industry should be positioning for? For instance, do you see an increase in alternative delivery, such as design-build, P3, CMGC, etc.? How do you see the approach to risk evolving regarding these procurement methods?

NESS: We are working with the American Council of Engineering Companies and the Associated General Contractors of Idaho to redefine our project-delivery methods. ITD can use alternate delivery for up to 20 percent of our annual construction program.

We have used design/build and the Manager/General Contractor process on a limited basis. We will match the goals of future projects with the benefits and risks of alternative delivery methods—with a focus on time savings and innovation.



Idaho Transportation Department
Director Brian Ness

ITD has a State Tax Anticipated Revenue (STARS) program that attracts private businesses to Idaho by building requested infrastructure such as a new interchange. Companies can use 50 percent of their sales tax receipts to repay the costs over time. The program brings new tax revenue to Idaho, provides improvements to the transportation system, and allows companies to repay the cost of the infrastructure.

Regarding risks, we strive to allocate them to the party best able to manage them. We review best practices and monitor research on risk performance for various delivery methods. Our risk-management methods continue to evolve as we gain experience managing alternative-delivery projects.

TB: What are some new technologies the ITD is implementing and the impacts they could have on safety, project delivery, or other areas of potential benefit in the future?

NESS: New technology helps ITD provide better services at lower cost. We have a program that improves our Road Weather Information System through a partnership with the National Oceanic and Atmospheric Administration. They provide forecasts our crews use to make informed decisions on a storm-by-storm basis. This has allowed ITD to increase the time highways are clear of snow and ice "during" storms from 28 percent in 2010 to 85 percent in 2018.

We use 3D and 4D design and automated machinery on projects such as the Thornton Interchange on U.S. 20 in east Idaho. Rather than placing stakes, contractors can program

the heavy equipment to know what the grade needs to be. One negative issue we deal with is the federal restriction against testing patented technology. The Manual on Uniform Traffic Control Devices does not allow agencies to experiment with devices that are protected by a patent or copyright.

We look forward to working with ARTBA as they lead the charge to repeal the federal regulation that prohibits state and local governments from using patented or proprietary products on highway and bridge projects that receive federal funding.

This limits our ability to implement pilot projects to test new products or systems that can increase safety or improve traffic flow. It also hurts the economy by limiting transportation-related innovation in the private sector.

TB: How do you foresee changes in mobility impacting Idaho? For instance, does Idaho have any policies for automated vehicles? If so, how long do you think it will be before automated vehicles are on the road?

NESS: Automated technology will soon have a major impact on highway systems. Idaho has a committee with representatives from government and the private sector working on solutions to enable Idaho to safely test and deploy automated and connected vehicles on our highways.

The committee in November submitted its first report to the governor addressing state and national policy, infrastructure, security, privacy, and vehicle testing and deployment. Two of our primary concerns are the rapid pace of implementation, and how to fund the infrastructure improvements needed to safely test and deploy the vehicles on Idaho roads.

TB: What is currently the largest or most interesting transportation infrastructure project in Idaho?

NESS: Idaho is the fastest-growing state in the nation, and we are doing all we can to address rapidly increasing traffic levels. The Karcher to Franklin Boulevard Project in southwest Idaho is widening I-84 to remove a major bottleneck on one of the most heavily traveled roads in the state.



Brian Ness speaking at the opening of Boise's award-winning Broadway Bridge on U.S. 20.

The approximately \$150 million project is funded from many sources, including the cigarette tax, Idaho's end-of-the-year surplus revenue, Canyon County, the City of Caldwell, and a \$90 million INFRA Grant from the Federal Highway Administration.

During the past decade we have invested nearly \$500 million to expand and improve the I-84 corridor to meet the needs of Idaho's rapidly expanding economy.

Got a question you'd like us to ask a state DOT leader? Send it to ARTBA's Mark Holan at mholan@artba.org.



ARTBA Western Regional Events

- ▶ ARTBA Western Leadership Team conference call featuring Brian Ness
March 27
- ▶ Engineering Issues at WASHTO
July 10, Glendale, Arizona
- ▶ Western Regional meeting
Nov. 13-14, San Antonio, Texas

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Your Guide to Industry-Shaping Trends & Technologies

From industry-leading trade shows to thought-leadership initiatives to a new equipment digital platform, keeping members and their customers apprised of the latest information on emerging technologies and potentially disruptive trends is a priority for the Association of Equipment Manufacturers (AEM). Here's a snapshot look.

Thinking Forward Initiative

AEM's Thinking Forward series of member educational events, podcasts and online articles anchors the Association's thought leadership initiative, which explores a wide range of topics from how artificial intelligence is changing innovation to how tech will reshape the industry.

Events have included tours of cutting-edge facilities such as 3M's Innovation Center, mHub in Chicago (including its multimillion-dollar makerspace), and a well-attended executive-level workshop with Dr. Timothy Chou, former CEO of Oracle on Demand and Stanford University IoT pioneer.

AEM expanded its efforts in 2018 by launching the Thinking Forward podcast, which explores a different topic each month. You can listen to (and subscribe) via many of the most popular podcasting apps, including iTunes, Stitcher, Google Play, TuneIn and others.

Visit aem.org/think for details.

AEM also regularly spotlights "what's next" with its CONEXPO-CON/AGG 365 industry-trends articles online and a monthly CONEXPO-CON/AGG Radio podcast. The articles and podcasts focus on the construction trends and technologies to help contractors grow their businesses.

Find out more at conexpoconagg.com/news.

CONEXPO Connect Digital Platform

In late November 2018 at its annual conference, AEM unveiled CONEXPO Connect, an innovative digital resource for the construction equipment marketplace. The platform brings together the off-road-equipment industry to provide an exclusive experience for contractors and off-road equipment buyers.

The platform serves as an enhanced research tool for contractors looking to purchase equipment, and much more, providing insider access to new products, equipment experts and industry connections. Construction professionals get free access to this secure, professional resource (with no intrusive ads) so you can get down to business.

Learn more at conexpoconagg.com/visit/conexpo-connect.



World of Asphalt 2019

Smart industry professionals who wanted to stay ahead of the competition attended the 2019 World of Asphalt Show & Conference, Feb. 12-14 in Indianapolis. North America's largest asphalt-focused trade show and educational conference co-located at the Indiana Convention Center with the AGG1 Academy & Expo to provide even more value.

This year's shows covered a combined record of more than 205,000 net square feet of exhibits. Valuable industry information from the show including 2019 highlights is available at worldofasphalt.com.

AEM produces the show, which it co-owns with National Asphalt Pavement Association (NAPA) and National Stone, Sand & Gravel Association (NSSGA).

Check out AEM's ICUEE-The Demo Expo, coming Oct. 1-3 to Louisville, Kentucky, and CONEXPO-CON/AGG, next year in Las Vegas.



AEM  The Association of Equipment Manufacturers is the North American-based international trade group advancing the off-road equipment manufacturing industry in the global marketplace: aem.org.



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New Waters of the U.S. Rule Offers Clarity to Transportation Industry

By Nick Goldstein
ngoldstein@artba.org

The Trump administration's proposed overhaul to portions of the Clean Water Act (CWA) could have positive impacts on the transportation construction industry. By restoring clarity to federal wetlands definitions, it seeks to reduce uncertainty from projects near water bodies regulated by the U.S. Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers (Corps).

The administration's Dec. 11, 2018, proposal is the latest bend in the "waters of the United States" (WOTUS) saga, which began on the legislative front in Congress, then shifted to the regulatory realm of the two agencies under White House control. ARTBA has "waded" into this issue for nearly 15 years.

The proposed rule aims to clarify whether roadside ditches are subject to federal jurisdiction. ARTBA, in regulatory comments to EPA, the Corps, and Congress, has emphasized the industry view that "roadside ditches are not, and should not be regulated as, traditional jurisdictional wetlands as they are not connected water bodies and contribute to the public health and safety of the nation by dispersing water from roadways."

As drafted, the administration's proposed overhaul would exempt "most roadside ditches" from federal regulation, Acting EPA Administrator Andrew Wheeler said late last year. The rule would only consider ditches that are "traditional navigable waters" (such as the Erie Canal), or those constructed in existing tributaries or adjacent wetlands under federal jurisdiction.

In other words, if a ditch is not part of an existing wetland, tributary or navigable water, it is not subject to WOTUS.

The administration said the new definition will help landowners and other interested parties avoid having to hire independent consultants. By clearly defining federal jurisdiction, the proposed rule hopes to eliminate unnecessary delays in the federal CWA permitting process.

It is important to note, however, that the new WOTUS rule does not impact state-level water regulations. Waters not subject to WOTUS rules would still be protected under existing state regulations. In the administration's view, this adheres to the CWA objective to establish partnerships between the federal government and the states to protect water bodies.

If there is any doubt whether a water body would be covered under the new rule, the federal government must demonstrate it has jurisdiction. This is a fundamental shift from the 2015 Obama administration rule, which required landowners or permit seekers to show why federal jurisdiction did not exist.

The proposed rule would also replace the 2015 WOTUS definition, which ARTBA has previously criticized as overly broad; expanding EPA and Corps jurisdiction to the point where virtually any ditch with standing water would be subject to regulation.

Despite the Trump administration's proposed replacement rule, the 2015 WOTUS definition remains in effect in more than 20 states. ARTBA and its industry allies are challenging this in federal court.

Once published in the Federal Register, the proposed rule will undergo a 60-day comment period. ARTBA will submit comments reflecting the transportation construction industry's consensus views on the matter supporting the rule. We also anticipate the Trump rule will be challenged in federal court by anti-growth advocates once it is finalized.

The saga continues.

Nick Goldstein is ARTBA's vice president of regulatory and legal issues.



Keep track of ARTBA's regulatory activity by downloading our scorecard at artba.org.

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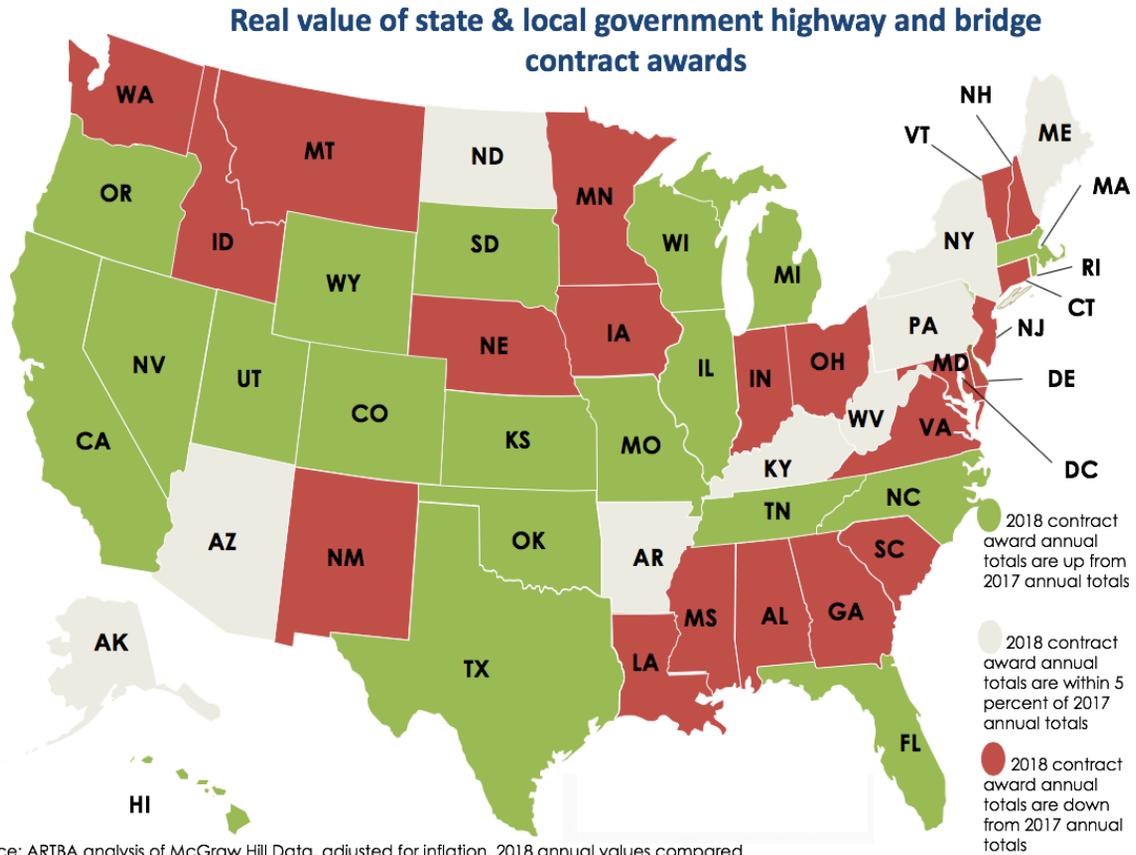
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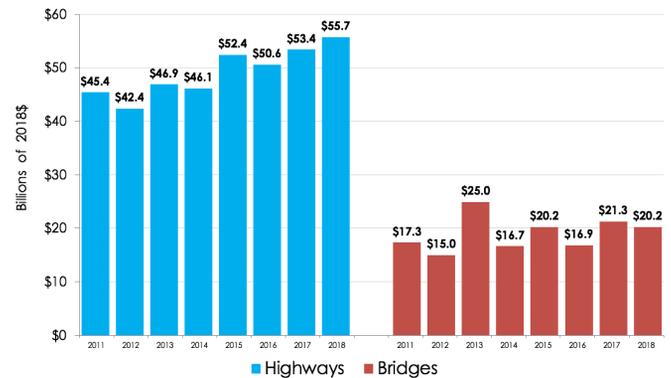
2018 Highway Contracts Increase, Bridge Contracts Decline



The real value of state and local highway contracts increased to a record \$55.7 billion dollars in 2018; while last year's bridge contracts declined to \$20.2 billion—\$1.1 billion less than 2017 and nearly \$5 billion below the 2013 peak of \$25 billion.

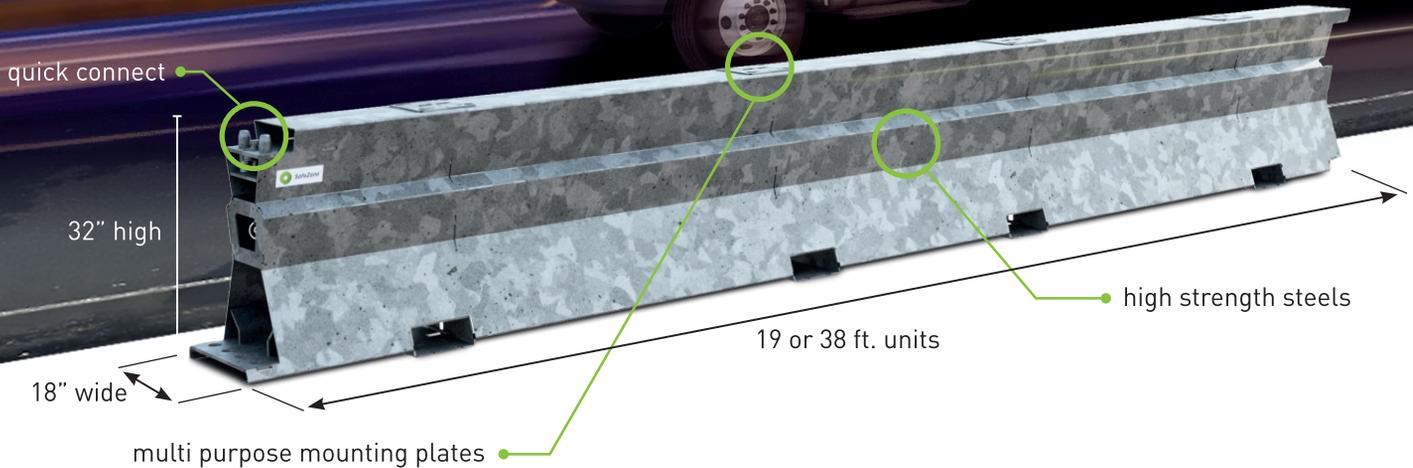
Combined highway and bridge contract awards increased over 2017 in 20 states, including Florida, Texas, and California. A swath of the Deep South—Louisiana, Mississippi, Alabama, Georgia, and South Carolina—and 16 other states (21 total) experienced declines from 2017 levels. The remaining nine states were within 5 percent of their 2017 contract awards.

Real Value of State & Local Government Highway & Bridge Contract Awards



More data is available in the Economics section of artba.org.

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