

Members in the News



- **Beau Sanders, Graef** won the 2010 Young Engineer of the Year award from the Wisconsin Section of ASCE.
- **Attorney Chuck Palmer, Michael, Best & Friedrich** was guest speaker at a Wisconsin Manufacturing & Commerce Association seminar August 14, 2010 in Madison. His topic was *Legal Fitness for Duty and the ADA, Family Medical Leave, and Worker Compensation*.
- **Security Insurance Services** conducted a seminar October 20, 2010 on the topic *Building an Online Marketing Strategy*.
- **WIPFLi LLP**, an international accounting firm based in Milwaukee, has acquired Lindgren Callihan Van Osdol & Co., Ltd (LCV) of Rockford, Ill.
- **Bruce Morton, Platt Safety Services** became Treasurer, American Society of Safety Engineers Wisconsin Chapter.
- **Tim Costello, Krukowski & Costello** was featured in the October 2010 issue of the *Business Times* Milwaukee magazine on the topic of Oak Creek, Wisconsin development.
- **Michels Pipeline Construction**, a division of Brownsville, Wis.-based Michels Corp., has been awarded spreads 1-4 of TransCanada's Keystone XL Gulf Coast Expansion Project. Michels Pipeline Construction will install 371 miles of 36-in. pipe running from Payne County, Okla., to Angelina County, Texas. Michels Directional Crossings will also perform 19 directional drills required along the route. Michels Pipeline Construction Director of Major Projects James P. Murphy will oversee and manage the entire project. During construction, the Keystone XL Project will create employment opportunities for thousands of highly qualified workers who will support the construction of the crude oil pipeline system. When fully completed, the Keystone XL will span 1,661 miles from Hardisty, Alberta, to Nederland, Texas and will help improve U.S. energy security.
- **R&R Insurance Services, Inc.** announced that Jeff Thiel, CPCU has joined their commercial lines division as an Commercial Account Executive with a focus on the manufacturing and healthcare industries. R&R Insurance Services,, Inc also announced that Carla Borda has joined their commercial property & casualty team as a Professional Liability Specialist.



WUCA 2011 Orlando Midwinter Conference Update

Registration continues for the 24th Annual WUCA Midwinter Conference scheduled for **February 23-27, 2011** Disney Boardwalk Resort, Orlando, Florida. Registration materials can be downloaded off the WUCA Internet website www.wuca.org

Disney's Boardwalk is a deluxe resort with a 1940's Atlantic City boardwalk theme located within walking distance of EPCOT and Hollywood Studios. Sitting along a boardwalk packed with amusements, the resort offers dynamic views and the waters of Crescent Lake. WUCA delegates can take in lively sights and sounds of midway games and performance artists all along the quarter-mile on this Coney Island-style boardwalk. The striped awnings and saltwater taffy-colored facades lend themselves to a friendly carnival atmosphere.



Disney Boardwalk Resort, Orlando, Florida

The resort offers a marina with boat rentals, boardwalk fun, and complimentary theme-park transportation to most parks. The Boardwalk resort has nautically themed drapes and bedding, French doors, wrought-iron headboards, and 372 guestrooms and provides a seaside charm. In addition to an arcade for kids, fishing, watercraft and bike rentals, and a 24-hour playground, there's the Luna Park pool, where kids can cool off under the spouting trunks of elephant statues and ride the 200-foot-long Keister coaster water slide. Please do not miss your opportunity to attend the WUCA upcoming midwinter conference in Orlando, Florida **February 23-27, 2011**. It is a great way to escape the February cold of Wisconsin with your WUCA friends.

Upcoming Underground Construction Opportunities

- Waukesha, Wisconsin has held frequent public hearings on purchasing Great Lakes water from a nearby municipality for their water supply. On September 21, 2010 the Wisconsin Department of Natural Resources started another review of their application. Depending on where Waukesha purchased the water, either Milwaukee, Oak Creek, or Racine the cost was estimated between \$97 million and \$148 million for pipeline and pumping stations.
- The city of Franklin has proposed a \$31 million interceptor sewer for bid award December 2011.
- The city of Milwaukee has increased their sewer maintenance budget from \$24 million this year to \$39.8 million in 2011.
- The Milwaukee Metropolitan Sewerage District approved \$151 million over ten years to repair or replace leaky sanitary sewer laterals.

WUCA Fiscal Year 2010 in Review

Calendar year 2010 included the 23rd Annual WUCA Midwinter Conference in Palm Beach, Florida. Members had a great time late February 2010 at the Ritz-Carlton Palm Beach five-star resort that included two outdoor pools, nearby golf, and three restaurants. The program included a group reception, group dinner at an area steak & seafood restaurant called Callaro's, private cruise on a motor yacht with lunch and open bar along the Intracoastal causeway, and group dinner at the resort's Angle Room.



WUCA participated in the annual CONEX 2010 Equipment show held January 27-28, 2010 at State Fair Park, West Allis, Wisconsin. The association maintained a promotion booth both days.

Notice to WUCA Member Contractors:

Whenever you can, please support associate members providing equipment, services, supplies, insurance, bonds, legal advice, banking and accounting services. After all, they support our industry and the underground contracting association. When buying goods and services, buy first from WUCA associate firms.

WUCA Fiscal Year 2010 in Review

Throughout the year, there were monthly WUCA Safety & Insurance Committee meetings with various presentations as follows:

In January 2010 **Chris Kondrick**, AON Risk Services Central, Inc. discussed the topics:

- Equipment safeguards and the affect on insurance costs
- Managing Worker Compensation (WC) in a Wrap-up program
- The long term effects of a WC subrogation claim on a WC mod
- Managing contractual risk.



Also in March 2010, **Tim Lampman**, Barricade Flasher Service discussed barricade safety along roadways and provided a slide presentation. He discussed traffic control, training and certification, temporary traffic control, injury

and lost time when there is no jobsite plan. Also the need to manage the job, that people should use their common sense, tort liability, and the need to always face traffic. He spoke about common pitfalls when setting barricades and the need for documentation. He reported on OSHA standard 23CFR630, Subpart J and encouraged people to go to Internet website www.wzsafety.tamu.edu

The website is helpful to explain rules and regulations.

Also in January 2010, **Allison Hanson**, Senior Account Executive, ALARIS Group, Inc. presented the topic *Nurse Case Management for Worker Comp Cases and Possible Return to Work*.



In February 2010, **Joe Falk**, R.C. Bremer Marketing Services presented the topic of personal safety gear, specifically indestructible boots to wear in concrete and mud.



Also in March 2010, **Tom Scheider**, R & R Insurance spoke about proposed state of Wisconsin legislation SB 589 relative to risk transfer.

In March 2010, **Shawn M. Konicki**, Jackson Safety presented the topic of MSA face shields (used for grinding, flying debris, etc.). Mr. Konicki discussed safety requirements pertaining to face shield use.



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WUCA Fiscal Year 2010 in Review



On April 23, 2010, **John Seidl**, Wisconsin Department of Transportation presented the topic of *"Top 10 things to look for at a Roadside Inspection."*

On May 21, 2010, **David W. Baraniak**, PE, President, North American Operations, Trifecta Global Infrastructure Solutions on the topic... *"Using the Web to Coordinate Collaboration between Underground Infrastructure Project Stakeholders."*



In July 2010, **Sal Proite**, Sales Manager, Superior Lifting Specialists was present to discuss safe rigging, rigging materials, techniques, and equipment inspection. He provided a handout entitled *Grosby Users Guide Lifting* and answered questions of the safety directors. Mr. Proite also discussed stretching of belts, proper hooking for heavy loads, how to face the hooks, poly-rounded sleeves, availability to conduct safety seminars at contractor offices, certifications, and equipment repairs.



In August 2010, **Mr. Saul L. Lopez**, Manager of Forestry, Locating, and Right-of-Way for We Energies gave an update of the Wisconsin Common Ground Alliance for Damage Prevention where he serves as co-chairman.



Also in August 2010, **Mr. Phil Schounard**, Altturnamats spoke on the topic... *Ground Protective Systems.*



In September 2010, **Milwaukee County Assistant District Attorney Mark A. Sanders** spoke on prosecution of contractors for poor safety, training, and supervision practices that caused death of an employee and provided a slide presentation.



In October 2010, **Bruce Morton**, Platt Safety Services spoke about the new federal crane standard regulation effective November 8, 2010.

All the WUCA Safety & Insurance Committee meetings were well received by the members throughout the year. The next meeting is Friday December 3, 2010 at the association office with Milwaukee OSHA representative Jim Lutz. His topic is OSHA for 2011.

WUCA/Public Works Industry Improvement Program 2010 Year in Review



Common Ground Alliance

Throughout the year WUCA/IIP staff and members also participated in bi-monthly meetings of the Wisconsin Common Ground Alliance. One meeting held in Madison, Wisconsin included discussion on the following:

- Using the Iowa Common Ground Alliance as a model.
- The use of the LinkedIn website as a CGA discussion forum and the importance of linking to the national CGA. It is found at <http://learn.linkedin.com/groups>
- How We Energies contracts with several locating firms throughout Wisconsin. The utility will make available locate service areas, contacts, and telephone numbers.
- The need to map abandoned utility lines in the future. Especially in the street right-of-way. Discussion of mismarked utility lines.
- How to participate as excavation and paving contractors, utilities, design engineers, municipalities, and others. CGA is a perfect forum to discuss with public and private utilities any industry concerns.



*Todd Williams, Vanguard Utility Partners
P: (608) 223-2014*



*Greg Eurick, Consolidated
P: (920) 246-5873*



*David Neira, Unibar DPG
P: (414) 975-3089*



WUCA staff also attended the April CGA meeting in West Allis, Wisconsin and organized a June 9 meeting at the WUCA office with various area private locating firms. There were three presentations from locating firms under contract with We Energies to include Vanguard Utility Partners, Consolidated, and Unibar DPG. They demonstrated locator equipment and explained their services to include project management for jobs throughout Wisconsin.

WUCA/Public Works Industry Improvement Program 2010 Year in Review



*West Allis, Wisconsin
Fire Chief Steven J. Hook*

West Allis Fire Department Open House

WUCA/IIP staff attended the city of West Allis, Wisconsin Fire Department conducted an Open House Saturday May 15, 2010. The current contract between the city and the Milwaukee Metropolitan Sewerage District for tunnel rescue expires at year end. The city would like to continue a modified service for dealing with confined space rescue because a lot of time and money was invested in equipment and training. West Allis maintains a MMSD-owned tunnel rescue unit.

OSHA Citation Table

Gravity Based Penalty	Current	New
High/Greater (HG)	\$5,000 or \$7000	\$7000
Medium/Greater	\$3500	\$6000
Low/Greater	\$2500	\$5000
High/Lesser	\$2500	\$5000
Medium Lesser	\$2000	\$4000
Low/Lesser	\$1500	\$3000
History	Current	New
Consider Previous 3 years	10%	Inspected and no SWRF citations in the previous 5 years 10% reduction Never Inspected or no HG citations in previous 5 years No reduction or increase.
Citations within the previous 3 years	No Reduction	Inspected and HG citations issued in previous 5 years 10% Increase
Size	Current	New
1-25	60%	40%
26-100	40%	30%
101-250	20%	10%
251 or more	None	None
Good Faith	Current	New
	CSHO Evaluation of an employers S&H Program up to 25%	Unchanged
		The Additional 10% Reduction for participation in a strategic partnership has been eliminated.
	15% reduction for Quick fix violations	Unchanged
Minimum Penalties	Current	New
Serious	\$100	\$250
No OSHA/DOL Poster	\$100	\$250
Severe Violator Program (SVEP)	Current	New
		Modifies guidance for grouping HG serious violation and permits citing each with own penalty AD may limit adjustment for SEVP related violations to achieve "appropriate" deterrent effect
Repeat Violations	Current	New
	Proposed if a citation issued in last 3 years	Proposed if a citation issued in past 5 years
Informal conference considerations	Current	New
	AD may reduce penalty up to 50%	AD may reduce penalty up to 30% Any reduction greater than 30% required RA approval
	Greater than 50% requires RA approval	AD may grant or offer an additional 20% if outside H&S consultant is hired
		No longer allow penalty reduction when employer has an outstanding balance owed to OSHA at this Area office or others.
		Final penalties will be calculated serially, unlike the current practice where all penalty reductions are added and the total percentage of reductions is then multiplied by the gravity-based penalty to arrive at the proposed penalty. All penalty adjustment factors will be applied serially as follows: History, Good Faith, Quick-Fix and Size.
Abbreviations Defined		
	SWRF: Serious Willful Repeat Failure to Abate	AD: Area Director
	HG: High Greater	CSHO: Compliance Safety & Health Officer
	RA: Regional Administrator	

The annual WUCA golf outing was held August 2, 2010 at North Hills Country Club. Approximately 76 golfers participated with an additional 30 for dinner. The association distributed WUCA golf shirts to all in attendance.



Annual WUCA Contractor/Associate/ Engineer Luncheon

The annual WUCA Contractor/Associate/Engineer luncheon was held March 22, 2010 at MAGGIANO'S - Little Italy Restaurant, Wauwatosa, Wisconsin with about 70 people in attendance. Guest speaker was Keith Tozer, head coach & vice president of operations, Milwaukee Wave Soccer.



WUCA Safety Awards

WUCA distributed safety awards for excellence at the April 2010 safety committee meeting. Awards were presented to RJ Underground, McHugh Excavating & Plumbing, Interstate Sawing, Reesman's Excavating & Grading, Rawson Contractors, Visu-Sewer, James Peterson & Sons, and Intercon Construction.

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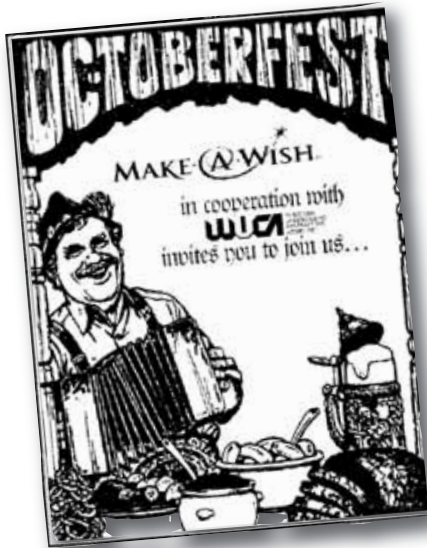
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WUCA Annual “Make-A-Wish® Fundraiser” Octoberfest Theme Party



WUCA \$20,100 presentation to MAW December 7, 2010

The Wisconsin Underground Contractors Association conducted its annual “Make-A-Wish® Fundraiser” on October 14, 2010 at Weissgerber’s Golden Mast Inn on Okauchee Lake, Oconomowoc, WI. It was an Octoberfest theme party with great German entertainment, food, and open bar. A total of 122 people attended the fundraiser that raised over \$20,000 for the foundation.



The WUCA planning committee consisted of Chuck Palmer, Michael, Best, & Friedrich; Larry Miller, Kelbe Brothers; Dan Soley, Miller Bradford Risberg, Tom Halquist, Halquist Stone; John Devine, Volvo Construction Equipment & Services; WUCA president John Wanasek; and WUCA staff. Over the past 20-years, WUCA members and industry friends donated collectively over \$430,000 to various charities to include the Ronald McDonald House, Child Abuse Prevention Fund, and the Wisconsin Make-A-Wish Foundation.

We are so very grateful to our friends at WUCA for ALL you do to make wishes come true! The event October 14, 2010 was well-orchestrated, fun and well attended. It’s been such a pleasure over the years to get to know so many WUCA members and their families. We appreciate the care and concern you give to our wish families and desire to share the power of a wish with your members. We will look forward to presenting the shadow box filled with stars and sharing the stories of the children and their wishes you helped grant from funds raised. Thank you again! Best, Patti and MAW team.

Letter from Patti Gorsky,
president, Wisconsin Make-A-Wish Foundation

Thank you to all event sponsors who helped
guarantee a successful fundraiser:

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Advertise in WUCA Publications

The Wisconsin
Underground
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publication, our annual
roster, and the
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WUCA Sponsored Lien Law Seminar

Ned Czajkowski, CMT Legal was guest speaker June 9, 2010 at a WUCA sponsored seminar entitled "To Lien or Not To Lien, There Should Be No Question." The seminar was held at Alioto's restaurant in Wauwatosa, WI.

Milwaukee Sick Leave Ordinance Goes Back to Appeals Court

On October 14, 2010 the state Supreme Court issued a split decision (3 to 3) on the Milwaukee sick leave case and sent the issue back to the state Court of Appeals to consider the lawfulness of ordinance. If enacted, the sick leave mandate would require private sector employers in the city of Milwaukee to offer paid sick leave to all employees. Workers would earn one hour of sick leave for 30 hours worked, and up to nine sick leave days per year.

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6th Edition Standard Specification for Sewer & Water Construction in Wisconsin

First published in 1970 by the Public Works Industry Improvement Program, Inc. this standard specification manual has received wide acceptance throughout the state of Wisconsin. Over the years, this publication has become a definitive resource for every municipal and consulting engineer, public works contractor, as well as equipment and material suppliers. To order your copy, please complete the following order form.

Quantity	Description	Unit Price	Total
	Sixth Edition of the "Standard Specification for Sewer & Water Construction in Wisconsin"	\$45.00 Each	
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	Addendum 2 (Includes Addendum One) dated April 22, 2008	\$4.00 Each	
1 Addendum	Handling & Shipping via U.S. Mail	\$4.00	
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	Add Wisconsin Sales Tax Milwaukee County @ 5.6%, Waukesha & Racine County @ 5.1%, Your county ___% or Tax Exempt Number _____		
	Total Enclosed (Check or Money Order)		

To save shipping costs, books and addendums can be picked up at the IIP office at the address listed below. The IIP office is located in the Wisconsin Underground Contractors Association office. Please call (414) 778-1050 for office hours.

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I-9 Employment Eligibility Verification Form

FINAL RULE Now Effective

The Department of Homeland Security's final rule regarding I-9s recently went into effect. The two biggest "clarifications" are:

- Employers have three (3) business days to complete I-9s, and
- Employers only need to maintain an audit trail when I-9s are created, completed, updated, modified, altered, or corrected electronically, not when they are simply viewed electronically.

Reverification of I-9 documents depends on the document that has expired. There are three separate lists that can be used for I-9 verification: List A documents can single-handedly establish both identity and employability (e.g., U.S. Passport); List B documents can only establish identity (e.g., State issued driver's license); and List C documents can only establish employability (e.g., Social Security card). I-9s require either one List A document, or one List B and one List C document. Only unexpired documents can be accepted for purposes of the initial verification. What happens if one or more of the documents used for the initial verification subsequently expires? Well, if it's a List B document, no further verification is needed. If, however, it's a List C document, it must be reverified. Similarly, with the exception of Passports, Passport Cards, Alien Registration Receipt Cards, and Permanent Resident Cards, expired List A documents must also be reverified. Reverification can be accomplished on Section 3 of the original I-9, or through an entirely new I-9; it's the employer's choice. This is discussed in the Instructions for the revised Form I-9. You can get additional information at www.uscis.gov or by contacting Attorney Robert J. Bartel, Krukowski & Costello, S.C., at rjb@kclegal.com or 414-423-1330.

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Testimony from Richard W. Wanta, Executive Director Wisconsin Underground Contractors Association on the proposed Milwaukee Metropolitan Sewerage District 2011 proposed budget October 11, 2010 Hearing, MMSD Headquarters.

As I said so often in the past, I have personally attended MMSD meetings twice a month for the past 29-years representing both the building and underground contracting community. Consequently I remember early MMSD history. What I want to talk about this evening is discussion of sanitary sewer laterals in the late 1970's, partial combined sanitary sewer separation, and how it relates to your 2011 Capital Budget.

Some of you may have read Richard W. Cutler's book published in 2001 (nine years ago). It was entitled *Greater Milwaukee's Growing Pains, 1950-2000: An Insider's View*. On page 159 it states...On May 10, 1979, the District staff and Program Management Office (PMO) recommended [combined] sewer separation, saying it was cost-effective. On that same page the author writes that separation would require modifications to external plumbing (laterals)... in the combined sanitary sewer area of Milwaukee and Shorewood. On page 161 it states it will cost \$160 million to relay sanitary sewer laterals and to disconnect roof drains... [in the combined sanitary sewer area]. But more important is that then Milwaukee mayor Henry Maier did not want to require property owners to repair or relay their sanitary sewers [1980 was an election year]. On page 169 it states...No one wants to tackle the job of waterproofing laterals because property owners strenuously object to the expense.

My point in discussing all this 1979 history is that after 31 years since this topic was discussed you now intend to spend \$151 million over ten years to deal with leaking sanitary sewer laterals. And although I will not argue the pros or cons of this approach, I wanted to share some observations about years 2010- 2011.

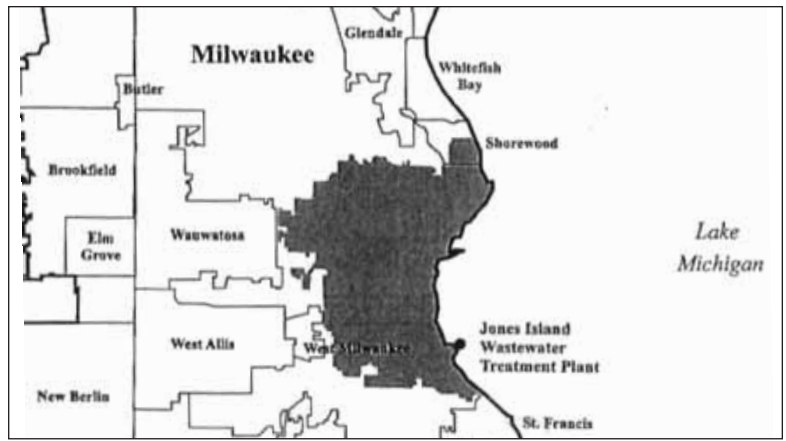
MMSD commissioner Lyle Balistreri recently indicated that there was 30 percent unemployment in the Milwaukee area skilled trades, perhaps the worst unemployment in 50 years. We also have lost many family-supporting jobs as manufacturing jobs have severely declined in the Milwaukee area. In July 2010 the heavy rains that resulted in major flooding and public health concerns in the communities of Shorewood and Milwaukee called attention once again to the sanitary and storm sewer problems in those communities. Those storms that hit the Milwaukee area on July 22, 2010 caused about \$50 million in damages, and created all kinds of public health concerns when sewage flowed into residential basements. All of which will perhaps be back next spring with snow melt and more heavy rains.



Basement debris due to area flooding

In the September 28, 2010 issue of the *Milwaukee Journal Sentinel*, it was reported that Milwaukee's poverty rate reached 27% (158,000 residents live in poverty) and in some areas of the city African-American unemployment is 60% or more.

Our point is this... since you will repair or replace these sanitary sewer laterals over the next ten years you should strongly encourage the City of Milwaukee and the Village of Shorewood public officials to separate some of those 23 miles of combined sanitary sewers in Milwaukee's central city. This is your window of opportunity get storm water out of the combined sewers, provide great family-supported jobs, increase business for area pipe, aggregate, asphalt, curb/gutter, trucking firms, contractors, and other related business (both majority and minority/women firms). Some of my contractor members say that the city of Milwaukee should use the existing combined sewer as an exclusive storm sewer and build a new sanitary sewer on top of the existing combined sewer. Since you are repairing or replacing the sanitary sewer lateral anyway, you then connect into the new sanitary sewer main. You should do this work over 10 to 20 years perhaps at 2 or 3 miles per year.



Shaded area shows combined sewer area

We encourage you to take advantage of this great opportunity to separate combined sewers as your executive director Kevin Shafer states... "where and when it makes environmental and economic sense to do so". There is also Stormseptom technology to capture the first flush after a heavy rain that did not exist in 1979 when this topic of sanitary sewer laterals was first discussed. This technology was installed in Sussex, Wisconsin and elsewhere.

The Milwaukee area construction industry could begin to employ some of those central city residents if we had a sustained program of construction activity. Milwaukee's combined sewers are located in the central city with the highest unemployment rates and recognizing that Milwaukee area manufacturing jobs are nearly non-existent, only the construction industry can provide family-supported wages, health, and pension benefits. The average age of area the laborers and operating engineer workforce is 43 years and our industry segment needs young people, but contractors will not hire nor train area residents without a long-term training opportunity to keep people employed. Partial combined sewer separation in Shorewood and Milwaukee's central city would provide sustained employment and training opportunity and help deal with public health concerns. And with this slow construction market with slim profit margins, partial combined sewer separation will not get any cheaper as contractors are hungry for work opportunities.

In summary, Milwaukee's scary high unemployment can be partially dealt with if area communities of Shorewood and Milwaukee funded with MMSD help and guidance, programs of combined sewer separation. With all the area flooding and health concerns, this is the right time to recommend to Milwaukee and Shorewood a program of partial combined sewer separation as they repair or replace sanitary sewer laterals. Partial combined sewer separation would create family-supported jobs, health, and pension Benefits. Other cities dealt with their flooding problems. The City of St. Paul, Minnesota separated their combined sewers over ten years and a similar program took place in Superior, Wisconsin and Lansing, Michigan. Combined sewer separation also took place in parts of Atlanta, Georgia.

On a related topic, The Daily Reporter newspaper stated in their November 4, 2010 edition that newly-elected Wisconsin Governor Scott Walker supports [combined] sanitary sewer separation. "He supports a gradual separation of the sewers in the portion of Milwaukee and Shorewood." Walker went further to say... "Every time they [Milwaukee and Shorewood] tear up a street for another reason, they should put in a twin pipe."

Wisconsin Unemployment Claims

Unemployment claims dropped in September 2010 as some people found jobs. Wisconsin unemployment rate was 7.8% in August 2010 while the national unemployment rate was 10%. Wisconsin has been borrowing a lot from the federal government to pay unemployment benefits. According to data provided by the U.S.

Department of Labor:

- The outstanding loan balance at the end of the second quarter of this year for Wisconsin was \$1.4 billion.
- Although Wisconsin received \$134 million in federal stimulus funds we still have high unemployment.
- Wisconsin has the 11th largest outstanding unemployment federal loan balance in the nation.

According to *Politico*, the fund is a stop-gap measure that allows states to borrow from the federal government interest free expires in January 2011, and the debt will start growing sharply, hitting \$65 billion nationally in 2013 according to the Government Accountability Office. The program, which splits funding with the states, is financed through federal and state taxes paid by both employers and employees. Like other forms of insurance, the idea is that the revenue builds up in the good times and is drawn down in bad. The federal government makes up for any temporary shortfall in a bad recession, with loans to the states that have typically been paid back quickly when surpluses return during economic recoveries.

National unemployment, as measured by Gallup without seasonal adjustment, was at 10.0% in mid-October 2010-- essentially the same as the 10.1% at the end of September.

Women Set Aside Contracts 2011

The U.S. Business Administration will implement a federal contracting program for women-owned businesses in 2011 on federal contracts up to \$3 million except in manufacturing where the contract size jumps to \$5 million. The federal government wants to reach a goal of awarding 5% of its contracting dollars to women.

Milwaukee Area Building Trades United Pension Trust Fund

For the period ending September 30, 2010 the fund had year to date assets of \$1.193 billion compared to \$1.140 billion one-year prior. On the national level, pension funds are facing all kinds of difficulty due to a weak construction economy and associated reduction in man-hours, poor investment returns, and legacy costs that promise to pay certain vested benefits. Pensions must be paid either in higher employer or active participant contributions.

Why municipalities and utilities should build in 2011?

Construction materials are cheap, labor costs are flat, and borrowing costs are low. A dollar invested today will go much further than it would some years ago. Current bids are coming in upwards of 20% less than the engineers estimate. Consequently more projects can be done with less money... an incredible bargain! Construction materials are all below pre-crisis highs. Larry Summers, outgoing chairman of the National Economic Council recently stated in September 2010... "There is work to be done, and people are there to do it. It seems like a crime for the two not to be brought together."

Clean Water Construction Coalition

Representatives from 27 state underground and road building contractor associations met or participated via a conference call October 8, 2010 in Chicago, Illinois to discuss federal legislation relative to sewer and water funding. The meeting included a presentation by contract lobbyist Sante Esposito, Federal Advocates, Washington, D.C. Topics of discussion included the status of federal fiscal year 2011 appropriations; status of Senate Bill 1005, House Bill H.R. 3201 (Clean Water Trust Fund); local geographic bid preferences; and other topics.



Sante Esposito (left) and Bob Briant, Sr. chairman of the coalition meeting in Chicago October 8, 2010. WUCA staff also attended.

Currently \$2 billion is available for Clean Water State Revolving Loans and \$1.3 billion for Drinking Water State Revolving Loans. This is a significant

increase over past years. Coalition members recently attended a Water Infrastructure Network (WIN) Washington, DC meeting that focused on moving Senate Bill 1005, the Clean Water Reauthorization Act, during the Congressional “Lame Duck” session after the November elections. The “big four” in the Senate, Senators Harry Reid, Richard Durbin, Mitch McConnell and Jon Kyl were approached to achieve bi-partisan support in scheduling action on S. 1005 following the elections. Efforts are underway on Senate leadership to move pending bills critical to Wastewater and Drinking Water Construction funding before December 31, 2010.

The coalition reported that with the November 2010 election, the results required a new focus as it appeared that Congressman John Mica of Florida will be the new chairman of the Transportation and Infrastructure Committee, and Congressman Nick Rahall of West Virginia will be the ranking minority member of the committee. Current Congressman Jim Oberstar was defeated in his election race. Passage of Senate Bill 1005 in the lame duck congressional session remains a priority of the coalition.



Actual trench rescue April 2010

Safety Training

Various instructors are available for CPR/First Aid, Hazwoper, and OSHA 10-30 trench rescue, and competent person seminars. All classes are available on request by calling WUCA at 414/778-1050 for a listing of various instructors. Safety instructor Harry Butler conducted an 8-hour class on *Competent Person for Trenching and Excavation* November 13, 2010 WUCA office and additional classes are available on demand. A promotional flyer can be found on the WUCA website www.wuca.org

Operating Engineers Local 139 Health Fund

For four (4) months ending September 30, 2010 the fund had revenue of \$47.9 million compared to \$52.2 million one-year prior. Expenditures for that same period were \$31.3 million compared to \$28.4 million one-year prior. The fund has strong cash reserves of 34-months on September 30, 2010. Eight years ago, the fund had cash reserves of only 2.86 months. Operating Engineer man hours of statewide construction for year 2010 are as follows: Area 1 Builders down 42.8%; **Area 1 Water & Sewer down 12.5%**; Heavy & Highway up by 3.4%; Area 2 Builders down by 13.7%; **Earth Movers down 31.2%**; and, **Distribution and Utility up by 9.4%**. Federal stimulus dollars went to roadwork and sewer lining in Wisconsin.

Operating Engineers Local 139 Apprenticeship/Skill Fund

For four (4) months ending September 30, 2010 the fund had revenues of \$2 million compared to the same amount one-year prior. Expenditures were \$1.2 million equal to last year.

As of November 9, 2010 there were 249 apprentices in the program as follows: 236 male, 13 female. Of that amount 14 are minority apprentices.

Upcoming CONEXPO

Scheduled for March 22-26, 2011 Las Vegas, Nevada. Registration materials are at www.conexpoconagg.com

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WUCA Executive Director Richard W. Wanta with Milwaukee Mayor Tom Barrett October 20, 2010

WUCA Staff Recognition

Wisconsin Builder Magazine named Wisconsin Underground Contractors Association Executive Director Richard W. Wanta for a Newsmaker of the Year award. The award was presented under their Service Provider of the Year segment October 27, 2010 Country Inn in Pewaukee, Wisconsin with over 220 people in attendance. Wanta has been WUCA Executive Director over 23-years.

Apprenticeship Coordinators

Wisconsin Construction Craft Laborer Joint Apprenticeship
Cindy Anderson, phone: (608) 846-5768
e-mail: canderson@wilaborers.org

Operating Engineers Local 139
Dan Sperberg, phone: (715) 228-4911
e-mail: information@woetrainingcenter.org

Apprentices learn construction by using the services offered by these schools and by on-the-job training. These two schools are recognized as some of the best in the nation. Information can be found on their Internet websites that are linked to the WUCA website www.wuca.org



Laborers training site De Forest, WI



Operators Local 139 training site Coloma, WI.

On June 11, 2011, Wisconsin will celebrate the 100th Anniversary of Apprenticeship. Wisconsin started the first modern apprenticeship law that served as a national model.

Wisconsin Requires Recycling of Electronics

by Paul D. Curtis

Governor Doyle recently signed Wisconsin's electronics recycling legislation into law. The Act, 2009 Wisconsin Act 50, is long and somewhat convoluted. A copy of the Act can be viewed at the following link: <http://www.legis.state.wi.us/2009/data/acts/09Act50.pdf>. As is true of most new legislation, there are few resources telling us in plain language what the law requires.

Here is a brief overview of the new law. Beginning on September 1, 2010, consumers may no longer dispose of most electronic devices in the usual manner; e.g., by tossing them into a landfill. As the name of the law implies, the covered electronic devices must be recycled. The new law requires the manufacturers of the electronic devices to assume the financial responsibility for collecting and recycling the devices. In preparation for the upcoming September deadline, the state is requiring manufacturers of covered electronic devices sold to households or schools to abide by certain requirements. Among the requirements is that the manufacturers must register with the state by February 1, 2010 and pay a registration fee. The Wisconsin Department of Natural Resources has a web page dedicated to assisting with registration: <http://dnr.wi.gov/org/aw/wm/ewaste/registration.htm>.

As of January 1, 2010, collectors and recyclers of the covered electronic devices are also required to register with the state. The registration forms for collectors and recyclers can also be located at the DNR website. Beginning on July 1, 2010, retailers of covered electronic devices sold to households or schools must provide purchasers of the electronic devices with information describing how the devices can be collected and recycled. The information may be provided via a toll-free number and/or via the retailer's Web site.

Paul D. Curtis is an attorney with Axley Brynson, LLP in Madison, Wisconsin. For more information, contact Mr. Curtis at 608.283.6768 or pcurtis@axley.com.

Wisconsin Annual Prevailing Wage Rate Survey

The initial determinations for 2011

may be viewed on the

Equal Rights Division's website at: <http://dwd.wisconsin.gov/pwfn/Pwfnl/PwfnlList.asp>



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Operators Joint Labor Management Work Preservation Fund

Murray Luedtke, Michels Corporation recently replaced retiree Bill Weltin as a WUCA management trustee to the fund. At their last meeting October 12, 2010 in Madison, the trustees focused on retaining the prevailing wage system and limiting county competition with the private sector. Later in the meeting, Wisconsin gubernatorial candidate Scott Walker met with the group and a few days later, the union endorsed Walker for the November 2010 general election. Walker won the governorship! WUCA was fortunate to have Mr. Weltin as a management representative to the fund for a number of years.

Photo from the past



Muck car on a tunnel job involving then WUCA member Tomaro Contractors, Northwest Avenue tunnel in Racine, Wisconsin. Tomaro closed in the late 1980's after many decades of work in Wisconsin. (Photo from Operators Local 139)

WUCA Association Presidents 1937 to the Present

2010	.....	John Wanasek
2008-2009	.....	Robert Olson
2006-2007	.....	Pete Schraufnagel
2004-2005	.....	Dennis Klumb, Jr.
2002-2003	.....	Dan Olson
2000-2001	.....	Norb Dretzka
1998-1999	.....	Justin Kolster
1996-1997	.....	Tom Schaitel
1994-1995	.....	Scott Maly
1992-1993	.....	Tom Muth
1990-1991	.....	Ken Servi
1988-1989	.....	Dennis Biondich
1986-1987	.....	Thomas B. Kolster
1984-1985	.....	Tim Gabrielse
1982-1983	.....	Edward D. Depreter
1980-1981	.....	Ramon E. Olson
1978-1979	.....	Robert Schraufnagel
1976-1977	.....	Marvin Schroeter
1974-1975	.....	Norman Bernstein
1972-1973	.....	Walter Schmitz
1970-1971	.....	Ken Peterson
1968-1969	.....	Don Tomasini
1967	.....	James Bonness
1965-1966	.....	Len Olson
1960-1964	.....	J. Malloy
1958-1959	.....	H. Haugsted
1956-1957	.....	L. Beaver
1953-1955	.....	Louis Radin
1951-1952	.....	J. F. Hickey
1944-1950	.....	W.J. Lazynski
1941-1943	.....	J. Hohensee
1937-1940	.....	Grant Hinkamp

73 Years of WUCA Leadership



Courage

You're a 19-year old kid. You're critically wounded and dying in the jungle somewhere in the Central Highlands of Viet Nam. It's November 11, 1967. LZ (landing zone) X-ray.

Your unit is outnumbered 8-1 and the enemy fire is so intense from 100 yards away, that your CO (commanding officer) has ordered the MedEvac helicopters to stop coming in. You're lying there, listening to the enemy machine guns and you know you're not getting out. Your family is half way around the world, 12,000 miles away, and you'll never see them again.

As the world starts to fade in and out, you know this is the day. Then - over the machine gun noise - you faintly hear that sound of a helicopter. You look up to see a Huey coming in. But... It doesn't seem real because no Med Evac markings are on it. Captain Ed Freeman is coming in for you. He's not Med Evac so it's not his job, but he heard the radio call and decided he's flying his Huey down into the machine gun fire anyway. Even after the Med Evacs were ordered not to come. He's coming anyway.

And he drops it in and sits there in the machine gun fire, as they load 3 of you at a time on board. Then he flies you up and out through the gunfire to the doctors and nurses and safety. And, he kept coming back!! 13 more times!! Until all the wounded were out. No one knew until the mission was over that the Captain had been hit 4 times in the legs and left arm. He took 29 of you and your buddies out that day. Some would not have made it without the Captain and his Huey.

Medal of Honor Recipient, Captain Ed Freeman, United States Air Force, died in late November 2010 at the age of 70, in Boise, Idaho.



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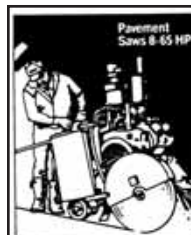
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In Memoriam

The construction industry lost **Paul Charnon**, age 66, who died October 16, 2010. He worked for Edgerton Contractors for many years and was a management trustee in the past on the Operating Engineers Local 139 Health Fund. Paul had been fighting esophageal cancer.

Marvin Schroeter, co-founder of United Sewer & Water, Inc. and former WUCA past president, passed away November 11, 2010 in his sleep at age 81.

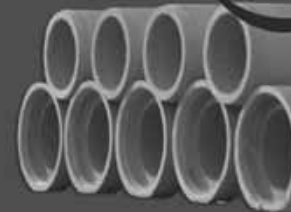
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Wisconsin Laborers LECET Fund/ Wisconsin Laborers Health Fund

WUCA Make-A-Wish Check Presentation

WUCA presented a check to the Make-A-Wish Foundation of Wisconsin representing net proceeds from a fall 2009 WUCA sponsored fundraiser to benefit the group. Included in the photo are John Wanasek, Wanasek Corporation; Ray and Bob Olson, Globe Contractors; Patty Gorski, Make-A-Wish Foundation of Wisconsin president; Mark Karow, Powers Lake Construction; Pete Schraufnagel, Super Excavators; Chuck Palmer, Michael, Best & Friedrich; and, Dennis Biondich, American Sewer Services (December 15, 2009).

Jon Servi, Rawson Contractors recently replaced Ron Henshue as a WUCA management trustee to this fund. This labor-management fund meets periodically in DeForest, Wisconsin. On a related topic, Mary Wilcox, Super Excavators represents WUCA on the statewide Wisconsin Laborers Health Fund.

For the month of September 2010 the fund had revenue of \$11.7 million compared to \$11.1 million last September. Expenses were \$6.7 million compared to \$5.5 million last September.

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