

Highway Happenings

Spring 2018



Mission Statement: "The AGC of South Dakota and its members promote skill, responsibility and integrity through construction and services which enhance the quality of life for all who live, work or travel in South Dakota."

AGC Summer Networking Events

Fishing Tournament, Sioux Falls and Rapid City Golf Tournaments & Summer Socials

Right around the corner are the AGC Summer networking events benefiting the AGC Education Foundation! There are FIVE upcoming opportunities to mix & mingle with other AGC members!

The first event is the Annual Fishing Tournament taking place on Thursday, June 21 and Friday, June 22 in Pierre. This event begins with a social and dinner on Thursday night and the tournament begins bright and early Friday morning! See the enclosed registration form and tournament rules sheet for more information!

The next event is the Sioux Falls Golf Tournament taking place on July 17 at Willow Run Golf Course in Sioux Falls. In addition to this event, the Sioux Falls Summer Social will be held the night before on July 16 at McNally's in Sioux Falls. This golf event has sold out each year, so if you don't get your registration in early, you might miss out. Registration forms will be available around June 1st!

The final Summer networking event is the Rapid City Golf Tournament taking place on Thursday, August 10th at Red Rocks Golf Course. In addition to this golf event, the AGC Summer Social will be held the night before, August 9th, at Murphy's in Rapid City. Based upon our survey results the past two years, members are busy every week in the Summer, except during the Sturgis Motorcycle Rally. Both of these events fall during that week, so we hope to have a very high turn out!

All of these Summer Events are worth the time & effort to attend! The golf tournament flyers will be available around June 1st and the Summer Socials flyer will be available around June 15th. All events details will be posted on www.sdagc.org so check back periodically!



Don't Miss...

WHAT'S INSIDE:

- Welcome New Members!
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- SDDOT/AGC Meeting Recap
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- Wage Survey
- SDDOT Annual Report
- AGC CDL Trainings



CONTACT US

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Purpose Statement:

"To be the voice that promotes
and represents the construction industry."

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President

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Rapid City Office



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Pierre Office



AGC OFFICE LOCATIONS:

Pierre (main)

300 E. Capitol Ave, Suite 1

Pierre, SD 57501

Rapid City

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Rapid City, SD

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From the President:

Jared Gusso, SFC Civil Constructors

Fellow AGC Members,

As I write this note with sunshine and 60 degree weather, I realize that it was only a few short weeks ago that a large portion of the state saw record snowfalls. Now only a few weeks later we are switching from moving snow to starting projects. We may go straight from winter to summer, but the warm weather is hopefully here at last!



The week of April 9th to the 13th was recognized as Work Zone Awareness by FHWA, SDDOT, and AGC. Having one week to talk about worker safety at the start of our project season is great. Keeping worker safety at the forefront of everyone's thoughts is the challenge. Every day we have the potential to have thousands of visitors come through our sites. Not many, if any, industries can say that. Making sure we educate all of our employees on the importance of watching out for each other is vitally important.

There are numerous meetings and social activities in the months coming up. In mid-May a joint meeting with the Omaha District of the Army Corp of Engineers is hosted in Omaha by the AGC. This is a great opportunity to meet the Corp personal and see their Civil Works and Military Construction programs for the next year. During the summer the golf tournaments, fishing tournaments, and socials will be held. Watch for the updates and dates in the HHU Weekly News that Lindsay publishes and is emailed out every Monday morning from the AGC of SD.

The AGC of SD HHU Staff, Board & Committee Members have been working diligently on setting goals for our association this year. A committee goals document is included as an insert. There has never been a better time for YOU to GET INVOLVED and join a committee. These goals cannot be achieved without members like yourself!

Our Workforce Development Committee has a plethora of activities going. Dustin is busy working on securing workforce development grants and fulfilling requirements on the grants already received. Some of the tasks are in process to create a Concrete Finisher and a Heavy Equipment Operator apprenticeship programs, and to create a Construction 101 for high school students. We continue to collaborate with the six post-secondary institutes across the state. Working with the different programs through advisor boards, giving presentations or even teaching classes are potential ways to get involved. At the high school level, AGC Construction Awareness Days are being scheduled and Dustin is doing school visits and attending career fairs to help draw interest into our industry. CAD events will be held in Sioux Falls, Pierre, and Rapid City this year. Please consider helping out at one or more of these events. These are just a few highlights of the two pages of items. If you have any ideas or want to get involved in any of the other initiatives our Workforce Development Committee has going give Dustin a call and he will help get you started.

Here's to a safe start to the 2018 summer construction season!



Jared Gusso
2018 AGC of SD
HHU President
SFC Civil Constructors
Sioux Falls, SD

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Senior VP - Tim Foerster, Rapid City
VP - John Shoemaker, Webster
Sec./Treas. - Cindy Monnin, Sioux Falls
Past Pres. - John Morris, Pierre

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Todd Waldera Spencer
Kyle Jensen Mobridge
Andy Johnson Ft. Pierre
RC Scull Rapid City
Jim Soukup Sioux Falls

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EMPLOYEE RETIREMENT PLAN

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



LEGAL COUNSEL

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



DENTAL PROGRAM

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



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Visit the website: <https://www.agc.org/member-benefits/member-discount-programs> for more information!

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AGC of SD "IN THE NEWS"

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

- Jan. 29, 2018 Pierre Capitol Journal: **Gary & Gerad Johnson, A-G-E Corporation** quoted, featured & pictured in article titled "From Big Holes to Empty Bowls: A-G-E Corporation Project Helps Feed SD".



- Feb. 2, 2018 Argus Leader: **Bob Roth, Runge Enterprises** quoted in article titled "Century-old House Coming Down on Minnesota Ave".



- Feb. 21, 2018 Madison Daily Leader: **RCS Construction, A-G-E Corporation & BX Civil & Construction** recognized as Build SD Award winners in article titled "Contractors Receive Awards".



- Feb. 21, 2018 Madison Daily Leader: **Jim Loiseau of Loiseau Construction, Andy Johnson of A-G-E Corporation, Jim Thuringer of Myrl & Roy's Paving & Dan Kuper of LG Everist** (retired) recognized as individual award winners in article titled "Contractors Receive Awards".



- Feb. 21, 2018 Madison Daily Leader: **Henry Carlson/Asphalt Surfacing Company & Jerke & Sons Construction** recognized as company award winners in article titled "Contractors Receive Awards".



- Feb. 22, 2018 ConstructorCast: AGC Executive Vice President **Toby Crow** interviewed for AGC of America's Podcast titled "Working At The Local Level."



- Feb. 28-Mar. 6, 2018 Sioux Falls Business Journal: **Tom Kelley, Gage Brothers** quoted and featured in article titled "Gage Bros. Site Future: 'Unique' Mixed-use Makeover".



- Mar. 17-23, 2018 Sioux Falls Business Journal: **Journey Group & Tom Kelley, Gage Brothers** quoted and featured in article titled "The Big 3: Mega-projects Dominating Sioux Falls Construction Scene".



- April 4-10, 2018 Sioux Falls Business Journal: **AGC HHU Chapter Officers & New Board Members** recognized in "Movers & Shakers" section.



- April 27, 2018 Keloland News: **Complete Contracting, Heavy Constructors & SDDOT** featured on the 10:00pm news in a story titled "Eye On KELOLAND: Keeping Construction Workers Safe".



- May 1, 2018 Keloland News: **Dustin Baertsch Construction Careers Coordinator** interviewed in 10:00pm news story titled "Girls in Construction".

Recruit New AGC Members!

Membership is the lifeline of our great association and new members are needed! Please ask your business associates that are NOT members, to join today! Help the HHU staff by actively recruiting new members and reach our 2018 recruitment goals!



Member News

Welcome New Members!

Infrastructure Design Group, Inc.
111 N. Lake Ave.
Sioux Falls, SD 57104
Chad Hanisch, President
chadh@infrastructureDG.com
605-359-5313



Alternative HRD

Dan Oakland
2329 N Career Ave
Sioux Falls, SD
www.alternativehrd.com
doakland@alternativehrd.com



Western Dakota Tech

Chandra Calvert
800 Mickelson Dr.
Rapid City, SD
www.wdt.edu
chandra_calvert@wdt.edu



Congratulations

Roger Hall of **Simon Contractors** was recently awarded the South Dakota Professional Engineer of the Year Award by the South Dakota Engineering Society (NSPE affiliate). Congratulations Roger!



Congratulations **RDO Equipment Co.** for celebrating their 50th Anniversary in business!!



The **Keith Rounds** and **Cathy VanderWal-Rounds** family was announced as the 2018 Philanthropic Family of the Year during a SDSU Foundation Banquet in late April.



Congratulations **Gary Johnson** of **AGE Corp.**, for being appointed to the Beavers Construction Association Board of Directors in Los Altos, CA.



Condolences

With deepest regrets we advise you of the death of Chuck Lien, founder and Chairman of the Board, for Pete Lien & Sons, Inc. Rapid City, SD. Chuck passed away Saturday, April 7th at the age of 93.

With deepest regrets we advise you of the death of Thomas Bartholow, of Asphalt Paving Company. Thomas passed away on Thursday, March 29th at the age of 82.

AGC CALENDAR of Events

- May 9-10, 2018 AGC/Corps of Engineers Mtg. - Omaha, NE
- May 10, 2018 Bid Letting Conf. Call
- May 10, 2018 HR Alliance Meeting - Sioux Falls
- May 15-16, 2018 Trans. Const. Coalition Fly-In - Washington, DC
- May 16, 2018 SDDOT EBS Letting
- May 17, 2018 HR Alliance Meeting - Rapid City
- May 28, 2018 Memorial Day Holiday - AGC Office Closed
- May 31, 2018 2019 State Conv. Planning Meeting - Sioux Falls
- June 1, 2018 AGC Serves at Banquet - Sioux Falls
- June 6, 2018 SDDOT EBS Letting
- June 7-8, 2018 Safety & HR Summit - Oacoma
- June 10-13, 2018 WAASHTO - Rapid City
- June 20, 2018 SDDOT EBS Letting
- June 21-22, 2018 AGC Fishing Tournament - Pierre Area
- June 28, 2018 Associate Division Board Conf. Call
- July 4, 2018 Independence Day Holiday - AGC Office Closed
- July 16, 2018 Public Relations Committee Meeting - Sioux Falls
- July 16, 2018 Summer Social - Sioux Falls
- July 17, 2018 AGC Golf Tournament - Sioux Falls
- July 18, 2018 SDDOT EBS Letting (ten't.)
- July 25-27, 2018 AGC Safety & Health Conf. - Indianapolis, IN
- July 26, 2018 AGC Board Web Meeting
- August 1, 2018 SDDOT EBS Letting (ten't.)
- August 8, 2018 Summer Social - Rapid City
- August 9, 2018 AGC Golf Tournament - Rapid City
- August 15, 2018 SDDOT EBS Letting (ten't.)

Save the Date

- October 25, 2018 AGC Exec, BOD, Fall Mtg & Mixer - Rapid City
- November 1, 2018 AGC Fall Meeting & Mixer - Sioux Falls
- Nov. 9-10, 2018 Construction Leadership Pheasant Hunt - Pierre
- Dec. 6-7, 2018 Joint AGC / SDDOT Meeting - Pierre
- December 7, 2018 AGC Board & Strategic Planning Mtg. - Pierre
- January 9-11, 2019 AGC/LICA State Convention - Sioux Falls

2019 State Convention

The 2019 State Convention is scheduled for January 9 - 11, 2019 at Sheraton Hotel and Convention Center in Sioux Falls! Please take some time to brainstorm ideas for the type of speakers, topics and entertainment you would like to see at the 2019 State Convention. The planning committee will begin working on another successful event in the next couple of weeks. We would love your feedback and ideas, please see the enclosed insert and return it to the AGC office!



2018 AGC of SD Directories

The 2018 Naylor published Membership Directories have been mailed! Additional copies may be purchased for \$15.00/each, please see the enclosed form. The electronic copy of the directory is also available on www.sdagc.org and also available as an app downloadable on iTunes or Google Play.

Need a Job Position Filled? Start by Posting your Open Positions FREE on www.sdwork.org!

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



2018 Corps of Engineers Annual Meeting

A Joint meeting with the Omaha District Corps of Engineers has been scheduled at the DoubleTree Hotel in Omaha, Nebraska May 9 & 10, 2018. If you or someone from your company would like to register for this meeting, please email becky@sdagc.org.



US Army Corp
of Engineers®

AGC Online Store

The AGC HHU online store has been re-stocked with apparel items for you to purchase! New this year - add your company logo to your apparel items along with the AGC logo! Log on to: <http://sdagc.logoshop.com> and help us brand our great association!!



RCMU - City of Rapid City CIP Presentation

The AGC hosted a City of Rapid City CIP presentation meeting in March at the Rushmore Plaza Holiday Inn in Rapid City. Over 30 individuals attended the meeting presented by Public Works Director, Dale Tech.



Upcoming projects for the next 6 years were discussed, as well as anticipated project letting dates. Thank you for attending this valuable meeting!

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2018 AGC/SDDOT SD Transportation Construction Industry Summit SUCCESS!

Over 130 SDDOT personnel and industry representatives came together for a two day Transportation Construction Industry Summit in Oacoma, SD! AGC leadership presented the SDDOT with a resolution expressing AGC's appreciation for their support and assistance and our desire to continue our



joint initiatives and expand in the future.

New SD Highway Wages Published by DOL

The U.S. Department of Labor has published the updated Davis-Bacon Act Highway-Heavy Construction Wage Decision for South Dakota. The updated wages went into effect for the May 2 letting. Please see the enclosed insert for full details.

Gubernatorial Candidate Forum Success

Members had the opportunity to raise funds for CONPAC and learn more about two candidates for the Governor's office. More than 80 members gathered for an evening with candidates Marty Jackley and Kristi Noem at Arrowwood

Cedar Shore Resort. The candidates shared information about themselves and answered several questions about the construction industry and business in South Dakota. AGC members met the candidates and hear their position on issues important to our industry.



DOT Seeks Nominations For 2018 Transportation Hall of Honor

The South Dakota Department of Transportation is now accepting nominations for consideration of persons to be inducted into the South Dakota Transportation Hall of Honor. Anyone is welcome to submit a nomination. For nomination forms, contact Patricia Saukel at 605.773.3265 the deadline for submitting names for consideration is May 18, 2018

SDDOT Annual Report Now Available

The SD Department of Transportation 2017 Annual Report is now available! A hard copy of the report is enclosed as an insert.

AGC/SDDOT Microsoft Project Scheduling Training Available Remotely!

Training is compliant with the SDDOT specifications including planning for weather days and schedule revisions that use those days. Uses minimum SDDOT views that were developed by the SDDOT. Includes printable notes to document schedule changing situations. Saturday training is available! The course objectives is to provide training for basic use of MS Project for transportation projects by using a simple example project and identifying one method for information entry and management throughout the project life. Call the AGC office for more information!

Save the Date for WASHTO 2018!

June 10-13, 2018 | Rapid City, SD

On June 10-13, transportation professionals will gather in Rapid City, South Dakota for the 2018 Western Association of State Highway and Transportation Officials (WASHTO) Annual Conference. Register at www.washto2018.com.



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Legislative News AGC Lobbying Efforts are Year Round

AGC members received a final printed report covering AGC's activity during the 2018 Legislative Session. But AGC's lobbying efforts don't stop when the legislature adjourns. AGC stays busy during the summer and fall watching out for our members' interests by participating in "off legislative season" meetings and events. Here is a synopsis of what AGC will participate in this summer:

Attend Workers' Compensation Advisory Council and Unemployment Insurance Advisory Council meetings throughout the summer and fall. That way we can monitor these councils and make sure their decisions are business friendly.

Watch Constitutional and Initiated Measures that make the November 2018 ballot. AGC will discuss all the measures once they are certified by the Secretary of State and establish a position on them.

Monitor the issue brief on Driver's License Exams for non-English Speaking Residents. The issue brief was ordered by the Legislatures Executive Board instead of a summer study. The brief will focus on Overcoming Obstacles to Workforce Integrations and Development: Non-English Driver License Materials and Examinations.

CONPAC

Election year is just around the corner. In 2018, South Dakota will elect a new governor, constitutional officers and all legislative seats. For the Primary Election in June and the General Election in November of 2018, CONPAC will be involved in helping to elect business-friendly candidates. CONPAC met in early May to discuss campaign contributions to legislative and gubernatorial candidates and whether to engage in any initiated measures or constitutional amendments. Are you interested in shaping the legislature and office of the governor to be business and construction industry friendly? Then you need to join CONPAC. The bigger the group, the better the decision making. Contact the AGC office if you'd like to contribute!



Save the Dates

Construction Awareness Days

September 26th

Sioux Falls
CTE Academy

October 2nd

Pierre
T.F. Riggs

October 11th

Rapid City
Western Dakota Tech

TBD

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AGC Legal Minute

by: Jason Smiley, AGC Legal Counsel



BUYING OR SELLING A BUSINESS

For those of you thinking of buying or selling a business, one of the decisions you will have to make is how to structure the transaction. The following article discusses the differences between an

asset sale and the sale of equity. Special thanks to Tyler Wetering, one of the business and estate planning lawyers at GPNA, for helping me put this article together.

Asset sale. Generally, in an asset sale, the seller retains its ownership interest in the entity selling the assets, while the buyer acquires the individual assets of the selling company. These assets may include only a portion of the selling company's business, or possibly the entire business. The assets purchased typically include such things as equipment, furniture, fixtures, leasehold improvements, inventory, existing contracts, licenses, leases, trade names, telephone numbers, domain names, and sometimes even the goodwill of the business as a going concern. The transfer of the assets of a business typically requires additional transfer documents, such as bills of sale or assignment documents.

In most circumstances, a buyer will prefer an asset purchase to avoid assuming the liabilities of the selling company; however, in certain situations, the assets being acquired may be hard to transfer due to issues of assignability, legal ownership, or third-party consent requirements (these types of assets typically include contracts, leases, and certain permits). These types of assets may necessitate the purchase being structured as a sale of equity interest rather than a sale of assets.

Sale of stock or equity interest. In a sale of stock or other equity interests (such as LLC interests or

partnership interests), the buyer acquires the stock or equity interest in the company directly from the seller



(and thereby obtains ownership of the business entity along with all of its assets). Typically, the buyer will acquire all of the assets and liabilities of the company being purchased through the acquisition of the ownership interest in the company; however, assets and liabilities that the buyer does not want to acquire are sometimes distributed or paid off prior to the sale.

Unlike an asset sale, a sale of stock (or other equity interests) does not require the separate conveyance of each individual asset because the title of each asset lies with the company being acquired. The buyer inherits significantly more risk, however, by purchasing the ownership interest in the company (including risks that may be unknown at the time of the sale such as future lawsuits). A buyer's potential risk can be reduced through representations, warranties, and indemnifications from the seller.

Despite this risk (and as discussed above), if the company has assets that are difficult to transfer or assign, the buyer may choose to acquire the equity interests of the company in order to acquire its assets. In addition, if the company's business is dependent on a few large vendors or customers, the acquisition of the company as a going concern (rather than just its assets) may reduce the risk of losing these contracts. Further certain contracts, such as leases, may provide more favorable terms than they would if they were to be re-negotiated by the purchaser of a company's assets.

In addition to some of the legal considerations set forth above, whether a sale is structured as a sale of equity interests versus an asset sale can have drasti-

AGC Legal Minute (Cont...)

cally different tax consequences for the parties involved which necessitate consultation with an accountant prior to making a determination on how the sale should be structured. Once the structure of a sale is determined, it is critical that the parties to the transaction memorialize the terms of the transaction in writing in a purchase agreement (either an asset purchase agreement (APA) for the purchase of assets, or a stock purchase agreement (SPA) for the purchase of stock).

As with any transaction, the potential impact of a sale of equity interests versus an asset sale should be carefully considered and discussed with the business's accountant and attorney before either type of purchase or sale is pursued by a business owner. For more information on this article, send me an e-mail or give me a call.



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AGC SCRAPBOOK

2018 SPRING MEMBERSHIP MEETINGS

The 2018 Spring Membership Meetings were held on March 22nd at The Downtown Hilton Garden Inn in Sioux Falls and March 27th at The Rushmore Plaza Holiday Inn in Rapid City. Thank you for participating & attending these annual events. These meetings included the 2018 award presentations and a Legislative Session summary given by Deb Mortenson. Award winners were present along with the charities chosen to receive a \$500 donation.

CONGRATULATIONS AWARD WINNERS!!

Golden Hard Hat: Jim Loiseau, Loiseau Construction

Young Professional of the Year: Andy Johnson - A-G-E Corp.

Build South Dakota:

- **R.C.S Construction** – for Outstanding Highway-Heavy-Utility Construction performed by Replacing Two 48” Woodstave Penstocks with a New 48” HDPE Pipe for the City of Spearfish.
Charity: \$500 – Youth & Family Services, Rapid City, SD.
- **AGE Corp., Ft. Pierre, SD** – for Outstanding Highway-Heavy-Utility Construction performed via Scour Protection and Erosion Control Over the Grand River, in Corson County.
Charity: \$500 - Feeding South Dakota
- **BX-CC, Dell Rapids, SD** – for Outstanding Highway-Heavy-Utility Reconstruction Performed on 6th Street & US Highway 14 in Brookings, SD.
Charity: \$500 - SDSU Construction Management Program



"AGC Cares"

BREAKFAST SERVING AT "THE BANQUET" IN SIOUX FALLS ON FRIDAY, JUNE 1ST - VOLUNTEERS ARE NEEDED!



"AGC Cares" will be serving breakfast at "The Banquet" in Sioux Falls on Friday, June 1st. This is great way to give back to the Sioux Falls community and join your AGC friends in serving! 5-6 volunteers are needed at 5:30am to prep the meal and 20-25 volunteers are needed at 6:30am to serve the meal. All volunteers are done at 8:30am.

Please email lindsay@sdagc.org if you and your team want to lend a hand! In 2017, The Banquet served 196,000 meals, and at least 25,000 of those meals were served to children under 12.



The **Construction** industry is unlike others. There are some unique risks and challenges that businesses in this sector have to contend with, which outsiders may not be able to appreciate:



CONTRACT DISPUTES and construction defects which can inevitably occur given the many factors affecting the successful completion of projects.



With complex projects spanning years, the possibility of **INTERRUPTIONS AND DELAYS** is real.

Construction firms are also highly exposed to the risks of **WORKER INJURIES**



SUBCONTRACTOR RISKS are also important, as there can be many parties involved in a construction project.

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WORKFORCE DEVELOPMENT

HR Alliance

Potential

Emerging

Career

AGC's New Apprenticeships

AGC of South Dakota created two new State Registered Apprenticeships. These two new apprenticeships are in Concrete Finishing and Heavy Equipment Operation. Things are progressing nicely and we recently developed our schedule for classes that will start this fall. If you would like to see the schedule or have any questions about these apprenticeships please contact Dustin Baertsch at 605-209-5861 or at dustin@sdagc.org.

AGC & Our Members Make Their Mark at Career Days & School Visits

Some may not realize how active AGC members and staff are when it comes to participating in Career Day's throughout the state. Between members and staff we visited or interacted with over 50 different Elementary, Middle, and High Schools. And that doesn't even include our involvement with post-secondary schools, McCrossan Boy's Ranch, and the Box Elder Job Corp just to name a few. These "Career Day's" vary from area to area, but for the most part they allow members to meet with prospective employees and explain to them first hand what the many benefits a career in Construction can provide. AGC and our members always stand out at these events not just because we have cool simulator's, big pieces of equipment, and interactive display's (these of course don't hurt us either). It's because of how engaging and excited our members are when they get to share their experiences of this industry.



Get Involved with Visiting Schools Next Fall! AGC has all the Tools you Need for a Successful Visit

While the opportunities' for school visits and career day's are dwindling with summer finally starting soon, there will be plenty of opportunities' this fall. AGC has recently put together a "member school visits tool kit". This "tool kit" has a ready made PowerPoint that is meant for school visits and members can just plug and play any company specific information into the PowerPoint. We also have a construction careers fact sheet that members can hand out when they do their visits. This fact sheet has useful info on what jobs are in demand, wages, school contact info, and much more. The PowerPoint and fact sheet will be available to

download on the Build South Dakota website. If you are interested in getting involved with school visits in the fall please contact Dustin Baertsch at 605-209-5861 or dustin@sdagc.org. He would be more than happy to coordinate these school visits so all you would have to do is show up and do your thing. He has many connections with the schools and would love to help you set up these visits.

Mark Your Calendars for AGC's Construction Camps Coming this Fall

This fall AGC will continue its long run of creating fun and interactive Construction Camps throughout the state. 2018 is no exception as we will be doing four camps this year. Our first camp will be in Sioux Falls @ the CTE Academy, Wednesday, September 26th. Then we have camps on Tuesday, October 2nd in Pierre @ T.F Riggs HS, Thursday, October 11th in Rapid City @ WDT, and we have one planned at LATI in Watertown, but that date is still to be determined. As these dates get closer be on the look out for sponsorship opportunities' and way's to help out with these awesome events.

2nd Annual Pizza Pop & Power Tools Makes an Impact

On Tuesday, May 1st AGC held its second annual Pizza Pop & Power Tools event in conjunction with NAWIC and the CTE Academy in Sioux Falls. Around 100 8th grade females attended this event and it was another huge success. The impact this event has on showing these young women the extensive opportunities available in the construction industry is immeasurable. They learned about the proper use of hand and power tools, operating heavy equipment, and welding. All of this being taught by the women that are already working in the industry.



Please Attend the Next HR Alliance Meetings

Make plans to attend the upcoming HR Alliance presentations in May. The first presentation will be in Sioux Falls at 12:00 pm, CT on Thursday, May 10th at the AGC Building Chapter office. Nate Fredrickson and Dan Malmberg of EPI Investigations will be presenting "Defending Your Workforce: Violence



Prevention, Preparation and Response". Our next presentation will be in Rapid City at 12:00 pm, MT on Thursday, May 17th at the Construction Industry Center. WDT's Cooperate Education Center will present on the potential for employer partnerships + job shadowing, customized training and info on CDL training. For more information please contact our Construction Careers Coordinator, Dustin Baertsch at dustin@sdagc.org or 605-209-5891.

Build South Dakota Website – Updated!

Have you ever wondered what we're doing pertaining to workforce? If so you need to check out the new and improved Build South Dakota website at www.BuildSouthDakota.com. We have recently updated our site to truly be the go to for anybody interested in a career in construction. This site is a huge resource for parents, teachers, students and anyone that is interested in construction. Be sure to check it out periodically as there are always updates on AGC of SD WFD efforts.



Build South Dakota: The Game!

While you are visiting the new website be sure to download Build South Dakota The Game. Build South Dakota: The Game! is a career awareness tool created by AGC & Simcoach Games. Through games, videos, imagery and assessment tools, this free app explores a virtual highway construction project and uncovers the skills needed to be a heavy and highway construction apprentice. Get real insight into just what it means to be a construction professional. Be sure to download the game today!



Get Your AGC Work Zone Coloring Books

AGC's PR Committee brainstormed and created AGC's very own coloring & activity book. The book features several pages of construction machinery to color and activity pages. The book was created to help promote our industry to elementary students at a young age. The books are available for all members to set out at your counters or handout to employees. Contact lindsay@sdagc.org to get your copies!



AGC Construction Leadership Square Raffle

AGC's Construction Leadership Committee is hosting a fundraiser to benefit the HHU Education Foundation &

our yearly scholarships for kids! This is a 100 square board raffle for \$100/each square. There are great prizes for 1st, 2nd and 3rd places! They include:

- 1st Place - O/U Shot Gun, 1 free registration to the 2018 CLC Pheasant Hunt and Name on Sponsor Banner
- 2nd Place - Semi Auto Shot Gun
- 3rd Place - \$200.00 Gift Card

Review the board on our website - www.sdagc.org and email becky@sdagc.org with the square(s) you want to purchase. The drawing will be held August 8th during our Rapid City Summer Social, so get your squares purchased today!

LATI "Build Dakota" Scholarship Winner

The AGC HHU Chapter has partnered with LATI's "Stretch the Millions" Program and have chosen our 2018 winner Dylan Alexander from Newell, SD with a "Build Dakota" scholarship. Dylan will be participating in LATI's Heavy Equipment Operator Program in the Fall. Thank you AGC leaders for being a part of choosing the 2018 recipient.

March Madness Bracket SUCCESS!

Thank you for participating in AGC's March Madness Education Foundation fundraiser! The money raised from this fundraiser went to our annual scholarships! Congratulations winners:

- 1st Place - Melissa Austin, J&J Asphalt
- 2nd Place - Lindsay Willits - AGC
- 3rd Place - Matt Millage - Soukup Construction

SDSU Construction Management Mock

Letting Results

Gary Johnson's CM class at SDSU participated in a mock letting on May 3rd, using the SDDOT EBS system. Thank you SDDOT central office



for your continued support of this class event which now completed its fifth year. Also, thank you to the many AGC firms who submitted quotes and the suppliers too. Without the total team effort by all the stake holders, the reality of what this class brings to them would be far less than it has been. Gary Johnson would like to add that he is grateful for the support offered and say a heartfelt thank you to all of you for your participation.

SAFETY & TRAINING

Upcoming Safety Training Courses

OSHA 10hr. General Industry
May 22, 8:00am - 5:00pm &
May 23, 8:00am - 11:00am
Yankton/RTEC



OSHA 30hr. General Industry
May 22, 8:00am - 5:00pm & May 25, 8:00am - 5:00pm
Yankton/RTEC

The AGC is now offering construction industry specific CDL training for members!

The training will be conducted by Glen Heibult. Glen's experience includes 35 years as a truck driver, 8 years as a CDL trainer & 9 years as a Certified State Trainer. AGC CDL Training courses include: General Knowledge & Air Brake Written Test Prep, Combination Vehicle Test Prep, Pre-trip Inspection Training and In Truck Ride Along Training. See the enclosed insert and get registered online today!

SAFETY SUMMIT AHEAD June 7th-8th

The Safety Summit is once again going to be held at Arrowhead Resort in Oacoma on June 7th-8th. The Safety Summit this year intends to bring together the HR Alliance, MSHA Alliance and Safety Committee for educational sessions and networking opportunities. The Safety Summit will take place in Oacoma at Arrowwood Cedar Shore with details still being hammered out. One item on the agenda will be election of new chairpersons. See the enclosed insert for more details!

Site Audits or Inspections

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

Know what's below.
Call 811 before you dig.

Kick-off or Start-up Meetings

Contact the Safety & Workforce staff today if you want to include us in your kick-off or Start-up meetings. While we can't guarantee the date isn't already scheduled, the early bird gets the worm!



National Work Zone Awareness Week

National Work Zone Awareness Week (NWZAW) is an annual spring campaign held at the start of construction season to encourage safe driving through highway work zones. The AGC, SDDOT, FHWA and other state officials participated by promoting the [#orange4safety](#) hashtag on social media and encouraged members to wear orange! In addition, the AGC is also participating in the 4th grade coloring/billboard contest. Billboards will be up soon in Sioux Falls, Rapid City, Brandon & Mitchell! In addition, the AGC has three Safety Sam's looking for a home on your construction projects. Please let the AGC staff know if you want Safety Sam on your jobsite!



AGC Safety Lunches Recap

Safety professionals from member companies met for both the East and West River Safety lunches on May 4th to discuss a variety of current topics. Safety lunches are a good way for all present and interested safety committee members to become more involved with safety in their areas. Since there are no secrets in safety, bring along anyone who you think may benefit from these safety networking events! This hopefully will also provide an opportunity for those companies that can't make the Summit or Convention to become involved and have a voice and participate in the AGC.

AGC Summer Safety & Health Conference

July 25-27, 2018 | Indianapolis, IN
Construction safety and health is vital for the success of the industry. Join industry professionals for the latest updates and discussions on regulatory and legislative activity at both a national and local level; assist in the development and creation of new safety training programs and products; and learn about the latest initiatives from OSHA and other industry experts. Who Attends: More than 200 construction industry professionals including general and specialty contractors,



AGC chapters and other professionals involved in safety training, supervising and on-site construction. Registration information is available at www.agc.org.

Examinations of Working Places in Metal and Nonmetal Mines

MSHA recently published a final rule that amends a rule issued in January 2017. This rule provides mine operators additional flexibility in managing their safety and health programs and reduces regulatory burdens without reducing the protections afforded miners.



The revised rule requires that:

- A competent person examine each working place for conditions that may adversely affect the safety or health of miners. The working place must be examined at least once each shift, before work begins or as miners begin work in that place.
- Promptly initiate appropriate corrective action when adverse conditions are found.
- Promptly notify miners in affected areas if adverse conditions are found and not corrected before miners are potentially exposed.
- Withdraw all persons from affected areas when alerted to any conditions that may present an imminent danger, until the danger is abated.
- Create an examination record before the end of each shift that includes:
 - The name of the person conducting the examination;
 - Date of the examination;
 - Location of all areas examined;
 - A description of each condition found that may adversely affect the safety or health of miners that is not promptly corrected; and
 - The date when the described condition is corrected.
- Make the examination record available to MSHA and miners' representatives, with a copy provided upon request.

MSHA will hold public meetings around the country to inform and educate the mining community on the requirements of the final rule. To view the dates & times visit www.msha.org.

OSHA Fall Stand-Down

Did you know that OSHA's last two fatalities here in South Dakota were completely preventable falls from elevation? The 4th Annual National Fall Prevention Stand-Down will take place May 7-11, 2018. According to the Bureau of Labor Statistics, fatalities caused by falls from elevation continue to be a leading cause of death for construction employees, accounting for 370 of the 991 construction fatalities recorded in 2016 (BLS data). According to OSHA, those deaths were preventable. The National Fall Prevention Stand-Down raises fall hazard awareness across the country in an effort to stop fall fatalities and injuries. Details: www.osha.gov/StopFallsStandDown/



Stop Falls Stand-Down

- Plan a toolbox talk or other safety activity
- Take a break to talk about how to prevent falls
- Provide training for all workers

For more information:

www.osha.gov/StopFallsStandDown

#StandDown4Safety • (800) 321-OSHA (6742)



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CBO Report Shows Highway Trust Fund Shortfall Senate Chair Calls for Action

The Congressional Budget Office (CBO) recently issued an update to its annual Highway Trust Fund cash flow projections. Based on revenue inflows from various excise taxes, including the motor fuels tax, versus expenditures both the highway account and mass transit accounts should remain solvent through FY 2020 the last year of authorization under the FAST Act. While the projections show, however, that both accounts have insufficient revenue to fund current levels through FY 2021. The report shows that the additional revenue needed to keep the Highway Trust Fund solvent through FY2028 is \$163 billion. While these projections are not surprising or unexpected it clarifies the urgent need for Congress to begin addressing the trust fund's revenue shortfall now.



Administration Policy to Speed Environmental Reviews Announced

In April, the Trump administration unveiled an AGC-backed "One Federal Decision" memorandum of understanding signed by more than a dozen federal agencies that establishes a coordinated and timely process for environmental reviews of major infrastructure projects. AGC has advocated for streamlining provisions like the "One Federal Decision" process, whereby one agency takes the lead on navigating the permitting process, reviews are conducted concurrently, and the agencies follow a



reasonable timetable. AGC's chart and background documents highlight some of the common road blocks and delays in environmental reviews and permitting of major infrastructure projects.

The MOU puts forth a two-year permitting process, which would drastically reduce the amount of time currently needed to move a project through this process. For example, the median environmental review completion time for a complex highway project is more than seven years. Finalizing an environmental impact statement (EIS) alone takes an average of 1,679 days. EISs are required for most of the major infrastructure projects that the Trump administration is working to advance with this MOU.

Transportation Funding Boosted in 2018 Funding Measure

Congress completed action recently on a funding bill for the remainder of fiscal year (FY) 2018 that avoids yet another government shutdown and includes \$10 billion plus in additional infrastructure investment—compared to FY 2017. President Trump signed the measure today after briefly threatening to veto the measure citing concerns about some of its provisions. The deal was set in motion when the Bipartisan Budget Act of 2018 was approved.



That compromise measure put in place a two year blueprint for government spending which promised \$20 billion in additional infrastructure funding over that period. The bill signed is the first half of the promised infrastructure investment. The compromise Omnibus FY 2018 appropriations legislation includes a significant increase in funding for highway, transit and aviation construction. The bill largely approves funding at FAST Act authorized levels from the Highway Trust Fund for the highway and transit programs and provides an additional \$4.4 billion from the general fund for transportation programs.

AGC called on thousands of its social media grassroots supporters to urge Congress to keep its \$10 billion infrastructure investment promise. AGC pushed for Congress to pass the bill; however, the association also noted the litany of critical construction issues that remain unresolved by this bill and Congress, including but not limited to the need for long-term infrastructure funding, border security and immigration reform, and multiemployer pension reform.

President Implements Steel and Aluminum Tariffs

In March, President Trump signed proclamations to impose a 25 percent tariff on steel imports and a 10 percent tariff on aluminum imports, with limited exceptions.



AGC previously urged the President to abandon the tariffs because of their negative impacts on the construction industry. AGC members are still encouraged to contact the president and their congressional representatives to stop these tariffs. In addition, AGC has provided two memos for construction contractors—one for direct federal and federally-assisted construction contracts and another for private construction contracts—as they grapple with anticipated steel and aluminum price increases.

These tariffs will have an almost immediate impact on the cost of aluminum and steel purchased for construction projects, as the construction industry consumes 43 percent of American steel according to the American Iron and Steel Institute. The proposed tariffs on steel and aluminum will also have a direct and negative impact on construction employment, putting more than 28,000 construction jobs at risk according to a recent, nonpartisan study. Alarming, this figure does not even account for jobs that could be impacted by affected nations' retaliatory trade measures. AGC will continue to press the White House and Congress to stop these tariffs.

Building a Better Congress

AGC PAC is the nonpartisan political action committee (PAC) sponsored by AGC of America. It is registered with the U.S. Federal Election Commission (FEC) and allows eligible employees of AGC member companies to pool personal, voluntary financial contributions.



The contributions are used to support candidates running for elective office who, regardless of party affiliation, understand the construction industry and the specific needs, interests and concerns of AGC member companies and their employees. For more information on how to get involved contact David Ashinoff, Director of AGC PAC & Political Advocacy at ashinoffd@agc.org or (202) 547-5013.

AGC Centennial Celebration

On October 1, 2018, AGC will officially honor and celebrate 100 years of our association's efforts and successes with an afternoon and evening of Centennial-focused



events to be held at the Ronald Reagan Building and International Trade Center in Washington, DC.

All members are invited to attend this momentous occasion to help AGC recognize and celebrate 100 years of achievements, as well as look ahead to the next century of serving the industry!

All details and registration information can be found at: <https://centennial.agc.org>

AGC OF AMERICA UPCOMING EVENTS



May 15-16, 2018 - Transportation Construction Coalition Fly-In - Washington, DC

July 25-27, 2018 - AGC Safety & Health Conference Indianapolis, IN

Sept. 12-13, 2018 - AGC Construction Environmental Conf. - Crystal City, VA

Sept. 29-Oct. 1, 2018 - AGC Transp. & Utilities Issues Meeting - Arlington, VA

Sept. 30-Oct. 3, 2018 - AGC National & Chapter Leaders Conf. - Washington, DC

October 1, 2018 - AGC 100 Year Anniversary Celebration - Washington, DC

Oct. 10-12, 2018 - AGC HR & Training Professionals Conf. - Ft. Worth, TX

April 1-3, 2019 - AGC's Annual Convention Denver, CO

View Full Event Details at: www.agc.org

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