

# The Voice

## ACEC

AMERICAN COUNCIL OF ENGINEERING  
COMPANIES OF TENNESSEE

THE VOICE OF TENNESSEE'S ENGINEERING COMPANIES

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## Water Infrastructure is Crucial to State & National Well-Being *Infrastructure Needs Are Interconnected*

by Congressman John J. Duncan Jr.

I serve on three committees and several subcommittees in the U.S. House of Representatives. However, I have always regarded the Transportation and Infrastructure Committee as my main one.



**Congressman  
John Duncan Jr.**

There are several reasons for this, but one of the most important reasons is that I consider the work of that Committee to be crucial to our state, regional and national interests. Those interests are interconnected and difficult to separate. For example, people in Tennessee sometimes use the roads in Florida; Floridians often travel the roads in Tennessee. People in Ohio sometimes drink the water in New York and vice versa. People across the country use the airports in every state.

Through the years, I've had the opportunity to examine a range of infrastructure issues. I chaired the Aviation Subcommittee for six years, and then I chaired the Water Resources

and Environment Subcommittee for six years. I now serve as the ranking member of the Highways and Transit Subcommittee. All of these infrastructure topics are certainly important, however, water resources may be the most crucial to the overall well-being of our citizens and economy.

### Cannot be Ignored

I have learned many things from my time serving on the Transportation and Infrastructure Committee and its various subcommittees, through my experience working as a young lawyer with the Northeast Knox Public Utility District, and during my visits to many water districts, projects and ports all over the country as Water Resources Chairman. Unfortunately, one thing that I have learned is that people take our waste water and clean water infrastructure for granted more than any other vital service.

Much of our water infrastructure is aging and/or is overloaded due to population growth. Much of it simply cannot be patched up, but really needs to be replaced, expanded or improved. One major project that needs to be emphasized in the next few years is the

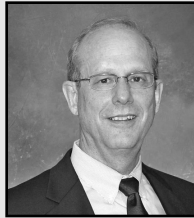
*... people take our waste water and clean water infrastructure for granted more than any other vital service.*

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# Looking Out for Your Interests

by Ed Hargraves, PE  
President, ACEC of Tennessee

**A**CEC of Tennessee has always been at the forefront when it comes to monitoring pending legislation that impacts the engineering profession in Tennessee. Proposed legislation is carefully monitored each year by the ACEC of Tennessee Board and its Executive Director, Candy Toler. If needed, input is offered to the legislator who is drafting the proposed legislation; insights are provided regarding how it would possibly impact



**Ed Hargraves**

the engineering profession.

On a national level, ACEC National has legislative watchdogs who review pending legislation, also with the intent of monitoring its impact on engineers.

## 3% Withholding

One of the issues on the ACEC National radar for a number of years is the 3% withholding mandate. Section 511 of the Tax Increase Prevention and Reconciliation Act of 2005 mandates that federal, state, and local governments withhold 3% from payments to engineering firms and other contractors for goods and services. This law — which will take effect in 2012 — will cover all payments for products and services made by the federal, state, and local governments that have annual expenditures that exceed \$100 million. This

withholding mandate will apply to the total cost of the contract, not only to the net revenue generated.

Many engineering companies realize a profit margin of 3% or less on a contract; withholding 3% up front for tax purposes would have a severe impact on their profitability and cash flow. In addition, it would have an unintended impact on smaller firms that primarily subcontract with larger engineering firms for the bulk of their business. It is anticipated that prime contractors will be compelled to pass the cost associated with 3% withholding on to their subcontractors, or shift the subcontracting work out to self-performance. This law will also impose significant administrative costs and information reporting requirements on government agencies. ACEC is actively co-sponsoring a House resolution and Senate bill which would repeal Section 511 and eliminate the 3% withholding mandate. We hope that this initiative will be successful.

ACEC National is also working on a Congressional resolution that would not allow state departments of transportation to use engineering firms for critical construction inspection services. We feel that public agencies should not be limited in their ability to engage the private engineering industry in addressing engineering challenges. Government procurement policies should encourage, not discourage, the use of the private sector.

Every day, ACEC is looking out for your business and professional interests in Tennessee and D.C.

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Manager of Member  
Services

## Infrastructure *(continued from page 1)*

construction of a new Chickamauga lock. This is in Congressman Wamp's district, but it is important to all of East Tennessee and many other parts of the Southeast, another example of how infrastructure interests are interconnected.

It has been said that you do not really appreciate something until you no longer have it. We can't let this statement apply to our water infrastructure. It is the foundation for public health and safety, the environment, and certainly economic growth and development. We cannot simply let our water infrastructure deteriorate. We need to act now.

I appreciate what Tennessee's professional engineers do for our state and our country. They will play an important part in repairing, building and supplementing our nation's water and wastewater infrastructure. Engineers will help create the economy and environment that we all want in the future.

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*We cannot simply let our  
water infrastructure  
deteriorate.*

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*Rep. Duncan has represented Tennessee's Second Congressional District since 1988. The District is situated in East Tennessee and consists of Knox, Blount, Loudon, Monroe, McMinn and a portion of Sevier counties.*

# Annual Meeting: Something New!

While ACEC of Tennessee and TSPE have traditionally had their Annual Meeting in June, this year it will be Thursday and Friday, **August 26-27**. The Annual Meeting will be preceded by the Tennessee Engineering Foundation's Golf Tournament on Wednesday, August 25. Talk about hot fun in the summertime — this is it!

Murfreesboro will be the location for the meeting. Named the Most Livable Town in Tennessee, Murfreesboro is the fastest growing city in the state. It is also home to Middle Tennessee State University (MTSU). With 23,000 students, MTSU has the largest undergraduate enrollment in the state.

The meeting will be held at the new Embassy Suites Murfreesboro. It offers great accommodations adjacent to The Avenue Murfreesboro lifestyle center with the area's best restaurants and shops.

You'll receive more specifics in the coming months, but mark your calendars now: Golf Tournament on August 25; Annual Meeting on August 26-27.

## Congratulations

Congratulations to these firms with Tennessee offices on the *Engineering News Record's* list of the top 200 engineering firms in the country (in descending order).

AECOM  
AMEC  
Tetra Tech Inc.  
Parsons Brinckerhoff Inc.  
Parsons  
Arcadis  
CDM  
Stantec Inc.  
The PBSJ Corp.  
MACTEC Inc.  
Kimley-Horn and Associates Inc.  
Terracon Consultants Inc.  
Brown and Caldwell  
TranSystems Corp.  
Wilbur Smith Associates Inc.  
Gresham, Smith and Partners  
The LPA Group Inc.  
R.W. Armstrong & Associates Inc.  
Volkert & Associates Inc.  
S&ME Inc.  
H.W. Lochner Inc.  
Smith Seckman Reid Inc.  
Hanson Professional Services Inc.  
Barge Waggoner Sumner & Cannon Inc.

## Name Change in Chattanooga

The Chattanooga Chapter of ACEC of Tennessee met in April. The first order of business was to change the name of the group to the Southeast TN Chapter of

ACEC to more accurately reflect the geographical area represented.

Chapter president Bill Johnson gathered the group at Sugar's Ribs for a lunch meeting and discussion on how to revitalize the Chapter. Fueled by

ribs and other treats, the group engaged in a brainstorming session on bylaw revisions.

ACEC of Tennessee's executive director, Candy Toler, was there to provide the group a legislative update. The meeting was attended by half of the Chapter's member firms.



**Bill Johnson**

## Election of Officers 2010-2011

The ACEC of Tennessee Nominating Committee, chaired by Jim Morinec, PE, AECOM, has submitted the 2010 - 2011 slate of officers presented below; election ballots were sent to ACEC of Tennessee member firm representatives in April. **Ballots must be returned post-marked no later than May 15, 2010.**

**President-Elect**  
Mike Pohlman, PE  
Pickering, Inc., Memphis

**First Vice President**  
Steven Field, PE  
Stantec Consulting Services, Inc., Nashville

**Second Vice President**  
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Thomas (Chuck) Saunders, PE  
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Ed Hargraves, PE  
Askew Hargraves & Harcourt & Associates, Inc., Memphis

**National Director of ACEC**  
Steve Lane, PE, DEE  
Smith Seckman Reid, Inc., Nashville

**Director at Large**  
Steve Meyer, PE  
Volkert & Associates, Inc., Chattanooga

As President-Elect in 2009-2010, **Steve Bostic, PE**, Lamar Dunn & Associates, Inc., Knoxville, will automatically become President in 2010 - 2011.

## CALENDAR

**MAY  
6**

Memphis Chapter Meeting

Memphis Racquet Club, 6:00 p.m.

Guest Speaker:  
Senator Mark Norris

Information:

Tim Verner

901-748-1811

tverner

@fisherarnold.com

**MAY  
13**

ACEC of TN Planning Retreat

Tennessee Engineering Center

**AUGUST  
25**

Tennessee Engineering Foundation Golf Tournament

Location to be announced

**AUGUST  
26 - 27**

ACEC of TN / TSPE

Annual Meeting

Embassy Suites

Murfreesboro, TN

**OCTOBER  
17 - 20**

ACEC Fall Conference

El Conquistador

Resort & Spa

Las Corabas, Puerto Rico

Tennessee Engineering Center  
800 Fort Negley Boulevard  
Nashville, TN 37203

Return Service Requested

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## Member News

- Jacobs Engineering Group, Inc. has acquired **Jordon, Jones and Goulding, Inc.**, which is based in Atlanta and has offices in Knoxville, Nashville, and across the southern U.S.
- **Kevin L. Thompson, PE, CPESC**, has joined the Nashville office of **Barge Waggoner Sumner & Cannon, Inc. (BWSC)** as Transportation Group Leader.
- **RPM Transportation Consultants, LLC** received the 2009 Bronze Bicycle Friendly Business Award from the League of American Bicyclists in recognition of the firm's efforts to support and encourage its employees to use bicycles for transportation and recreation.

## FROM THE EXECUTIVE DIRECTOR

### *A Busy Legislative & Political Season*

by Candy Toler  
Executive Director, ACEC of Tennessee

In addition to ACEC's lobbying efforts in Washington outlined in Ed Hargraves' article in this newsletter, things have been busy at the State Capitol. The Tennessee General



Candy Toler

Assembly is still going strong. Because it is an election year, legislators are anxious to adjourn so that they can turn their attention to doing their "real" jobs and soliciting votes. They will probably adjourn later this month. As I write this article in late April, they are embroiled in debate over the revised budget submitted by the Governor. Tennessee's lagging tax receipts necessitated cutting the budget even further. The bright spot is The Volunteer State was chosen for Race to the Top education funding!

Some of the more predominant themes this session have been related to Workers' Compensation, opting out of health care reform

requirements, traffic enforcement cameras, and changes to the state's constitution. Topics of interest to engineers were licensing engineering technology graduates, sunseting the State Architects' and Engineers' Board, local preferential purchasing policies, discoverability of liability insurance limits, construction management for schools, and defining the practice of non-structural interior design, to name a few. As I write this, legislation is also being considered which will totally restructure state purchasing and create a State Procurement Commission under the State Comptroller's Office. For information about legislation or the General Assembly, go to <http://www.legislature.state.tn.us> or send me an email.

2010 is an election year, and that means we need to raise money for the Engineers' Political Action Committee. Your help is needed. What will you offer for the PAC Auction at the Annual Meeting? Would you rather write a personal check to the PAC? Either way, your PAC needs your contribution. Everett Cowan, PAC Chair, looks forward to hearing from you!