



Last Word

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NAMED BEST WEEKLY ELECTRONIC NEWSLETTER BY ASSOCIATION TRENDS

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INDUSTRY NEWS

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Failed Dams and Levees

This seminar by Edward A. Thomas, Michael Baker Corporation, examines the history and definitions of "strict" and "absolute" legal liability relative to dams and levees, the reasons for their different treatment by the law, and defenses in liability actions resulting from dam and levee failure. In a post-Hurricane Katrina world, understanding of "malfeasance, misfeasance and nonfeasance" are vital concepts for those involved in design, construction, maintenance and operation of navigable waterway systems.

[Click here](#) to order.

ACEC Helps To Thwart Kyl-McCain Proposed Gas Tax Suspension

ACEC President Dave Raymond on Thursday voiced strong opposition to a proposed amendment by Senator John Kyl (R-AZ) on behalf of Senator John McCain (R-AZ) that would have temporarily suspended the federal gas tax.

Senator Kyl withdrew the amendment in the face of opposition from his colleagues, as well as opposition from ACEC and industry organizations. The proposal, however, may be an indication of additional efforts in the future to target the gas tax in response to rising gas prices.

Kyl sought to offer the amendment on behalf of Senator McCain who advocated suspension of the tax throughout the week while campaigning for the White House.

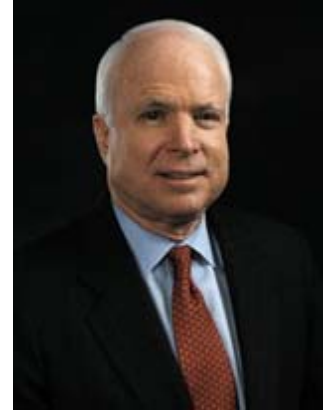
While the provision offered to reimburse the Highway Trust Fund from the General Fund an estimated \$9 billion in lost revenue, Raymond stressed the suspension of the tax was exceedingly bad policy at a time when gas tax increases are necessary to keep pace with critical transportation needs.

He added that there is insufficient assurance of repayment and the bad precedent would create worse problems down the line, including lower transportation investment.

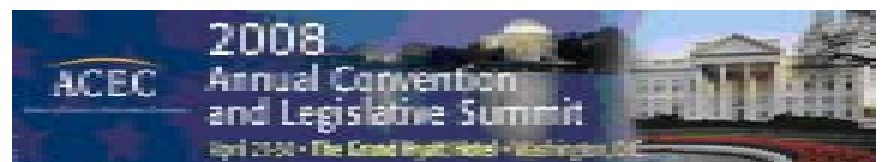
In a letter to Senators, Raymond said: "If adopted, it would seriously disrupt repairs, risk fatalities, and do harm to the nation's economy. There also is no guarantee that reducing or eliminating the gas tax would result in savings passed on to the consumer." [Click here](#) for a copy of Raymond's letter to the Senate.

Shoring up transportation funding will be a priority for ACEC members during their lobbying efforts at the upcoming Annual Convention in Washington, D.C.

For information on the Convention, and to register, [click here](#).



Senator John McCain (R-AZ)



House Votes To Delay 3% Withholding; Bar Tax Delinquent Contractors

The House of Representatives approved legislation this week that would delay implementation of the 3 percent withholding mandate from 2011 until 2012. This provision, together with a provision requiring the Treasury Department to study cost impact to governments and businesses, was included in a larger tax bill.

Liability of Design Professions for Construction in Flood Hazard Locations

Jon Kusler, Association of State Wetlands Managers, and **Edward A. Thomas**, Michael Baker Corp., take a close look at potential liability for public and private construction in floodplains, with suggestions for reducing that liability.

[Click here](#) to order.

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For more information, contact Nina Goldman at 202-682-4325 or write ngoldman@acec.org.

Senate passage of the measure, however, remains uncertain. Senate Finance Committee Chairman Max Baucus (D-MT) and Ranking Member Charles Grassley (R-IA), who authored the original legislation that included the new 3 percent withholding mandate, continue to resist efforts to repeal the provision.

Repeal of the unfair 3 percent withholding mandate that will impact virtually every firm is one of the primary issues ACEC members will lobby on Capitol Hill as part of the upcoming Annual Convention in Washington, D.C.

The House also approved separate legislation authored by Rep. Brad Ellsworth (D-IN) that would prohibit federal contractors with seriously delinquent tax debts from receiving federal contracts.

Contractors would have to certify that they did not have tax debt, and authorize the IRS to confirm that with contracting officers. Similar legislation was introduced by Senator Barack Obama (D-IL), but it has not yet been scheduled for consideration in the Senate.

New York State To Accept ACEC Education In Health And Safety; RCEP Program Endorsed

Engineers and surveyors practicing in New York can now receive PDHs from ACEC national programs which will be accepted by New York State authorities.

"This is a major breakthrough," said ACEC Chairman Mac McMurray, who heads C&S Engineers in Syracuse, N.Y. "Our employees who attend qualified national ACEC courses, or those of ACEC state organizations that are Registered Continuing Education Program-approved (RCEP), will be able to have those courses recognized by our state for the first time."

Approved programming includes technical and health-and-safety courses offered on-site and online, including specific sessions at the upcoming Annual Convention in Washington, D.C. and Fall Conference in Montreal.

Jeffrey Beard, ACEC's vice president for educational programs, said: "With New York having the most stringent requirements for continuing education for engineers and surveyors, their acceptance shows that the RCEP program is achieving early advantages for us."

ACEC and NCEES launched the national learning management system in September 2006 (www.rcep.net). Since inception, more than 35 educational providers have joined the system, including ACEC, ASHRAE, SAME, PSMJ and other nationally known providers. ACEC state organizations which are not currently members of RCEP are encouraged to join, and the national organization will facilitate such applications.

The RCEP program provides state licensing boards with a streamlined national system of approving educational providers, a master calendar of available courses, and a ready-access database for retaining engineer and surveyor continuing education records after completion of continuing education courses.

For more information about the benefits of the Registered Continuing Education Program to state organizations and ACEC member companies, contact Dr. Amjad Ali at aali@acec.org or Jeffrey Beard at jbeard@acec.org.



ACEC Chairman
Mac McMurray

ACEC JOB BOARD

Over 650 Searchable
Jobs Posted

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Resumes Posted

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Employers

Last Five "Help Wanted"
Open Positions:

Mechanical Project Engineer—
Johnstown, PA

Sr. Electrical Engineer—
Lafayette/New Orleans, LA

Civil Engineer-Land Development—
Miami Lakes, FL

Sr. Civil Engineer—Lanham, MD

Sr. Airfield Engineer—San Francisco, CA

A Sampling of Posted Resumes:

Geotechnical Engineers—**895**

Water Resources/Wastewater Engineers—
1,455

Transportation—**1,288**

Civil Engineers—**2,198**

Structural Engineers—**1,462**

Environmental Engineers—**1,334**

View These Resumes and Jobs
on ACEC's Job Board
<http://www.acec.org/jobbank>

ACEC EDUCATION

Upcoming Online Seminars

May 6—*Negotiating Better Engineering Contracts: A Win-Win Situation*

Participants in this seminar by Gary Bates, Roenker Bates Group, will acquire insights necessary to recognize different techniques others use to negotiate; learn which skills are required to be an effective negotiator; understand the importance of proper planning for negotiation; practice the methods for conducting an

Veterans Administration Mandates Use Of BIM For Major Construction

The Veterans Administration (VA) Office of Construction and Facilities Management this week issued a new requirement for the use of Building Information Modeling (BIM) on all new major construction and renovation projects starting design in F.Y. '09, while encouraging the use of BIM for projects starting in F.Y. '08.

Although the VA is mandating the use of BIM for future projects, the agency's guidance enables an A/E firm to choose its software platform, as long as the software complies with the Industry Foundation Class (IFC) standards, an approach supported by ACEC. [Click here](#) for more information.

While many other federal agencies, including the State Department and the General Services Administration (GSA) have adopted a BIM standard similar to the VA's, ACEC is working to reverse a decision by the U.S. Army Corps of Engineers to mandate the use of a single Bentley Systems platform that is not yet compliant with IFC standards.

"A decision to implement only one BIM solution becomes a gamble that could prove financially fatal to a firm and costly to the agency," says Daniel DeYoung of DJG, Inc. in Virginia, adding that a "one platform" approach advocated by the Corps "limits competition."

The Council is working closely with the Corps on this issue and is developing an industry white paper which describes the problems and limitations with the Corps' approach.

To learn more about how various federal agencies are approaching the use of BIM, ACEC's Annual Convention features a timely program—*Navigating Building Information Modeling (BIM) with the Federal Government*—which will include speakers from the Corps, GSA, and the State Department. For more Convention information, and to register, [click here](#).

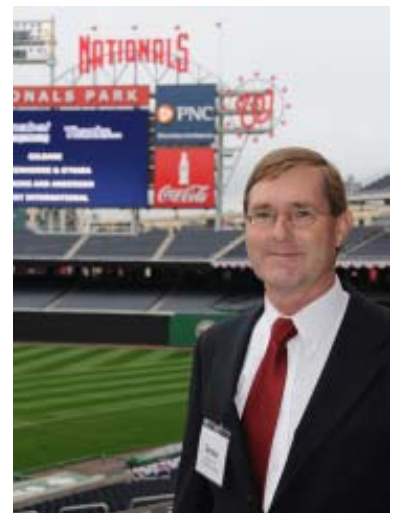


Daniel DeYoung of DJG, Inc.

Schnabel Engineering Celebrates 50th Anniversary At New Stadium

Gordon Matheson, president/CEO of Schnabel Engineering, shows off the high-definition scoreboard at the new Nationals Park in Washington, D.C. where the firm last week hosted its 50th Anniversary celebration.

Schnabel Engineering provided environmental and geotechnical services for the newly opened stadium, which included characterization of contaminated soil and groundwater, excavation of contaminated soils and installation of post-construction groundwater monitoring wells.



effective negotiation session; and realize the proper sequence for reaching a win-win engineering contract.

(1:30-3 p.m.; 1.5 PDHs)

[Click here](#) to register.

May 7—*Women in the Boardroom: How the Other Half Works*

Chandra L. Weiss, Pivotal Management Consulting, LLC, provides a look at the transitions for women as they have moved “out of the trenches” and into the boardroom. She’ll examine motivations for women to advance to executive ranks, offer advice on how to recruit, retain and nurture women in their career aspirations, and discuss the benefits women executives can bring to a firm.

(1:30-3 p.m.; 1.5 PDHs)

[Click here](#) to register.

May 13—*Strategizing Winning Proposals from Value Proposition to Differentiation... on Deadline*

In today’s competitive marketplace, a powerful, persuasive proposal is more important than ever in winning new business for your firm. Clare Ross, The Clare Ross Organization, presents an invaluable short course on the essentials of a well-crafted, effective and timely proposal and how to write it.

(1:30-3 p.m.; 1.5 PDHs)

[Click here](#) to register.

May 15—*Calculating Carbon Footprints—Potential Business for Engineering Companies*

Mark van Soestbergen, founder of the International Carbon Bank & Exchange and nationally known expert on climate change, discusses how a project’s “carbon footprint” will become an increasingly important evaluation criterion. Participants will discover how to establish their own organization’s carbon footprint and how to add the practice to their client services.

(1:30-3 p.m.; 1.5 PDHs)

[Click here](#) to register.

Newest Tools And Techniques In Program/Project Management

Advanced Project and Program Management for the Engineering and Construction Industry

June 16-17, Evanston, IL

Participants in ACEC’s *Advanced Project and Program Management for the Engineering and Construction Industry*—will take a systems approach to the full-range of design and construction project management.

The course is co-sponsored by ACEC and the McCormick School of Engineering, Northwestern University, at the university’s Evanston (Chicago) campus, and offers 16 PDHs. Course objectives include modeling and simulation of projects, programs, and revenue, risk mitigation and control, A/E/C economics, establishment of a Program Management Office (PMO), organizational implementation strategies, benchmarking and metrics.

[Click here](#) for details and to register.

ACEC/CAMEE Course On BIM To Precede ASHRAE Meeting

BIM: The Promise and the Reality for M/E/P Professionals

June 21-25, Salt Lake City

ACEC and Council of American Mechanical and Electrical Engineers (CAMEE) present *Building Information Modeling (BIM): The Promise and the Reality for MEP Professionals*, a day-long seminar by industry innovators who are pioneering BIM multi-dimensional project planning in the marketplace. The course will be held on June 20, in Salt Lake City, in conjunction with the ASHRAE Annual Meeting, June 21-25

Designed for M/E/P professionals, this course is a must for those considering expansion into BIM. Discounted registration fees apply to members of ACEC, CAMEE, and ASHRAE.

[Click here](#) for details and to register.

Understand Critical Areas Of Industry Contracts, Protect Your Firm

Recognizing the Snares and Pitfalls in Construction Industry Contracts

May 29-30, Chicago

The course is designed to equip engineers, contractors, project managers, contracting officers, specifiers and anyone responsible for construction or design services procurement with critical information in key contract areas. Sessions will focus on identifying and demystifying two dozen “provocative contract provisions” to help participants maintain professional standards and protect their business.

James C. Brown II, senior associate, Malcolm Pirnie, Inc., and chair of the Engineers Joint Contract Documents Committee’s (EJCDC) Construction and Procurement Subcommittees, and Justin L. Weisberg, partner and chair of the Construction Group, BryceDowney, LLC, will present the course, which carries 12 PDHs.

[Click here](#) for details and to register.

Business Of Design Consulting Examines Marketing, Finance, IT And Other Key Areas

Business of Design Consulting

June 18-21, Washington, D.C.

A perennially popular ACEC course for engineering firm principals, *The Business of Design Consulting* offers the collective expertise of leading industry practitioners and business experts.

The four-day course will be presented June 18-21, in Washington, D.C. Discussions will focus on essential business topics plus real-world cases not typically found in business school courses.

Content will target eight key areas: leadership, human resources, contracts, risk management, information technology, finance, business management and marketing, and earns 28 PDHs.

To view the course brochure and to register, [click here](#).

Spring Sales & Marketing Forum Linked to Upcoming ACEC Convention

Professional Sales and Marketing Forum

April 27, Washington, D.C.

Structured in a roundtable format, ACEC's *Professional Sales and Marketing Forum* enables face-to-face networking, as well as discussion of emerging trends, problem-solving ideas and success stories.

The spring Forum meeting is set for April 27, Washington, DC, in advance of the ACEC Annual Convention and Legislative Summit.

[Click here](#) for details and to register.

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