



AMERICAN COUNCIL OF ENGINEERING COMPANIES

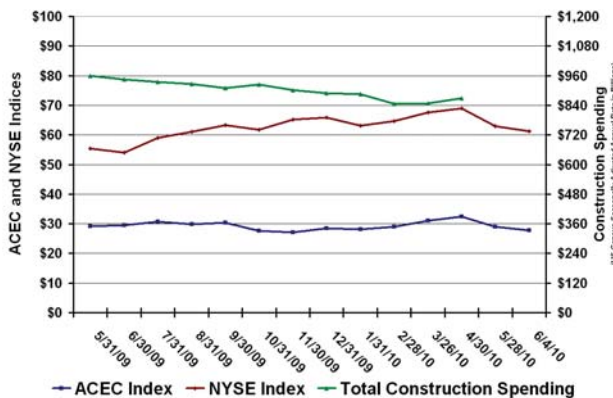
100 Years of Excellence

# Last Word

Vol. XXXI, Number 21 • June 9, 2010

PUBLISHED BY THE AMERICAN COUNCIL OF ENGINEERING COMPANIES

## ACEC INDEX



*The ACEC Index tracks the stock performance of ACEC's publicly held Member Firms, as compared to the New York Stock Exchange Composite Index and total U.S. construction spending.*

[Click here](#) for a printer-friendly Last Word.

## ACEC NEWSLINE

### Energy

#### Critics Say Hydraulic Fracturing Drilling Poisons Water Supply

Shale rock formations in the United States contain natural gas in abundance, and a new method for tapping this resource—hydraulic fracturing—is drawing controversy because of critics' concerns that the technique could poison supplies of drinking water... [click here](#) for more.

#### Mining Projects Aim to Capture and Destroy Methane Gas

Coal miner Consol Energy Inc. is working on a project to capture and destroy methane gas... [click here](#) for more.

### Buildings/Land

#### Groups Study Value of Recycling Rather Than Razing Old Buildings

## Member Firms on Front Lines of Gulf Oil Spill "Battle"



T. Baker Smith designed and engineered the installation of these offshore booms along the Louisiana coast.

ACEC Member Firms are on the front lines of efforts to control and clean up the oil spill in the Gulf of Mexico.

T. Baker Smith, Inc. of Houma, La. is working with BP to install an offshore boom system to capture oil entering the Chandelier and Breton Sounds.

"We have a vested interest because this is where we live," says Kenneth Smith, president and CEO of T. Baker Smith, which has about 50 of its 200 employees working on the oil spill. "We are concerned about the impact of the spill from both an environmental and an economic standpoint."

The company is also doing environmental sampling and working with the local parish to determine ways to keep the oil out of the barrier islands.

O'Brien & Gere, a multi-state firm headquartered in Syracuse, N.Y., has several team members involved in clean-up operations, ranging from working with the U.S. Coast Guard in the training of the oil skimming crews to manning boats in the Gulf to rescue oil-covered birds.

"We are also working to ensure that the shoreline and open water cleanup activities are conducted in an environmentally sensitive manner," said William Schew, vice president of O'Brien & Gere.

If your firm is involved in the Gulf oil spill mitigation effort, please tell us about it. Send an email to [gdonohue@acec.org](mailto:gdonohue@acec.org).



William Schew oversees O'Brien & Gere's oil spill mitigation efforts.

A new study on adaptive reuse, or repurposing old buildings rather than razing them and building new ones, is being conducted by the National Trust for Historic Preservation, the Cascadia Green Building Council, and the Green Building Services consultancy... [click here](#) for more.

### Philadelphia Becomes Latest Major U.S. City to Require Cool Roofs

Philadelphia Mayor Michael Nutter in May signed into law the “Cool Roof” bill, which adds the city to others—including Chicago and New York—that require reflective roofs on new construction...[click here](#) for more.

## Transportation

### FTA Works to Improve Evaluation Criteria for Major Transit Projects

The Federal Transit Administration is seeking feedback on ways to improve the way major transit project proposals are rated and evaluated...[click here](#) for more.

### States Continue to Struggle to Find Road and Bridge Money

Many states are finding it difficult to locate funding to build roads, bridges, and other infrastructure, as tax revenues are falling while larger economic forces and congressional inaction exacerbate the problem...[click here](#) for more.

## Other

### Women Engineers Inching Up the Management Ladder

Leadership roles in engineering can be isolating for women, and the challenges of obtaining a leadership role in engineering can be daunting for women new to the field...[click here](#) for more.

[Click here](#) for more NewsLine.

## ACEC PUBLICATIONS

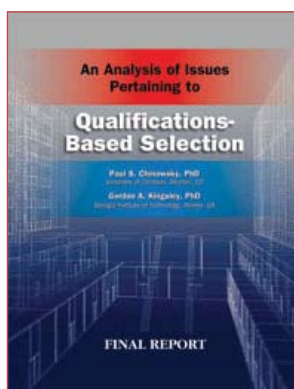
## Find Latest QBS Resources at the ACEC Bookstore

### *An Analysis of Issues Pertaining to Qualifications-Based Selection*

*Paul S. Chinowsky, Ph.D. & Gordon A. Kinsley, Ph.D.*

[Click here](#) to order the printed document.

[Click here](#) to order as a downloadable PDF.



## ACEC/Illinois Steps Up to 2010 ACEC/PAC Fundraising Challenge

The nation’s first 2010 congressional primary took place in Illinois, and the state’s PAC Champions have used that momentum to propel ACEC/Illinois to its fastest PAC fundraising start ever.

Despite having one of the highest state organization fundraising goals of \$44,500, ACEC/Illinois has already raised 54 percent or \$24,250.

Leading the way are PAC Champions Darcie Gabrisko of Strand Associates in Joliet, and Phil Houser of The Farnsworth Group in Bloomington, as well as ACEC/Illinois Executive Director David Kennedy.

“We communicated our expectations early to the membership regarding ACEC/PAC support,” said Houser. “Early money is critical for political campaigns and once they understood just how important ACEC/PAC is to our advocacy efforts, our members responded.”

Added Gabrisko, “We’ve used the national PAC Sweepstakes as one method to encourage contributions, but we also have instituted a mindset—starting with our state Board—that strong support of ACEC/PAC is our own personal responsibility.”

Illinois raised more funds than any other state organization in 2009, a distinction that it has repeated several times in recent years.

For more information on ACEC/PAC, contact Greg Knopp, executive director, Political Affairs at [gknopp@acec.org](mailto:gknopp@acec.org).

## Minuteman Fund Grant Awarded in Case on Engineer’s Scope of Duty

A Minuteman Fund grant has been awarded to ACEC/Illinois to support an appeal against an adverse court decision on the scope of a design professional’s duty.

The case of *Thompson v. Gordon* involved a fatal car accident on a bridge for which the defendant engineering firms had provided design services. The engineers’ contract called for a design identical to that of the original bridge, but at trial the expert witness for the plaintiffs testified that the professional standard of care imposed a duty to provide a design that might have prevented the accident.

The question before the court was whether the scope of an engineer’s duty was defined by the terms of the contract, or whether the standard of care could impose a duty to go beyond the contract terms.

The trial court ruled in favor of the defendants, holding that the contract determined the limits of the engineer’s duty, but the Illinois Court of Appeals reversed, holding that the engineers’ professional standard of care created a separate duty that amounted to going beyond the contract’s terms and performing further design work.

The defendants are appealing the case to the Illinois Supreme Court, and ACEC/Illinois is submitting an amicus brief to reverse the Court of Appeals’ decision.

“The *Thompson* decision undermines the ability of the design professional to determine the full scope of his or her duty and potential liability,”



ACEC/Illinois ACEC/PAC  
Co-Champion Darcie Gabrisko

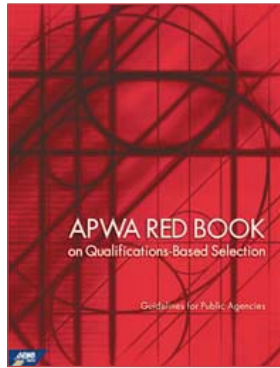


ACEC/Illinois ACEC/PAC  
Co-Champion Phil Houser

**APWA Red Book on  
Qualifications-Based  
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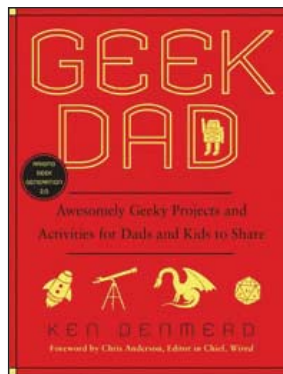
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said ACEC/Illinois Executive Director Dave Kennedy. "The Minuteman Fund grant will help us in our fight to see this decision reversed."

The Minuteman Fund is a powerful resource for helping Member Organizations pursue legislative and legal initiatives of national importance. The Council encourages Member Firms to contribute to the Fund, and Member Organizations to avail themselves of this resource. [Click here](#) for more information.

**Tell Us What You Think About New  
Workplace Trends**

ACEC is interested in how Member Firms are adopting various new workplace trends such as telecommuting and flex time.

Please take a few minutes to complete a brief survey on new trends in the workplace by [clicking here](#).

**Last Chance to Participate in ACEC's  
Professional Liability Insurance Survey**

The 2010 ACEC Professional Liability Insurance Survey of Member Firms for Fiscal Year 2009 ends on Wednesday, June 9. If your firm has not yet completed the survey, please [click here](#) to access the online survey form.

This annual survey collects information on Member Firms' professional liability insurance, their claims experience, and the impact of the threat of litigation.

Member Firms that respond to the survey will receive a free copy of the complete results upon request. The survey results will also be available for sale through the ACEC Bookstore.

**INSTITUTE FOR BUSINESS MANAGEMENT**

**Critical Business Webinars, Including  
Health Care Reform's Impact on Firms**

ACEC business webinars provide critical business information for Member Firms navigating current market challenges and seeking new business opportunities.

Here are some upcoming programs:

**June**

15—***New High-Speed Rail Markets*** by Andy Kunz, U.S. High Speed Rail Association

16—***U.S. Water Demand, Supply and Allocation: Trends and Outlook 2010 to 2030*** by Ben Dziegielewski, Southern Illinois University

22—***Trash to Treasure—Profit from By-Product Synergy Opportunities*** by Andrew Mangan, U.S. Business Council for Sustainable Development

23—***Commissioning: A Growing Market*** by Michael King, ARCOM; Earle Kennett, NIBS; Patrick Prendergast, GBA/ViroCon Inc.

30—***The New Health Care Law: What It Means for Your Firm*** by Seth T. Perretta, Davis & Harman LLP

Additional descriptions and registration information for these and other courses are provided below.

## Save 10% on Industry-Specific Contract Documents

Save 10 percent off the regular price of all EJCDC documents through July 31, 2010. The discount has already been applied throughout our website -- no coupon or code needed.

EJCDC Contract Documents are prepared by experienced engineering design and construction professionals, owners, contractors, professional liability and risk management experts, and legal counsel.

EJCDC Contract Documents offer many benefits:

- Created and peer-reviewed by experienced industry experts
- Reduced conflicts and litigation
- Balanced and fair provisions
- User-friendly and easily customizable (provided in MS Word)

The Engineers Joint Contract Documents Committee (EJCDC) is a joint venture of the American Council of Engineering Companies (ACEC), the National Society of Professional Engineers/Professional Engineers in Private Practice (NSPE/PEPP), the American Society of Civil Engineers - Construction Institute (ASCE-CI), and the Associated General Contractors of America (AGC).

EJCDC has existed since 1975 to develop and update fair and objective standard documents that represent the latest and best thinking in contractual relations between all parties involved in engineering design and construction projects. EJCDC represents a major portion of the professional groups engaged in the practice of providing engineering and construction services for the constructed project.

[Click here](#) to browse all EJCDC Documents available through the ACEC Bookstore.

## ACEC JOB BOARD

### Find Your Best Hires on the Industry's Best Job Board

Save time and money by posting your job openings where they are most likely to be seen by qualified applicants—ACEC's [Job Board](#).

The Job Board participates in the Engineering and Science Career Network, a cooperative venture of 37 engineering and science associations. As a result, the



## BIM Course Targets Owner Perspective, Adding IT Value and Improved Results

June 21-22, Orlando, FL

*Realizing BIM Potential for A/E Firms: Leveraging the Building Information Modeling Process for Increased ROI* is ACEC's next-level exploration of this challenging and increasingly owner-specified process.

Presented June 21-22, Orlando, the course focuses on fine-tuning the BIM process by adding technology value without breaking budgets; improving interoperability and streamlining workflows; reducing RFIs for fee savings; ensuring M/E/P inclusion; optimizing integration of BIM into firm culture and services; legal lessons learned; and managing risk.

Faculty represent key perspectives involved in the overall process: design engineer, firm IT management, software developer, owner, M/E/P integration technology expert, and legal and risk management. They are innovators who have successfully transformed BIM projects into marketplace advantage.

A/E company principals, project managers, COOs, IT managers and business development professionals of firms already using or familiar with BIM will get a cutting-edge, first-hand look into diverse opportunities for maximizing their bottom-line benefits and moving forward with BIM.

For the course brochure featuring agenda highlights, faculty bios and registration information, [click here](#).



## Get an Inside Look at High-Speed Rail Projects, Potential and Opportunities

June 15, 1:30-3 p.m.

Federal and state governments have recently made serious commitments to a state-of-the-art national high-speed rail network. President Obama has called it a "legacy" initiative for his Administration, budgeting billions in coming years to follow the \$8 billion in initial Recovery Act stimulus spending.

While new in the U.S., high-speed rail has long been in operation in Japan and France and is rapidly expanding worldwide, with major new systems under construction in Spain, China and many other countries.

Andy Kunz, president and CEO, U.S. High Speed Rail Association, presents *New High-Speed Rail Markets*, an in-depth look into high-speed rail market potential in a timely and informative interactive online seminar on June 15. Participants will gain insights and updates on several facets, including:

- Existing high-speed rail systems worldwide
- Extensive benefits of a national high-speed rail system
- Status of high-speed U.S. rail projects including Florida and California
- How the engineering profession can lead the national high-speed rail initiative

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Resumes Posted

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Employers

### Last Five "Help Wanted"

#### Open Positions:

**Sr. Water Resources Engineer**—Phoenix, AZ

**Environmental Project Engineer**—  
Corpus Christi, TX

**Project Engineer, Gas Piping Design**—  
Manchester, NH

**Construction Materials Technician**—  
Richland, WA

**Project Civil Engineer**—Cambridge, MD

### A Sampling of Posted Resumes:

Sales & Marketing Professionals—**275**

Project Managers—**878**

Technicians—**233**

Water/Wastewater Engineers—**569**

Operations—**412**

**View These Resumes and Jobs  
on ACEC's Job Board**

<http://www.acec.org/jobbank>

- Procedures under consideration for procurement and construction
- Upcoming events for engineers to get involved in high-speed rail development

For details and to register, [click here](#).

## Water Supply Shortages, and Systems Reforms Examined

**June 16, 1:30-3 p.m.**

Climate change and population growth could lead to significant local and regional water shortage over the next two decades, requiring increased federal government involvement and forcing reforms to current water management systems.

On Wednesday, June 16, ACEC presents a special online seminar, *U.S. Water Demand, Supply and Allocation: Trends and Outlook 2010 to 2030*, an in-depth exploration of current and future issues, and federal, state and local government roles.

Climate warming is predicted to decrease snowpack and reduce snowmelt in the West. In several parts of the U.S., droughts are expected to become more frequent and have greater intensity. Engineering firms will have a significant role to play in helping states, communities, and federal agencies adapt their programs and facilities. The Bureau of Reclamation, for example, is planning to make up to \$1 million available for grants to fund research and projects in desalinization and advanced water treatment.

In this important seminar, Ben Dziegielewski, professor of water resources, Southern Illinois University, will examine current and future issues facing the nation's water supply, including:

- Future water demand trends and scenarios
- Regional water supply/demand imbalances and hot spots
- Options to deal with supply/demand imbalances
- Federal/state and local roles

The seminar is a must for firms active in the water sector, and will provide a concise outline of what to expect through 2030.

[Click here](#) to register.

## By-Product Synergy: Conserving Resources; Generating Revenue

**June 22, 1:30-3 p.m.**

Andrew Mangan, executive director, U.S. Business Council for Sustainable Development, presents *Trash to Treasure—Profit from By-Product Synergy Opportunities*, an online seminar on the organization's By-Product Synergy (BPS) program. The seminar will serve as a roadmap for creating solutions that conserve natural resources through collaborative, regional projects that generate economic returns while improving the environment and society.

BPS is the matching of under-valued waste, transportation, energy and other streams from one facility with potential users at another facility to create new revenues of savings, environmental and societal benefits.

## Download AASHTO Audit Guide Online Seminars

ACEC's popular series of online seminars detailing the new AASHTO *Uniform Audit and Accounting Guide* are now available for purchase and download on-demand through the ACEC Bookstore.

To order, click on the seminar title of interest:

- [\*New State DOT Compensation and Audit Rules That Will Affect Your Bottom Line\*](#)
- [\*New Rules on Allowable and Reasonable Compensation\*](#)
- [\*FAR Compliance in a Time of Increased Government Oversight\*](#)
- [\*New Guidance for Successful Overhead Audits\*](#)

Mangan will present successful BPS case studies, including the Chicago Waste-to-Profit Network, and projects in Houston, in addition to targeting future BPS opportunities.

The potential BPS market size is estimated at over \$3 billion annually, primarily in major metropolitan areas and industrial zones, through municipal and industrial material recycling and reuse, and in water, carbon, energy efficiency, ecosystems and real estate.

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

## Online Seminar Details Commissioning Importance in Era of LEED Standards

June 23, 1:30-3 p.m.

Owners are increasingly asking for commissioning—documented confirmation that all systems and components of a building are designed, installed, tested, operated, and maintained according to the operational requirements of the owner or final client and according to criteria in project documents.

Commissioning is taking on growing importance, particularly for M/E/P firms, which seek compliance to LEED standards and the expectation that a building continue to operate and be maintained according to those requirements after it is occupied.

On June 23, Michael King, ARCOM; Earle Kennett, NIBS; and Patrick Prendergast, GBA/ViroCon, Inc., will present *Commissioning: A Growing Market*, examining the details of today's commissioning process from overview to markets where commissioning is used.

The presenters will address several concerns:

- Who should provide these services and what are the appropriate qualifications?
- What's the appropriate level of commissioning for a facility or project?
- What commissioning standards are appropriate for a project?
- What building systems should be commissioned?
- What should be included in an RFQ or RFP for commissioning?
- What's the commissioning process for a project?
- What's the impact on the design team's scope of services?
- What's the impact on the Contractor's responsibilities and cost?
- What's the typical cost for commissioning services?

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

## New Health Care Law Requirements, Tax Rules, Challenges Explained

June 30, 1:30-3 p.m.

The new health care law will significantly impact the nation's health care system as well as A/E firms that offer health insurance benefits to their employees. Due to popular demand, ACEC will again offer the online seminar *The New Health Care Law: What it Means for*

*Your Firm* on June 30.

Firms will take on new responsibilities, and could face financial penalties if they do not provide health care for their employees, or provide coverage that fails to meet certain benefit and cost requirements. The new law also includes a number of changes to the tax code that every firm should know about.

Presented by health care expert Seth T. Perretta, partner at Davis & Harman LLP, the session will provide a comprehensive overview of the new law and what you need to know right now to prepare. Key issues to be covered include:

- Penalties for certain employers that do not offer qualified health coverage
- New group health plan mandates and insurance reforms
- Excise tax on high-cost plans
- Small business tax credits
- Expanded Form 2099 requirements
- New W-2 reporting requirements
- Limits on flexible spending arrangements (FSAs)
- Changes to the incentives for wellness programs

This seminar is a must for firms seeking a better understanding of the new law.

[Click here](#) to register.

If you have a question, please contact La'Creshea Makonnen, 202-682-4338 or [lmakonnen@acec.org](mailto:lmakonnen@acec.org).

## Ready for 'New Normal'? SEI Class 16 Challenges A/E Leaders

In the course of five separate five-day sessions over an 18-month timeframe, ACEC's Senior Executives Institute (SEI) participants acquire new tools and high-level skills and insights to prosper in our changed—and challenging—A/E/C business environment.

The opening session, *Your Vision & The World*, offers a thoughtful and illuminating five days in Washington, D.C., with leading authorities and visionaries on the changing environment, economic trends, public policy, global practice, and leading a living company.

Since its inception, SEI has attracted public and private sector engineers and architects from firms of all sizes, locations, and practice specialties, who are drawn to a highly interactive, energetic, exploratory and challenging learning opportunity. Class 16 begins in September 2010.

Course size is limited, and registrations for Class 16 are being accepted. Executives with at least five years' experience managing professional design programs or businesses are invited to register for this highly regarded leadership building opportunity.

For an overview of the full SEI program and to register, visit the [ACEC SEI website](#). To inquire, contact Deirdre McKenna at [dmckenna@acec.org](mailto:dmckenna@acec.org).

The American Council of Engineering Companies  
1015 15th St., NW, 8th Floor, Washington, DC 20005-2605  
Phone: 202-347-7474 • Fax: 202-898-0068  
[www.acec.org](http://www.acec.org) • E-mail: [acec@acec.org](mailto:acec@acec.org)  
Alan D. Crockett, Director, PR • Gerry Donohue, Editor/Designer