

# The First Word

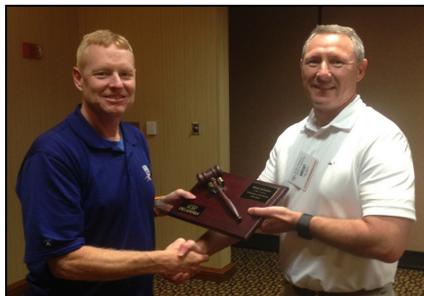
July, 2016

## Marty Hepp Becomes ACEC OKLAHOMA Chairman of the Board

At the conclusion of the ACEC OKLAHOMA Annual Meeting on in Branson, Brent Schniers handed the reins of Chairman of the Board of ACEC OKLAHOMA to Marty Hepp for the 2016-17 year.

Marty Hepp was born in Oklahoma City but raised in Fairview located in Northwest Oklahoma. He graduated from Fairview High School in 1979 and went to the University of Oklahoma where he graduated in 1984 with a B.S. in Civil Engineering.

He went to work at Cobb Engineering Company in Oklahoma City as an Engineering Intern. He has served as president of the company since 1991 and became managing partner in 1997. He bought the remainder of the company from the founder, Jim Cobb, in 2012 and now the company is known as CEC Infrastructure Solutions. He has grown the company to over 160 employees with offices in Oklahoma City, Tulsa, and Duncan.



Hepp (L) with outgoing Chairman Brent Schniers

Mr. Hepp has served as board member and Chairman of Crossings Community Church, served as board member of Crossings School and Crossings Community Clinic. He is currently serving as Chairman of the American Council of Engineering Companies of Oklahoma and a board member of the National Christian Foundation in Oklahoma City. He is also active on the leadership team of the Christian Business Men's Connection in Oklahoma City.

Mr. Hepp has been married to his wife, Donna 33 years and they have two daughters Alisha Bloom and Kristi Hepp and two grand children. They live in the Deer Creek area where they enjoy cycling and traveling together.

Joining Hepp on the ACEC OKLAHOMA Board of Directors will be:

- Chairman-Elect Brandon Claborn, Meshek & Associates, Tulsa

- Vice Chair Membership Keith Angier, MacArthur Associated Consultants, Oklahoma City
- Treasurer Jim Hemphill, Poe & Associates, Tulsa
- Vice Chair Business Practice Chad Grinsteiner, White Associated Consultants, Oklahoma City
- Hollis Allen, Walter P Moore, Tulsa.

Tom Hendrick, Wallace Engineering Structural Consultants, Tulsa, will continue on the Board as the ACEC National Director, beginning the second year of this three year term

Brent Schniers, Garver, Tulsa, will also remain on the Board as the Immediate Past Chairman.

In addition to the election of Officers, the Board and Membership approved the 2016-17 operating budget which included a very modest dues increase.

## Welcome New Member

ACEC OKLAHOMA is excited to welcome a new member.....or should we say "welcome back" to a longtime former member firm.

**Benham Design, LLC, as Haskell Company**, is our newest member of the Council.

With office in both Oklahoma City and Tulsa, Benham Design is a Full service Multi-Discipline A/E Firm: Civil, Architectural, Mechanical, Electrical, Structural, Fire Protection, Surveying, Process, Chemical.

Key contacts for the firm are Adam West and Brad Ezell.

WELCOME HOME to **Benham Design, LLC!!!!** We look forward to having the firm as an active and engaged member of ACEC OKLAHOMA.

## Tim Gatz Named OTA Executive Director



On June 1<sup>st</sup>, Tim Gatz assumed the role as Executive Director of the Oklahoma Turnpike Authority (OTA). He had served as Deputy Director of ODOT since May 2013 and had more than 25 years of service with the agency.

"Deputy Director Gatz is an incredibly knowledgeable transportation official and the best candidate to lead the Oklahoma Turnpike Authority," said Albert "Kell" Kelly, chairman of the OTA. "His work with ODOT has been invaluable, and we believe he will have a seamless transition to OTA's current initiatives."

Gatz began his career with ODOT in 1990 as a drafting technician and worked his way up within the agency. In 2000, he became division manager of the project management division, where he was instrumental in the development of ODOT's Eight-Year Construction Work Plan.

In 2006, Gatz was promoted to director of ODOT's capital programs and information management, leading the agency's coordination with county governments to develop and deliver the County Improvements for Roads and Bridges program.

"We feel Tim will be a great fit for the OTA," said Gary Ridley, Oklahoma secretary of transportation. "He's worked on many crucial programs at ODOT during his career, including major improvements to our state's roads and bridges."

Gatz graduated from Oklahoma State University with a degree in landscape architecture and is a registered professional landscape architect. He and his wife, Sandy, live in El Reno and have two children.

Over the past 16+ years, ACEC OKLAHOMA has worked closely with Tim on many issues, not the least of which is the ODOT/ACEC OKLAHOMA Partnering initiative. He was, and still is, a tireless champion of the Partnering initiative, and deserves much of the credit for its success.

ACEC OKLAHOMA Congratulates Tim on his selection as the new OTA Executive Director, and we look forward to working with him for many years to come!

## ODOT Takes Big Hit In Funding As Legislature Fills \$1.3 Billion Budget Deficit

When the 55th Oklahoma Legislature adjourned in late May, the Oklahoma Department of Transportation (ODOT) saw their funding dramatically cut as part of the budget agreement to fill the \$1.3 Billion deficit. While some funding restrictions were expected, ODOT ended up receiving one of the largest budget reductions of any state agency. And, to some degree, it's a "good news; bad news" situation.

On the Good News side, the Legislature and Governor Fallin did maintain the ROAD's fund cap of \$575 million which remains unchanged and also maintained the off-the-top direct \$59.7M appropriation to the ROAD's fund. It is anticipated the ROAD's fund will reach the \$575M cap by the end of FY-19.

Also, The Legislature and Governor did take \$200 Million in cash from the ROADS fund, but at the same time, approved a \$200 million bond package to continue funding to the ROADS fund which provides appropriations to ODOT's eight-year highway and bridge construction plan.

On the Bad News side, a plan for repayment of the bonds was not provided by the Legislature, so without action during the

next legislative session, ODOT will have to absorb the repayment of the bonds.

Also in Bad News, \$51 million in gasoline and diesel taxes were diverted from ODOT to the General Revenue Fund to assist in closing the FY-17 \$1.3 billion deficit. ODOT should have received approximately \$205 Million in FY-17, but instead will only receive \$154 Million from motor fuel taxes.

And, there was more Bad News for the CIRB fund for counties. Like last year, some \$50 Million was diverted from the CIRB.

Even with the changes in funding, ODOT believes current projects in the eight-year plan will be finished, however the scope of some current projects may change. Also, future eight-year plan projects may be impacted.

So, while it was a combination of Good News and Bad News, it could have been much worse. What happens from here forward depends on the overall Oklahoma economy, and whether or not next year's Legislature will be faced with another huge budget deficit. As they say, "Only time will tell."

## FAA Releases Final Rules on Commercial Use of Drones

The FAA has released the final rule governing the commercial use of small unmanned aircraft systems (UAS). It will take effect 60 days after publication in the Federal Register.

Here is the summary of the rule from FAA: [www.faa.gov/uas/media/Part\\_107\\_Summary.pdf](http://www.faa.gov/uas/media/Part_107_Summary.pdf).

More information, including the full text, can be found here: [www.faa.gov/uas](http://www.faa.gov/uas).

The final rule is very similar to the initial proposed rule in many respects:

- vehicle weight limit of 55 pounds, including everything on board the aircraft at takeoff;
- only line-of-sight operations, which can be aided by a visual observer;
- daylight operations only, except 30 minutes before sunrise and 30 minutes after sunset with appropriate vehicle lighting;
- no operation over people on the ground not participating in the operation or not under a covered structure or in a stationary vehicle;
- maximum altitude of 400 feet above ground level, and maximum ground speed of 100 mph; and,
- pilot must have a remote UAS certificate, which requires an aeronautical knowledge test.

The rule includes a broad waiver mechanism to allow individual operations to deviate from many of the operational restrictions if the FAA decides that the proposed operation can safely be conducted under the terms of a certificate of waiver. This may facilitate some beyond-line-of-sight operations - which ACEC advocated in our comments - if the FAA finds that technology has improved to address their safety concerns.

Existing Section 333 exemption holders will be grandfathered under the new rules and may continue to operate under the terms and conditions of their exemption until it expires. They may also choose to conduct operations under the new framework.

With respect to the height limit, the rule allows unmanned aircraft to fly higher than 400 feet if it is within a 400-foot radius of a structure, up to an altitude of 400 feet above the structure's immediate uppermost limit. This will allow the inspection of towers, buildings, tall bridges and other structures.

Lastly, on state and local preemption, the rule does not contain an explicit preemption provision. In its explanation, the agency states that many privacy and property protections are left to the

purview of state and local governments and outside the scope of the rule. The FAA has put out a guidance memo on state and local UAS regulation that makes a strong case for leaving most operational restrictions to the federal framework. That document can be found here:

[http://www.faa.gov/uas/resources/uas\\_regulations\\_policy/media/UAS\\_Fact\\_Sheet\\_Final.pdf](http://www.faa.gov/uas/resources/uas_regulations_policy/media/UAS_Fact_Sheet_Final.pdf)

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### ***Engineering Inc.* to Highlight Innovative Projects to Combat Extreme Weather**

Oklahoma is well known for our extreme weather events, and many of our member firms are involved in projects which may be good candidates for a special section in ACEC's bimonthly magazine, *Engineering, Inc.*

The November/December 2016 issue of *Engineering Inc.* will spotlight Member Firms and their innovative projects to combat extreme weather events, such as flooding, drought, winter weather, tropical storms, and extreme temperatures.

If your project is currently under development or has recently been completed and you would like it to be considered for the special *Engineering Inc.* section, e-mail the information below to *Engineering Inc.* Staff Editor Andrea Keeney by Wednesday, July 6, 2016. If you have any questions, email Andrea at [akeeney@acec.org](mailto:akeeney@acec.org)

In a one- or two-page document, submit the following: project name and location; project overview, including unique aspects/challenges; and the name, title, phone number and e-mail address of the Member Firm executive to be interviewed for the project profile.

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### **Oklahoma Receives FASTLANE Grant from U.S. DOT**

The U.S. Department of Transportation has released the list of 18 highway and freight projects selected in the first round of the FASTLANE grant program created under the FAST Act.

The FAST Act authorizes \$4.5 billion over five years for freight improvement grants, including highways, ports, rail, and intermodal facilities. Congress now has 60 days to pass a resolution of disapproval for any of the selected projects. Once the 60-day notification period ends, DOT can begin signing grant agreements and providing funds to the selected agencies.

Oklahoma will receive a FASTLANE grant of \$62 million for US 69/75 in Bryan County, which is just over 50% of the estimated project cost.

A total of 16 states received grants for 18 projects, with New York and Washington having two projects each.

# PRESIDENT'S MONTHLY UPDATE

July 1, 2016

David Raymond, ACEC President

Heading into the 4th of July holiday, we have just learned that *Engineering Inc.* and *Last Word* have won major media honors (APEX awards) for effective member communications. We continue to lobby Congress for action on WRDA and energy; and are pleased that the FAA has released regulations that will make it easier for member firms to use drones. We have awarded Minuteman grants to ACEC/Georgia and ACEC/Maryland to defend QBS and the Economic Loss Doctrine, respectively. On the political front, we are halfway to our \$1 million target for the year, and are disbursing funds to pro-business legislators whose election this year is vital to our interests. Looking ahead to our Fall Conference at the Broadmoor in Colorado Springs, we have a great line-up of speakers and business programs (See [online](#) or the brochure which mails mid-July); and just when we all thought that the Broadmoor had reached its apex as one of the world's most beautiful and pleasurable resort hotels, several spectacular renovations and additions over the past few years have made it even better – our members are in for a real treat! Happy Independence Day!

## General

- Congratulations to ACEC/Montana for meeting its 2016 ACEC/PAC state fundraising goal, joining Indiana, Hawaii, Wisconsin, South Carolina, and Tennessee as states at 100%.
- Awarded Minuteman Fund grants to: ACEC/Georgia to help defray the cost of fighting anti-QBS efforts in the state legislature, and ACEC/Maryland to defend the Economic Loss Doctrine in a case before the state's highest court.
- The November/December 2015 issue of *Engineering Inc.* received a Grand Award for publication excellence in the 2016 APEX Awards—the annual international competition for corporate and nonprofit publishers, editors, writers and designers; the September 30, 2015 issue of *Last Word* and the May/June 2015 *Engineering Inc.* also were honored with 2016 APEX Awards of Excellence.
- Successfully inserted language in the House and Senate Defense authorization bills to limit the implementation of so-called "blacklisting" Executive Order (which would require any federal contractor or subcontractor to self-report violations of various federal labor laws, including alleged violations that have not been proven in court).
- Supported the Commerce Department in hosting a program at ACEC headquarters to promote contracting opportunities with energy and transportation projects in Nepal.
- New FAA rules for unmanned aircraft systems (UAS) – or drones – reflect key ACEC recommendations, creating a common set of regulations for small UAS operations to provide certainty to A/E firms seeking to utilize new technologies and applications.
- U.S. Representative Vern Buchanan (R-FL) introduced ACEC-backed legislation that would mandate an equal top tax rate for all business structures in the context of tax reform.

## Government Advocacy

- Submitted letter to the Federal Energy Regulatory Commission protesting potential regulatory actions that could impose uninsurable contract terms related to cybersecurity on firms working for energy clients.
- Urged Senate leaders to conference with the House of Representatives on passage of a comprehensive energy bill.
- Launched grassroots Action Alert urging members to contact their congressional delegations to vote on the Water Resources Development Act (WRDA) before the end of year.
- ACEC/PAC co-hosted congressional fundraising events for U.S. Senators Chuck Grassley (R-IA), Mark Kirk (R-IL), and Rob Portman (R-OH), as well as Representatives Barbara Comstock (R-VA), Bob Gibbs (R-OH), Lynn Jenkins (R-KS), Mick Mulvaney (R-SC), Pat Tiberi (R-OH), Lou Barletta (R-PA), Brendan Boyle (D-PA), Ryan Costello (R-PA), Gary Palmer (R-AL).

