

Texas

May 2015

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Journal

Legislation To Keep
An Eye On

New Construction Law
Specialization For Texas
Attorneys

Workforce Development
Initiatives in Texas

ONE-ON-ONE

WITH STATE REPRESENTATIVE ANGIE CHEN BUTTON

Texas State Representative Angie Chen Button discusses her role as Chair of the House Committee on Economic and Small Business Development as well as some of the challenges facing Texas this session.


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Texas MERIT SHOP Journal

Defending the Rights of Merit Shop Contractors

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Publisher: Associated Builders & Contractors of Greater Houston
Exec. Editor: Jennifer Woodruff
Account Manager: Janice Peters
Contributing Writers: Jon Fisher and Jason Spencer
Graphic Design: Robert Chevis, Jennifer Woodruff

Legislative Advertising by Jon Fisher on behalf of ABC of Texas, P.O. Box 1891, Austin, TX 78767



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LETTER FROM the Chairman



ROACH

This will be my last "hoorah" as Chairman of the Board of ABC of Texas. I will be passing the gavel to Chair-Elect Wes Johnson, from our South Texas Chapter in San Antonio, at our August Board meeting. It has been a true privilege to serve as your Chairman these past two years. I can tell you that these gentlemen who you have sent from your Chapters to serve on our Board, along with Jon Fisher, our President, and Mike Toomey, our political advisor, have made navigating the obstacles and the complexities we have faced seem like they were minor challenges. Our success over the last two years is due in large part to their efforts. They have truly confirmed an old expression, "there are no insurmountable problems...there are only elusive solutions". ABC of Texas is going to be left in extremely capable hands with Wes Johnson at the helm.

Be on the lookout for tremendous progress in our Construction Workforce Outreach assembled to further our advancement into bringing skilled trades education into our public school system here in Texas. This is a huge move that will only be as successful as the amount of participation from the entire membership exercising our influence in each of the school districts across the State.

The 84th Texas Legislature is under way. We have high hopes for success in a number of our priorities but only time will tell how we fare. One thing is certain, it won't be lack of effort for any that may not make it into law. We had an excellent Legislative Day with many of you appearing at the Capitol back in February, we have expended most all of our PAC funds and some of you are testifying in committee hearings. I'm not sure with whom in the Capitol Jon Fisher is not on a first name basis! I have coached baseball for 40 years, and one of the philosophies I teach is that if you did your best, you never lose...you simply get outscored...and you find yourself stronger and better prepared for the next game - never giving up. ABC of Texas exemplifies and embodies that philosophy. I am confident there is not an association better represented in Austin than we are.

Once again, my sincerest thanks for allowing me to serve you and thank you in advance for your continued support of our efforts. At your service, I remain.

Mark Roach
2013-2015 ABC of Texas Chairman of the Board
Dealers Electrical Supply

LETTER FROM the President



FISHER

By the time you get this issue of Texas Merit Shop Journal, the Regular Session of the 84th Texas Legislature will have less than one month left to go.

In an article later, I highlight our initiatives and other issues on which ABC of Texas is working. If you are interested in any of the bills, I encourage you to go to Texas Legislature Online to see the status. It can be reached at <http://www.capitol.state.tx.us/>. Go to Search Legislation in the second column, select Bill Number and enter the bill number above (remember to put HB or SB).

But, anyone who predicts what will happen on a particular piece of legislation at this point in the session is delusional.

Thus, the article will offer no predictions on success or failure of any legislation. Unless one is pulling the plug on a bill, it is too early to give up and too early to predict success. Since this article is being written April 10, a lot could have happened between that time and the time you get this issue of Texas Merit Shop Journal.

Thus, I can tell you bill numbers and something about the bill, but anything mentioned about status will be outdated by the time you get this issue.

Of course, we believe we are well-positioned to pass our Neutrality in State Government Contracting bill. But, many things could still happen, and usually do!

Other bills that are still moving include Retainage/Trust Funds, Lender Notice, CIP Notice, State Breach of Contract Cleanup and Economic Development Corporation Procurement of Construction Services. And, there may be even some things going on that I cannot share in a widely distributed publication!

But, I think you get the drift—we will not know what happens until the end.

I am sending weekly reports on our legislative activities to everyone whose email was given to us by your chapter. If you are not getting them, contact your chapter office for instructions on how to add your name to the list of contacts. We use a service called VoterVoice not only to send updates and a final report at the end of the legislative session, but to send periodic Calls to Action.

As always, thank you for the opportunity to be your State President.

Jon Fisher
ABC of Texas
President

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Legislation

TO KEEP AN EYE ON

There is no attempt below to communicate status of bills due to the time between this issue's deadline and its publication. For status of any of the bills listed below, please go to <http://www.capitol.state.tx.us/>. (Go to Search Legislation in the second column, select Bill Number and enter the bill number above—remember to put HB or SB).

Neutrality in State Government Contracting

HB 996 by State Rep. Tan Parker and SB 303 by State Senator Kelly Hancock. These bills would insure that construction projects using state money were not subject to project labor agreements. These pre-hire collective bargaining agreements can increase project cost between 15-25% mainly because of duplicate benefit payments and outdated union work practices. Merit shop contractors generally will not participate in the project labor agreement. Since only 2.8% of the construction workforce in Texas belonged to a union in 2014, it is easy to understand why Texas should not allow its money to be spent subsidizing unions.

Retainage/Trust Funds

HB 1966 by State Rep. Jim Keffer. This bill would require retainage to be placed clearly into construction trust funds or a bond be purchased to secure retainage. Currently, very few (if any) building owners or developers are complying with the law. Instead of retaining 10% as required by statute, they simply don't pay 10%. At a hearing, opponents of the bill basically said it would cost them more money to comply with the law.

Lender Notice

HB 1208 by State Rep. Cecil Bell. This bill simply requires lenders to notify a general contractor when no more funds will be flowing to the owner of the project. While one lending group has been willing to work on this issue that was first brought to them in 2010, some groups resolutely refuse to even discuss the issue with the idea of addressing the problem.

ADS Transparency

HB 932 by State Rep. Jim Murphy and SB 1460 by State Senator Paul Bettencourt. This bill will not be moving because at the time a bill had to be drafted, the issue was not fully defined. The problems needing to be addressed were not in the subject matter of the drafted bill. This issue will likely be explored further in the interim.

Taxes

The good news is that there will likely be some franchise tax reduction. The bad news is that already some pundits are already saying this issue might have to be resolved in a special session.

State Breach of Contract

HB 1124 by State Rep. Paul Workman. This would bring the waiver of sovereign immunity for state construction contracts in line with those for local governments.

Worker Misclassification

HB 434 by State Rep. Senfronia Thompson. This bill protects legitimate use of contractors and limits any responsibility to



one's own hiring decisions. It would also only significantly increase penalties for those who repeatedly & flagrantly misclassify employees as contractors.

Consolidated Insurance Program Notice

HB 1206 by State Rep. Dan Huberty & SB 1081 by State Senator Brandon Creighton. This bill would require that contractors and subcontractors be told about coverage in a consolidated insurance program prior to bidding to allow for better risk management.

Immigration

ABC of Texas has developed some comprehensive "safe harbor" language to avoid liability if any requirements to use E-Verify are put into statute.

Economic Development Corporations

HB 208 by State Rep. Jeff Leach. This bill would require EDCs to use the same construction procurement methods the creating government entity must use.



Jon Fisher

Jon Fisher has been President of ABC of Texas since mid-2008. Prior to that he was senior vice president at Texas Chemical Council. He has led ABC of Texas in preparing plans for legislative sessions and participation in the Texas elections. Most recently, he helped ABC of Texas prepare a Strategic Plan for the next 4 years with emphasis on the next 2 years. To contact Jon, email jon@abctexas.org.

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BY JASON C. SPENCER



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The next step is the appointment of a twelve lawyer Special Advisory Commission to work with the TBLS and prepare the application for public input and eventual submittal to the Supreme Court of Texas for approval. It is anticipated that this process will take most of 2015. A six member Exam Committee will be selected and the drafting of the first exam will commence later this year. The exam will be 100 multiple choice questions and three essays. The first exam will be given in October 2016.

At over 2,300 members, the State Bar of Texas Construction Law Section is the 8th largest of 48 sections in the State Bar of Texas. Construction law should be included as one the specialty areas. What are the benefits of specialization?

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Jason C. Spencer

Jason C. Spencer is a Shareholder in the Austin office of Andrews Myers. He can be reached at 512.900.3032 or jspencer@andrewsmyers.com.

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One on One With... **STATE REPRESENTATIVE ANGIE CHEN BUTTON**

Angie Chen Button is currently serving her fourth term as State Representative. She serves as Chair of the Committee on Economic & Small Business Development, and sits on the Ways & Means Committee and Rules & Resolutions Committee. Representative Button represents House District 112 which includes parts of Garland, Richardson, Rowlett, and Sachse in Dallas County.

Representative Button has worked for Texas Instruments (TI) since 1981 where she promotes American products internationally as an International Marketing Manager. She is also a CPA with Masters' degrees in Public Finance and Management Sciences.

Before her election to the Texas House in 2008, Rep. Button had a long record of public service and community involvement in the Metroplex. She was a member of the Dallas Area Rapid Transit (DART) Board and an Executive Committee Member of the Dallas Regional Mobility Coalition (DRMC). She served in leadership positions with chambers of commerce, a citizen coalition, and for other civic and non-profit organizations. She has also been part of the Dallas Assembly, the Dallas Summit, and the Women's Museum Advisory Board.

Representative Button was born in Taipei, Taiwan. As a child, her seven person family lived in a 300 square foot, one-room hut without a kitchen or a bathroom. She credits education with bringing her a better life. Rep. Button met her husband Darcy as a graduate student at the University of Texas at Dallas (UTD). They have lived in Richardson and Garland for 30 years. Their son, Dane is an RISD and University of Texas Graduate.

Angie's life has been the American dream-Texas style.

Please describe your business background.

I have worked for Texas Instruments since graduating from UT Dallas (fall 1980). I started as an Internal Auditor, became a Financial Analyst, then worked in Business Development, and now I help sell American products overseas as an Asia Marketing Manager. As a CPA I find perspective in numbers, but I like to think that growing up in Taiwan and working for an international company complements the rich experience skill set of our legislature.

What is your view of the free enterprise system?

In Taiwan, I witnessed the nearby tyranny and deprivation of Communist China's Maoist policies. Years later, they have made strides towards reforms that have offered more economic freedom. However, they still have a long way to go before they are on the same level as our American free enterprise system of openness and inclusiveness which gives a dynamism that makes our country exceptional.

You were recently appointed chair of the House Committee on Economic and Small Business Development. What do you see as the most important duties of your committee this session?

Our committee should continue to formulate policies that keep Texas competitive. The drop in oil prices is taking a toll on our workforce and economy. Accordingly, our economic development and tax policies should continue to encourage diversification of our economic base so that we can better weather industry fluctuations.

As Chair of the Economic and Small Business Development committee, one of my main goals is to optimize our economic development resources to ensure we are getting the greatest return on our investment possible. A free business climate is required, but we must be adept at constructing a winning value proposition. Fortunately each committee member brings a unique expertise to our policy discussion.

What do you see as the biggest challenges facing the state this session?

Texas is a fast growing state. Because of this, we face increased challenges in funding education, transportation, and safeguarding our public health. We must work to address immediate needs, but we must also invest in our future.

Let me brag a little to highlight infrastructure investments necessary to meet global competition. The Texas Computer Education Association awarded me its "Digital Champion" for HCR 104 that promotes digital learning. Our children no longer have to keep up with the kid down the street, but with everyone just a keystroke away. Also DFW's Metroplex Technology Business Council (MTBC) named me as its "Tech Titan Advocate." We all see technology as the answer to bend cost curves and enhance our quality of life. But it takes investment to get us there.

What are your personal priorities this session?

Last session I joint authored HB 500 and HB 800 providing over \$1B in tax relief. This session I am once again privileged to serve on the Ways and Means Committee which considers tax legislation. I am working on more equitable tax relief as well as governmental efficiency legislation.

We must continue to ensure that we have the tools to foster economic growth in our state. I have authored HB 26 to reform our economic development incentive programs in terms of oversight, focus, and function. I want business to consider Texas as their global destination.

Is there anything else you want to share with our membership?

I would like to express my appreciation for all that you do to build our future and for your membership's support. I look forward to continuing to work with you to make Texas an even better place to live and do business.

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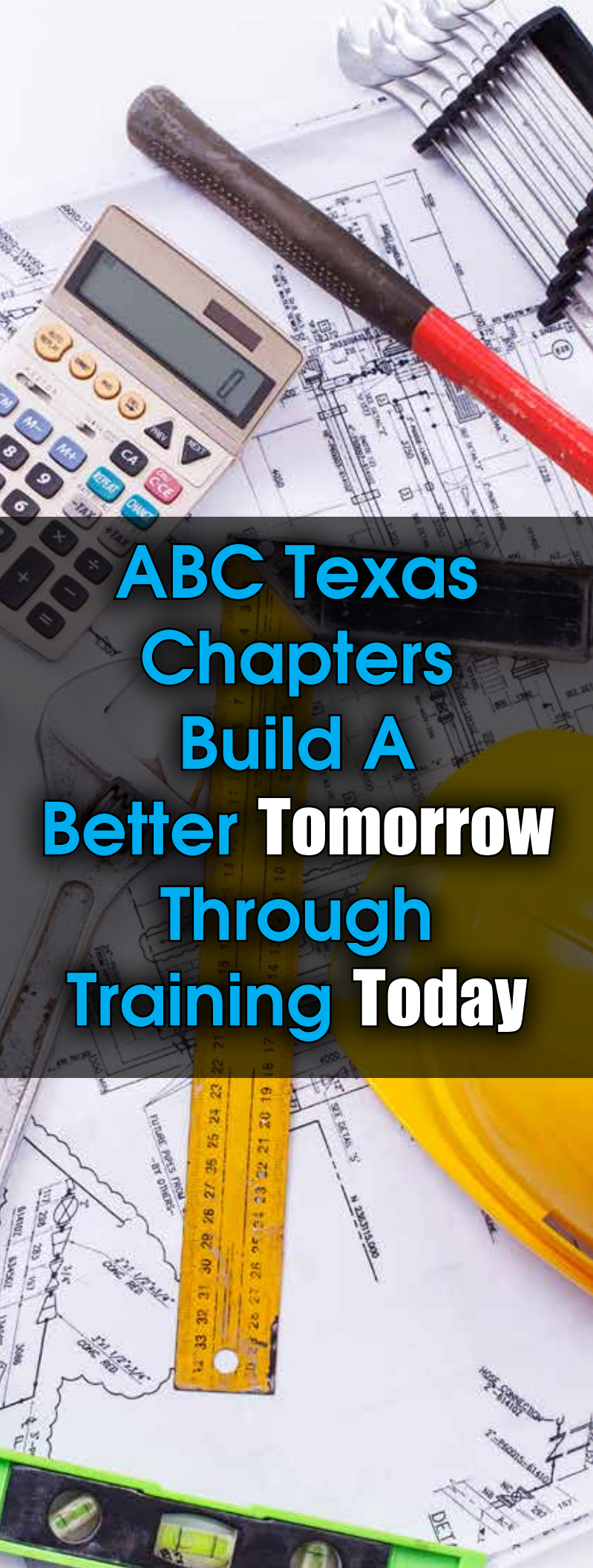
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ABC Texas Chapters Build A Better Tomorrow Through Training Today

Across the state of Texas, construction and industry-related companies have been tackling the issues encircling workforce development. ABC of Texas chapters know that resolutions need to be created to build a skilled and sustainable workforce moving forward. The industry's image, recruitment, craft training, and safety are just a few of the core areas the association has been addressing to provide long-term solutions. The ABC chapters are offering creative opportunities to combat the seemingly uphill struggle toward a well-rounded workforce.

ABC Greater Houston

ABC Greater Houston works through many channels to expand workforce development initiatives. The chapter's educational affiliate Construction and Maintenance Education Foundation (CMEF) offers programs ranging from craft and safety training to management and leadership instruction. CMEF is accredited by the NCCER, and all of the courses are taught using the nationally standardized NCCER curriculum. The goal is to recruit new entrants and retain existing workers through a variety of programs focused on assessment, training, and continuing education. For example, CMEF will be providing a free training course to veterans beginning in summer of 2015.

Currently, 14 area Independent School Districts are partnered with CMEF. Utilizing the NCCER Curriculum Modules, high schools are delivering NCCER accredited craft training. Students who attend these schools get a head start on their craft training, which typically begins in college. With 30 area high schools participating, and more to come, Houston area students are being exposed and recruited into this booming industry!

Members of the Greater Houston chapter participate in workforce development initiatives through committees. The ABC Board of Directors in Houston recognizes the importance of tackling this problem head-on. That's why ABC's Industrial Committee will look into opportunities and recommend board action on the issue of the availability of qualified construction craft professionals and the need for coordinated workforce development in the Greater Houston Area. The Industrial Committee hosted a brainstorming session recently including 18 member organizations and identified four critical themes and barriers that must be addressed.

ABC Texas Mid Coast

The Texas Mid Coast Chapter has been educating the area workforce since 1982. Factors positively impacting the economy in the area are: an ongoing energy boom, stable industrial production, corporate profitability, active consumers, and low interest rates. We want our workforce to be skilled, efficient and safe.

The chapter offers NCCER classes and is an Accredited Training Sponsor and Assessment Center. They specifically focus on Construction Site Safety courses and have recently started a May class.

The chapter also offers an array of Safety Courses such as: OSHA 10, OSHA 30, First Aid/CPR, Trenching & Excavation, Fire Protection & Prevention, Confined Space Entry, Scaffold User, Personal Protection Equipment, Fall Protection, Heat Related Illness, Articulating Boom Lift, Scissor Lift, and Globally Harmonized System.

By partnering with member construction firms and local schools, ABC is investing in students' lives to prepare them to be successful construction professionals and future leaders.

Workforce efforts will continue to expand over the years and illustrate the rigor and relevance the chapter offers the construction industry.

TEXO

The lack of a consistent source of qualified employees continues to plague companies of all sizes and has been a challenge for the construction industry for many years.


During TEXO's 2015 Strategic Planning Retreat, Workforce Development – specifically the shortage of construction craftsmen – became a top initiative for TEXO's Board of Directors. Since the Planning Retreat the Workforce Development task force has been formed and continues to work hard assessing the needs of the industry resulting in relationships with local High Schools being developed and continuing to be cultivated. TEXO's Education & Foundation Committee created a marketing video for college outreach. The Task Force, led by Randy Humphrey with Humphrey & Associates, is determined not to fall into the trap of using the same methodology of past efforts. They recognize that the solution to a problem this big will not happen overnight, but all involved have affirmed their commitment to seeing this process through until an effective strategy is devised and implemented with measurable results.

ABC Central Texas

ABC Central Texas has been ramping up efforts to positively affect the skilled labor shortage issues in the greater Austin area. As of April 2015, the chapter is the National Center for Construction Education Research (NCCER) training sponsor to more than 160 high schools, community colleges and universities across the state. By helping them deliver industry-leading safety and professional development training, ABC is making its presence known as part of the solution to a very worrisome problem in the state – they're creating a stronger workforce to help our members not only succeed, but thrive.

In addition to NCCER-sponsored training, the chapter is very proud of its partnership with OSHA. ABC members who meet industry-best standards for safety on the jobsite have the opportunity to take advantage of the ABC-OSHA Partnership Program to keep ahead of the curve on safety trends, OSHA regulations and to create a better understanding between their company and OSHA safety standards. The Partnership also includes monthly guest speakers on topics of jobsite safety as well as an annual courtesy jobsite visit by safety professionals and OSHA representatives to ensure their status as an OSHA Partner and to hedge against any unwanted or unnecessary accidents or fines down the road.

As the chapter continues to build its workforce development and training program, volunteer leaders are becoming more and more engaged in making it better via upcoming career fair opportunities and spending meaningful time with young people interested in careers in the construction industry. The chapter leadership is proud to be part of making a strong market in central Texas even more robust through ABC's efforts, and the future is very bright.



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ABC Coastal Bend

Educational post-secondary institutions are the key in providing an educated and skilled workforce. Not only are the local colleges doing their part, but Craft Training Center of the Coastal Bend (CTCCB) is also responding to the increased demands for workers. CTCCB is a unique post-secondary training facility that teaches industrial crafts where high school students and adults earn national training credentials, certifications and licenses in a Department of Labor Apprenticeship Program. Getting students ready for the workforce is a major objective of the CTCCB, but giving Coastal Bend high school students a jump start on future careers immediately after high school graduation is also a major goal.

Starting students through the education pipeline begins with summer programs for middle school students in Grades 6-8 at the CTCCB. The two week summer program gives these youth a hands-on experience in welding, plumbing, electricity rigging, scaffold-building, fall-protection, safety, pipefitting, hand tools, power tools and construction mathematics plus it also teaches students soft skills like being on time, shaking hands, respect, establishing eye contact, and speaking clearly. The students must submit to drug testing before being accepted in the program and are subject to random drug tests while participating in the intense camp. Dr. Sandroussi believes that starting students early is critical to getting them ready for the workforce. "Students need to learn early that craft skills training will provide a great quality of life. All students at CTCCB understand this concept and are attaining training credentials that will impact their quality of life in a positive manner" states Dr. Sandroussi.

Also preparing for future careers are high school students and adults. Over 300 students from 19 school districts are enrolled in the training program this year. The adult program consists of approximately 320 adults and the CTCCB has over 20 off-site locations throughout the state called Accredited Training Education Facility (ATEF) consisting of over 400 students. All courses are taught using curriculum designed by the National Center for Construction Education and Research (NCCER). NCCER develops and publishes a world-class national curriculum created by Subject Matter Experts throughout the United States. NCCER certification is often required by area employers for employment. The NCCER curriculum facilitates school districts in meeting the new requirement of House Bill 5 for career pathways to earning training credentials, certifications and licenses. All classes meet or exceed Texas Education Agency requirements and through CTCCB programs students may earn the following: Career & Technology Education (CTE) credit, NCCER training credentials, Del Mar College Continuing Education credit, CTCCB graduation credit and AWS certifications. Many of the high school students participate in local, state and

national competitions during the year. The main focus of the training program is to produce a well-educated drug free craftsman. The CTCCB has been commission to develop these craftsmen in order to develop a productive workforce in our area. The CTCCB is an organization that has received local, state and national accolades including recognition in the Wall Street Journal. The Coastal Bend has a treasure; it is called the Craft Training Center of the Coastal Bend!

South Texas Chapter

Over the last few months there has been increased interest in vocational education programs, especially construction trades, as a result of HB 5. In the San Antonio area, there is a collaborative effort looking at the business community workforce shortages and workforce development programs to identify gaps and how best to create a pipeline for students that would best prepare them for the job market, both existing and anticipated. The ABC-South Texas Chapter is part of the collaborative organized by the San Antonio Chamber of Commerce and HEB. One concept being explored is an experiential learning center that could be utilized during the day by high school students and at night by adults.

The South Texas Chapter is also working with the TEA's Region 20 to identify school districts interested in developing or expanding construction trades related classes. Part of this effort will be a series of construction industry tours for elementary, middle and high school counselors. The tours would provide counselors with an understanding of the construction process – from concept to completion, the education and skill requirements, earning potential, advancement opportunities, and educational opportunities for students at all levels.

With changes in the construction industry, there is a need to retool the construction education model. This includes revising the education schedule (time of day, day of week and frequency), program content (topics, format, modules), and delivery method (classroom, on-site, on-line and distant learning). The chapter is also looking to expand the instructor pool for the different classes. So instead of one instructor leading an entire course, multiple instructors provide a variety of styles and experiences thus keeping the students interest and improving retention of information.

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TEXO's Young Constructor's Council joined with AGC Chapters for their Legislative Day and were able to meet with several representatives. They also heard remarks from Lieutenant Governor Dan Patrick in preparation for their visits the following day.

TEXO

The first quarter of 2015 has been a busy one for TEXO. The year began with the TEXO Board of Directors Planning Retreat.

TEXO Board Chair, Lee Smith, Potter Structures, Ltd., and Board members gathered to strategize and focus on key points for the upcoming year. Many initiatives carry over from previous years because they are long-standing changes that take time to fully enact. Others are shorter focuses that help grow TEXO's voice in various parts of the industry. This year, the chapter's initiatives focus on enhancing, strengthening and connecting the construction industry.

2014 was a great year for many construction companies. The economic growth of Texas over the past year was predicted by analysts at last year's economic event. This year, TEXO members and AIA members gathered again to hear from Cliff Brewis (Dodge Data & Analytics) and the Chief Economist for the Associated Builders and Contractors, Anirban Basu. Attendees were able to see how various global economies compared to the United States as well as how the local economies that affect their business compared to others around the nation. The economic outlook for 2015 is once again positive and showing signs of growth, which is great for members of both Associations.

2015 marked the 19th year that ASC and TEXO have teamed up to put on the Region V Student Competition. More than 220 students across Region V and various International schools competed in three categories: Commercial Building, Design/Build, and Heavy Civil. Each category was sponsored by a TEXO Member –

- Commercial Building - AUI Contractors
- Design/Build - The Beck Group
- Heavy Civil - Austin Bridge & Road

The partnership that TEXO has with Region V schools and students goes well beyond the annual Student Competition. Each year, TEXO gives out grants to schools who show a dedicated commitment to their universities construction

program.

The TEXO Foundation has also made a commitment to give out scholarships to deserving students each year. This year, the TEXO Foundation gave out \$27,000 in scholarships and the TEXO Young Constructors Council gave out an additional \$10,000. TEXO members are directly involved in funding these scholarships by participating in many of the TEXO Foundation events throughout the year. Additional scholarships are given out from a variety of sources including the TEXO Challenge Cup Scholarship, presented by Humphrey & Associates, the Luther Hill Scholarship, presented by Hill & Wilkinson, and the CIOAC Scholarship. All together, the TEXO Foundation and supporting programs were able to give out over \$80,000 in scholarships and grants this year!

In February and March, teams from TEXO headed to the State Capitol in Austin to meet with representatives. This annual event is vitally important to the mission of TEXO and making sure that lawmakers know and understand the needs of the construction industry. Over 100 people participated across the two legislative days, making their impact for the 84th Legislative Session.

TEXO's Young Constructors Council joined with AGC Chapters across the state for the AGC Texas Building Branch Legislative Day March 11-12, at the Capitol in Austin. The experience began with a Welcome Reception on Wednesday night, where members of the YCC were able to meet with several representatives, and heard remarks from Lieutenant Governor, Dan Patrick, in preparation for their legislative visits the next day.

Thursday morning, after catching a beautiful sunrise over the Capitol building, it was time to get to work meeting with Representatives and Senators from each of their districts. The YCC members broke up in to groups led by TEXO industry leaders, Warren Andres, Andres Construction; Russ Garrison, SEDALCO; John Hinson, Marek Brothers; GPaul Holliman, Holliman Consulting Group; Randy Humphrey, Humphrey & Associates; Tom Kader, SEDALCO; Paul Lembke, LEMCO Construction; Andrew Piel, Harrison Steck; Stewart Shurtleff, Griffith Davison & Shurtleff; and Glenn Strother, AUI Contractors.

The groups were able to talk to many of their representatives and members of their staff about issues that are important to the construction industry. The legislators commented on how impressed they were with the passion and energy of the YCC members.

TEXO is excited to announce new President/CEO, Meloni McDaniel. McDaniel has been with TEXO since October 2013 and has led the Member Programs and Services efforts. She has played a key role in the success and growth of TEXO.

Prior to joining TEXO, McDaniel worked at The Beck Group for 9 years in various capacities including architecture, construction and business development. Meloni completed undergraduate studies at The University of Oklahoma majoring in Architecture with a minor in Construction Management. While in college she competed in the TEXO hosted Design-Build Division Student Competition for two years.

Central Texas

The first quarter of 2015 has treated the ABC Central Texas chapter well. Along with a steadily growing membership and outstanding event attendance, the chapter has also been focusing volunteer effort on the 84th Legislative Session. More than a dozen members represented Central Texas at the capitol building on Legislative Day, visiting 13 legislators and discussing the merits of vital issues such as government neutrality in contracting and lender notice.

In addition to the renewed focus on state and local issues, the chapter is also involved in a legal battle with much larger industry implications. In February, ABC Central Texas joined ABC of Texas and the local chapter of the National Federation of Independent Businesses (NFIB) as a co-sponsor for a lawsuit against the National Labor Relations Board (NLRB) and their unfair ambush election ruling – a decision that leaves merit shop contractors with a significantly reduced timeframe to educate employees on worker's rights before an election to unionize.

While the NLRB battle is being sorted out, the chapter is continually looking for ways to create value for the membership. In May they will hold a Meet the General's event to further illustrate the value of ABC members working together, and the upcoming Program Series topic will focus on marketing, financial management and keeping momentum in a strong economy – both events geared toward keeping momentum and looking to the future. The chapter and its volunteers are very eager to see what the future holds in central Texas.

Texas Mid Coast Chapter

The ABC Texas Mid Coast Chapter and its members have been busy during the first quarter of 2015. The Annual Installation of Officers and Awards Banquet was held on January 22 at Victoria Country Club. Over 140 members attended including Jon Fisher, ABC Texas President.

Safety Training and Education classes including: First Aid/CPR, Scaffold Erection, Scissor Lift, OSHA 10, H2S, and Safety 101, were held.

The Annual Golf Tournament was very successful and took place on March 20 at Victoria Country Club. This was a very successful event with 44 teams entered and record breaking profit.

The Chapter is now gearing up for the Annual Fishing Tournament in Port O'Connor on June 12-13. Please call the Chapter office at 361-572-0299 for more information.

Coastal Bend Chapter

The Texas Coastal Bend Chapter (TCB) is off to a strong start for 2015! The Chapter welcomed ABC National Chairman Pamela Volm to Corpus Christi. Pamela installed the 2015 Chapter Officers and Board of Directors, presented recognition awards to the long time board members, Jeff Harper with Bay LTD and Jerry Lipstreu with Kleinfelder for their many years of service on the board. She also presented Johnny Davidson with JM Davidson an appreciation plaque for the time and dedication he spent serving as the 2014 ABC TCB Board Chairman. Pamela's message rang strong throughout her presentation; ABC members must "Get into politics or get out of business". Pamela emphasized the importance of having our ABC members involved facing the current 2015 political climate.

In February, the programs committee, chaired by Carla Moore with Prosperity Bank invited Charles "Chas" Mella, Executive Vice President at Frost Bank to present members with information about Business Fraud Protection. Also in early February ABC TCB participated in the Legislative Day sponsored by ABC of Texas in Austin. With many members in attendance, they were able to meet with State Representatives Todd Hunter, JM Lozano and the staff of Senators Judith Zaffirini, Juan "Chuy" Hinojosa, Eddie Lucio and Ryan Guillen.



The Mid Coast chapter held a number of safety training and education classes including a scissor lift training.



ABC Coastal Bend hosted the 67th annual SkillsUSA Championship at the end of March, a trade's competition where high school and college compete in their crafts.



Texas Gulf Coast Chapter announced the successful opening of their new 48,000+ square foot facility. The building houses two drug screening companies, a Dow Badging office and a deli.

The March Luncheon was a presentation by Jason Beers with Harvey Cleary on updates regarding the new US Coast Guard facility that they are constructing at the Corpus Christi International Airport. The presentation gave members a firsthand overview at what to expect as the project continues.

The Craft Training Center of the Coastal Bend continued to witness overwhelming attendance while hosting the 67th Annual SkillsUSA State Championship at the end of March. SkillsUSA is a construction trade's competition where students from high schools and colleges across the state compete in welding, wiring, masonry, industrial motor control, and plumbing crafts. The students who participate in the competition are the top performers in their areas and are ideal candidates for the workforce.

Finally, the Texas Coastal Bend Chapter is in the home stretch of coordinating the first of three major events. This year the 27th Annual Golf Classic, headed by Mike Blundell with Repcon will be held in early May with over 150 attendees.

Texas Gulf Coast Chapter

It's finally here! ABC Texas Gulf Coast Chapter is proud to announce the successful opening of their new facility! On Monday, April 6, 2015, the halls were full at 7:00 am with 200+ trainees for Brazosport Safety Council and Merit Shop Training, Inc., training and educational affiliates of the chapter. Also housed in the new 48,000+ square foot building are two drug screening companies, a Dow Badging office and a deli. There is lots under one roof for industry and contractors. Grand Opening is scheduled for Tuesday, June 2.

Success breeds success! The Texas Gulf Coast Chapter continually seeks ways to spotlight and promote the construction industry in the area. Recently the spotlight falls once again on one of the training programs at Brazosport College! The Texas Gulf Coast Chapter and Brazosport College's Millwright/Machinist program, led by program Coordinator Jim Slick, now have another medal to add to the 14 already accumulated over the past 19 years of participation in the ABC National Craft Championships. This year, Brian Loeb, a millwright with McGill Maintenance Partnership, LTD., brought home the Bronze Medal! This distinction is sure to lead to a bright future and a testimony to a quality Millwright program at the college. Last year's

Silver Medal Winner, a female millwright from RPM, recently secured employment with BASF, a major industrial plant in the area. This program alone is a great incentive for the young contractors and a source of inspiration for those considering a career in construction.

On Friday, April 24, the third session of a local workforce development effort in conjunction with the local community college and Workforce Solutions will culminate in a graduation ceremony for 24 new trainees - 17 electrical and 7 pipefitters. This is a nine-week training program for millwright, electrical, or pipefitter helpers. With the exception of a required hair-follicle test, this training is free to grant-qualified applicants. Graduates are eligible to interview in a job fair on Thursday, April 23 with local contractors.

Spring is a busy time for general meetings, social events and fundraisers with an annual joint membership event and luncheon with ACIT in February. Thanks to State Representative Dennis Bonnen, this meeting was packed for speaker Colonel Steve McCraw, Director of the Texas Department of Public Safety, who addressed border security, a topic of great interest for the area. The month ended with a Texas Hold'Em Poker Tournament/Fundraiser and raced into March with the annual BBQ Cook-Off. This year's cook-off (despite torrential rains) was a big success with local country singer Cole Degges providing music on Friday evening. We will host our April Membership Event and Luncheon on Wednesday, April 22 with newly elected County Commissioner and former Brazoria County Judge Matt Sebesta, who will provide an update on the State of Brazoria County.

Greater Houston Chapter

ABC Greater Houston chapter will have a busy next couple of months. As part of the ABC philosophy, the association works to ensure proposals and bids are awarded based on merit processes and qualifications. ABC Greater Houston members came across a roadblock recently when submitting proposals. The integrity of the City of Houston's bidding process was called into question last month when another company was allowed to submit a proposal on the Houston Justice Complex despite not being granted solicitation rights during the bidding qualifications process. The city's bidding process ensures the most qualified proposals reach the administration and gives all entities a fair chance at public work.



ABC Greater Houston opened up their new office and training facility. With membership support, the chapter was able to raise nearly \$200,000.



ABC South Texas Chapter takes on the capitol at this year's legislative day. They spoke directly to their representatives the needs in the construction industry.

A mutually beneficial bidding process cannot be derailed by political cronyism or cost cutting shortcuts. The city needs a new justice complex and needs to thoroughly review proposals made by those legally qualified to make proposals. ABC Greater Houston is taking action with the procurement office and city council to clarify the city's bidding procedures and ensure public work is fairly awarded based on merit.

Outside of City Hall, ABC Greater Houston is announcing their grand opening of their new building. With the help of membership, the chapter acquired and completely renovated the 9,000 square foot space. This new location will allow for greater access to services, larger training rooms, expanded meeting rooms and more. ABC members assisted with the funding of the large renovation project, raising nearly \$200,000. The building will act as a meeting hub as well as a training facility to provide much needed educational opportunities.

The chapter is excited to expand into greater opportunities the new space provides to serve the construction industry's evolving needs. The Board has actively set new goals for the association to take advantage of the possibilities the growing developments offer ABC Houston.

South Texas Chapter Update

In January, the South Texas Chapter hosted a Building Information Modeling (BIM) luncheon program, co-sponsored with the local AIA and PEPP chapters. Joeris General Contractors work with the chapter in developing a survey for a targeted group of public sector and private sector owners regarding BIM, to get their feedback as to usefulness, interest and concerns. The information was provided to the sold out luncheon crowd, noting the growing interest and demand that BIM be incorporated on future projects. The BIM panel, which included Dr. Julian Kang (Texas A&M University), noted one of the greatest benefits for owners would be after project completion when facilities management took over.

In February, Top Golf opened their newest facility with the South Texas Chapter hosting the first major event. Over 250 ABC members and friends attending the membership mixer.

In March, the Future Leaders Task Force put on the annual Chili Cook-off at the ABC facilities. Thirty teams entered the competition and over 300 ABC members, new member

prospects, guests and friends sampled the various bowls of red, and participated in the raffle. In April almost 200 members participated in the annual Spring Golf Tournament at the Fair Oaks Ranch Golf Course. The success of these two events is a good indicator that the economy is improving as both did better than the events last year!

A new Workforce Development Committee was created this year to conduct a review of the chapter's existing construction education programs, identify opportunities for new programs, and to look at re-engineering existing programs. With the improvement in the economy, a significant increase in construction activity, and the changing demographics of the construction workforce the scheduling of a number of courses has been modified which has resulted in increased attendance. The first middle school counselors' construction industry tour is scheduled for late May. With implementation of HB 5 there is an increased demand for this educational opportunity.

The ABC South Texas Chapter is also represented on a newly created Career Center Advisory Group. This group, organized by the San Antonio Chamber of Commerce and HEB, is comprised of representatives from the City, Bexar County, SA Manufacturing Association, Goodwill Industries, Alamo Community College District, Trinity University, Zachry Holdings, Port San Antonio, Project Quest, JP Chase Morgan, and ABC. They are exploring the opportunities to close the critical skills gaps, expand the local talent pool and create more economic mobility for San Antonians.

The chapter conducted a small focus group meeting in late March to review and discuss the implementation of the NLRB's "ambush election" regulation. This regulation is creating concern within the business community. The information from ABC-National and the chapter will help address some of the concerns. One surprise that came out of the meeting was the number of merit shop contractors that had recent "experiences" with local unions. This included the use of the union "rat" outside job sites, distribution of materials, letters to management and organizers outside office locations. It was noted that two other business groups in San Antonio have conducted similar sessions, but don't have the resources like ABC!

Membership retention and recruitment of new members is on the upswing, another good sign the economy is improving. The chapter hit the 85% retention mark at the end of March – a first!

Pull up a chair & tell us your story.

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