

# IN THE PIPELINE

## NUCA OF NM NEWS

### June 2008

#### In This Issue

- ~President's Message
- ~Eye on New Mexico
- ~June Membership Meeting
- ~Safety
- ~NMRCGA
- ~TLC Plumbing and Utility Platinum Sponsor
- ~2008 Sponsors
- ~June Dates
- ~TIME TO VOTE
- ~Western Summit of NM 2008 Platinum Sponsor
- ~RMCI Inc. Wins Overall Safety Award
- ~Chapter Award
- ~Wage Rates

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#### ~President's Message

by **Boyd Dunham**

I am proud to announce that the NUCA of NM Chapter was awarded the NUCA 2007 Chapter Award of Excellence in Special Events for its planning and execution of the New Mexico Regional Common Ground Alliance Trade Show and Conference which was held May 3-4, 2007 at the Albuquerque Convention Center. The two-day event, which drew more than 400 participants, featured a golf tournament, keynote speakers, education sessions and an exhibit hall with 54 vendors. The conference is focused on Damage Prevention and encourages all damage prevention stakeholders to participate.

In 2008, the conference is scheduled for September 24-26, and includes classes such as Competent Person/Excavation; Next Step; Stakeholder University; Crisis Management; What to do if you hit a line; this year's conference also includes a golf tournament, vendor hall and keynote speakers. You can register online at [www.nmrcga.org](http://www.nmrcga.org)

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The NUCA Washington Summit was held May 21-23, and members of NUCA of NM and Staff attended meetings and visited with the NM Congressional Delegation. The four main focus points of the meetings were:

1. Infrastructure Investment - current estimates show that more than \$1.5 trillion will be needed over a five-year period to significantly improve America's deteriorating infrastructure. New Mexico's needs alone stand at \$160 Million;
2. Clean Water Act (CWA) Permits - we oppose HR 2421 to

expand Clean Water Act permit requirements for construction work that may impact any wet areas within the United States. This proposed legislation would remove the term "navigable" from the CWA and allow the Army Corps of Engineers and the EPA to regulate "all waters of the United States" which means they would regulate everywhere that rainwater happens to flow, including roadside ditches, gutters and construction jobsites;

3. Immigration Reform - NUCA insists that any immigration reform proposed legislation include fair and reasonable employer verification requirements which includes a workable system for all U.S. employers, focus on violators who knowingly hire illegals; be responsible for direct employees not subcontractor's employees, provide safe harbor provisions, and finally to ensure that any debarment provisions do not circumvent due process.

4. OSHA's Confined Space Standard - OSHA has proposed changes to its current confined space standard that are ambiguous and unnecessary. NUCA will be involved in testifying at the national hearings on this issue before OSHA in July.

Watch your mail box for a complete summary of the Washington Summit that includes feedback from your NM delegation and more information on the issues that NUCA and NUCA of NM are involved with on your behalf. We're fighting for your livelihood at the State and National Level.

#### ~Eye on New Mexico



By Carla Sonntag

Of interest to the business community is the newly formed **New Mexico Low Income Energy Issue Task Force**. This task force was established and held its first meeting in Santa Fe on May 13, 2008. Carla J. Sonntag, NUCA-NM lobbyist, is an active member in this task force, designed to evaluate the energy assistance needs of the low income households in New Mexico.

Low Income Home Energy Assistance Program (LIHEAP) funding - both at the state and federal levels - has been inadequate to meet the home energy needs of the low income households in our state. As a result, there have been several attempts to "socialize" utility rates. That is, to provide lower utility rates for certain income level households subsidized by higher rates charged to others.

New Mexico Public Regulation Commission (NMPRC) open meetings and workshops have discussed the need for subsidized rates for households that fall within 150% to 200% of the federally defined poverty level. Because New Mexico is ranked fourth (4th) in the nation for poverty, a critical issue in this type of ratemaking is how it will affect the households and businesses providing the subsidy.

To allow a utility rate structure based on income, proponents would first need to overturn the 1984 Supreme Court Decision in the Mountain States Legal Foundation case that states, "**Establishing a . . . discount rate program which differentiates between economically needy individuals who receive the same service is unjustly discriminatory. . .**" This decision could be overturned by passing a state law allowing the NMPRC to set rates based on income.

Carla has taken the lead in defeating past attempts at the New Mexico state legislature to overturn the Mountain States decision. She has met with legislators and regulators on both sides of this

issue, written editorials that were published in various papers around the state and testified in opposition to this measure in numerous state legislative committee hearings as well as other public forums.

The Low Income Energy Task Force will consider much more than subsidized utility rates and it is our hope we can find an answer to this issue without overturning the Mountain States decision and allowing socialized ratemaking in New Mexico. Task force participants agreed to five meetings in 2008 that would allow for education, discussion and collaboration on different topics. The meetings will be from 10 am to 5 pm and are scheduled as follows:

- July 14th, Albuquerque: How utility rates are determined; ratemaking process; impacts of subsidized rates on other customers; and rising energy costs.
- August 18th, Espanola: Data presentations on New Mexico's low income families; and services/assistance currently available in New Mexico.
- September (date to be determined) Las Cruces: What other states are doing; and collaborative models that come from states with similar poverty levels.
- October (date to be determined) Roswell: Review what is working in NM, what is missing and what laws and regulation are in place to help the energy affordability issue.
- November (date to be determined) Santa Fe: Topic to be determined, possible presentation of report.

Because this issue could have a profound effect on small businesses and residential customers providing the subsidy discussed, we will keep you informed as the task force meetings progress. If you are interested in attending any of the scheduled meetings, please contact me for specific locations and carpooling options.

#### **~June Membership Meeting**

The next NUCA of NM Membership Meeting is scheduled for June 19, 2008 at the Albuquerque Country Club at 11:30am. This month's guest speaker is Dr. Lee A. Reynis, Director UNM Institute of Applied and Economic Research. She will be presenting an economic forecast for state and national as it pertains to construction. You can call the Association office at 505 888 0752 to register, or you can register online at [www.nucanm.org/event.html](http://www.nucanm.org/event.html)

#### **Dates for upcoming Membership Meetings:**

- August 21, 2008 NUCA President Terry Dillon and NUCA Vice President, Government Relations Eben Wyman.
- October 16, 2008, Margo Maher presents a panel on the NM Worker's compensation case Delgado, and how it has and is still affecting Workers' compensation claims and procedures in NM and other states.

#### **~Safety**

The NUCA of NM Safety Awards Application has been completed and will be mailed to members in mid- January for the 2008 Safety Awards. There are four levels of the award to fit every contractor member:

- Less than 100,000 man hours
- Between 100,001 and 250,000 man hours
- Between 250,001 and 500,000 man hours
- Over 500,000 man hours

Thanks and appreciation go out to Bill Devinney, AON Risk Services; Steve Moore, RMCI Inc.; Alan Wharton, AUI Inc.; and Howard Gentry NMOSHB for serving on the Sub-Committee to create the Safety Awards Application for NUCA of NM Members.

#### **ToolBox Talk - Maximize the Use of your First Aid Kit**

When you open the first aid kit and look over the contents, are you sure you and your co-workers

know how to use the supplies? The size of the first aid kit at your site is based on the number of employees, operations performed, injuries that could reasonably occur, and availability/response time of emergency services. Certain operations have specific requirements and a physician should be consulted for creation of this first aid kit. It is recommended that at least one employee (preferably two or more) at the job site have a current first aid/CPR certificate. Inform other workers who these trained people are and how to contact them.

#### **Supplies in a well-stocked first aid kit :**

- | Absorbent Gauze- To clean the wound or apply antiseptic cream.
- | Adhesive Bandages- Numerous shapes and sizes to cover and protect cuts and scrapes after they have been cleaned and medicated.
- | Adhesive Tape- To secure wound dressings or give additional protection over bandages.
- | Antiseptic Soap or Pads- For cleaning skin or wounds.
- | Bandage Compresses- To apply pressure to a large wound or scrape, in order to reduce bleeding.
- | CPR Mouth Shield- A protective barrier used in CPR resuscitation.
- | Disposable Medical Gloves- Latex and vinyl gloves, to protect the first responder from bodily fluids (saliva, blood, etc.).
- | Elastic Bandages- To wrap sprains and hold dressing or cold packs in place.
- | Eye Wash- Small wash bottles, to rinse very minor contaminants from the eye. All other eye injuries require medical care.
- | First Aid Manual- A brief guide to emergency first aid care.
- | First Aid Ointment or Antiseptic Cream- applied to cleaned wounds prior to applying a dressing or bandage.
- | Gauze Roll- A non-sterile dressing used to hold flat, non-adhesive bandages in place prior to taping.
- | Instant Cold Pack- To reduce swelling from a sprain, fracture, or severe bruise.
- | Microbial Hand Wipes- For first responders to clean up, after providing first aid.
- | Scissors- To cut clothing, tape, or bandages; to provide a better fit around the wound.
- | Tweezers- To remove foreign bodies (splinters) from minor injuries. Never use tweezers for eye injuries!
- | Wound Cleanser Wipes- Single-use wipes to clean minor cuts or scrapes, before applying ointments and bandages.

If you come across a safety issue that you think should be shared with other NUCA of NM members, please forward it to the NUCA of NM Office and it will be distributed to all members. Email [nucanm@nucanm.org](mailto:nucanm@nucanm.org)

Next Safety Committee meeting is scheduled for June 11, 2008 at 8am at the Association office - 104 Sin Nombre Ct. NE

~NMRCGA



The Third Annual New Mexico Regional Common Ground Alliance (NMRCGA) Conference and Expo will take place September 24 - 26, 2008 at the Albuquerque Convention Center, and it promises to be bigger and better than ever!

Our classes have been so popular that we've added another day and included more certification

Pillar Sponsors include:

AUI Inc.  
Conoco Phillips  
El Paso Natural Gas  
NM One Call  
NUCA of NM  
PNM  
Qwest

Exhibitor and Participant Registration Forms now Available. [Click here to Register](#)

Individual Early-Bird registration (before June 15) is only \$125 per person and includes name badge, all conference classes (except where additional fees are noted) and all meals including the Meet & Greet Fiesta

Exhibitor BASIC: \$575 includes one (1) 10'x10' booth w/pipe & drape; demo space; table & chairs; one (1) name badge and entry to all Conference Classes\* offered on Sept. 25 and 26, 2008 (except classes that require additional fees); all meals offered at Conference, including Grand Opening Fiesta.

**Learn More...**

~TLC Plumbing and Utility Platinum Sponsor



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~2008 Sponsors

2008 Sponsors:

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- | Western States Insurance
- | HD Supply Waterworks

~June Dates

- | 06/03/08 NM Primary VOTE!
- | 06/11/08 Safety Committee 8am
- | 06/12/08 Last Ditch Open Planning 8:00am
- | 06/12/08 Planning Committee 8:30 am
- | 06/12/08 Education Committee 3pm
- | 06/15/08 Father's Day
- | 06/16/08 NMRCGA Planning Meeting 9am
- | 06/19/08 Board Meeting
- | 06/19/08 Membership Meeting [Click to Register online](#)

If you would like more information on the Committees please call the Association office at 505 888 0752 or email [nucanm@nucanm.org](mailto:nucanm@nucanm.org)

~TIME TO VOTE



YOU CAN HELP PUT A UTILITY CONTRACTOR IN CONGRESS!

VOTE ON JUNE 3rd!!!!!!!!!!!!

As previously reported, NUCA Senior Vice President Dan East (Cone Construction, Albuquerque) is on the ballot for the June 3 New Mexico primary. A Republican, he is seeking the seat of US Rep. Tom Udall, a Democrat from New Mexico's 3rd congressional district, who is running for the US Senate. "Having a utility contractor in the Congress would be a boom for the construction industry," said NUCA CEO Bill Hillman. "Dan understands the importance of building and refurbishing America's infrastructure, and he has a working knowledge of how government can impact the operations of

small businesses, including those of construction companies. He would be a champion in the United States House of Representatives on a number of very important issues."

NUCA and NUCA of NM have both endorsed Dan East for Congress.

~Western Summit of NM 2008 Platinum Sponsor



Thank you Western Summit of NM for your Platinum Sponsorship.

[Visit the Western Summit Web Page](#)

~RMCI Inc. Wins Overall Safety Award



**RMCI, Inc. Wins NUCA 2007 Overall William H. Feather Safety Award**

May 27, 2008 Arlington, VA -- The National Utility Contractors Association (NUCA) has announced that RMCI, Inc. of Albuquerque, New Mexico received the coveted Overall William H. Feather Safety Award at NUCA's Fifth Annual National Awards Dinner, which was held on the evening of Wednesday, May 21 at the JW Marriott Pennsylvania Avenue in Washington, D.C. (in conjunction with the Washington Summit/Spring Meetings).

Created in 1978 to honor the contributions of the founding chairman of NUCA's Safety Committee, the William H. Feather Safety Awards recognize that same commitment to safety demonstrated by other NUCA members. The winners are chosen on the basis of injury frequency data, a safety statement and company program information in five categories established according to total man hours worked.

The 16-year-old RMCI, Inc. won the Overall award on the strength of its comprehensive safety program, admirable accident record and extensive training. With regard to the latter, RMCI offers NUCA and OSHA training not only to its own personnel, but also to the construction community, including owners, engineers, subcontractors and even competitors. And, it is offered in an

innovative bilingual format. RMCI has also given NUCA of New Mexico free access to the company's newly upgraded safety training facilities, including training and/or instructional assistance.

*Photo (left to right): Steve Moore (RMCI Safety Dept.), RMCI Safety Director/Master NUCA Safety Instructor LD Alexander, Marisol Sanchez (RMCI Safety Dept.) and RMCI President Jim Giannelli accepted the award from NUCA Secretary and Safety Committee Chair Alex Paris.*

Reprinted with permission from National Utility Contractors Association.

#### ~Chapter Award



#### **NUCA of New Mexico Wins 2007 NUCA Chapter Award of Excellence**

May 27, 2008 Arlington, VA -- The National Utility Contractors Association (NUCA) has announced that NUCA of New Mexico has received a 2007 Chapter Award of Excellence. The award was presented at NUCA's Fifth Annual National Awards Dinner held the evening of Wednesday, May 21 at the JW Marriott Pennsylvania Avenue in Washington, D.C. (in conjunction with the Washington Summit/Spring Meetings).

NUCA of New Mexico was selected to receive the 2007 Chapter Award of Excellence in Special Events for its planning and execution of the New Mexico Regional Common Ground Alliance Trade Show & Conference, which was held May 3-4, 2007 at the Albuquerque Convention Center. The two-day event, which drew more than 400 participants, featured a golf tournament, keynote speakers, education sessions and an exhibit hall with 54 vendors.

When asked to comment on the event, Common Ground Alliance President Bob Kipp had this to say: "The NMRCGA annual meeting has one of the most diversified programs addressing all stakeholders involved in damage prevention .... and is a great example of how to conduct an annual regional meeting. I look forward to attending every year."

*Photo: NUCA of New Mexico Past President Kari Biernacki accepted the award from NUCA Senior Vice President Dan East.*

This year, the NMRCGA Expo is scheduled for September 24-26, 2008. For more information, or to register online, visit [www.nmrcga.org](http://www.nmrcga.org)

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#### ~Wage Rates

The New Mexico Department of Work Force Solutions is attempting to have available, as an automated online form, the 2008 wage survey by the end of June 2008. Some Type H Heavy Engineering rates had an uncontested 57% increase over the previous year. (Type "H" Heavy Engineering Trade Classification Group X from Base Rate \$22.50 to Base Rate \$35.53) NUCA of NM will send out a notice as soon as the online form is available on the NM Department of Work Force Solution's web page, or you can check yourself at <http://www.dws.state.nm.us/dws-pubwage.html#new>

It is important for you to return information on wage rates on all work. For more information, please contact Jane Jernigan at the Association office at 505 888 0752.

In accordance with 11.1.2 NMAC, NUCA of NM has requested that it be listed as an interested party to receive notice of meeting, survey results, lists of contractors and projects covered by the survey, a copy of the labor commissioner's statement of information survey results, and other relevant material which falls under the guidelines of the policy. As soon as this public information is available and is sent to NUCA of NM, you will be notified. NUCA of NM will be represented at public wage decision survey meetings.



NUCA of NM

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