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Journal

September 2014

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Larry Taylor discusses
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and his efforts to move
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CHAPTER CONTACT INFORMATION

ABC OF TEXAS

Jon Fisher, President
P.O. Box 1891
Austin, Texas 78767-1891
ph (512)470-5756
www.abctexas.org

CENTRAL TEXAS CHAPTER

Josh Tompkins, President
3006 Longhorn Blvd., Ste. 105
Austin, Texas 78758
ph (512)719-5263
www.abccentraltexas.org

GREATER HOUSTON CHAPTER

Russell Hamley, President
3910 Kirby Dr., Ste. 131
Houston, Texas 77098
ph (713)523-6222
www.abchouston.org

SOUTH TEXAS CHAPTER

Steven Schultz, President
814 Arion Parkway, Ste. 204
San Antonio, Texas 78216
ph (210)342-1994
www.abcsouthtexas.org

TEXAS COASTAL BEND CHAPTER

Kathy Burnette, President
PO Box 2584
Corpus Christi, Texas 78403
ph (361)289-5311
www.abctcb.org

TEXAS GULF COAST CHAPTER

Terry McAlister, President
PO Drawer 2650
Freeport, Texas 77542
ph (979)233-1616
www.abctxgulfoast.org

TEXAS MID COAST CHAPTER

Kristi Dujka, President
116 Jason Plaza
Victoria, Texas 77901
ph (361)572-0299
www.abctxmidcoast.org

TEXO CHAPTER

Jack Baxley, Interim President
11101 Stemmons Freeway
Dallas, Texas 75229
ph (972)647-0697
www.texoassociation.org

ABC Texas Merit Shop Journal
3910 Kirby Drive, Suite 131
Houston, Texas 77098
(877)577-6ABC www.abctexas.org

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Defending the Rights of Merit Shop Contractors



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Letter From the Chairman



ROACH

The smoke has cleared and all the pieces have been moved into place and we now have a clear picture, candidate-wise, of whom we need to focus on regarding the General Election this November. The finish line will rapidly approach, and it is critical crunch time for our ABC of Texas PAC effort. Your State Board has worked diligently, coordinated by President Jon Fisher and the most reliable counsel we could ever hope for from Mike Toomey, on developing where we need to direct our efforts to help put the right folks in place to ensure that the best interest of our industry continues to be protected. It is time for each of the Chapters to fulfill their PAC commitments.

Shortly after the election is over, the 84th Legislative Session (2015) will begin and we will unfold and implement our “flight plan”, so to speak, to push our legislative agenda in the Capitol. Jon Fisher has outlined our priorities in his article. A great deal of discussion and review has taken place in the development of this list, both amongst ourselves and in a joint meeting with AGC-TBB. One of the key elements we will need in successful implementation is you, the members. You will have the opportunity to play that key role at our Legislative Day coming up in February 2015. Nothing is more effective than folks making a personal appearance in front of the legislators, so we are hoping we have record participation this session. Please RSVP to your local chapter as soon as you can. More information about the Legislative Day event can be found on page 14.

One quick note regarding our legislative priorities—specifically lien law reform. There is a huge collaborative effort being made to make a serious run at reform. HUGE. If you have a suggestion, an idea, a story (especially a horror story), please get it to Jon Fisher so he can get it to the group.

On another note, as you all know, HB 5 (education) passed and is now law. It has come to my attention that the mere fact of its passage does not mean that school districts are going to move toward full implementation on their own. It is going to take “input” from our industry if the pieces are going to fall into place for construction. And that “input” is going to be needed across the entire State. It has come to my attention that just because there are some Chapters who have long been pursuing relationships with respective school districts before HB 5 became a discussion in Austin, we err in assuming that if we are doing it, isn't everybody? The discussions regarding a coordinated state-wide effort are in the beginning stages so there are no details to report at this time. I simply want to make you aware that, figuratively speaking, the lights have been turned on and we are looking around the room. More to report later.

Thanks again to members for allowing us to serve you. Please lean on us every opportunity you can. At your service, I remain.

Mark Roach
2013-2015 ABC of Texas Chairman of the Board

P.S. I really need to get a new picture!

Letter From the President



FISHER

We are rapidly approaching the meeting of the 84th Texas Legislature on January 13, 2015.

Our Legislative Day is planned for February 9th and 10th (reception the evening of the 9th & breakfast and Capitol visits on the 10th). See your local chapter for information later this year.

Of course, first we have to make it through the General Election and a few Special Elections. While we do not have a large enough PAC to contribute in every race, we do our best to help those who have helped us when they need the help. Beyond that, we try to spread our PAC resources to participate in some opportunity races and build relationships. We can't do everything, but we try to do what we can. As usual, both the Greater Houston and South Texas Chapters have contributed local effort to our cause. Thanks to you both!

It looks like I will be able to deliver a budget in the black for 2014 unless we have some large, unexpected expenditures. It certainly did not look that way a year ago!

On August 21, the ABC of Texas Board met and raised dues slightly to help us address the need for resources with declining chapter membership. My goal is to deliver a budget in the black for 2015, but, if not, to be able to show a break-even for 2015 and 2016 combined. Since our dues are based on membership numbers exclusively, drops in chapter membership have an immediate impact on our income. Hopefully, with the economy improving, our membership numbers will also.

This issue of Texas Merit Shop Journal features a One-on-One with State Senator Larry Taylor of Friendswood. We also have an article from Jason Spencer on the new arbitration rules. Both Mike Toomey and I have penned articles as well—Mike's is on the upcoming election and mine is on the Board-selected Legislative Priorities. Last, but not least, please remember to vote early beginning Monday, October 20 and ending Friday, October 31. Election Day is Tuesday, November 4, but why wait when you have 12 days in late October to vote?

As always, let me know if I can be of service.

Sincerely,

Jon Fisher
ABC of Texas
President

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PRIORITIES

NEXT EXIT



Legislative

Initial Legislative Priorities were set by your ABC of Texas Board at its April 17 Joint Board Meeting with AGC-TBB. Both groups held separate Board meetings in the morning (where ABC of Texas set its Legislative Priorities), ate lunch and participated in a short afternoon program by ABC of Texas and AGC-TBB staff. At the morning meeting, the ABC of Texas Board selected the top seven issues by Board members' votes. At the August 21 Board meeting, the ABC of Texas Board added another issue to bring the total number to eight.

The purpose of this article is to give members an initial feel for the issues so members of ABC of Texas have time to provide input through their chapter Board members if they desire. There will be another article on these issues in the January issue of Texas Merit Shop Journal.

Lien Law Reform: ABC of Texas, AGC-TBB and TCA formed a group of highly qualified and respected attorneys who have been working diligently with a couple of other interests focusing on making the lien laws simpler and less tricky. It has been a more arduous task than initially anticipated, but the end appears in sight. But that is only Phase One. We then must reach out to other stakeholders and time is running short. Hopefully, we will have more substance to report in January.

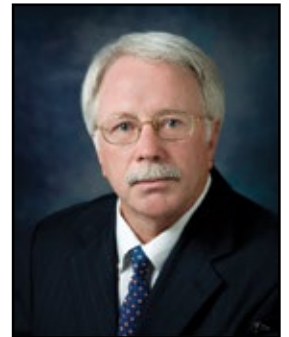
Neutrality in State Government Contracting: Although we were successful last session in passing HB 1548 by Rep. Bill Callegari in the House, our bill was never allowed to have a vote taken in Senate Committee due to the Chair's objections. But, we did get a hearing in the Senate. We had the votes had the Committee

Chair allowed a motion. HB 1548 simply prevented a governmental entity from requiring or prohibiting a pre-hire collective bargaining agreement (project labor agreement) on construction projects using state resources.

Retainage/Trust Funds: Although we got HB 3316 by Rep. James Keffer out of committee and set on the House Calendar in time to pass, it was removed by a point of order. Even though this issue could get dealt with in Lien Law Reform, the Board voted it important as a stand-alone issue. Basically, developers are not currently retaining as the law requires which would put the money in construction trust funds. Generally, the lender withholds the money from the developer (not the same as the developer retaining) so the money is not available in the case of a foreclosure.

Lender Notice: Both House and Senate bills were heard late in the session in 2013. This is an attempt to provide notice to general contractors (who would notify subcontractors, etc.) when funds are no longer to be paid on a project. Most lenders would do this, but there is resistance to a requirement. We have tried to get the banks to give us a trigger they can live with.

Criteria for ADS Scoring: There continues to be a need for more transparency and consistency in scoring bids when local governments use Alternative Delivery Systems. When a bidder



FISHER

is scored differently on the same item (like safety) on different projects when the same data has been presented, there is the appearance of manipulation.

Taxes: Your Board selected this issue as a high priority mainly because of the need to stay vigilant on taxes in case a school finance decision creates uncertainty or there are moves to change the franchise tax.

State Breach of Contract: Representative Paul Workman and Senator Bob Deuell passed HB 586 last session dealing with this issue. However, to get the bill out of committee in the House, the waiver of sovereign immunity for the state had to be more limited than the other waivers of sovereign immunity applying to local governments. Bringing the state waiver of sovereign immunity for construction contracts in line with the provisions for school districts, counties, cities and other local governments only makes sense.

Worker Misclassification: There is concern among many that subcontractors who wrongly classify employees as contractors are gaming the system and gaining an unfair advantage. Wrongly classifying employees as contractors is already against the law. Last session, ABC of Texas worked with other groups to craft legislation that increased penalties for contractors who misclassified employees. The legislation, HB 1925 by Rep. John Davis, fixed responsibility for compliance with the entity making the hiring decision. It also protected employers from being punished for good faith efforts and arbitrary agency decisions. ABC of Texas will continue to support legislation that attempts to address the issue without placing responsibility where it doesn't belong or unduly affecting the legitimate use of contractors.

That completes the list of issues selected by the ABC of Texas Board as our priority issues. While many other issues may become addressed by ABC of Texas during the session, there are a couple of other issues that may come up that we have worked on in the past.

Immigration: In case you haven't noticed, this has become a rather hot issue recently on many fronts. Our main concern is that if an employer performs a federal check based on federal law, the employer should not be subject to state penalties if he is a victim of fraud. Many attempts at "safe harbor" provisions are well-intentioned, but fall short of real protection for those acting in good faith.

Purchasing Cooperatives: Generally among construction associations there is the belief that, other than job order contracting, construction services should not avoid public bidding processes through interlocal agreements used by purchasing cooperatives (the loophole to public bidding). Construction services are performed on specific buildings and should not be


available in the same manner as paper clips, desks, etc. for which there are savings based on volume. Purchasing cooperatives have their place, but it is not in construction services. Attempts to reign in potential abuses in bidding for roofing projects have met with failure in the recent past. Following a hearing in 2011 where the representative of a purchasing cooperative acknowledged that a roofing materials supplier had written their bid specifications, legislation was written to deal with that practice. Last session, SB 438 by Senator Brian Birdwell passed the Senate, but died in the House Committee on Calendars (as did HB 123 by Rep. Doc Anderson).

As you can tell, ABC of Texas will be very active in the 84th Texas Legislature in 2015.

ABOUT THE AUTHOR:

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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STATE SENATOR LARRY TAYLOR

Senator Larry Taylor represents Texas Senate District 11, comprised of portions of Brazoria, Galveston, and Harris Counties. A native Texan, Larry attended Baylor University where he received his BBA in 1982. He and his wife Kerri are the proud parents of three adult children. Larry owns Truman Taylor Insurance Agency in Friendswood, an independent agency started by his father more than 50 years ago.

Senator Taylor serves as Vice Chairman of the Senate Business and Commerce Committee and as a member of the Senate Education, Government Organization, Health and Human Services, and Intergovernmental Relations Committees. Lieutenant Governor Dewhurst also chose him to represent Texas on The Energy Council; an honor he previously held as a state representative.

Since his election to the Texas Senate, Senator Taylor has been named to several key leadership positions by Lieutenant Governor David Dewhurst. Most recently, he was called upon to co-chair the Joint Interim Committee on Coastal Barrier Systems and to serve on the Texas Windstorm Insurance Legislative Oversight Board, of which he was also a member during his time in the Texas House of Representatives. He is also a recent appointee to both the Joint Interim Committee to Study Education Policy for a Skilled Workforce and the Legislative Committee to Review the Lottery and the Texas Lottery Commission.

Before his election to the Texas Senate in 2012, Senator Taylor served five terms in the Texas House of Representatives. During his tenure there, Larry served as the Chairman of the House Elections Committee, Co-Chairman of the Windstorm Insurance Legislative Oversight Board, as a member of the House Insurance Committee, the House Select Committee on Voter Identification and Voter Fraud, the Energy Council, and two terms as Chairman of the House Republican Caucus.

Senator Taylor is honored to have been named a "Taxpayer Advocate" by Texans for Fiscal Responsibility, a "Champion of Free Enterprise" by the Texas Association of Business, and a "Courageous Conservative" by the Texas Conservative Coalition. Locally, he was recognized as Galveston Daily News' "2011 Citizen of the Year" and named "Texas Legislative Champion" by the Sealy and Smith Foundation for his efforts to repair the University of Texas Medical Branch after Hurricane Ike.

One of the roles of which he is most proud is his longtime seat on the board of the Foundation for Hope Village. This organization supports the operation of Hope Village, a nonprofit residential and day program for individuals with intellectual and developmental disabilities.

Please describe your business background.

I graduated from Baylor University in 1982 with a Bachelor of Business Administration. After spending two and a half years in Honolulu working as an insurance underwriter, I began my career as an independent insurance agent in 1985. I purchased the Truman Taylor Insurance Agency from my father and the agency is now 52 years old.

What is your view of the free enterprise system?

The free enterprise system is the best system I know of. It is the one system that gives opportunities to everyone.

You have been very active in legislation dealing with the Texas Windstorm Insurance Association. What do you see as the most important item accomplished last session and what remains to be accomplished?

Last session, with my Senate Bill 1702, we extended until December 31, 2015, the Texas Windstorm Insurance Association (TWIA) WPI-8 Waiver Program that was set to expire without legislative action. The bill repealed the cumbersome Alternative Eligibility Program and streamlined waiver program requirements for applicable new and renewed coverage. I intend to file legislation this coming session to again extend the WPI-8 Waiver Program. My goals for TWIA this coming session also include bringing in a contracted professional management team to TWIA, and to reduce its overall size.

What were your personal priorities last session?

I wanted to address the problem of over testing - particularly high stakes end-of-course exams - in Texas' public schools. I also hoped to change the focus of public education from that of all students going to a four-year university upon high school graduation to a focus on providing more options for students, including more emphasis on and opportunity for Career and Technical Education (CTE).

As always, comprehensive TWIA reform was a priority for me last session. I filed Senate Bill 1700, an omnibus reform bill, that sought to change TWIA by securing a stable funding structure

and replacing current administrative personnel with professional management. As I mentioned before, these reforms will again be part of my legislative agenda for the 84th Legislative Session.

What will be your personal priorities in the upcoming 84th Texas Legislature?

I would like to help continue to move public education in Texas into the 21st Century. I want to focus on reforming TWIA, and I want to secure additional funding for transportation infrastructure in this state.





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VOTE

2014

The 2014 Texas election cycle has been one like no other. Every elected executive office will change hands in 2015. For the first time since 2002, Rick Perry, David Dewhurst, Jerry Patterson, and Susan Combs will not be on the November mid-term ballot.

Governor Perry decided not to seek reelection after a tremendous 12 years of leadership. Texas Attorney General Greg Abbott is working to assume the leadership mantle. He is challenged by Democrat State Senator Wendy Davis, of pink tennis shoes and pro-abortion filibuster fame. General Abbott has a commanding lead in the race; polls place Abbott ahead by 8-17 percent.

Republican State Senator Dan Patrick will replace Lieutenant Governor David Dewhurst on the November ballot. Patrick emerged from a four-man primary that included the current Lieutenant Governor, Land Commissioner, and Agriculture Commissioner. He faces fellow State Senator, Democrat Leticia Van de Putte.

With General Abbott now at the top of the Republican ticket, State Senator Ken Paxton is the nominee for Attorney General. He beat out State Representative Dan Branch and Railroad Commissioner Barry Smitherman for the nomination. Paxton faces Democrat Sam Houston (no relation).

Republican State Senator Glenn Hegar is looking to replace the retiring Susan Combs as State Comptroller. Democrat Mike Collier is the challenger. Former State Representative Sid Miller won the Republican nomination for Commissioner of Agriculture. He faces Democrat Jim Hogan.

Republican George P. Bush will take on Democrat John Cook for Land Commissioner. George P. is the nephew of former President and Texas Governor George W. Bush and the son of former Florida Governor Jeb Bush. This is the first time a Bush has been on the statewide ballot since 1998.

At the Texas Supreme Court, conservative Republican incumbents successfully stopped primary challenges from personal injury plaintiff-lawyer funded candidates. Don't be surprised to see those same trial lawyers funding the three Democrats running for the Supreme Court.

Expect a significant shake-up in the Texas Senate next session. Assuming Glenn Hegar prevails in his bid for Comptroller (a pretty safe assumption), there will be eight new Senators. Also gone are John Carona, Wendy Davis, Bob Deuell, Robert Duncan, Dan Patrick, Ken Paxton, and Tommy Williams.

Expect a significant shake-up in the Texas Senate next session. Assuming Glenn Hegar prevails in his bid for Comptroller (a pretty safe assumption), there will be eight new Senators. Also gone are John Carona, Wendy Davis, Bob Deuell, Robert Duncan, Dan

Patrick, Ken Paxton, and Tommy Williams. Leticia Van de Putte is a long-shot to join this list. The new names to welcome are Don Huffines, Bob Hall, Paul Bettencourt, Van Taylor, and Brandon Creighton.

A Special Election was just held on September 9th to replace Duncan. State Representative Charles Perry and Jodey Arrington, the former vice chancellor for the Texas Tech University System were expected to be in a runoff. But, Perry won the contest with 53% of the vote.

In Fort Worth, Republican Konni Burton and Democrat Libby Willis are duking it out to replace Wendy Davis. If Burton wins, Republicans will control 20 of the 31 Senate seats - one shy of a filibuster proof majority.

The Texas House of Representatives seems relatively tranquil compared to the rest of the state. There are 45 contested races on the November ballot, but only a small handful are expected to be competitive. Twenty-two members either stepped down or were defeated in a primary. Last session there were 95 Republicans and 55 Democrats in the House. Expect the Republican majority to grow by one.

Texas has been in good hands the past twelve years. Personal injury plaintiff-lawyers and out-of-state interests are pouring money into this election cycle in the hopes that the shakeup at the top of the ballot is their opportunity to elect a Democrat statewide for the first time in twenty years. Make sure to stay engaged at the local level, and vote this November.

Important election dates can be found at (<http://www.sos.state.tx.us/elections/voter/2014-important-election-dates.shtml>).

ABOUT THE AUTHOR:

Mike Toomey is the longtime ABC of Texas lobbyist and has the distinction of being the only individual in Texas history to have served as chief of Staff for two Texas Governors. He is a former State Representative from Houston and was voted in Texas Monthly magazines' "Top Ten Legislators". Mr. Toomey is a strong supporter of Tort Reform in Texas and is widely acknowledged as one of the most respected and effective lobbyists in the State of Texas.

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New AAA[®] Supplementary Rules for Fixed Time and Cost Construction Arbitration



Arbitration clauses have become increasingly more common in construction contracts. However, there is a perception among contractors and their attorneys that arbitration is more expensive than litigation at the courthouse. Although sometimes true, our experience in the past several years has been the opposite. In furtherance of its ongoing efforts to insure that arbitration is a cost-effective alternative to litigation the American Arbitration Association[®] (AAA) has provided contractors the option of selecting supplementary rules to further limit the cost and duration of their arbitration proceedings. These new Supplementary Rules for Fixed Time and Cost Construction Arbitration took effect on June 15, 2014.

The new Supplementary Rules allow parties to predict the maximum time it will take to complete their arbitration as well as to budget for the process by providing a fixed rate for arbitrator compensation. For example, for cases in the \$250,000 to \$500,000 range, the rules prescribe a maximum of 180 days from filing to award, with no more than three hearing days. Arbitrator compensation for hearing days and study time (limited to 12 hours) is capped at \$275 an hour; administrative fees to the AAA are fixed at \$5,000.

These rules limit the number of parties to two participants, although a surety may be involved as specified. A collaborative process is encouraged through the requirement that each party representative provides contact information for a “designated employee,” such as in-house counsel or senior-level executive, and require that the AAA and/or arbitrator includes such designated

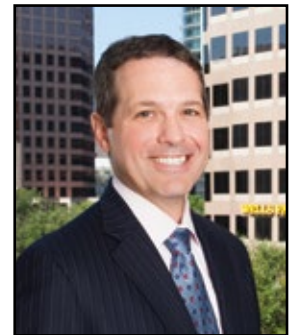
employees on all communications related to the arbitration.

Parties can provide for these rules during the contract-drafting phase but also can opt into the Supplementary Rules for disputes arising from contracts containing standard arbitration clauses. Parties to a current dispute can arbitrate under these rules immediately by filing a “submission agreement”.

The new Supplementary Rules are innovative, and we believe that they will be widely adopted by contractors and owners seeking to limit the time and costs spent in arbitration of their construction disputes.

ABOUT THE AUTHOR:

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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LEGISLATIVE DAY

FEBRUARY 9-10, 2015
AUSTIN, TX

Tuesday, February 10, 2015

7:00am Breakfast

7:30am Program

9:00am Visits with Legislators

Doubletree Guest Suites

303 W. 15th St.

Austin, Texas 78701

Welcome Reception

Monday, February 9, 2015

4:30 - 8:00pm

Office of the Texas Lobby Group

919 Congress Ave., Suite 1500

**Program and Reception included for ABC Members*

Join fellow members of Associated Builders and Contractors from around the State as we meet with our elected officials to discuss issues important to the construction industry and Free Enterprise on Tuesday, February 10th. Also, make plans to attend the February 9th Welcome Reception the evening before our visits.

Special room rates are available to ABC Members at \$209 for the night of February 9th. To reserve your room, call (800) 222-8733 and mention the group name "ABC" or reserve online at www.austinsuites.doubletree.com and enter the special promo code "ABC" when prompted. The discounted rate will only be available until midnight on January 19th, 2015!

To RSVP for the 2015 ABC Legislative Day or learn more about the event, please contact your local chapter at the corresponding number below.

CENTRAL TEXAS

(512) 719-5263

www.abccentraltexas.org

TEXO

(972) 647-0697

www.texoassociation.org

TEXAS COASTAL BEND

(361) 289-5311

www.abctcb.org

TEXAS GULF COAST

(979) 233-1616

www.abctxgulfcoast.org

GREATER HOUSTON

(713) 523-6222

www.abchouston.org

TEXAS MID COAST

(361) 572-0299

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SOUTH TEXAS

(210) 342-1994

www.abcsouthtexas.org

WWW.ABCTEXAS.ORG

(512) 470-5756

ABC INITIATIVES AROUND THE STATE



The TEXO Challenge Cup competition invites members to compete in select events throughout the year with points given in each event. The 2014 competition has heated up with four events completed, including the TEXO Clay Bird Shootout pictured above, and the final two planned for October.



Reaching members throughout the Metroplex, TEXO's IMPACT Networking Series is fast becoming "THE" networking event. Each quarter a TEXO IMPACT meeting is held in Dallas and in Fort Worth averaging 80 or more in attendance in each region.

TEXO CHAPTER

The third quarter of 2014 has been a busy one for TEXO. The Chapter continues to be an excellent resource to its members and the North/East Texas construction community, bringing new and innovative opportunities to its membership.

Safety

TEXO's Safety First Program has grown since its September 2013 inception. To date, more than 1,000 construction industry personnel have gone through the program. As the demand for classes continues to grow TEXO is ready for the challenge.

The Chapter has partnered with the University of Texas at Arlington to offer advanced OSHA courses for those seeking to further their knowledge on construction safety. Courses are offered as a part of the OSHA Education Center from the UTA Division for Enterprise Development Environmental, Health and Safety (EHS).

Networking

Reaching members throughout the Metroplex, TEXO's IMPACT Networking Series is fast becoming "THE" networking event. Politicians, Olympians and others have joined the Chapter throughout the year at venues in Dallas and Fort Worth which provide excellent opportunities to meet and connect with TEXO's Contractor Members. Each quarter a TEXO IMPACT meeting is held in Dallas and in Fort Worth averaging 80 or more in attendance in each region.

Professional Development

In June, the Chapter introduced a six series program specifically tailored for established managers identified as high potential leaders. The Advanced Leadership Development Program conducts ongoing contact and knowledge development in response to identified needs and interests of the group for leadership effectiveness.

Each session offers three key components:

- Experiential learning
- Assessment of skills and areas for development
- Application to real work

An ideal program for mid-level managers making transitions to increased responsibility!

This fall TEXO will offer exclusive training for members. The Negotiation Skills Workshop course will focus on Adaptive Negotiation and help take the participant to the next level when negotiating. The 1 ½ day interactive training will leave participants with a strong understanding of different negotiation styles.

2014 Challenge Cup

Last year, TEXO introduced the Challenge Cup competition, inviting TEXO contractor and industry members to compete in select events throughout the year with points given in each event. The 2014 competition has heated up with four events completed and the final two planned for October, can last year's champion Humphrey & Associates repeat? Stay tuned!

TEXO's leadership and staff continue to strengthen the Chapters presence in the industry, participating and partnering with various entities including AIA, SMPS, CFMA and others. Committees, Forums, and Special Task Forces help keep the communication lines open.

For more information about TEXO visit the website at www.texoassociation.org. You can also like TEXO on Facebook TEXO, The Construction Association, Follow on Twitter @TEXOAssociation, or join them on LinkedIn.

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ABC INITIATIVES AROUND THE STATE



The Texas Gulf Coast Chapter is extremely proud of its Silver Medal Winner, Ashley Agbe with RPM Services. Ashley was one of four women in a field of 160 craftsmen and one of 9 millwrights at the ABC National Craft Championships.



The South Texas Chapter held a membership mixer at the Angry Elephant, a political themed establishment, where Congressional District 23 Candidate Will Hurd visited with members to learn more about industry issues and talk about the good old days at Texas A&M.

TEXAS GULF COAST CHAPTER

The Texas Gulf Coast Chapter broke ground, poured a slab and raised the walls! Their new home is underway! On May 16th the Texas Gulf Coast Chapter hosted a crowd of 100+ for the official groundbreaking, and it wasn't long after that the earth began to 'move under their feet.' The Chapter anticipates a first quarter opening for the new facility that will house ABC, Brazosport Safety Council, and Merit Shop Training, Inc. —all under one roof. Additionally, the facility will host vendors who will provide drug screening, badging and even a deli.

The Texas Gulf Coast Chapter was very proud to accept the award for Outstanding Member Retention in 2013 and is well on its way to good things in 2014. They have welcomed nine new members so far this year and are anticipating more.

In May and June, the Chapter brought home a Silver Medal from National Craft Championships, hosted a Supplier/Member Mixer and Crawfish Boil, raised money for charities at the 11th annual In-shore Fishing Tournament and held the 35th Annual ABC Craft Training Program Graduation, hosting 36 graduates, their guests, contractors and other invited guests.

The Chapter is extremely proud of its Silver Medal Winner, Ashley Agbe with RPM Services. Ashley, a very talented Millwright, was one of four women in a field of 160 craftsmen and one of nine millwrights at the ABC National Craft Championships held in Birmingham, Alabama this past spring. She was the only female to place and added yet another medal for a chapter total of 13 for the Millwright program. The Chapter is very proud of her accomplishments and all she is doing to represent women in this industry.

The fourth quarter of the year will provide more opportunities to build chapter relationships. While juggling the construction responsibilities and deadlines, the Chapter will also continue with

several membership events. In September, member golfers will take to the links once again for bragging rights. The 30th Annual Golf Tournament will be held at The Wilderness Golf Course on Friday, September 12. Shortly after that, the annual Joint Membership Event and Luncheon will feature guest speaker Chris Witte, Site Manager and Senior Vice-President, BASF Corporation. October brings a Shrimp Boil and a Texas Hold'Em Poker Tournament for members and the ABC Construction Exhibition for area high school students in late October.

SOUTH TEXAS CHAPTER

The Second Annual Wine Festival held at the Boerne Wine Company couldn't have had any better weather this past April. More than 75 ABC members and guests enjoyed an evening sampling a wide variety of wines and tasty appetizers. A passing suggestion resulted in another great South Texas Chapter event.

At the ABC National Legislative Conference while meeting with one of the members of the Bexar County congressional delegation, chapter representatives were a little surprised when he said he was unaware of unintended consequences with legislation. This is another good reason for ABC members to attend this annual event—to help educate elected officials. They usually hear only one side so it is important they hear from the affected business community.

Also in June the Chapter held a membership mixer at the Angry Elephant, a political themed establishment, where Congressional District 23 Candidate Will Hurd visited with members to learn more about industry issues and talk about the good old days at Texas A&M.

In July, the Chapter conducted the first Infection Control Risk Assessment (ICRA) class at the chapter offices. The intense eight hour class helped participants understand the issues as

ABC INITIATIVES AROUND THE STATE



The South Texas Chapter presented "Volunteer of the Year" to Michelle Seward Davis (Joeris General Contractors). Chapter Chair Bryan Moore (IBTX Risk Services) said she really is "Volunteer of the Decade" for ABC!



ABC Greater Houston hosted the 2014 Fall Clay Shoot in August. Over thirty teams gathered at the Rio Brazos Gun Club for a morning of friendly competition. The event raised over \$11,000 for the PAC and will be used to support candidates who help support and further the free enterprise system.

it relates to healthcare facilities, how to communicate with the various sectors in the hospital setting, risk management and legal liabilities, and containment best practices. The next class is set for Friday, October 24 at the TEXO offices.

The annual Excellence In Construction Awards banquet was held in early August at the Hyatt Hill Country Resort. More than 340 ABC friends and guests enjoyed a fabulous dinner and applauded the winners of the various safety awards, chapter awards and the construction award categories. This year's South Texas Chapter "Volunteer of the Year" is well known throughout ABC – former national ABC PAC Chair, ABC Texas Board member and South Texas Chapter Chair Michelle Seward Davis (Joeris General Contractors). Chapter Chair Bryan Moore (IBTX Risk Services) said she really is "Volunteer of the Decade" for ABC!

The 2014/2015 Apprenticeship school year started at the beginning of September with more than 160 enrollees in four trades (carpentry, electrical, sheet metal and plumbing). The numbers are not as high as expected due partly to the fact employers are having a difficult time finding qualified workers. On a related note, the chapter is looking at developing courses that are more performance based instead of time-based, like the apprenticeship program. These new classes would focus on the tasks and skill sets needed at today's construction sites.

The 2015 South Texas Chapter planning process is in full swing. The Board Breakout Sessions were held in August in preparation for the board retreat to be held in October in conjunction with the second Annual Fishing Tournament in Rockport, Texas.

GREATER HOUSTON CHAPTER

Recently, the Greater Houston ABC PAC Fall Clay Shoot hosted over 30 teams that contributed over \$11,000. The event was held at the Rio Brazos Gun Club and featured two different shooting

courses with 18 stations. D.E. Harvey won the clay shoot, hitting over 90% of their pulls with a score of 471/500.

As a whole, the Greater Houston PAC was not to be outdone as the Clay Shoot pushed the ABC PAC to 92% of its national allocation and 61% of its local goal. The PAC is on pace to reach its goal of \$75,000 in total contributions for the 2014 calendar year.

The Greater Houston PAC is excited about the upcoming general elections. The PAC has worked hard this year fundraising in support of candidates that reflect ABC's merit shop values. The PAC has already collected more than \$40,000 in contributions and is on pace to raise \$75,000 by the end of 2014.

The Greater Houston Chapter has also been awaiting the appointment of the new Public Works Director. On August 20, Mayor Parker appointed Dale Rudick, replacing the vacant position left by former Public Works Director, Daniel Krueger. The Greater Houston Chapter would like to congratulate Dale Rudick and hopes he serves the city of Houston well in his new position.

The ABC Greater Houston PAC has endorsed more than 40 candidates throughout city, county, state, and federal politics in the greater Houston area. The PAC wants ABC members to make informed decisions and takes the time to screen all of the Houston area candidates. The official list of endorsed candidates will be released before the November elections and can be seen as a trusted guide in evaluating candidates with merit shop values. Political Action Committees can be a great resource for voters and need to be utilized when looking at the issues between candidates.

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ABC INITIATIVES AROUND THE STATE

TEXAS MID COAST CHAPTER

The ABC Texas Mid Coast Chapter and its members are proud to announce that they have been busy during the second quarter of 2014. The Chapter started up an NCCER Construction Site Safety Technician course on May 20 and have kept busy with Safety Training and Education classes including First Aid/CPR, Trenching & Excavation, OSHA 10, H2S, New Hire Orientation, Heat Related Illness, and Safety 101.

The Annual Fishing Tournament was very successful and took place on June 20-21, 2014 in Port O'Connor. There were 52 boats entered and more than \$10,000 in cash was awarded!

The Annual Dove Hunt is coming up on October 2, 2014 and hunting spots are sold out! A ribeye dinner with "aiming fluid" will be served and there will be lots of opportunity for networking. Sporting Raffle tickets will also be sold for \$50 each.

CENTRAL TEXAS CHAPTER

ABC Central Texas enters the Fall of 2014 with a renewed energy and focus on the November election. In addition to the thankless

work of helping the chapter maintain a profile in Austin during extensive staff changes, the volunteer leaders have pulled the trigger on hiring a new Chapter President and CEO, Josh Tompkins, who stepped into the position in early September. Josh comes from a nearly five year stint with ABC National and has years of experience in campaign management and political consulting, which the chapter hopes will boost ABC's political influence and fundraising in the region. A strong believer in the Merit Shop Philosophy, the importance of state and federal PAC, creating member value and branding ABC as an industry leader in safety and training, Josh is very excited to get to work for the chapter.

Despite the staff shake-ups, Central Texas has been keenly focused on providing networking and educational opportunities to the membership in the past few months, most recently with a clay shooting event in August and golf tournament September 12th. The chapter is being diligent in its approach to maximize event opportunities in the name of member return on investment while also driving key initiatives such as building a culture of political engagement and awareness on top state and local issues affecting the industry.

With a clear vision for the future, the chapter will now be turning its focus on raising the ABC profile in the state's capitol city—for the good of Austin, the state of Texas and the betterment of the entire merit shop construction industry.

TEXAS COASTAL BEND CHAPTER

The Texas Coastal Bend Chapter had another exciting quarter! As always, the monthly First Wednesday Mixers were a hit, and the Chapter extends a special "Thank You" to this summer's sponsors: May – Mirage Industrial Group, LLC; June – Fishbone Safety Solutions; July – CMC Rebar.

The Chapter's 26th Annual Golf Classic was held at the River Hills Country Club in early May. Heading up the Golf Committee this year was Mike Blundell (Repron, Inc.), who delivered another successful event. The Chapter expresses their extreme gratitude to this year's wonderful committee members, sponsors, participants and volunteers. They are all so vital to the success of events! This year's first place team was United Rentals. Funds from the tournament went to benefit scholarships for students attending the Craft Training Center of the Coastal Bend (CTCCB). Speaking of the CTCCB, the May General Membership Luncheon was held at their newest building, which afforded members the opportunity to get a close up, hands on view of what the CTCCB offers members, local students and community. An excellent presentation was given by the President of CTCCB, Dr. Michael



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ABC INITIATIVES AROUND THE STATE

Sandroussi, which went into great detail about what they're doing to meet the growing industrial workforce needs of the community.

In June, the Contractors Safety Council of the Coastal Bend (CSCCB) hosted their annual South Texas Industrial Industry Safety Excellence Awards banquet. Every year ABC-TCB, CSCCB and Port Industries of Corpus Christi recognize the industrial contractors in the area who have maintained an excellent safety program. A special "Congratulations" goes to the 2014 ABC-TCB Safety Training Evaluation Process (STEP) Award winners: Brock Services, LLC (Diamond); Mirage Industrial Group, LLC (Gold); Rabalais I&E Constructors (Gold); Repcon, Inc. (Diamond); and Turner Industries Group, LLC (Gold). Later in the month the chapter held the June General Membership Luncheon and welcomed J.J. Johnston of TPCO and Paul Burgess of Yates Construction who gave an update on the progress of the TPCO facility currently under construction just over the Harbor Bridge from Corpus Christi in Gregory, Texas.

The July General Membership Luncheon was one of the biggest luncheons yet with a record crowd as the Chapter welcomed Texas State Representative Todd Hunter (HD-32), who discussed recent changes to Windstorm Insurance, as well as his legislative goals for the upcoming session of the Texas Legislature. The very next day the Chapter kicked off the 20th Annual Fishing Tournament

at Marker 37 Marina. Co-Chairs, Mike Garza and Cliff Johnstone, both with Swantner and Gordon Insurance Agency along with a very dedicated committee organized a fun and successful event with 23 teams and cash payouts of more than \$15,000.00. Thank you so much to all of the volunteers, sponsors and anglers for your support. The Chapter is certainly looking forward to an even bigger event next year.

In August, the Chapter was pleased to welcome its U.S. Congressman Blake Farenthold to discuss and update members regarding issues that directly affect the Construction Industry as well as other issues set forth by the ABC National office. He answered specific questions regarding Immigration Reform, Border Control, and Federal Contracting, among others. The Craft Training Center of the Coastal Bend also hosted its 2014 Graduation Ceremony at the end of August with 111 graduates. The Chapter congratulates all of the graduates!

To wrap up a busy summer schedule, the Chapter is currently working on the 13th Annual Skeet & Trap shoot and an IBCA sanctioned BBQ Cook Off on September 12th and 13th at the Corpus Christi Rifle and Pistol Club.



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