



THE READY-MIXER



Virginia Ready-Mixed Concrete Association Newsletter

March 2009

Annual Virginia Concrete Conference Success



Bruce Glaspey, of Magruder Construction, makes presentation on Pervious Concrete properties and construction.

By J. Keith Beazley
Director of Industry Services

One of the premier events for the Virginia Department of Highways and the Concrete Industry, this year's Annual Virginia Concrete Conference, Count on Concrete—The Strong Investment, was held in Richmond on March 4 thru 5.

"By all accounts we had another very successful conference," says Bob Long, Executive Director, American Concrete Pavement Association. "Attendance turned out to be one of the best ever."

"This remains an excellent opportunity for ready-mixed concrete producers and contractors to network with VDOT and other specifiers and hopefully we will continue to see the increased number of industry members next year. VDOT's commitment to the conference continues to be confirmed by the technology information focus."

David Ekern, P.E. VDOT Commis-

sioner, welcomed attendees to one of the best events for new innovations in concrete and construction methods.

The presentations began with Portland Cement Association Economist Ed Sullivan's Construction Materials Economics, much appreciated for its timeliness.

"I was particularly interested in what Ed Sullivan had to say on the future of our industry," says George Mayotte, Senior Sales Supervisor and Director of Pavement Services, Lehigh Cement. "He stated the Private Sector cannot lead the industry. This time it is going to come from the Public Sector. The Public Sector being VDOT, roads, bridges, etc. In 2009, the cement usage will continue to decline. In 2010, the back half of the year, Ed claims the construction will start to pick-up again, with general focus on the infrastructure. I only hope he is right."

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LEED Upgrade

by: Hessam Nabavi
Director of Industry Services

Even with all the economic uncertainty in the latter half of 2008, as of November 1, over 4.2 billion square feet of Green Building projects, comprising over 15,000 individual buildings, were registered for LEED certification. Against this backdrop of hyper-growth and tremendous success, the U.S. Green Building Council (USGBC) is launching LEED 2009, a refinement and credit realignment of the existing LEED program. The upgrade is USGBC's effort to increase the efficiency, capacity and performance of the LEED rating system due to the increasing energy costs, pending carbon regulations, and increasing market demand. LEED 2009 comprises three primary initiatives: Green Building Design & Construction, Green Interior Design & Construction, and Green Building Operations & Maintenance.

LEED 2009 creates a more harmonized and integrated point system. The number of available points has risen to 110-point system—100 points, plus 10 potential bonus points under LEED 2009. Reaching LEED Certified will now be 40+ points, Silver is 50+ points, Gold is 60+ points and Platinum is 80+ points. As detailed below, the addition of the 10 bonus points for "Regionalization" is a key feature that recognizes regional environmental priorities. Six credits, determined by regional councils and chapters, will be eligible for the regionalism weight, and four bonus points can be earned in the Regional Priority category. Regional Councils and Chapters are collaborating with

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Concrete Conference

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Other topics of great interest were the End Result Specifications Pilot Program on Route 5, Alternate Bidding for Pavements, and Concrete Paving and Innovation on I-64 and Battlefield Boulevard.

On the second day of the conference all sections were filled for the split program of Pavement and Bridge. This year both local city and county officials were well represented. The VRMCA sponsored Bruce Glaspey, of Magruder Construction, to speak on Pervious Concrete properties and construction. Bruce presented environmental studies conducted by the University of Florida on the benefits to storm and ground water with the usage of pervious concrete.

John Lockett, of Roanoke Cement, says, "This was my first conference and the amount of information was substantial. I enjoyed the diversity of topics for the macro perspective of

Construction Material Economics to the local application Innovation and Concrete paving of I64 at Battlefield Blvd. The conference was relevant and comprehensive on changes taking place in the industry. Information taken from the Pervious Concrete Paving session will be implemented to explore future opportunities." All in all he says it was "two days well spent."

The conference is sponsored by the Virginia Concrete Advisory Council and coordinated by Directors Keith Beazley and Bob Nablo. Beazley serves on the Steering and Organization Committee while Nablo serves as a Moderator in the Pavement Section of the conference. George Boykin helps promote the conference, and the VRMCA places an information booth in the Exhibitor area.

Planning is beginning for the 2010 Conference and by all accounts the attendance and support will only be greater for the event next year. Please mark your calendar to attend and to be part of this very successful event. ❖



Visit the Virginia Ready-Mixed Concrete Association Website at www.vrmca.com

LEED Upgrade

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USGBC to compile the eligible credits.

Three credits have changed significantly under LEED 2009:

- Water Efficiency (WEc3.1) – 30% water use reduction from Energy Policy Act of 1992 performance requirements – is now a prerequisite

- Energy & Atmosphere (EAc1) – optimized energy performance – is now a prerequisite

- Materials & Resources (MRc7) – use of certified wood – may undergo changes to benchmark criteria for sustainable forest products (still pending)

USGBC now weighs each credit using Climate change, Resource depletion, Human health, Water intake, Toxicity, Eutrophication, Habitat alteration, Smog formation, Acidification, Indoor air quality and Ozone depletion, identified by EPA's Tools for the Reduction and Assessment of Chemicals and Other Impacts.

Climate change has been identified as the most important area of concern and thus receives the most weight. Reflecting this, LEED 2009 puts a much greater emphasis on energy efficiency – 32% of LEED 2009 points come from EA credits versus 24% of LEED v. 2.2 points. As a result, buildings that ignore climate change impacts are prevented from performing well in LEED.

In recognition of the speed of new technological advancements in green building, five points are available for Innovation & Design Process (rather than four points previously) to promote more new ideas and alternative methods for improving buildings. Note that not more than three Exemplary Performance credits can be awarded within this category.

Finally, it is good to know that the planning process is already underway for a 2011 update. One of the stated goals of this improvement was the organization of LEED 2009 as a "bookshelf of credits" common to all LEED rating systems which can be updated on a periodic basis, much the way building codes are updated.

The new version of LEED will launch April 27, 2009. For more information about LEED 2009 and to download reference guides, visit www.usgbc.org. ❖

Concrete's Potential Contribution to LEED 2009 Certification:

Credit Category	Points for Concrete
Sustainable Sites (26 Points Available)	
SS Credit 2: Development Density & Community Connectivity	5
SS Credit 3: Brownfield Redevelopment	1
SS Credit 6.1: Stormwater Management: Quantity Control	1
SS Credit 6.2: Stormwater Management: Quality Control	1
SS Credit 7.1: Heat Island Effect: Non-Roof	1
SS Credit 7.2: Heat Island Effect: Roof	1
Water Efficiency (10 Points Available)	
WE Credit 1.1: Water Efficient Landscaping: Reduce by 50%	2
WE Credit 1.2: Water Efficient Landscaping: No Potable Water Use or No Irrigation	2 additional
WE Credit 2: Innovative Wastewater Technologies	2
WE Credit 3: Water Use Reduction	
30% Reduction	2
35% Reduction	1 additional
40% Reduction	1 additional
Energy & Atmosphere (35 Points Available)	
EA Prerequisite 2: Minimum Energy Performance	required
EA Credit 1: Optimize Energy Performance:	
12-48% New Buildings or 8-44% Existing Buildings	1-19
Materials & Resources (14 Points Available)	
MR Credit 1.1 Building Reuse: Maintain Existing Walls, Floors & Roof	
55% Building Reuse	1
75% Building Reuse	1 additional
95% Building Reuse	1 additional
MR Credit 2.1 Construction Waste Management, Divert 50% From Disposal	1
MR Credit 2.2 Construction Waste Management, Divert 75% From Disposal	1 additional
MR Credit 4.1 Recycled Content, 10% (post-consumer + Vj pre-consumer)	1
MR Credit 4.2 Recycled Content, 20% (post-consumer + Vj pre-consumer)	1 additional
MR Credit 5.1 Regional Materials, 10% Extracted, Processed & Manufactured Regionally	1
MR Credit 5.2 Regional Materials, 20% Extracted, Processed & Manufactured Regionally	1 additional
Indoor Environmental Quality (15 Points Available)	
EQ Credit 8.1: Daylight & Views: Daylight 75% of Spaces	1
EQ Credit 8.2: Daylight & Views: Views for 90% of Spaces	1
Innovation and Design Process (6 Points Available)	
ID Credit 1: Innovation in Design	1-5
ID Credit 2: LEED Accredited Professional	1
Regional Priority (4 Points Available)	
RP Credit 1: Regional Priority Credit	1-4
Total	35-60

New Points that are available through LEED 2009, V3:

Credit Category	Points Available
Sustainable Sites (SS)	26
Water Efficiency (WE)	10
Energy & Atmosphere (EA)	35
Materials & Resources (MR)	14
Indoor Environmental Quality (EQ)	15
Innovation & Design Process (ID)	6
Regional Priority Credits (RP)	4
Total Points Available	110

Points Required for Various Certification Levels:

LEED Certification Levels	Points Required
Certified	40-49
Silver	50-59
Gold	60-79
Platinum	80+

* Data compiled by Hessam Nabavi from work by Erin Ashley, Ph.D., LEED AP, Senior Director, Sustainable Construction, NRMCA
Lionel Lemay, P.E., LEED AP, Senior Vice President, Sustainable Development, NRMCA.



**Virginia Ready-Mixed
Concrete Association**

2009 Spring Convention Please Register Now!



The Homestead Resort, Hot Springs, VA May 17-19, 2009

We Mean Business. We know that in today's economy, companies are finding it harder and harder to justify the expense of sending their employees out of town to attend an annual convention. We understand that many companies are having to reduce their workforce in order to meet monthly and annual budget expectations. Dollars are tight and the amount of hours in any given day are continuing to decrease. That is why the VRMCA Spring Convention agenda is being developed for **YOU** and your **Company**.

We Mean Business. Our agenda includes an economists view on the state of our industry, an update on the Employee Free Choice Act and a presentation about LEED Credits and Sustainable Design. In addition, we'll hear directly from VDOT about the economic stimulus funds for Virginia and their process of "letting" for VDOT contracts. We will also hear updates from the regional councils, Safety and Technical Committees and present the annual Safety Awards.

Register and pay online at: www.vrmca.com

10th Annual Virginia Military Institute Engineering Seminar

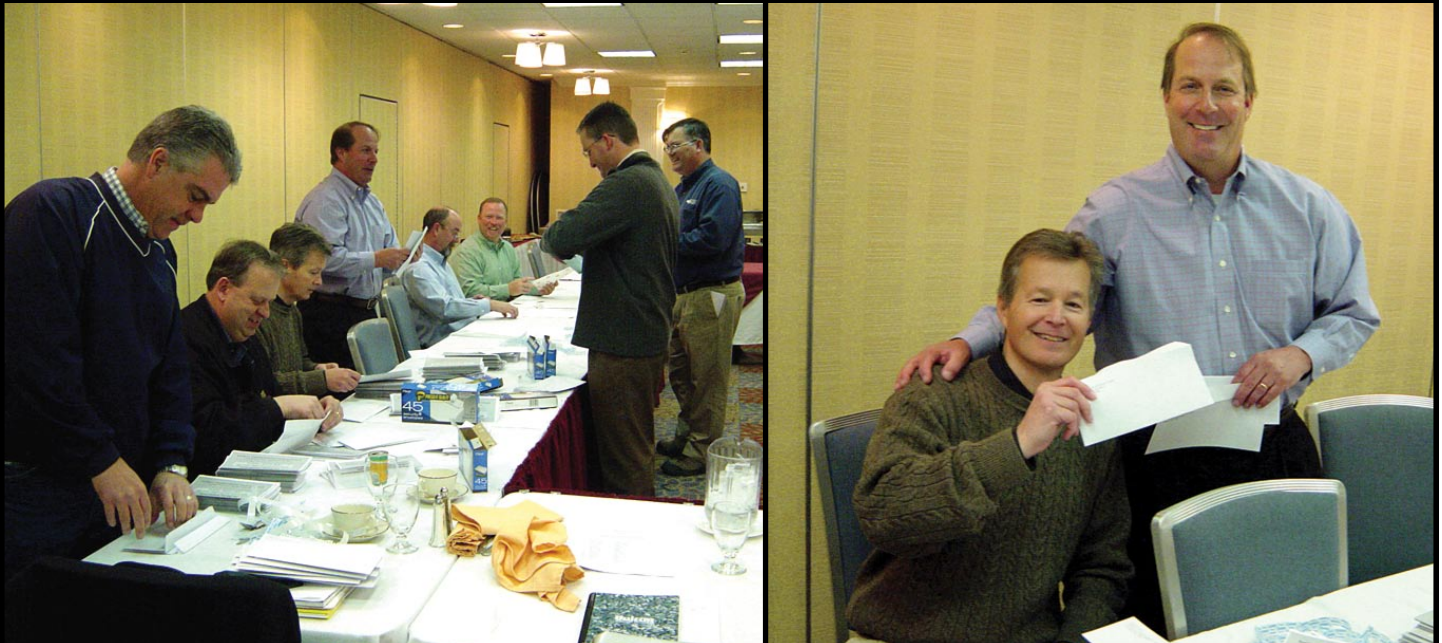


by: Bob Nablo
Director of Industry Services

The SWVA and Blue Ridge Councils marked the 10th anniversary of conducting seminars for the Virginia Military Institute's Civil Engineering cadets and faculty in early March with a presentation by NRMCA's Phil Kresge, entitled "Blast Protection and Other Military Uses of Concrete." Despite a snow storm, the buffet dinner and seminar were well attended by students, faculty and industry professionals.

Kresge entertained all with slides, videos and commentary on the many uses of concrete tried by the US military over the decades. From photos and stories of the concrete-hulled transport ships built for World Wars I and II, to the recent tests of ICF walls against explosions, he kept the interest of the audience at a high level. Thanks to the SW VA and Blue Ridge Councils for funding the event, and to Phil Kresge and VMI's Maj. Chuck Newhouse for hosting another excellent presentation. ♦

Now this is some GREAT TEAMWORK!



After a council meeting, NOVA members stuff envelopes with flyers for the upcoming NVCAC annual golf outing. We appreciate everyone's effort. From left: John Swart (Virginia Concrete), Kevin Terry (Virginia Concrete & NVCAC Council Chairman), Don Cooper (Crider & Shockley Concrete), Diggs Bishop (President, Northern Concrete Division, Vulcan Materials Company), Eric Iffland (Brundage-Bon & Blanchet), Marc Granahan (Lehigh Cement & Educational/ NVCAC Golf Committee Chairman), Hank Keiper (The SEFA Group) and Joel Woerl (Titan Virginia & NVCAC Vice Chairman).

SPECIAL SECTION: 2009 VRMCA Legislative Summary

The recently concluded General Assembly did not pass any legislation that would substantially increase transportation construction funding. The few bills that were introduced that would materially increase transportation funding were quickly killed.

VRMCA members were fortunate that legislation to require payment for the 60,000 lb/GVW permits was defeated by VRMCA lobbyists and lobbyists for other industries! However, the matter will be studied again this summer, and there will be a real possibility that such a proposal will pass in the 2010 session.

The VRMCA Legislative Committee and VRMCA lobbyists will continue to work to minimize such a proposal.

Legislation of Interest

HB 1622 Weight limits for gravel trucks; repeals sunset provision on statute.

Summary: This bill repeals the July 1, 2009, sunset on the statute granting trucks hauling gravel, sand, or crushed stone no more than 50 miles from origin to destination in counties that impose a severance tax on coal and gases the same weight limits prescribed for coal trucks. Patron: Bowling
01/29/09 House: Incorporated by HB1752

HB 1661 Motor fuels tax; converts rates to percentage that shall be calculated by DMV Commissioner.

Summary: This bill would have converted the rates of taxation on motor fuels from cents per gallon to percentage rates. The percentage rates would have been calculated by the Commissioner of the Division of Motor Vehicles in an amount that would have most closely yielded the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill. Thereafter, the percentage rates would not have changed, but would have been applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the Commissioner of the Division of Motor Vehicles over rolling six-month periods, to determine the cents per gallon to be charged. Patron: Scott, J.M.
02/10/09 House: Defeated in Finance

HB 1752 Weight limits for gravel trucks, coal haulers, etc.; extends sunset provision thereon.

Summary: This bill extends until July 1, 2010, the sunset on the statute granting trucks hauling gravel, sand, or crushed stone no more than 50 miles from origin to destination in counties that impose a severance tax on coal and gases the same weight limits prescribed for coal trucks. The bill also allows the same overweight permits for trucks hauling coal and coal byproducts to electricity-generation facilities as trucks hauling coal to a loading dock or railroad. The bill also sets an annual overweight vehicle fee for tank wagons. This bill incorporates HB 1622 and HB 2185. Patron: Carrico
02/24/09 Senate: Adopted (39-Y 0-N)
02/26/09 House: Adopted (96-Y 0-N)

HB 1759 Transportation Capital Projects Bond Act of 2009; created.

Summary: This bill would have authorized the Commonwealth Transportation Board to issue bonds in an aggregate

amount not to exceed \$4.81 billion for specific transportation projects throughout the Commonwealth. The bonds would have been paid for by revenues collected from tolls and other fares or fees. Patron: Marshall, R.G.

02/10/09 House: Defeated in Appropriations

HB 1846 Motor fuels tax; converts rates to percentage that shall be calculated by DMV Commissioner.

Summary: This bill would have eliminated the current seventeen and one-half cents per gallon motor fuels tax and replaced it with a 5% sales and use tax, while retaining the collection of the replacement tax at the "rack" or terminal (wholesale level) where the current cents per gallon tax was collected. Patron: Lingamfelter
02/10/09 House: Defeated in Finance

HB 2075 Overweight/oversize vehicle permits; violation of terms and conditions thereof does not invalidate.

Summary: This bill provides that violation of terms and conditions of excessive size and weight permits shall not invalidate the weight allowed on such permit unless (i) the permit vehicle is operating off the route listed on the permit, (ii) the vehicle has fewer axles than required by the permit, (iii) the vehicle has less axle spacing than required by the permit when measured longitudinally from the center of the axle to center axle with any fraction of a foot rounded to the next highest foot, or (iv) the vehicle is transporting multiple items not allowed by the permit. Patron: Scott, E.T.

02/09/09 House: Adopted (98-Y 1-N)

02/24/09 Senate: Adopted (39-Y 0-N)

HB 2130 Supplemental Highway Construction Fund; established.

Summary: This bill would have allocated 10 percent of the annual growth in general fund revenues to highway construction. Patron: Miller, J.H.

02/10/09 House: Defeated in Appropriations

HB 2185 Weight limits for gravel trucks; extends sunset provision on.

Summary: This bill extends for two more years the July 1, 2009, sunset on the statute granting trucks hauling gravel, sand, or crushed stone no more than 50 miles from origin to destination in counties that impose a severance tax on coal and gases, the same weight limits prescribed for coal trucks. This bill was incorporated into HB 1752. Patron: Phillips
01/29/09 House: Incorporated by HB1752

HB 2194 Motor fuels tax; rate increase used for transportation purposes.

Summary: This bill would have increased the motor fuels tax by \$0.10 per gallon, minus \$0.01 for each \$0.20 that the average price of gasoline exceeds \$3.00. The tax would have been indexed every two years beginning July 1, 2010, by an amount equal to the percentage change in the U.S. Department of Labor's Producer Price Index for Highway and Street Construction. The revenue generated would have been used for transportation purposes as required by existing law, and primary system highway construction funds would have been allocated among the nine highway construction districts on the basis of the ratio of vehicle miles traveled on primary highways divided by the lane miles of primary highways in each highway construction district, weighted 90 percent, and a need factor, weighted 10 percent. Patrons: Watts; Senator: Ticer

02/10/09 House: Defeated in Finance

HB 2231 Parking; adds pickup and panel trucks to list of vehicles that Fairfax, etc. may prohibit

Summary: This bill would have added pickup and panel trucks to the list of vehicles that Fairfax and Prince William Counties and Clifton, Herndon, and Vienna may prohibit from parking on streets in areas zoned for residential use. The bill also would have eliminated population bracket circumlocutions and named the specific localities to which those brackets were intended to apply. Patrons: Marsden and Plum

02/03/09 House: Defeated in Transportation (9-Y 6-N)

HB 2250 Severance tax; adds sand, marl, and gravel to list which localities may impose.

Summary: This bill would have added sand, marl, and gravel to the list of items on which localities may impose the severance tax. Patron: Barlow

02/10/09 House: Defeated in Finance

HB 2319 Overload and overweight permits; revises fees.

Summary: This bill would have revised the fees for vehicle overload and overweight permits to conform to recommendations of the Virginia Transportation Research Council. Patron: Marshall, R.G.

02/05/09 House: Defeated in Transportation

HB 2577 Highway noise abatement; Transportation Board or VDOT to plan thereof when constructing.

Summary: This bill requires that whenever the Commonwealth Transportation Board or VDOT plans for or undertakes any highway construction or improvement project and such project includes or may include the requirement for the mitigation of traffic noise impacts, consideration shall be given to the use of noise reducing design and low noise pavement materials and techniques. Patrons: May, Albo, Iaquinto, Orrock and Rust

02/25/09 Governor: Approved by Governor-Chapter 120 (effective 7/1/09)

HB 2622 Salem Highway Construction District Transportation Revenue Fund; established.

Summary: This bill provides funds for transportation in the Salem Highway Construction District by allocating revenue attributable to a portion of economic growth due to or fa-

cilitated by the Inland Port in Montgomery County. Patrons: Marshall, D.W., Poindexter, Merricks and Griffith

02/06/09 House: Incorporated by HB1579

HJ 770 Virginia's Transportation Needs, Commission on; created, report.

Summary: This bill would have created the Commission on Virginia's Transportation Needs to look at transportation needs in Virginia and alternatives for planning and financing Virginia's transportation system. Patrons: May, Albo, Hall, Rust, Toscano and Valentine

02/10/09 House: Defeated in Rules

SB 1041 Fuels taxes; annually adjusted.

Summary: This bill would have adjusted fuels taxes each year on April 1 by the percentage increase in the Corporate Average Fuel Economy (sales volume weighted), Total Fleet (the CAFE) for the immediately preceding calendar year over the CAFE for calendar year 2008. The first adjustment would have occurred on April 1, 2010. Patron: Hanger

02/11/09 Senate: Defeated in Finance

SB 1048 Temporary vehicle registrations and overload and overweight permits; revises fees.

Summary: This bill would revise the fees for temporary vehicle registrations and vehicle overload and overweight permits. Patron: Miller, Y.B.

01/29/09 Senate: Referred to the Commission on Transportation Accountability

SB 1532 Motor fuels tax; changes percentage in Northern Virginia.

Summary: This bill changes the tax on fuels sales in Northern Virginia such that the tax would be collected by distributors at the time of making fuels sale to retail dealers located in Northern Virginia. The rate of the tax would also be changed from 2 percent to 2.1 percent. Patron: Saslaw

02/09/09 Senate: Adopted (34-Y 6-N)

02/18/09 House: Adopted (95-Y 0-N)

SJ 347 Constitutional amendment; right to work (first reference).

Summary: This bill would have provided that any agreement or combination between any employer and any labor union or labor organization whereby persons not members of such union or organization would be denied the right to work for the employer, or whereby such membership was made a condition of employment or continuation of employment by such employer, or whereby any such union or organization acquired an employment monopoly in any enterprise, would be against public policy and an illegal combination or conspiracy. Patrons: McDougale, Blevins, Cuccinelli, Hanger, Hurt, Martin, Newman, Norment, Obenshain, Quayle, Ruff, Smith, Stolle, Stosch, Stuart, Vogel and Wampler

01/27/09 Senate: Defeated in Privileges and Elections (9-Y 6-N) ❖

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Build it with Concrete



VIRGINIA READY-MIXED CONCRETE ASSOCIATION
**SOUTHWEST VIRGINIA
ADVISORY COUNCIL**

Contributing Members:



SW Council Participates in Virginia Tech Event



Robert Marek of Roanoke Cement Company and SWVA speaks to Virginia Tech Professor Felicia Etzkorn.

by: Bob Nablo
Director of Industry Services

The SWVA Chapter of USGBC recently sponsored a short presentation on "Green Chemistry and Building Materials" at Virginia Tech. Dr. Felicia Etzkorn, Associate Professor of Chemistry, gave the presentation, which was based on the undergraduate course she teaches in sustainability.

Green Chemistry is described as a process that seeks to avoid the production of hazardous chemicals, to use sustainable feedstock materials, and to minimize the use of non-renewable energy. She examines all aspects of material

production and processing, including building materials, from a life-cycle analysis perspective. SWVA Representative Robert Marek, of Roanoke Cement Company, and Bob Nablo, of VRMCA took this opportunity to make several comments to the audience about the production of Portland cement and ready-mixed concrete, and entertained several questions about concrete construction both during and after the presentation. Dr. Etzkorn seemed pleased, and a bit surprised, to have industry representatives at the seminar, as it created a question-and-answer session that enlivened the event.

When Dr. Etzkorn touched on ICF

construction during her presentation, Marek spent several minutes explaining cement production and the attempts by the industry to make the process as environmentally friendly as possible. Both Marek and Nablo discussed the various LEED credits available, and the life-cycle benefits of concrete paving.

Rather than being an adversarial discussion, the audience enjoyed hearing industry concerns about the topic and everyone, including Dr. Etzkorn, left with a better understanding of the roles of cement production and concrete construction in sustainability. ❖

For inclusion in future newsletters, please send all of your announcements and press releases to: derek.breen@easterassociates.com, or call 434-977-3716.



A Legal “Heads-Up” For Employers

Doing Business with the Government Just Got More Complicated

By John G. Kruchko
& Kevin B. McCoy*

With the private sector economy in a perpetual tailspin, the federal government has stepped to the plate with a fistful of dollars to throw at various sectors in the hopes of rekindling basic economic activity. In addition, the federal government has decided that hiring new federal employees and authorizing agencies to commence new federally funded projects will help stimulate job growth. However, as with any action the feds take, this one comes with some significant strings attached.

There is no secret that President Obama favors revamping the country's labor laws, in particular the National Labor Relations Act (“NLRB”). In fact, the possibility of passage of the Employee Free Choice Act looms large over American businesses. The Bill was recently re-introduced in both houses of Congress. While legislative action takes time, Executive Orders issued by the President require little time and can be implemented quickly. President Obama recently availed himself of this opportunity by quietly signing four (4) different executive orders that significantly impact the workers of companies that do business with the federal government.

The first executive order prohibits federal government contractors from expending federal funds they receive under their contracts to influence their employees' choice to organize through a collective representative of their choos-

ing. The order prohibits contractors from influencing their employees' decision either way – contractors cannot try to persuade their employees to either accept or reject unionization. Examples of prohibited expenditures with federal funds include (1) preparing or distributing unionization materials; (2) holding meetings regarding unionization; (3) planning or conducting activities related to unionization by managers during work hours; and (4) hiring legal counsel or consultants to advise the contractor. Confusingly though, contractors may use federal money to “maintain satisfactory relations” between the contractor and its employees. Such expenditures, according to the order, can include costs associated with labor-management committees and employee publications (with no unionization information).

The order is technically effective immediately. However, the Federal Acquisition Regulator Council (FAR Council) must issue rules and regulations necessary to carry out the order within 150 days. The order only applies to contracts entered into on or after the date of the new FAR Council regulations.

The second executive order, in President Obama's words, is designed “so that qualified employees will be able to keep their jobs even when a contract changes hands. We shouldn't deprive the government of these workers who have so much experience in making government work.” As a result of this order, all employees of contractors who lose a federal contract that is subject to

the Service Contract Act will have the right of first refusal for employment with the successor contractor. Contractors who willfully violate this order can be debarred from federal contractors for up to three (3) years.

This order essentially helps guarantee continuity of employment for workers and for unions. It is harder to organize a workforce that is in flux every couple of years. This order will help stabilize contractors' workforces, which will allow union membership to take hold and remain consistent over a period of time.

Reversing a Bush era executive order, President Obama rescinded government contractors' obligation to post a “Beck notice” in the workplace – which essentially advised that certain classes of non-union employees' dues cannot be used for purposes other than collective bargaining or contract administration without the members' consent. President Obama went further than simply reversing this notice requirement; he went on to require that federal contractors post a different notice informing their employees of their rights under the NLRA to unionize (or to refrain from unionizing).

The text of the new notice is not yet known. The Secretary of the U.S. Department of Labor has 120 days to promulgate the text of the new notice. In the meantime, contractors are no longer required to post the current Beck notice; however, contractors may continue to

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post the notice, if they prefer. The order does not prevent employers from posting Beck information; it just disposes of the requirement that they must do so.

On February 6th, President Obama issued his fourth executive order authorizing federal government executive agencies to require contractors or subcontractors on large-scale construction contracts (\$25 million or more) to become a party to a Project Labor Agreement (PLA). This order is effective immediately.

A PLA is a "pre-hire" collective bargaining agreement between a group of contractors and one or more unions that automatically establish the terms and conditions of work for employees working on a particular or group of government contracts. Becoming a

member of a PLA can now be a prerequisite to a contractor being awarded and beginning work on a federal contract. A PLA typically binds all contractors and subcontractors on a given contract.

Also, the order requests the Director of OMB to consult with other officials and, within 180 days, recommend to the president whether a wider use of such agreements would help promote the work of the government. Thus, PLAs may become even more widespread by the end of the year.

If your company currently has contracts with or is considering doing business with the federal government in the future, you should take serious note of these Executive Orders and other actions that are likely to follow in the coming months. We would strongly advise any business undertaking a federal contract

to contact their Labor and Employment counsel about their obligations under the changing federal contractual landscape, as it relates to their staffing of federal contracts and projects. ❖

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VIRGINIA READY-MIXED CONCRETE ASSOCIATION 2009 MIXER TRUCK ROADEO

AUGUSTA COUNTY GOVERNMENT CENTER IN VERONA, VA
SATURDAY, APRIL 18, 2009



BRING YOUR KIDS!

SCHEDULE

9:30 AM	Driver Registration
10:00 AM	Written Exam
10:30 AM	Magic Show for the Kids!
10:30 AM	Walk thru of Course with Drivers & Judges
11:00 AM	Lunch
11:30 AM	Pre-trip Inspection/Driving Competition Begins
	Kids Activities Begin
3:00 PM	Awards Presentation

- There is a limit of **2 drivers** per VRMCA member company allowed to compete.
- Each competing driver is encouraged to bring their family! There will be lots of activities & treats for the kids, including a Moon Bounce, magic show, juggler, face painting, air brush tattoos, spin art, and balloon sculpting.
- Each driver will accumulate points in written exam, pre-trip inspection and driving/challenge course.
- Registration is only **\$75 per driver** and **\$25 for each additional company attendee**. **Family members are FREE!**

1st Prize: \$500 cash plus a trip to the Spring Convention at the Homestead Resort in Hot Springs, VA

2nd Prize: \$250 cash

Register online at VRMCA.com



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The Smart Road bridge, at 175 feet tall, is Virginia's tallest bridge. Approximately 9,647 cubic yards of high-strength concrete were used to construct the 2,000-foot long bridge.

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