



Under Construction: A New Concrete Sub-Division in Virginia; Introducing “Amelia Square”



By Hessam Nabavi, Director of Industry Services and James Murray, Rowe Materials & NVCAC Paving Committee Chairman

It all started with a presentation about pervious concrete over a year and a half ago. Silver Development Companies was looking for a desirable solution for the 1,900 sq.ft. overflow parking and stormwater management system in their upcoming upscale residential subdivision, “Amelia Square” in downtown Fredericksburg. The developer immediately recognized that pervious concrete was a viable solution and this could be a great opportunity to have a high end product for his high end subdivision. We

had the project redesigned by NRMCA DAP and invited our pervious concrete certified craftsman, Matt Cockerham with Northstar Foundations to write a maintenance program for pervious concrete as part of the Neighborhood Association Covenant for this subdivision.

We then approached the developer about considering concrete pavement for the streets in Amelia Square.

The owner loved the idea of concrete streets for his development, but he wanted us to provide him with some additional savings for the paving.

We went to work. With the help of our members who offered their materials at a discounted price, a paving contractor who gave us over \$4,000 promotional discount, and the use of recycled concrete for the sub-base, we were able to offer

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Virginia Ready-Mixed Concrete Association
250 West Main Street, Suite 100 • Charlottesville, VA 22902
Phone: 434/977-3716 • Fax: 434/979-2439
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Concrete Field Testing Technician Certification Program

The Virginia Ready-Mixed Concrete Association provides ACI certification programs within the state of Virginia and is one of Virginia's ACI "Local Sponsoring Groups." Being an ACI sponsoring group, VRMCA is responsible for conducting the certification examinations (and training courses) for the following subject area:

Field Testing Technician - Grade I

2013 class dates will be announced by November 15th!

Questions?

Contact Christina Sandridge at 434/326-9815 or
email christina.sandridge@easterassociates.com.

2012 VRMCA Advisory Council Regions

Larry Bullock
VRMCA Advisory Council Chairman
Boxley Materials Company
Roanoke, VA
Phone: 540/777-7600
lbullock@boxley.com

BLUE RIDGE

Buddy Murtaugh Jr.
Chairman
Rockingham Redi-Mix
Harrisonburg, VA
Phone: 540/433-9128
buddy.murtaugh@conmatgroup.com

SCOTT BOSHA

Secretary/Treasurer
Superior Concrete
Harrisonburg, VA
Phone: 540/820-5563
sboshart@superiorconcreteinc.com

HAMPTON ROADS

Joe Bradshaw
Chairman
Commercial Ready Mixed Products
Suffolk, VA
Phone: 757/925-3368
joecmp1@hotmail.com

LEE FLEMING

Secretary/Treasurer
Lafarge North America
Chesapeake, VA
Phone: 757/647-9409
lee.flemming@lafarge-na.com

NORTHERN VIRGINIA

Jeff Slagle
Chairman
Rowe Materials
Fredericksburg, VA
Phone: 540/809-1999
jslagle@rowematerials.com

ZACK SWANSON

Secretary/Treasurer
Grace
Elkridge, MD
Phone: 410/794-6973
zack.swanson@grace.com

RICHMOND/CENTRAL VIRGINIA

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Sales Representative
GreenRock Concrete
Quinton, VA
Phone: 804/966-8601
skerr@greenrock.net

ANDREW OWENS

Secretary/Treasurer
Advantage Environmental Consultants
Chester, VA
Phone: 804/454-0072
aowens@aec-env.com

SOUTHWEST

Robert O'Brian Jr.
Chairman
Lynchburg Ready Mix Concrete
Lynchburg, VA
Phone: 434/846-6563
rmobrian@gmail.com

GEORGE KUHN

Secretary/Treasurer
Chandler Concrete
Christiansburg, VA
Phone: 540/382-1734
george.kuhn@chandlerconcrete.com

Amelia Square *continued from page 1*



the developer approximately \$12,000 in savings for this project.

Chris Golden, Construction Manager with Silver, says in his email:

“These numbers represent our cost savings due to the placement of approx. 1,900 sq. ft. of pervious concrete in place of our standard asphalt design.

The pervious design decreased our onsite storm water calculations, which decreased our number of chambers, which decreased our material and labor cost.

We are also moving forward with the substitution of all asphalt paving with concrete paving. Your efforts to provide a portion of the material and labor at no cost to us made this an easy decision.

In the end we are saving approx. \$20,000.00 between storm chambers (due to pervious) and concrete (due to donated materials and labor).

I see this as a win for everyone involved. We get a high end product for a high end subdivision, and Northern Virginia Concrete Advisory Council gets the type of exposure that should pay off for years to come. Nice job.”

Amelia Square is located in the heart of the Fredericksburg Historic District on William Street, replacing the old Fredericksburg Hardware Store. There will be 20 exclusive three and four story brick townhouses built in four phases. The site plan shows eight townhouses along Winchester, six along Amelia, and six that are parallel to the Amelia units and closer to William Street. The main entrance is off Winchester Street. Future plans call for a 50,000 sq.ft. commercial building along William Street.

Construction of the first phase has already started, and the occupancy for this phase is expected in spring of 2013.

What is important to know about this project?

- First concrete subdivision in Virginia since 1991 (Meadow Branch Subdivision in Winchester, first phase completed in 1991, second phase and third phase completed in 1995)
- First concrete road that has been redesigned for concrete through NRMCA SLR DAP in Virginia.

- “Perfect promotional storm”: concrete road on recycled concrete sub-base and pervious concrete parking area. Concrete paving in Amelia Square offers sustainable building practices and meets “Triple Bottom Line” (Environmental, Social and Economical Stewardship).

- Centrally located
- High visibility
- Upscale neighborhood
- A concrete showcase
- A great project for promoting SLR & pervious concrete.
- Developer loves the idea of the concrete subdivision. This will potentially lead to other SLR projects.
- Total win-win for the future of SLR in Virginia.

The Concrete Sub-Division in Virginia is becoming a reality as a result of the team work between Silver Companies, Rowe Materials, VRMCA, VRMCA Members, NRMCA, SKS Construction & Northstar Foundations. 🚧

The Science of Sustainable Construction, Procurement and Green Practices Symposium Held in Richmond

By J. Keith Beazley,
Director of Industry Services

The Science of Sustainable Construction, Procurement, and Green Practices symposium was held in the Science Museum in the month of October. The special event was held in the Museum classroom and exhibit hall. Seventeen participating vendors displayed products and systems in a tabletop setting. The event was highly successful and will become an annual feature for the study of sustainability products for the Science museum.

The Director of Gallery Education, David Hill, opened the program with the Sustainability Practices and Projects featured at the Science museum. The Science Museum has conducted a three year study of Stormwater Management Practices with special grants and monies for the studies of best management practices. A special tour was also conducted for the viewing of the special stormwater controls in place.

A number of special presentations were held in conjunction with the green practices in place for the sustainable construction study. The James River Green Building Council Executive Director Mark Hill presented a program of the initiatives of the council and the benefits




of membership. The James River Green Building Council was the first chapter in the state and the mother chapter of all the chapters in Virginia. Byrna Dunn, Vice President of Environmental Planning, Moseley Architects was the founding Chairperson for the James River Chapter.

Go Green Virginia: Championing Sustainability in Virginia's Schools, Cities, and Counties was presented by the Virginia Municipal League. The program is part of the James City County Schools parking lots being replaced with Pervious Concrete. The local Advisory Councils are working with the League in this special program for municipal Green Building.

William Denison, Titan America, presented a special program on Pervious Concrete as the Sustainable Option. The design and placement of Pervious Concrete was presented with the benefits of stormwater management in land usage, pollution controls, and benefits to the environment. The Science Museum Pervious Concrete placement was supervised by Bill Denison when placed in the spring of the year.

The symposium was sponsored by Centennial Construction which manages contracting services that support large facilities and infrastructures for renovation, rehabilitation, and repair work. Centennial Contractors is currently the General Contractor for the work in Fort Lee. Centennial works with municipalities, colleges and universities, healthcare, federal and private facilities. High quality and innovative construction methods are part of the business practices. Pervious Concrete is one of the innovative pavements the company uses for stormwater management.

The Central Virginia Concrete Advisory Council is sponsoring a series of Stormwater Management Seminars in Richmond and Fort Lee this fall and winter.

Stormwater management is becoming a topic engineers, municipalities, and developers are seeking more information for the best management practices. 

IN PICTURES

Winning Golf Team for CVCAC Tournament

The Central Virginia Concrete Advisory Council Golf Tournament was held in Hunting Hawk Golf Club in October. The annual tournament provides a scholarship to a local student majoring in Architecture, Engineering, or Building Construction. The golf tournament is the longest running tournament among the state advisory councils. The scholarship is presented each year in the summer to a student selected by a scholarship committee. The student must attend a Virginia college or university. The fall event is very popular with the membership for a time of golf, food, and fellowship.



Joe Bradshaw, Commercial Ready Mix; Darrell Wilson, Boral Materials, Dave Bristow, Dominion Resources with Glenn Webb, S.B. Cox Ready Mix, Golf Chairman



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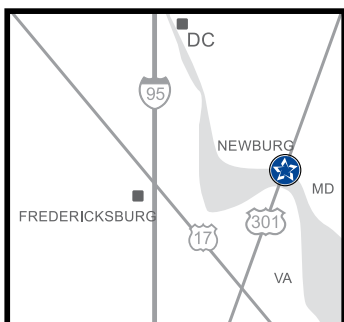
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Chicago Unveils “Greenest Street in America”; Sustainable Technologies Used to Build New Streetscape

The Chicago Department of Transportation (CDOT) has unveiled the “greenest street in America,” the first phase of a two-mile stretch of Blue Island Avenue and Cermak Road in the Pilsen neighborhood that is an unprecedented demonstration of how cutting-edge sustainable design and “complete streets” principles can be implemented in the public right of way.

“This project demonstrates a full range of sustainable design techniques that improve the urban ecosystem, promote economic development, increase the safety and usability of streets for all users, and build healthy communities,” said CDOT Commissioner Gabe Klein. “It provides both mitigation and adaptation strategies by reducing its carbon footprint and integrating technologies that allow the infrastructure to address and adapt to climate change.”

The Cermak/Blue Island Sustainable Streetscape has received quantifiable results by setting aggressive sustainability goals in eight performance areas such as stormwater management, material reuse, energy reduction, and placemaking.

The \$14 million streetscape project is the first in the country to balance and incorporate such a wide spectrum of sustainable performance into a single urban roadway. The project was funded largely through Tax Increment Financing, as well as \$800,000 worth of grants from the Federal Highway Administration, Illinois Environmental Protection Agency and Midwest Generation.

“This incredible project has improved the infrastructure and quality of life of the Pilsen Community by creating the greenest street in the country,” said Ald. Daniel Solis (25th Ward). “Sustainability projects like this advance change in the public and private sectors and demonstrate the city’s ability to lead by example.”

This not only allows the infrastructure to perform better over time, it saves money over the life of the project. This is achieved in part through commission-



ing, modeling, and monitoring done in partnership with the Metropolitan Water Reclamation District (MWRD) to drive future watershed planning in the combined sewer area.

CDOT is at the forefront of developing and implementing great urban infrastructure, using the public right of way to create sustainable, vibrant, public space. At roughly a quarter of the City’s land area, the streets and alleys have the potential to save energy, harvest water and even, perhaps, be carbon-neutral.

CDOT has embarked on creating Sustainable Urban Infrastructure Guidelines and Policies that will embrace and expand upon the environmental benefits of Complete Streets and help to create and maintain a city where all Chicagoans benefit from a high quality of life without depleting our natural resources.

These guidelines, expected to be formalized next year, will help improve approaches to managing stormwater, reducing the heat island effect, adapting infrastructure to changing climate conditions, improving neighborhood quality of life, increasing economic development, and minimizing the use of scarce resources.

“We are committed to improving how we address water, air quality, sustainable materials and energy consumption in our city’s infrastructure while creating places people enjoy living and working,” said Karen Weigert, Chicago Chief Sustainability Officer. “Projects like these show that the transportation right-of-way is an essential component for improving environmental conditions, as well as mobility and accessibility in Chicago.” 🚲

Article courtesy of cityofchicago.org.

Concrete Exec Advocates “Two Pavement” Road System

The Virginia Department of Transportation (VDOT) spends only 7.6% of its paving dollars on concrete, as opposed to asphalt, and the Mid-Atlantic Chapter of the American Concrete Paving Association wants a bigger piece of the action.


Pitching the Commonwealth Transportation Board (CTB) Wednesday, Executive Director Robert R. Long Jr., outlined four “opportunities” for the state to stretch its transportation dollars.

Consider the concrete alternative. Concrete is price competitive today on the basis of up-front costs, and even more advantageous when viewed on a life-cycle basis. Rt. 316 in Accomack County, built with concrete in 1940, will be undergoing only its third major repair in 2013.

Use alternate design bids. Don’t specify asphalt only. Create a design alternative that uses concrete. A healthy two-pavement system creates more competition. Alternate bidding is used in 21 states to bring down costs.

Balance the state’s “pavement portfolio.” When building a new road or highway, use a mix of asphalt and concrete so that different sections are due for maintenance in staggered intervals, say, one-third in five years, one-third in ten, and one-third in 15. That evens out the long-term maintenance costs.

Utilize new pavement technologies. Take advantage of new techniques for patching old concrete pavement that can bring down costs.

Concluded Long: “Don’t be satisfied with the status quo.” 

Article courtesy of baconsrebellion.com

ACI Offers Free Registration to the World of Concrete 2013

What is World of Concrete?

World of Concrete is the industry’s ONLY annual international event dedicated to the commercial concrete and masonry construction industries. Featuring indoor and outdoor exhibits with the industry’s leading suppliers showcasing innovative products and technologies, exciting demonstrations and competitions, a world-class education program, and the information you need to help sustain and grow your business.

Who Attends World of Concrete?

Commercial Contractors, Concrete Contractors, Concrete Pumpers, Construction Managers, Dealers/Distributors, Decorative Concrete Contractors, Designers and Specifiers, General Contractors, Masonry Contractors, Architects, Engineers, Brick and Block Producers, Ready Mix Producers, Rental Equipment Centers, Repair Contractors, Residential Contractors, Specialty Concrete Contractors, Pipe and Block Producers, and Precast/Prestressed Producers, and more ...

Exhibits

Original equipment manufacturers from around the world and exclusive U.S. distributors of equipment, tools, products and services for the commercial construction, concrete and masonry industries. WOC attracts approximately 1,500 exhibitors and occupies more than 600,000 square feet of indoor and outdoor exhibit space.

Education

WOC offers both 90-minute and 3-hour seminar sessions; more than 100 skill-building seminars with top industry experts. This unsurpassed program provides training, updates and certifications.

Show Program

Monday, February 4

(Education Program Only)

WOC 3-Hour Seminars

8:00 a.m.-11:00 a.m.; 1:00 p.m.-4:00 p.m.

WOC 90-Minute Seminars:

8:30 a.m.-10:00 a.m.; 10:30 a.m.-12:00 p.m.;

1:30 p.m.-3:00 p.m.; 3:30 p.m.-5:00 p.m.

Tuesday, February 5 - Thursday,

February 7 *(Exhibits Open)*

WOC 3-Hour Seminars:

8:00 a.m.-11:00 a.m.

WOC 90-Minute Seminars:

8:30 a.m.-10:00 a.m.; 1:30 p.m.-3:00 p.m.

Exhibits: 9:30 a.m.-5:00 p.m.

Friday, February 8

WOC 3-Hour Seminars:

8:00 a.m.-11:00 a.m.

WOC 90-Minute Seminars:

8:30 a.m.-10:00 a.m.

Exhibits: 9:30 a.m.-1:00 p.m.

Got News for the READY-MIXER?

We want to share it with the membership.

Send your news and photos to marci.malinowski@easterassociates.com.

Social Media Information: A Valuable Resource for Employers or a Liability Trap?

By John G. Kruchko and Paul M. Lusky, Esq.

The wealth of information that can be gathered from social networks makes the internet an attractive resource for employers, both as a tool for informal surveys of employee sentiment about the company or as a vehicle for doing background searches on prospective employees. Of course, monitoring the off-duty speech of employees raises privacy concerns and potential liability under the National Labor Relations Act. Using internet information as a screening device during hiring can trigger protections under Title VII, state discrimination statutes and the Fair Credit Reporting Act. The question becomes: Is the use of social media information worth the risk?

Addressing internet postings by employees that are critical of their employers would seem to be a logical thing to do. Why should a company have to continue to employ an individual who is so unhappy with his employment that he resorts to public disparagement of the company or its management on the internet? Is not disloyalty to the company appropriate grounds for discharge of an employee?

Employers should be aware, however, that the National Labor Relations Board ("NLRB" or the "Board") has, for some time now, been very aggressive in addressing discipline by employers for off-duty employee comments on social media sites. The National Labor Relations Act protects an employee's right to engage in concerted activities for the purpose of "mutual aid or protection." The NLRB has used the "mutual aid or protection" clause to protect employee communications on social media sites in a number of cases even where the employee postings have been severely critical of the employer. For example, employee criticism of supervisors will likely be protected by the Board as long as the employees' comments are made with or on behalf of other employees. Sarcasm, swearing and crude or vulgar descriptions of management are fre-



quently found not to be sufficiently "opprobrious" under the Board's standard to allow discipline or discharge.

As a result, many employers have drafted detailed policies addressing improper comments or criticism by employees on social media sites. Unfortunately, the NLRB is likely to find seemingly reasonable restrictions on employee conduct in such policies to be unlawful. For example, one case found the following non-disparagement rule to be illegal: "Making disparaging comments about the company through any media, including online blogs, other electronic media or through the media." In another case, the Board rejected a confidentiality provision in a social media policy that prohibited employees from "disclosing or communicating ... confidential, sensitive, or non-public information concerning the company ... to anyone outside the company ..." Perhaps most troubling of all was a decision that found a disclaimer in a social media policy to be insufficient to cure the ambiguities of the policy. Many employers have begun using such saving clauses in their social media policies to inform employees that the policy is not intended to interfere with their rights under the National Labor Relations Act.

The overwhelming majority of NLRB cases dealing with social media policies have found employers' attempts at regulating employee conduct on the internet to be invalid under the National Labor Relations Act. The published decisions are so one-sided that they provoke suspicion that the current Board is committed to making all social media policies ineffective as a tool for restricting employee misconduct on social media sites.

With respect to using social media sites to gather information about potential employees, many employers have authorized their hiring personnel to access such information before making offers of employment. A 2010 survey of human resource professionals found that 79% of those surveyed reviewed information found on the internet when screening job candidates. The emergence of on-line data brokers with extensive information about consumers is a valuable source for creating profiles of potential employees. Both kinds of background searches, in-house or through data brokers, can result in legal problems if the individuals doing the searches are not aware of the legal limitations on the use of the information they uncover.


Companies selling background information gleaned from social media sites are consumer reporting agencies (CRAs) subject to the Fair Credit Reporting Act (FCRA). The Federal Trade Commission (FTC) has made it clear that the FCRA applies to all aspects of background checks performed by on-line brokers, including social media searches. Recently, the FTC settled a complaint against a California company that assembled consumer information from social networking sites to create "profiles" that were marketed to HR departments, recruiters and screening businesses. Although the company denied that its practices violated the FCRA, it agreed to pay a fine of \$800,000 and submit to injunctive relief aimed at compliance with the FCRA in the future.

In-house social media searches during hiring can also have potential pitfalls for an employer. Although in-house searches will not subject the employer to the accuracy and disclosure requirements of the FCRA, the information found on social media sites will likely reveal characteristics of the applicant protected by state and federal discrimination statutes including race, creed, nationality, age, sex, marital status and/or disability. A rejected applicant who finds out that the employer accessed such information on the internet can charge the employer with discrimination, effectively placing the burden on the employer to show that it did not use such information in making its hiring decisions.

Internet searches on prospective employees may also reveal information about prior arrests or even a criminal record. Regulations issued by the Equal Employment Opportunity Commission ("EEOC") make it clear that employers should only use criminal record informa-

tion in a manner that is job-related and consistent with business necessity. For exclusions based on convictions, the legal standard is that the criminal conduct be recent enough and sufficiently job-related to be predictive of performance in the position sought. The use of arrest records as a bar to employment will always be viewed with suspicion by the EEOC. This is because the EEOC believes that arrests are not reliable evidence that a person has actually committed a crime.

The accuracy of information found on the internet regarding a potential employee can be a troublesome issue. Obviously, not everything an individual says on a social network site is true. Boasting and exaggeration are quite commonplace on the internet. Employers should not assume that everything found on social network sites about an applicant accurately reflects the true character of the individual. There are exceptions, however. A police department recently reported that one of its prospective recruits posted the following comment on his Facebook page: "I just returned from an interview with the police department. I can't wait to get a gun and kick some butt." The individual was rejected for training as a recruit.

There are many other issues that should be addressed before an employer decides to use the internet as a tool for screening applicants or monitoring the conduct and/or attitudes of current employees. Any employer wondering whether it should proceed more aggressively in gathering available information on social media sites should proceed with caution. Social media searches can have potential pitfalls for an employer unless safeguards are maintained to ensure that the use of information found on such sites is fair and non-discriminatory. 

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John G. Kruchko is a Partner with the Management Labor & Employment Law Firm of Kruchko & Fries in McLean, Virginia; Paul M. Lusky is a Partner with the Firm. For more information, please contact Mr. Kruchko at (703) 734-0554 or JKruchko@KruchkoandFries.com, or Paul Lusky at (410) 321-7310 or PLusky@KruchkoandFries.com. This article is published for general information purposes, and does not constitute legal advice.

On the Horizon

Calendar of Upcoming Events

NOVEMBER 1, 2012

**Virginia Tech Building
Construction Career Fair**
Blacksburg, VA

NOVEMBER 5, 2012

**BRCAC SLR
Subcommittee Meeting**
12:00 PM - 1:00 PM
Harrisonburg, VA

NOVEMBER 8, 2012

NVCAC Business Meeting
7:30 AM - 9:00 AM
Manassas, VA

NOVEMBER 12, 2012

**VRMCA Safety/Human
Resources Committee Meeting**
10:00 AM - 12:00 PM
Association Headquarters
Charlottesville, VA

NOVEMBER 14, 2012

BRCAC Business Meeting
12:00 PM - 1:30 PM
Rowe's Family Restaurant
Staunton, VA

NOVEMBER 19, 2012

**SWCAC SLR
Subcommittee Meeting**
12:00 PM - 1:00 PM
Roanoke, VA

NOVEMBER 21, 2012

SWCAC Business Meeting
8:00 AM - 9:30 AM
Roanoker Restaurant
Roanoke, VA

NOV 29 - DEC , 2012

**ACI Concrete Field Testing
Seminar and Examination***
Harrisonburg VDOT Residency
3536 North Valley Pike
Harrisonburg, VA

*PRE-REGISTRATION REQUIRED

Please visit the online calendar
for an up-to-date list of events.
www.VRMCA.com/calendar



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