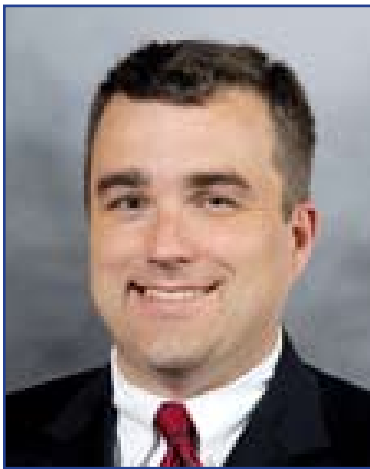


Seasons Greetings and Happy New Year to You and Your Family!

Mike Karia, Executive Director



Ted F. Januska, P.E.
President, ACEC Delaware

President's Corner

Good Morning and Happy New Year to you.

We all know that 2010 has brought many changes in Washington and in Delaware that will impact our Engineering Profession and our lives.

ACEC Delaware is ready to handle these changes and will work very hard to enhance our interests.

I am happy to report to you that ACEC Delaware's Strategic Plan is ready and we have mailed the Plan to you on December 22, 2010. We have also provided the Plan for you in this newsletter. I ask each one of you to review this Plan and send us your comments by January 31, 2011. Your Executive Board will consider your comments at its February 16, 2011 meeting and finalize the Plan. This Strategic Plan will help us direct our resources in a very productive and specific ways which will enhance the Engineering Profession in Delaware and help our members. I thank the Strategic Plan Committee for their diligent and hard work in producing this document.

In November 2010, we also established ACEC Delaware PAC. This will help us contribute to the election of those State legislators who understand engineering issues and help our profession and our members.

I am also happy to report that ACEC Delaware has met its National PAC goal of \$4,451 for 2010. This is the third year in a row we have met our goal and contributed towards electing National candidates who will help us in enhancing our profession and our interests. I thank all of those who have contributed and encourage each one of you to contribute towards this beneficial cause. Your contribution of \$25 or more will go a long way for this National effort.

I look forward to hearing from you about how we can make ACEC Delaware more effective and more helpful to our members.

Ted

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Laura A. Anderson, P.E.
Chair, Program Committee



Our members enjoyed the networking and expert presentations on May 26, 2010 at the annual meeting, on September 22, 2010 when Governor Jack A. Markell was the keynote speaker and on November 12, 2010 when Mr. Ron Kosh, Vice President of Public Relations and Government Affairs, AAA Mid Atlantic, Wilmington addressed the members.

Here are some photos of the members enjoying programs:



ACEC Delaware | January Program | January 26, 2011



Paul Cottrell, Esquire
Tighe & Cottrell, PA

Engineers Liability: Recent Cases and Trends

Paul Cottrell, Esquire, Principal of Tighe & Cottrell, PA, Wilmington, will be our keynote speaker at the January 26 program at the Christiana Hilton. The program will start at 12 noon and conclude at 1:30 pm.

Mr. Cottrell will speak on “Current Legal Issues for Engineers.”

To register, please email your name to mikekaria@msn.com



M. Shane Minner, P.E.
Chair, Education and Public Relations
Committee



Education | Public Relations Committee

This year we received 14 applications for our 2011 ACEC Scholarship. That is wonderful news, considering that scholarships sometimes go unused or even unapplied for. This is only our third (3rd) year to issue an individual scholarship. The applicants are from all across the State of Delaware, from Cape Henlopen to Ursuline Academy and these students have outstanding scholastic credentials and dedicated public service. It will difficult to choose this years' winner.

Some of our members may not know, but ACEC National is committed to providing quality Engineering Business Education Resources. You should take a moment to visit the ACEC [website at www.acec.org/education/index.cfm](http://www.acec.org/education/index.cfm). You will find current courses and workshops offered around the country, online seminars, the ACEC bookstore and online forums.

The online forums are limited to 1.5 hours and provide useful information and instruction for the practicing engineer. We encourage our members to take full advantage of all the resources provided to them.

Charles M. O'Donnell III, P.E., Senior Vice President/Director of Marketing of George, Miles & Buhr, LLC, has attended and graduated from ACEC's Senior Executives Institute, Class XIV in March 2010. We congratulate him on his accomplishment.

Please direct any questions or suggestions to Shane Minner by email at ShaneM@landmarkjcm.com or by phone at (302) 323-9377, ext. 106.



Ted F. Januska, P.E.



ACEC Delaware STRATEGIC PLAN

Introduction

The American Council of Engineering Companies of Delaware (ACEC Delaware) is a non-profit, self-governing organization of consulting engineering firms of various disciplines. ACEC Delaware is dedicated to encouraging the highest technical and ethical standards of the profession while advancing the business of engineering in the State of Delaware.

An organization's enduring character and identity are defined by its mission and its core values. Its usefulness and prestige come from the strategic goals it lays out and the actions taken to achieve those goals. This Strategic Plan will aid the organization in using its energy and resources more clearly and more efficiently.

Through this Strategic Plan, ACEC Delaware has defined its mission, articulated its core values and outlined its strategic actions to fulfill its mission. This Strategic Plan will present ACEC Delaware's purpose and plans clearly to its members and will help its officers to direct its energy and resources towards achieving this purpose.

The Strategic Plan is intended to be a living document, in which committee goals can be pegged annually to the strategic actions described herein. Action items can be revised as needed each year, giving the organization the necessary flexibility to respond to new conditions while remaining focused on the strategic actions. This combination of a clear focus and flexible execution is the essence of the Strategic Plan.

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Our Strategic Goals

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Our Mission

ACEC Delaware’s mission is to be the lead organization for promoting the business interests of firms engaged in designing the built environment (engineering companies) in the State of Delaware.

Our mission also is to be the leading voice of engineering companies in Delaware representing the interests of engineering companies to the State of Delaware, the Counties, all the Towns and the Cities and the other Business Organizations in Delaware.

It is our mission to promote the engineering excellence and expertise and the highest ethical and professional standards of our members.

Our mission is also to promote the engineering profession through our support of the continued education of Delaware high school graduates in college level engineering programs.

To accomplish our mission, we will utilize our energy and resources towards the following Strategic Goals:

Strategic Goal #1: Become Recognized by All Engineering Companies in Delaware as Their Legislative Advocate for the Promotion and Protection of Their Business Interests

1.1 Prepare and provide an annual legislative brief for the State Legislators and Governor.

1.2 Meet with State Legislators and the Governor and local governments periodically throughout the year to promote the Legislative Agenda and local issues that affect engineering companies.

1.3 Develop and grow an ACEC Delaware PAC to have a minimum of \$1,000 per year available for local political candidates that support our issues.

1.3 Work with ACEC National in their efforts to pass the legislation and regulations beneficial to the engineering industry.

1.4 Promote outsourcing of engineering services for government contracts at the State, County, Town and City levels in Delaware.

1.5 Promote QBS for engineering services to all governments in Delaware. We will recognize and honor the users of QBS with an annual QBS award.

1.6 Grow ACEC Delaware membership to at least sixty percent (60%) of Delaware engineering companies.

Strategic Goal #2: Become Recognized by All Engineering Companies in Delaware as Their Primary Resource on Business Practices

2.1 Promote the use of “Best Business Practices” and the highest ethical and professional standards by our member firms through educational programs, newsletters and informational communications.

2.2 Develop goals for each committee and have all committees tied to the strategic plan.

2.3 Create a Business Practices Committee which hosts at least one Business Practice Seminar a year and collaborates with ACEC National to provide our member firms with opportunities to improve their business practices.

Strategic Goal #3: Become Recognized by Delaware Citizens, Legislators, and Government Entities and Agencies as the Voice of Engineering Companies

3.1 Enhance the image of ACEC Delaware through professional relationships with other business and professional organizations.

3.2 Promote the legislative and regulatory achievements of ACEC and its member firms to general and targeted audiences through all appropriate public relations channels.

Continued next page

3.3 Enhance and recognize the engineering excellence and innovations by our members through the annual Engineering Excellence Awards.

3.4 Help promote engineering education by providing an annual college level scholarship to a graduating high school student.

3.5 Conduct youth outreach to increase involvement of younger members.

Our Core Values

Strategic Actions

Our core values are:

1. Helping to enhance the quality of life for all people in Delaware and enhancing health, safety and welfare through our engineering expertise in planning, designing, building and maintaining the various infrastructure needs of the State in a sustainable manner.
2. Building productive and positive relationships with the State of Delaware, Delaware's three County Governments and all Towns and Cities in Delaware.
3. Providing highly ethical and professional services through our members adhering to the highest engineering standards.
4. Enhancing the engineering education for the students in Delaware.

To accomplish our mission, we will utilize our energy and resources towards the following key actions:

1. Initiate, advocate and help pass at least one bill or regulatory measure each year at the State level. We will prepare and provide an annual legislative brief for the State legislators and the Governor.
2. Partner with local government entities and agencies to address issues relevant to engineering companies.
3. Help ACEC National in their efforts to pass the legislation and regulations beneficial to the engineering industry.
4. Promote outsourcing of engineering services for government contracts at the State, Counties and Towns and Cities levels in Delaware.
5. Promote QBS for engineering services at all governments in Delaware. We will recognize and honor the users of QBS with annual QBS award.
6. Work towards eliminating unreasonable tort liability for the engineering companies.
7. Promote the use of "Best Business Practices" and the highest ethical and professional standards by our member firms through educational programs, newsletters and informational communications.
8. Enhance the image of ACEC Delaware through professional relationships with other business and professional organizations.
9. Enhance and recognize the engineering excellence and innovations by our members through the annual Engineering Excellence Awards.
10. Promote engineering education by providing an annual college level scholarship to a graduating high school student.

**Exclusive Benefit for ACEC Member Firms
 offered by the ACEC Business Insurance Trust ("BIT")**



ACEC Business Insurance Trust (BIT)
 Front: H. Kenneth White (Chair), Karen Finess, Marc Aljan
 Back: Stephanie Wagner, Woody Germany, Gary Lusch, Wayne Shuler

ACEC BIT Member Deductible Assistance Program

- BIT will to the extent possible out of available funds make voluntary payments to members to assist in covering deductible amounts paid by member firms under the ACEC Business Insurance Program policies:
 - **Property**
 - **Automobile** (comprehensive and collision)
- The maximum deductible assistance payment will be limited to \$500 per claim (and a total of \$1,000 per firm in a calendar year) subject to available funds
- Claims should continue to be submitted to the BIT Program's carrier (The Hartford)
 - Once the claim is settled and payment is made by The Hartford, simply request assistance from the ACEC BIT to help cover the cost of your deductible (subject to limits noted above)
 - Contact Trustee Woody Germany at 406-728-4611 or wgermany@wamgroup.com or Trustee Wayne Shuler at 231-599-2480 or wshuler@cdis-assoc.com with questions.

Please note that the BIT is not guaranteeing to cover the costs of the deductible, but is offering to render voluntary assistance to the extent possible out of available funds

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Q. What are the terms of the Deductible Assistance Program?

- A. The specific terms of the Member Only Benefit are subject to change on an annual basis. Members that have incurred losses and paid deductibles related to **Property** and **Automobile** insurance (comprehensive and collision) under the ACEC Business Insurance Program are eligible to request from the BIT financial assistance to help with the cost of the deductible. The BIT undertakes no commitment to make any payment in response to such a request. Payments will be made on a voluntary basis subject to available funds. Assistance will be limited to \$500 per claim (and a total of \$1,000 per firm in a calendar year).

Q. How will the Deductible Assistance Program be administered?

- A. There will be no change in the actual claim process. ACEC member firms will continue to submit claims to the Program's carrier as per the terms of their insurance policies. The carrier will manage the claim and compensate the member firm in the same manner. Once the claim is settled and payment is made to the ACEC member firm, the firm can then request assistance from the ACEC BIT for losses within the deductible (up to \$500 per claim, assuming the firm has not already received other assistance from the BIT representing the \$1,000 calendar year maximum amount). Such requests are subject to the sole discretion of the BIT. A standard assistance request form will be utilized and the payment will be handled by the BIT's independent accounting firm, Brown Smith Wallace. Payment of any assistance request should be expected within 30 days of submitting the request.

Q. Can all claims be submitted for assistance even if the amount is expected to be less than the member firm's policy deductible?

- A. No, a member firm should only submit a claim to the BIT for assistance after the claim has been processed by The Hartford and paid subject to the terms of The Hartford's policy.

Q. Are payments received as assistance taxable to the ACEC member firm?

- A. Possibly. Member firms should consult their tax advisor.

Q. Who should be contacted with additional questions and/or need for clarification?

- A. Contact the BIT Treasurer, Woody Germany, at 406-728-4611 or wgermany@wamgroup.com or BIT Trustee Wayne Shuler at 231-599-2480 or wshuler@cdis-assoc.com with questions.

New ACEC Fact Sheet

**Exclusive Benefits for
 ACEC Member Firms offered by
 ACEC Business Insurance Trust (BIT)**

ACEC Member Only Deductible Assistance Program

Frequently Asked Questions

Q. What is the ACEC Business Insurance Trust?

- A. The ACEC Business Insurance Trust ("BIT") is one of three trusts established by the American Council of Engineering Companies. The BIT, its program administrator and underwriting partners are committed to providing a viable business insurance alternative for all ACEC member firms. The BIT's Vision is as follows:
"To be the foremost provider of business insurance solutions and related products for the benefit and recruitment of ACEC firms."

The BIT is comprised of seven trustees that are Principals or Executive Officers of ACEC firms that participate in the BIT insurance program.

The BIT is *not* a licensed insurer, insurance agent or broker in any state. As such, the BIT is unable to undertake any binding commitment to reimburse deductibles paid by members. This is strictly a voluntary program whereby the BIT will undertake to assist member firms to the extent possible on a voluntary basis out of funds that may be available for that purpose.

Q. What coverages are included in the ACEC Business Insurance Program?

- A. The BIT Program includes Professional Liability, Management Liability and Business Insurance Coverage. The Business Insurance Coverages specifically include:
- Workers' Compensation
 - Property
 - General Liability
 - Automobile
 - Umbrella

Q. Why is the BIT offering this Member Only Benefit now?

- A. The BIT wants to provide additional value as an exclusive benefit of ACEC membership. This association benefit will be made available to those ACEC member firms that choose to participate in the ACEC Business Insurance Program. The BIT is pleased to be in a financial position to provide voluntary assistance to members.

Contact Mike Karia for a copy of this ACEC
 Fact Sheet, or go to www.acecbit.com
 for more information about ACEC BIT



ACEC National President's Monthly Update January 1, 2011



David A. Raymond
President, and CEO, ACEC



General

- ACEC/ASCE/APWA launched the Institute for Sustainable Infrastructure (ISI) which will house an “infrastructure sustainability rating system” that can be used for public and private works. (see Last Word, December 16).
 - Minuteman Fund grants were awarded to ACEC/California for the defense of P3s against public employee union attack, and to ACEC/Nevada to protect design professional services from contractor liability.
 - Last Word earned a “Silver Award” in Association Trends 2010 All-Media Contest, the seventh year that it won first or second place as the best association newsletter in the country.
- ACEC took a lead role in U.S. Chamber of Commerce strategic meeting on how to pass infrastructure legislation in the new Congress.

Government Affairs

- Secured final passage of legislation that limits the liability of structural firms that assisted in the recovery effort at Ground Zero following 9/11.
- Secured final passage of major tax legislation that extends the Bush tax cuts and includes generous expensing provisions to spur equipment purchases.
- Submitted comments to the Financial Accounting Standards Board on how firms that must comply with the FAR would be negatively impacted by its proposed changes to accounting standards for leases.
- Objected to proposed changes to House rules that would eliminate protections for multi-year transportation funding guarantees.
- Endorsed infrastructure elements of the President's bipartisan deficit commission recommendations, including 15 cent increase in the federal gas tax to support transportation investments.
- Arkansas, Connecticut, Delaware, Idaho, Illinois, Louisiana, Nebraska, and Tennessee crossed the 2010 ACEC/PAC finish line in December; additional states are expected to have crossed as final tallies are conducted in early January.
- Removed in-sourcing provisions from the National Defense Authorization Act before final passage.
- Contributed to a FEMA-sponsored workshop on reforms to the National Flood Insurance Program; a Department of Homeland Security (DHS) strategic workshop on resilience planning; and a USAID Post-Disaster Infrastructure Reconstruction workshop.

Institute for Business Management

- Issued the 2011 Fall Conference Call for Presentations, soliciting proposals from industry experts for conference sessions; proposals due January 28, 2011.
- Popular business webinars this month: What Is the Right Value for Your Firm; If You Haven't Planned It, You Can't Control It; and Bachelors + Masters or Equivalent - Impacts on A/E Firms from Sweeping Changes to Engineering Education.
- Bookstore top sellers this month included EJCDC C-700: Standard General Conditions of the Construction Contract; EJCDC E-990: Owner Engineer, Full Set; and “Ninjabread” Men Cookie Cutters.
- RCEP.net now holds PDH records for over 11,000 people; and state licensing boards now have access to both Power and Basic subscriber records on RCEP.net, offering licensed professionals and state boards an efficient way to review PDHs earned.



Joanna Underwood
Energy Vision
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STEPPING UP THE PACE OF THE U.S. GREEN FUELS REVOLUTION

A LEADERSHIP ROLE FOR ENGINEERING COMPANIES

One of the greatest technology revolutions that will occur in the 21st century is the “green fuels” revolution – the shift in transportation from reliance on high-carbon petroleum-derived fuels to reliance on the renewable pollution-free fuels of the future. Engineers and their firms can play an important role in this transition by understanding the pressures driving municipalities and corporations to end reliance on gasoline and diesel fuels by their fleets and the available green fuels solutions.

Nowhere is the transition to alternative fuels more vital than it is in the United States, and engineers can help educate their municipal customers about why this is so. The US consumes almost ¼ of the oil consumed globally and is reliant on imports for 67% of the supply it uses, of which more than 40% comes from nations that are less than friendly to US interests. This country is therefore more vulnerable to price fluctuations and possible supply disruptions than any other nation on earth.

So oil is becoming a fuel that municipalities and companies can less and less count on. While oil-derived fuels power 97% of our 255 million vehicles today, continued reliance by cities on diesel-powered service fleets is especially risky. Diesel fuel today powers most refuse and recycling fleets, bus transit and school bus fleets and the construction equipment that are the workhorses of every city. But, over the last two decades, not only are global oil supplies dwindling, but competition is increasing with China, India and other parts of industrializing Asia for control of the oil that remains. Another price spike, not to mention, a major supply disruption, would wreak havoc on the life of every US community and on the US economy overall as those who lived through the 1973 oil embargo know.

As municipalities turn to engineering firms for critical planning and design tasks – from developing language for municipal waste contracts and waste management strategies, to designing landfills and sewage treatment plants, engineers can discuss with municipal officials ways in which their plans can take advantage of opportunities for green fuels leadership that will produce environmental and economic benefits.

The most important option for municipalities is to shift their service fleets to run on secure, domestically-plentiful and cleaner natural gas. Several thousand natural gas refuse trucks and more than 15,000 transit buses are already on the roads of many cities from Los Angeles and Seattle to New York City.

The shift to natural gas means greater energy security, reductions of 60 to 80% in air pollution and 25% in greenhouse gases. The shift also paves the way for transitioning to the renewable form of natural gas, biomethane, made from organic wastes thrown away by homes, restaurants, hospitals and industries.

Engineering firms have many openings for discussing green fuels opportunities. In air pollution-related work they can propose assessing the emission reductions, oil displacement and cost implications of shifting refuse fleets to natural gas. When drawing up solid waste contract specifications, they can suggest language mandating use of natural gas fuel trucks. When dealing with wastes, they can propose inventorying local organic wastes for producing renewable natural gas and analyzing the gas potential. When the focus is on sewage treatment plants, they might propose processing its gases to produce renewable gas fuel for fleets, or, when expansion of a landfill is proposed, gas collection and refinement or construction of a digester for the organic fraction of the wastes.

Suggesting the potential for renewable natural gas production: an Energy Vision analysis found that New York City’s wastes (3 million tons sent for out-of-state disposal for \$325 million annually) could produce fuel for 10,000 heavy duty vehicles for more than two decades.

Engineers, understanding the shift away from petroleum-based fuels, can be real leaders in supporting change that can contribute significantly to a sustainable future for our country.



Joanna Underwood is President of Energy Vision, a national non-profit organization analyzing and promoting ways to make a swift transition to pollution-free renewable energy sources and clean, petroleum-free transportation fuels for the green cities of the future.

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