

Summer Greetings to You and Your Family!

Mike Karia, Executive Director



Scott F. Rathfon, P.E.
President, ACEC Delaware

President's Corner

It is with great pride and pleasure that I take over the duties of President of ACEC Delaware for the next two years! I would first like to thank Ted Januska (immediate past president) for the outstanding job he has done over the past two years and his many accomplishments for the organization. The groundwork has been laid for the organization's continued success and all I have to do is follow his lead and build upon the successes of the past.

One key recent accomplishment is the implementation of a Strategic Plan for ACEC Delaware. This Strategic Plan is similar to the national ACEC Strategic Plan but brings more of a local focus. In short, a key part of our mission is that "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."

One way that we continue to work to advance the business of engineering in the State of Delaware is by continuing our local Legislative Day. This year a group from ACEC Delaware met with our local legislatures as well as the Governor, and Lt. Governor on May 31 to discuss issues that are relevant to our profession. The three (3) primary focuses of discussion were the funding of the Transportation Trust Fund, the FY2012 State Budget Surplus, and the Stormwater Infrastructure Funding. All discussions were with the primary focus of job creation, both short and long term, and investing needed funds towards infrastructure improvements.

Along with the on-going discussions with our elected officials, I would like to emphasize the importance of continuing to meet or exceed our PAC goals. The PAC funds are very effectively utilized by ACEC National to support U.S. Congressmen and Senators that support the interests of ACEC and the engineering profession. In addition to the national PAC, ACEC Delaware has created a local PAC which will be used to support our local officials that understand the issues important to the Delaware engineering industry. Unlike the national PAC, the local PAC can accept corporate contributions so please encourage your employers to join you in contributing so that we can continue to have our voices heard in Legislative Hall.

As I look forward to the coming year some of my personnel goals for ACEC Delaware are to increase the attendance at our dinner meetings by continuing to provide quality speakers with relevant information to our profession, to continue to keep our various committees active and encourage involvement from new engineers on those committees, to continue to keep ACEC active with our legislators and stay on top of local legislation that my impact our businesses, and to assure that we follow the Strategic Plan that was developed to lead us into the future.

Once again, thank you for providing me with this opportunity to lead the charge in promoting the business interests of engineering companies in Delaware. I look forward to seeing you at upcoming meetings.

Scott

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



On Wednesday, May 25, 2011 our members enjoyed the Annual Meeting and program at the Embassy Suites in Newark.

Mr. David Davis of NRG Energy Group of Princeton, New Jersey was our keynote speaker. Mr. Davis made a very interesting and informative presentation on various energy sources and projects including Delaware's Bluewater projects.

His presentation was followed by many questions from the members.



Keynote Speaker: David Davis, NRG Energy Group

Thank you all for your attendance and participation!



Save the Date for September 28 Program

Our September 28 program will be held in Dover. We are currently working on these presentations for our upcoming programs:

- Newly confirmed Secretary of DelDOT, Shailen Bhatt.
- A panel discussion focusing on Engineering and Land Use Development in Kent and Sussex Counties,
- ADA (Americans with Disabilities Act) and how it affects our designs.

**To register to attend
our programs and events,
please email your name to
Mike Karia at
mikekaria@msn.com**

Engineering Excellence Awards – 2012: Where You Want to Be

You will be receiving our **Engineering Excellence Awards - 2012** information in August. This is the Academic Awards for our members to showcase their Engineering Expertise, Management Skills and Innovation Talent and to compete for the awards.

We urge you to submit your entries and be part of this great program.

Your projects will be showcased at the Engineering Week gala on Thursday, February 23, 2012.

QBS – Qualifications Based Selection

Each year, ACEC Delaware recognizes a private or public organization who practices the QBS concept in awarding the engineering work. The nominations come from you, our members.

You will be receiving the nomination request information from us in September and the Selection will be made in December. The award will be presented at the Engineering Week gala on Thursday, February 23, 2012.

QBS- Qualifications Based Selection

Introduction

Governments are increasingly challenged to meet expectations with a deteriorating economy and a deteriorating infrastructure. Understandably, contracting officers are seeking more efficient and cost effective ways of operating. However, choosing professional services based on the lowest cost is not smart business or smart government.

Why QBS is Beneficial for Governments and Businesses?

2008 Study conducted by American Public Works Association (APWA) determined:

- QBS is the most competitive and cost effective process for owners.
- Procuring the most qualified design services at a reasonable price results in projects completed on time and on budget.
- Enhances Product Effectiveness.
- The QBS process emphasizes design capability and experience, and the effect that these attributes can have on safety, function, performance, constructability and life cycle costs of facilities.
- The initial cost of design is outweighed by the final product performance that results from good design solutions.
- Addresses Incomplete Scope - QBS allows design professionals to provide input to the evolution of the design solution and provide owners with options for completing the project prior to a final price being budgeted.
- In summary, according to APWA, projects incorporating the QBS procurement method outperform the national average in traditional measures and exhibit positive results in emerging areas. The combination of these results indicates that QBS should be the procurement method of choice for contracting entities. The combination of historical success with continued positive performance should dissuade contracting entities from abandoning this procurement method. The factors that prompted the passage of the Brooks Act have not changed. Rather, the increasing number of factors that design firms must address reinforces the need for Qualifications-Based Selection.

The Reality of Bidding

A system that simply seeks the cheapest design cost is bound to produce lower quality projects - not every time, but most of the time. A design firm's approach to a project must change when fee becomes a major criterion for selection. These firms may develop a means of cutting their time on a project by minimizing the level of service such as:

- Using less experienced personnel and evaluating fewer alternatives.
- Developing plans with minimal details that often require much layout and decision making in the field.
- Selecting systems that are easiest to design as opposed to selecting those that are the most economical and cost-effective for the owner over the life of the project.
- On a structural project, designing only the most heavily loaded members and then repeating these conservative member sizes throughout, resulting in oversizing of most members.
- Providing minimal review of drawings and observation of the work during construction, leaving the owner with lower quality construction and higher maintenance costs.

Qualifications is the solution. A QBS process allows the owner to choose the firm determined to be most qualified by objective criteria, whereas selecting design professionals by low bid takes this process out of the hands of the owner. The owner's challenge is to get a good return on investment. This is achieved by selecting a qualified A/E and negotiating the appropriate scope and compensation to permit the A/E to work toward a successful constructed project.

QBS has the advantages that a well qualified firm is selected; scope of work is satisfactory to both parties; a mutually agreed on price is paid for the services; a team approach between the owner and consultant can be developed so that both parties have an interest in the project's success.

Forty-seven (47) states and the federal government have found qualifications based selection to be the preferred and most efficient way of purchasing architectural and engineering services.

Note

Information for this report was gleaned from published reports from the American Institute of Architects, American Council of Engineering Companies, American Public Works Association and School Planning and Management.



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



Education | Public Relations Committee

Members Needed to Serve on Committee

The Education and Public Relations Committee needs your help. We need members to serve on this committee for the Education activities and Public Relations activities to help strengthen our commitment to our members.

The activities include:

- scholarship applications review,
- working to enhancing the image of engineers and engineering as a career,
- writing articles and providing creative ideas to the committee.

Bring out your educational and creative PR talents and help!!!

Financial Report	
Scholarship Endowment Fund	
Balance July 1, 2010	\$5,650.00
Transfer from Operating Fund	500.00
Scholarship Awarded to one high school graduate	(500.00)
Balance June 30, 2011	\$5,650.00



Ted F. Januska, P.E.
National Director



Legislative Committee Report

Your Legislative Committee has worked hard during the 2011 Legislative activities from January to June at the Legislative Hall. The Committee monitored the bills that affected our engineering industry and our bottom line. Our government relations persons—Rhett Rugerrio and Kim Wilson - have monitored the bills and worked with us to prepare our approach and actions.

Legislative Day

Like previous years, your Officers and the Committee Chairs visited the Legislative Hall on Tuesday, May 31, 2011 for the whole day and met with your senators and representatives, Lt. Governor Matt Denn, and Governor Jack Markell. We discussed with them the issues that affect our engineering industry in Delaware and the survival and growth of our member firms.



2011 Legislative Brief – ACEC Delaware

May 2011

POSITION STATEMENT ON TRANSPORTATION TRUST FUND FUNDING

The Transportation Trust Fund (TTF) Task Force made over 95 suggestions on how to increase available funds for capital projects within the DelDOT budget. Several of the suggestions that would be easily implemented are as follows, in no particular order:

1. Increase the late fees for renewal of driver's license and vehicle registration. This would provide an estimated \$1,000,000 in revenue per year.
2. Increase the permit fee for outdoor advertising signs within DelDOT right-of-way. This would provide an estimated \$1,650,000 in revenue per year.
3. Increase title fees for vehicles. This would provide an estimated \$2,100,000 in revenue per year.
4. Eliminate the Commercial E-Z Pass discount on SR 1. This would provide an estimated \$2,300,000 in revenue per year.

In addition to the above suggestions, two suggestions would require a change in current policy by shifting the operating costs for both DelDOT and DART back to the General Fund over a 10 year period. This would provide over \$18,000,000 in additional revenue TTF dollars for capital projects each year.

POSITION STATEMENT ON FY2012 BUDGET SURPLUS – INVEST NOW

ACEC Delaware believes that the projected \$320 million dollar budget surplus should be utilized for job creation. We believe that the State should invest in our civil infrastructure and support capital improvement projects that preserve and improve Delaware's stormwater infrastructure, water/wastewater systems and roadway network.

We strongly support additional investment in transportation infrastructure as an effective mechanism to promote job creation and economic growth. It is also important to "re-fuel" the project production pipeline by initiating the planning and engineering design of new transportation and infrastructure improvement projects. Every \$1 invested in transportation infrastructure projects returns \$1.80 to the economy. Simply put, this is a great return on an investment that is needed to safely preserve Delaware's roadway network and 1,500 bridges.

In the short-term, we recommend that \$60,000,000 of the projected surplus be injected into the TTF. In our estimation, this would create over 1,000 jobs in the engineering and construction industry.

POSITION STATEMENT ON STORMWATER INFRASTRUCTURE FUNDING – INVEST NOW

Funding for capital investments, operation, and maintenance of stormwater management systems in Delaware has been chronically limited. That fact, juxtaposed with recent emphasis placed on stormwater quality management by the emerging federal extension of the National Pollution Discharge Elimination System (NPDES), dictates that Delaware communities take measures to secure stable funding and to develop new and innovative financing strategies for their stormwater management programs.

ACEC Delaware supports the formation of a Stormwater Utility, as recommended by the State's Clean Water Advisory Council, as a course of action to allow for the formation of an organized entity and dedicated source of funding for Delaware communities to address the increasing needs of the State's Stormwater management systems. We recommend that the State set aside \$500,000 of the budget surplus to establish the formation of a Stormwater Utility. In addition, we recommend \$10,000,000 be allocated as seed money to fund initial stormwater management improvement projects until the future revenue streams are realized from the Stormwater Utility.



Ted F. Januska, P.E.

ACEC National and ACEC Delaware PAC

PAC Collections

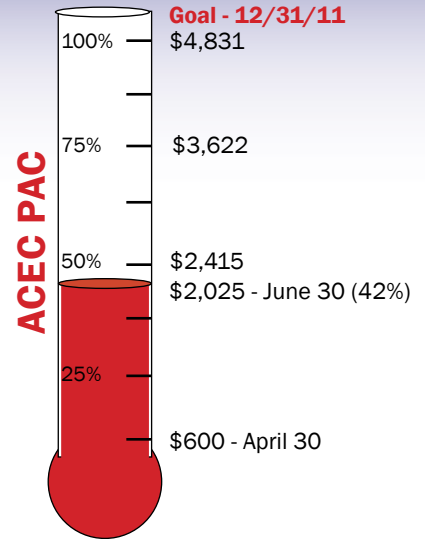
Contribution forms for ACEC National PAC and ACEC Delaware PAC are on following pages.

ACEC National PAC

Our 2011 National PAC goal is \$4,831. This goal is determined on the basis of number of member firms and their employees.

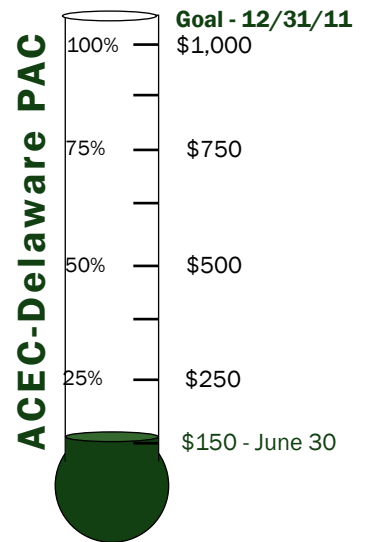
Our members have contributed \$2,025 towards this goal so far. Money to goal is \$2,806.

We appeal to you to get involved in this worthy effort which will affect our engineering business and our livelihood. You may contribute any amount... starting at \$10—and be part of this effort.



ACEC Delaware PAC

ACEC Delaware PAC is established to contribute to the election campaigns of the state officials who are favorable to the economic growth and businesses and who understand the issues of engineering industry. Our 2011 goal is \$1,000 and we have collected \$150 so far. We appeal you to contribute to this PAC as well. You may contribute any amount...starting at \$10. For your information, below are the guidelines and the contribution form for ACEC Delaware PAC:



ACEC Delaware PAC Guidelines

Introduction

ACEC Delaware PAC is established by ACEC Delaware in December 2010. ACEC Delaware is a not-for-profit business association of the Engineering Companies in Delaware. ACEC Delaware PAC is registered with Delaware's Election Department.

The Purpose

The purpose of this PAC is to contribute financial support to the campaigns of Delaware's elected officials who understand and support Delaware's engineering industry.

The Process

1. **PAC Committee:** ACEC Delaware will establish a PAC Committee which will include:

1. Chair of the Legislative Committee
2. One member of the Board
3. Executive Director
4. Others as appointed by the ACEC's President.

2. **Decision Process:** The majority decision of the PAC committee will determine the contributions to the campaigns and other related matters.

3. **Reporting:** The Committee will make a report of contributions and other activities to the Board on as needed basis.

Accounting and Reporting

1. **Detailed Record:** ACEC'S Executive Director will keep all records related to PAC contributions received from members and contributions made to the candidates' campaigns. The records will be kept for three years.

2. **Bank Account:** The receipts and payments of PAC will pass through regular ACEC Delaware bank account. Separate bank account for PAC is not required as per the Election Department.

3. The balance of PAC will be shown in the ACEC Delaware balance sheet every month as PAC Reserved and will not be comingled with regular fund balance.

4. The Executive Director will file the required reports with the Election Department.

Contribution Form

ACEC Delaware PAC contribution form is attached with this document. This form may be revised as needed.

Approval

The ACEC Delaware PAC guidelines and form are approved by the Board on June 30, 2011.



AMERICAN COUNCIL OF ENGINEERING COMPANIES
POLITICAL ACTION COMMITTEE

Yes! I would like to help ACEC/PAC support Members of Congress who will fight for the business interests of the engineering community.

Name: _____

Firm: _____

Job/Position Title: _____

Home Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____ Email: _____

Yes, I would like to be a member of the Capitol Club (\$5,000), Chairman's Club* (\$2,500), Millennium Club (\$1,000), or Congressional Club (\$500)

Enclosed is my personal check or personal credit card contribution in the amount of:

\$5,000 \$2,500 \$1,000 \$500 \$250 Other \$ _____

MasterCard Visa American Express

Credit Card Number _____ Exp. _____

Name of Credit Card Holder _____ CVV _____

Authorized Signature _____

Partnership and sole proprietorship checks are permitted; however, federal law prohibits corporate checks and corporate credit cards. Contributions or gifts to ACEC/PAC are not deductible as charitable contributions for federal income tax purposes. Contributions will be screened and those from outside the restricted class (non-members) and those from individuals who have not given prior approval may be returned. Contributions are voluntary and amounts included herein are merely suggestions. An individual is free to contribute more or less than the guidelines suggest, but may not contribute more than \$5,000 per calendar year. Federal law requires that our committee report the full name, address, occupation and company name of each individual whose contributions aggregate in excess of \$200 in a calendar year.

Mail: ACEC/PAC
Attn: Elizabeth Coit
Government Affairs Department
1015 15th Street, N.W., 8th Floor
Washington, D.C. 20005-2605

Email: ecoit@acec.org Fax: 202-682-4376

* Chairman's Club members either contribute \$2,500 to ACEC/PAC, or contribute \$1,000 to ACEC/PAC and pledge an additional \$1,500 to be contributed throughout the year to directly support candidates for re-election.

ACEC Delaware PAC

PAC Contribution Form

Contributor's Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____

Email: _____

Firm: _____

Important Information:

1. Delaware law permits personal and corporate contributions to ACEC Delaware PAC.
2. Contributions are not tax deductible for federal and State income tax purposes.

Contribution:

Enclosed is my (our) check for \$_____.00 payable to: **ACEC Delaware PAC**

Please mail check to: **ACEC Delaware PAC**, P. O. Box 1858, Dover, DE 19903-1858

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ACEC National President's Monthly Update July 1, 2011



David A. Raymond
President, and CEO, ACEC



General

- ACEC/South Carolina crossed its 2011 ACEC/PAC goal line this month – for a seventh straight year.
- Minuteman Fund grants awarded to ACEC/Florida to secure liability protection for design professionals and defend QBS, and to ACEC/North Carolina to secure Certificate of Merit legislation.
- Busy outreach month included Chairman and President with ACEC/Florida Board to discuss the national program and PAC strategy; discussing infrastructure funding and liability with ACEC/Canada; staff visits to ACEC/Illinois, ACEC/Maryland, and ACEC/Metro Washington to update them on national issues.

Government Affairs

- Met with House and Senate transportation committee leaders to review key provisions of pending surface transportation legislation, including funding levels and programmatic reforms.
- Led a major grassroots push on 3% withholding repeal in association with the U.S. Chamber, including a national sign-on letter to Congress, action alerts, and media outreach including a full-page ad in Roll Call. Cosponsors of the House repeal bill now stand at 177, Senate at 25.
- Urged the Small Business Administration (SBA) to adopt a small business size standard for engineering firms of \$10 million in annual gross receipts (as opposed to the SBA's proposed \$19 million); called on the agency and Congress to adopt policies to better track small firm prime and subcontracts, and give agencies more flexibility to use teams of small, medium and large firms.
- Called on the White House to prevent federal agencies from skirting the required notice and comment process when issuing new regulations.
- Hosted industry “meet and greet” at the ACEC headquarters for freshman Congressman Lou Barletta (PA) a member of the House Transportation and Infrastructure Committee.
- Hosted a congressional fundraising event for Congresswoman Eddie Bernice Johnson (TX), a senior member of the Transportation and Infrastructure Committee and the ranking member on the Science, Space and Technology Committee; also co-hosted fundraising events for Reps. Dave Camp (MI), Bob Gibbs (OH), and Kurt Schrader (OR).
- A delegation from the Vietnam Engineering Consultants Association and representatives from member firms met at ACEC headquarters to discuss business opportunities for U.S. firms in Vietnam, which boasts the fastest growing economy in Asia.

Mica Unveils Six-Year, \$230 Billion Surface Transportation Proposal

House Transportation and Infrastructure Committee Chairman John Mica (R-FL) released a detailed summary of his new six-year surface transportation bill this week, with hearings scheduled to begin next week.

The Florida lawmaker had previously briefed ACEC on key details of his proposal, including a funding total of \$230 billion; expansion to \$1 billion annually of the Transportation Infrastructure Finance and Innovation Act (TIFIA), which provides loans and loan guarantees; and program consolidation and reforms to achieve quicker project reviews and efficiencies.

“We very much like the programmatic reforms in the bill but we need to find more funding to address the nation’s critical transportation needs,” said Ken Wightman, chairman of the ACEC Transportation Committee.

[Click here to view Rep. Mica’s bill summary.](#)

ACEC-Supported Water Bill Will Add \$5B Annually to Water Infrastructure

ACEC strongly supports the new Sustainable Water Infrastructure Investment Act, introduced by Rep. Bill Pascrell, Jr. (D-NJ) and Rep. Geoff Davis (R-KY). The legislation would exempt water and wastewater projects from the state volume cap on private activity bonds, significantly expanding the availability of low-cost financing for water infrastructure projects.

Wall Street experts and the Environmental Protection Agency project that this tax code change could drive as much as \$5 billion annually toward addressing our nation’s water infrastructure replacement needs. The cost to the federal government would be \$354 million over the next ten years.

Sens. Robert Menendez (D-NJ) and Michael Crapo (R-ID) have filed an identical bill in the Senate.

3% Repeal Gains Steam Amid Major ACEC/U.S. Chamber Lobbying Effort

The ACEC and U.S. Chamber of Commerce grassroots lobbying campaign calling for repeal of the 3 percent withholding mandate has significantly increased the number of congressional supporters.

An additional 36 representatives have signed on to the House repeal bill, bringing the total to 177 congressmen. Seven additional senators added their names to one or both of the Senate bills, for a total of 27 co-sponsors.

As part of the campaign, ACEC and the U.S. Chamber of Commerce ran an ad in a Capitol Hill newspaper thanking supporters of 3 percent repeal legislation. [Click here to see the ad.](#)

ACEC encourages members to contact their Members of Congress to urge full repeal of 3 percent withholding. [Click here for more information.](#)

Your Officers

President

Scott L. Rathfon
srathfon@centuryeng.com



Vice President

Mario J. Gangemi
mgangemi@duffnet.com



Treasurer

Micahel A. Angelo
maangelo@mccormicktaylor.com



Secretary

Mike Riemann
mriemann@beckermorgan.com



National Director

Ted. F. Januszka
tjanuszka@pennoni.com



Your Committee Chairs

Education and Public Relations

M. Shane Minner
shanem@landmarkjcm.com



Kent County Partnering

Mike Riemann
mriemann@beckermorgan.com



New Castle County Partnering

Dave Diefenthaler
dave_d@duffnet.com



Sussex County Partnering

Douglas D. Barry, P.E.
dbarry@pennoni.com



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bjones@greenstone-eng.com



Legislative and PAC

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tjanuszka@pennoni.com



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David B. DuPlessis
dduplessis@jmt.com



Program

Laura A. Anderson
laanderson@pennoni.com



Transportation

Micahel A. Angelo
maangelo@mccormicktaylor.com

