

# Legislative Position Papers

109TH CONGRESS



The Associated General Contractors of America



# ABOUT AGC

## Introduction

The Associated General Contractors of America (AGC) is a national trade association of more than 33,000 firms, including 7,500 of America's leading general contracting firms.

These firms are engaged in the construction of the nation's commercial buildings, shopping centers, factories, warehouses, highways, bridges, tunnels, airports, waterworks facilities, waste treatment facilities, dams, water conservation projects, defense facilities, multi-family housing projects and site preparation/utilities installation for housing development.

## How AGC's Legislative Priorities Are Established

The Legislative Action Committee acts as the legislative and regulatory clearinghouse for AGC and establishes priorities to recommend to the Executive Board and the AGC Board of Directors. The committee processes ensure that every AGC member is able to participate via our regular committee and division structure in the process of identifying and achieving AGC's legislative and regulatory goals.

This book contains a summary of our legislative priorities for the 109th Congress. In addition, the complete and regularly-updated Legislative Position Paper on each issue on which AGC is actively working can be found on our web site at [www.agc.org/legislative](http://www.agc.org/legislative). We invite you to visit our site for more in-depth information about these and other issues.

For more information, please contact us at [legislative@agc.org](mailto:legislative@agc.org) or 703-837-5434.

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# AGC's TOP LEGISLATIVE ISSUES FOR THE 109TH CONGRESS

## Legislative Priorities for the 109th Congress

- Expand infrastructure investment to promote economic growth; (page 6)
- Protect and build on the successes of TEA-21 & AIR-21; (page 24)
- Support expansion of federal drinking water and wastewater funding; (page 6)
- Support water resources navigation and flood control funding; (page 7)
- Meet America's school construction needs; (page 7)
- Make tax cuts permanent; (page 11)
- Support changes to tax policies that promote investment, business development and business expansion; (page 11)
- Support legislation to increase the availability of health insurance—such as association health plans and malpractice insurance reform; (page 12)
- Preserve justice and due process for constructors facing litigation; (page 15)
- Provide construction expertise to support homeland security; and, (page 9)
- Respond to the workforce needs of the industry with effective immigration reform. (page 28)

# BUILDING OUR NATION'S QUALITY OF LIFE

## CONSTRUCTION IS A MAJOR ECONOMIC FORCE

- The value of U.S. construction put in place for 2004 totaled \$1 trillion (about eight percent of the U.S. Gross Domestic Product (GDP)). The U.S. market represents about one-quarter of the world's total \$4 trillion construction market.
- The construction market grew about 10 percent from 2003 to 2004. Private nonresidential and public construction each climbed three percent and totaled \$220–\$230 billion apiece. The value of private residential construction put in place set a record of \$550 billion, up about 15 percent.
- In 2004, construction employment rose by 258,000 employees, or 3.8 percent—more than double the 1.7 percent increase in all new nonfarm jobs, according to the Bureau of Labor Statistics (BLS).
- Construction is a major purchaser of manufactured products. In 2004, shipments of construction materials and supplies totaled approximately \$470 billion—nearly 11 percent of total manufacturing shipments. Shipments of construction machinery accounted for 10 percent of total machinery shipments.

## CONSTRUCTION IS A SIGNIFICANT SOURCE OF JOBS

- In 2004, total construction employment was more than seven million workers (about six percent of the nation's total non-farm, private sector employment).
- Construction jobs are good-paying jobs. In December 2004, seasonally adjusted hourly earnings in construction averaged \$19.34 per hour, 22 percent higher than the average for all private industry non-supervisory workers, according to BLS.
- In 2002, employment for a typical construction firm averaged nine employees per company. According to the Census Bureau, there were 710,000 construction establishments with 6.3 million paid employees, plus 2.1 million establishments without paid employees.



Speaker of the House J. Dennis Hastert (R-Ill.) and Co-Chair of AGC's Legislative Action Committee Larry C. Gaskins at the AGC Townhouse.

# BUILDING OUR NATION'S QUALITY OF LIFE

## FEDERAL CONSTRUCTION INVESTMENT CREATES JOBS AND PROVIDES A SIGNIFICANT RETURN ON INVESTMENT

- Infrastructure benefits the whole economy. Investment in highways, transit, airports and water transportation increases mobility for people and freight, contributing to the high productivity and low inflation that have made the U.S. economy the world's strongest.
- The Federal Highway Administration has estimated that \$1 billion in federal highway investment, matched by \$250 million of state funding, creates 47,500 jobs. Every \$100 million invested in highway safety improvements saves 145 lives over a ten-year period.
- Flood control activities carried out by AGC members have prevented more than \$706 billion in damage, averaging an eight-to-one return on every dollar invested.

## CONSTRUCTION INVESTMENT IMPROVES OUR QUALITY OF LIFE

- Investment in clean water, wastewater and environmental cleanup is vital for public health, economic growth and quality of life. All of these factors are critical when a business considers relocation or expansion. Americans expect safe and clean water, and they strongly believe that clean and safe water is a national priority, not just a local responsibility. AGC members believe that if we are to move toward a safer, cleaner, healthier future, we have to ensure federal support for clean and safe water infrastructure.
- Highway investment reduces accidents and reduces congestion. Motor vehicle crashes cost our economy more than \$230 billion annually. More than 42,000 people are killed and nearly 5.5 million people are injured annually on America's roadways. Congestion robs the economy of \$67.5 billion annually as Americans spend 4.5 billion hours stuck in traffic.

# MEETING OUR NATION'S CONSTRUCTION NEEDS

## Top Issues:

### HIGHWAY AND TRANSIT INVESTMENT

- Transportation Reauthorization should guarantee adequate highway and transit investment.
- Congress should protect the user fee-based system for financing vitally needed transportation improvements by protecting Highway Trust Fund firewalls and funding guarantees.
- The federal motor fuels user fee should be indexed retroactively and prospectively to address loss of purchasing power due to inflation.
- Other transportation related user fees should be directed to the trust fund including the “gas guzzler” fee and user fees on exempt fleets of vehicles.
- Interest should be credited for trust fund balances.
- Tolling, bonding, public-private partnerships, State Infrastructure Banks and other alternative funding sources should be used to supplement user fee revenue.

### MEETING THE NEED FOR CLEAN AND SAFE WATER

- AGC supports the establishment of a segregated trust fund to finance needed drinking water and wastewater facilities across the country.
- The nation has staggering needs for clean drinking water and wastewater treatment infrastructure.
- The U.S. Environmental Protection Agency (EPA) Clean Water & Drinking Water Infrastructure Gap Analysis found a \$535 billion gap between current spending and projected needs for water and wastewater infrastructure (combined) over 20 years.



Senator Jim Talent (R-MO) meets with AGC members from Missouri.

# MEETING OUR NATION'S CONSTRUCTION NEEDS

- Congress should also bolster the Federal Clean Water and Drinking Water State Revolving Loan Funds (SRFs) to a minimum of \$850 million for the Drinking Water SRF and \$1.35 billion for the Clean Water SRF. Even with these historical funding levels the SRF's are significantly underfunded.

## NAVIGATION AND FLOOD CONTROL FUNDING

- Increased funding for water resources to meet mounting maintenance needs, greater efficiencies in the system and more improved flood control throughout our country are essential to the nation's economic growth.
- National investment in water resources projects has not kept pace with the level of economic and social expansion. The combination of an expanding population and economy coupled with a decline in infrastructure investment has created a substantial investment gap. For instance, public investment in construction fell by more than one-third as a share of GDP, from a high of 3.1 percent in 1967 to just two percent in 2004.
- Waterways programs foster economic development, facilitate trade and commerce, aid international competitiveness, stimulate employment, provide water recreation opportunities, enhance agricultural and industrial productivity and augment our national defense.



## SCHOOL CONSTRUCTION NEEDS

- According to the U.S. Department of Education's National Center for Education and Statistics (NCES), "three-quarters of schools reported needing to spend some money on repairs, renovations, and modernizations to put the school's onsite buildings into good overall condition." For those schools reporting to the NCES survey, the average investment needed per school was about \$2.2 million. The total amount needed nationally is approximately \$127 billion.

# MEETING OUR NATION'S CONSTRUCTION NEEDS

- The average age of a public school is approximately 40 years. It has been an average of 16 years since the last major renovation effort in the public school system. In some cases, schools are lacking the basic necessities. Heating, plumbing, roofs, or sprinklers and fire alarms were reported to be in less than adequate condition in half of the schools surveyed. Moreover, nearly 36 percent of schools use portable classrooms to accommodate overcrowding. Another 20 percent use cafeterias and gymnasiums as classrooms to handle the overcrowding.
- The federal government must adopt policies to help address these national needs. Toward that end, AGC supports a national examination of school construction best practices. In addition, AGC has developed industry best practices for school construction that include methods for designing, building and delivering additional value and quality to both students and the school boards.

## INVESTING IN OUR NATION'S FEDERAL FACILITIES

- The General Accounting Office (GAO) reported that 903 federal buildings are in need of repairs and alterations at an estimated cost of approximately \$4 billion.
- GAO also reported that a subset of just 44 of the 903 buildings need urgent attention because they have an average age of 49 years, and need more than \$20 million per building in repairs and alterations.
- The federal government has not invested in its physical infrastructure. Federal office buildings are not designed for today's high-tech work environment. The federal government must invest in its own physical infrastructure to improve performance and employee retention.



Built by AGC member Hensel Phelps Construction Company, the Pentagon Remote Delivery Facility (RDF) located in Arlington, VA is a 256,000 sq. ft. multi-use facility adjoining the Pentagon. Providing a secure, consolidated location for reception and screening of the thousands of items shipped to the Pentagon each day, the RDF was a key component of the Pentagon's ambitious long-term renovation program. Its function is to not only improve physical security for the building, but also to literally provide a front door for the historic complex.

# MEETING OUR NATION'S CONSTRUCTION NEEDS

## CONTINUED INVESTMENT IN OUR MILITARY READINESS

- Military housing for service personnel is in deplorable condition. There remains a backlog of deferred maintenance, repairs and new construction exceeding \$8 billion. Suitable living quarters are the least we can provide the members of our armed forces.
- Recognizing the funding gap, Congress has begun to increase investment in family housing for our military personnel, but more must be done to meet the needs of our servicemen and women and their families.

## CONSTRUCTION EXPERTISE FOR HOMELAND SECURITY

- The construction industry provides expertise when designing and building safer structures, safer water systems and ensuring the integrity of our nation's vital infrastructure.
- Contractors provide a critical role in the rescue and recovery efforts following natural and man-made disasters.
- Congress should encourage the construction industry to lend expertise and a helping hand in times of crisis. Accordingly, contractors should be protected from lawsuits arising from rescue and recovery efforts after man-made disasters, just like they are protected from lawsuits arising from their efforts after natural disasters.



The peaceful evening scene of a barracks building complex, above, provides no hint of the massive construction effort required to bring these facilities to completion. These structures are a combination of cast-in-place concrete and steel frame with brick and EIFS veneer. More than two million bricks customized to match existing post architecture were installed to exacting specifications.

Caddell Construction Co., Inc., Montgomery, Ala.  
1st Brigade Barracks & Operations Complex,  
Fort Bragg, North Carolina  
Received a 2004 AON Build America Award

# MEETING OUR NATION'S CONSTRUCTION NEEDS

## IMPROVING U.S. EMBASSIES

- The U.S. Department of State is responsible for providing safe facilities for over 62,000 embassy staff at 251 embassies and consulates around the world. Unfortunately, most of these facilities do not meet current security standards and are vulnerable to terrorist attacks.
- Accordingly, the State Department Overseas Building Office (OBO) launched a \$17.5 billion capital construction program to fund safe, secure and functional New Embassy Compounds (NECs) through 2018.
- In March 2000, AGC signed a partnering agreement with OBO and continues to be an advocate for U.S. contractors working abroad.

## INVESTMENT IN FREIGHT RAIL INFRASTRUCTURE

- A federal funding source to supplement private investment in freight rail infrastructure should be created.
- Tax and other incentives to increase rail infrastructure investment should be examined.
- Federal funding sources should not compete for funding out of the Highway Trust Fund.
- User fee system should be examined.

## INCREASED INVESTMENT IN AIRPORT INFRASTRUCTURE

- Preserve the user fee system to support investment in airport infrastructure through the Airport and Airway Trust Fund.
- Preserve the budgetary firewalls and funding guarantees for the Airport and Airway Trust Fund and spend down accumulated balance.
- Provide general fund support for Federal Aviation Administration (FAA) operations and maintenance activities.
- Create new funding sources to pay for increased airport security measures.

# SUPPORTING TAX AND BENEFIT POLICIES THAT PROMOTE INVESTMENT, BUSINESS DEVELOPMENT AND EXPANSION

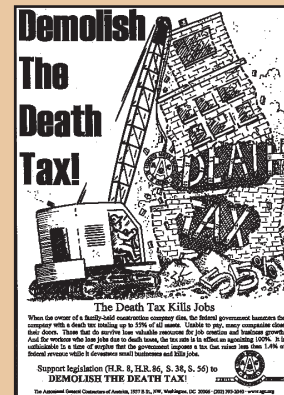
## Top Issues:

### BUSINESS DEVELOPMENT AND EXPANSION

- AGC supports changes that strengthen the economy and provide contractors relief from burdensome and confusing tax rules and regulations, which often take more time, energy and resources from businesses than taxes generated for the general treasury.
- A strong construction industry is vital to the economy. The industry represents about eight percent of our gross domestic product and employs more than seven million workers. Additionally, the construction industry is a major purchaser of equipment and industrial products and supplies.
- A strong economy is critical to industry growth and job creation, which is why AGC supports tax policies such as the 2004 American Jobs Creation Act. The new law reduces taxes on construction income created in the United States, so that resources can be used to invest in plants, equipment, and people for job creation and growth.

### “DEATH TAX”

- AGC strongly supports elimination of the death tax on family-owned businesses and their employees.
- Lawmakers were forced to require that the new tax law expire in 2011. As a result, contractors must still undergo elaborate estate planning to ensure the continuation of their business, as if the phase-out had never been enacted.
- Paying the death tax often requires a liquidation of construction company assets, which eliminates jobs and opportunities for business growth.



# SUPPORTING TAX AND BENEFIT POLICIES THAT PROMOTE INVESTMENT, BUSINESS DEVELOPMENT AND EXPANSION

## MARGINAL TAX RATES

- AGC supports lowering the federal tax burden on individuals, construction companies and other businesses as a means of promoting investment, business development and business expansion.
- Elected representatives should immediately make permanent these tax rates and vow to “do no harm” during the reform process.

## ASSOCIATION HEALTH PLANS

- Affordable, quality health care is best achieved through broader coverage, choice and competition in the marketplace; not increased federal mandates, new federal bureaucracies and increased litigation.
- Association Health Plans (AHPs) would give more small businesses the ability to offer health care and help reduce costs for those who already provide this benefit to their employees, by allowing businesses to band together to purchase health care coverage. Small employers would gain greater bargaining power, economies of scale, administrative efficiencies and the benefits of a uniform regulatory structure all of which will help reduce costs for employers.
- Health Savings Accounts (HSAs) are tax-preferred savings accounts that allow employers to make tax-free contributions of up to 100 percent of the deductible and allow employees to make additional tax-deductible contributions. Similar to 401(k) plans, employees can take their HSA plan with them wherever they work or live.



U.S. Treasury Secretary John Snow and AGC of St. Louis President Leonard Toenjes.

# SUPPORTING TAX AND BENEFIT POLICIES THAT PROMOTE INVESTMENT, BUSINESS DEVELOPMENT AND EXPANSION

## SECTION 911 OF THE TAX CODE

- AGC supports increasing the federal tax exclusion amount for income earned abroad by U.S. workers.
- The Foreign Earned Income Exclusion provides a limited exclusion from the taxation of income earned by U.S. workers abroad.
- The Section 911 exclusion allows American companies to be more competitive in foreign markets, which, ultimately, is beneficial to our domestic economy.
- American contractors are at a distinct disadvantage vis-à-vis our foreign competitors. The cost of hiring an American worker for foreign jobs is already high given the many non-salary costs included in their income, such as travel reimbursement, lodging and other necessary expenses for working abroad.



AGC Tax and Fiscal Affairs Committee Chair Richard Forrester, Jr. receiving award from the IRS for the work of the Committee on the IRS Construction Audit Tax Guide.

## Other Issues:

### **Eliminate the Burdensome Lookback Accounting Requirement for Long-Term Contracts**

Contracts less than three-years-duration should not be required to use this burdensome and confusing method of accounting.

### **Increase for Inflation the Threshold at which the Percentage-of-Completion Method of Accounting is Required**

This tax places unfair burdens on smaller contractors and should be modified by Congress to account for inflation growth since 1986 when it was last modified.

### **Eliminate the Burden of the Alternative Minimum Tax (AMT)**

The computation of AMT is administratively complex and inhibits the formation of capital, including complicating equipment and property acquisition decisions.

# SUPPORTING TAX AND BENEFIT POLICIES THAT PROMOTE INVESTMENT, BUSINESS DEVELOPMENT AND EXPANSION

## **Stop Taxation of Income While in Dispute**

Taxpayers should not be required to pay taxes on income that the owner hasn't paid because it is in contract dispute, until the "all events test" has been performed.

## **Monitor Impact of Sarbanes-Oxley on Privately Held Companies**

While intended for public companies, provisions of this law will disproportionately affect small businesses, which will be required to follow many of its provisions.

## **Clarify the Definition of Independent Contractor and Preserve an Employer's Right to Use These Workers**

An employer safe harbor would include simplified criteria for classifying workers for purposes of federal employment taxation as "independent contractors" or "employees."

## **Reform Social Security System to Ensure it is Available to All Generations of Workers**

The Social Security system should be reformed to: protect benefits for seniors and those nearing retirement, establish optional personal retirement accounts for younger workers, and put Social Security on a path to long-term financial stability, all while not increasing taxes on employers or employees.

## **Allow the Full Deductibility of Per Diem Allowances**

Construction workers should be allowed a lodging-only per diem, like the one for federal employees, when they work on jobs away from their homes.

## **Extend the Time Limit for Temporary Work Assignments**

The IRS "temporary work assignment" definition for construction workers should be increased from the present limitation of 12 months to a new limitation of 24 months.



AGC Tax and Fiscal Affairs Committee meets with NRCC Chairman, Representative Tom Reynolds (R-NY) at the AGC Townhouse.

# PRESERVING JUSTICE AND DUE PROCESS FOR CONTRACTORS FACING LITIGATION

## Top Issues:

### ASBESTOS LITIGATION REFORM

- AGC is working for passage of asbestos litigation reform to create a trust fund in lieu of lawsuits.
- Businesses are faced with legal risks that are hard to quantify, and defendants who face years of legal battles need to have a better system for resolving claims.
- The establishment of a trust fund and/or medical criteria helps both sides facing the consequences of asbestos use in the past.

### TERRORISM RISK INSURANCE

- AGC supports the extension of a federal backstop to continue the availability of terrorism risk insurance.
- The current program is scheduled to expire at the end of 2005, and many businesses that rely on insurance coverage are concerned that the program will either no longer be available or that the price will be so cost prohibitive that most will not be able to afford coverage.
- Many bank lenders are going to continue to require terrorism insurance coverage before financing new construction projects.



# PRESERVING JUSTICE AND DUE PROCESS FOR CONTRACTORS FACING LITIGATION

## JUNK FAX PREVENTION

- AGC believes Congress should maintain the fax communications that have long been allowed for established business-to-business relationships.
- In 2003, the Federal Communications Commission (FCC) removed a long-standing and completely logical “established business relationship” exception that allows faxes to be sent to members, customers, contractors, suppliers, etc., without the fear of lawsuits for spam.
- If Congress does not pass the Junk Fax Prevention Act S.714, all American businesses will have to get written permission from even their long-time customers before they can fax them everyday material like price sheets, quotes, bids, etc.

## DUE PROCESS FOR CONSTRUCTORS

- AGC supports legal reform that will improve the business climate by removing the threat of frivolous litigation, reducing insurance costs and stabilizing prices to the consumer.
- AGC supported the Class Action Fairness Act, which was signed by President Bush on February 18, 2005. It will prevent venue shopping and will limit attorney awards so that the truly injured receive a larger portion of the judgments.
- Congress is also considering asbestos litigation reform in the 109th Congress. AGC supports the creation of a trust fund as the exclusive remedy for judgments and the use of medical criteria to ensure that the truly injured are fairly compensated.
- AGC urges Congress to pass legislation that addresses the challenges contractors and other businesses face from litigation.



U.S. Attorney General John Ashcroft addresses AGC's Midyear/Legislative Conference.

# PRESERVING JUSTICE AND DUE PROCESS FOR CONTRACTORS FACING LITIGATION



AGC member Richard Forrester, Jr. testifies before U.S. Senate Banking Committee.

## Other Issues:

### **Promote the Right to Cure Regulatory Violations Prior to Contractors Facing Monetary Fines**

The Right to Cure would establish a timeframe for a construction company to address violations that are found on a site prior to facing monetary fines.

### **Protect Defendant Rights Under “Whistleblower” Statute of False Claims Act**

Reforms of the False Claims Act should be enacted consistent with Congress’ intent to punish fraudulent contractors and protect innocent contractors from malicious litigation. Although a company may be innocent of the claim(s) filed, the government has no ability to protect a contractor from an unfair and unwarranted action. This law needs to be changed to limit the circumstances under which lawsuits are brought before the courts.

### **Repeal the Prior Notification Approval Requirement for PAC Solicitations**

Requiring a written authorization prior to solicitation for PAC participation stifles AGC member participation in political activities by restricting the ability of the association to freely promote the PAC’s operations and activities with its membership.

### **Promote Good Samaritan Legislation for Contractors Who Respond to Emergencies**

Federal legislation is needed to cover immunity from civil liability for first responders, such as construction contractors who are performing services during a declared federal, state or local emergency threatening the loss of life and property.

### **Protect Due Process for Contractors During Debarment Proceedings**

While contractors who break the law should be punished, they should not face suspension or debarment unless they are convicted.

# ENHANCING THE ENVIRONMENT

## Top Issues:

### FEDERAL JURISDICTION OVER WATERS AND WETLANDS

- Elected representatives should clarify federal Clean Water Act (CWA) jurisdiction by clearly defining the boundaries of “waters of the United States” for purposes of the Act.
- Because there is no consistent national policy, construction activities in certain waters and wetlands are regulated differently from office to office within the U.S. Army Corps of Engineers (USACE). Vague and ambiguous jurisdictional terms cause confusion and inconsistency, deny the regulated community fair notice of what is required, and waste time and money.
- The CWA should remain focused on surface waters and not be expanded to regulate ground water, thereby adhering to Congress’ focus on “navigability” when it enacted the law.
- Congress should mandate the use of a single, replicable methodology for delineating wetlands that is based on sound science and a thorough cost-benefit analysis.
- The CWA Section 404 permitting program should be streamlined and improved: the criteria used in evaluating permit applications should better balance economic impacts with environmental value; overly restrictive acreage limits should be refined to make general permits more useful; and the USACE should be granted exclusive jurisdiction over the program.



EPA's Peter Truitt learns about storm water controls on an AGC member's jobsite.

# ENHANCING THE ENVIRONMENT

## STORM WATER MANAGEMENT

- Storm water management regulations should be based on best management practices and not on any specific effluent guidelines or other numeric standard.
- Compliance with state or local erosion and sedimentation control laws should constitute compliance with federal National Pollutant Discharge Elimination System (NPDES) requirements.
- AGC supports responsible and reasonable CWA enforcement procedures.

## AIR QUALITY

- National ambient air quality standards (NAAQS) for criteria pollutants should be scientifically based, attainable and economically feasible.
- Once NAAQS are set or revised, each state is required to submit to EPA a detailed plan designed to achieve and maintain those standards within its boundaries.
- AGC opposes federal, state or local emissions control measures that could negatively impact contractors or the construction market, such as—
  - ◆ contract preferences;
  - ◆ equipment use/operation restrictions;
  - ◆ retroactive engine emissions limits (mandatory retrofits);
  - ◆ accelerated fleet turnover requirements; and,
  - ◆ misguided land use controls.
- The process for developing, revising and approving a state's motor vehicle emissions budget should be streamlined so that states can efficiently and effectively produce conformity determinations needed to enhance local transportation infrastructure (see related "Clean Air Conformity" issue).

# ENHANCING THE ENVIRONMENT

## DIESEL ENGINE RETROFIT

- Congress should incentivize construction equipment owners and operators to install emissions control technologies on their diesel engines by providing a financial tax incentive.
- As part of a suite of more stringent air quality rules, EPA recently identified 474 counties in 31 states as having air quality that violates the new national standard for eight-hour ozone (smog). EPA also designated 225 counties in 22 states as being in violation (or “nonattainment”) of the new fine particulate matter (soot) standard.
- To meet air-quality rules, some state and local jurisdictions are specifying retrofit for older equipment, which lasts 25–30 years. This costs thousands of dollars per unit and is not simple. Few firms can do it without financial aid and some devices are still unproven.
- AGC is in favor of amending the federal income tax code to allow for the immediate expensing (write off) of the costs associated with retrofitting off-road diesel construction equipment. This would encourage equipment owners to make voluntary air-quality improvements and emissions-control manufacturers to offer more retrofit devices.

## BROWNFIELDS

- AGC supports changes to the Brownfields Act (Small Business Liability Relief and Brownfields Revitalization Act) that would provide federal enforcement and liability protections to construction contractors who redevelop contaminated properties.
- The act limits traditional legal responsibility under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) by providing protections and relief to prospective purchasers and innocent landowners. It does not, however, address the issue of liability for innocent contractors who redevelop the property on a contractual basis and possess no ownership interest.
- AGC encourages Congress to extend these same protections to construction contractors who remediate petroleum-contaminated sites; those sites are covered by the federal Resource Conservation and Recovery Act (RCRA). The EPA estimates that approximately half of the nation’s brownfields sites are contaminated with petroleum.

# ENHANCING THE ENVIRONMENT

## GREEN CONSTRUCTION

- AGC supports reasonable and practical green construction practices and new federal funding for green construction projects (e.g., tax-exempt financing).
- In setting green construction goals, the government should not endorse one green construction standard to the exclusion of other standards. AGC does not promote one specific green construction program over another.
- There should not be a sole definition for what constitutes green construction. Private sector competition should be relied upon to encourage the creation of innovative technologies and common-sense solutions to environmental problems.
- Green construction programs should allow for variations in regional, local and site-specific conditions.

## ENDANGERED SPECIES

- The Endangered Species Act (ESA), though well-intentioned, has been largely unsuccessful at conserving the species it is meant to protect.
- Species listing (and delisting) should be based on sound scientific data that has been field-tested or peer-reviewed, thereby providing more certainty in the habitat conservation planning process.
- Comprehensive ESA reform should include opportunities for state and local governments, as well as for the public, to have a greater input in the listing process.
- Economic consequences should be taken into consideration when listing a species.
- Congress should revise the process by which land is designated as “critical habitat” to make it less burdensome and more predictable for landowners. Such a designation restricts development in an attempt to help an endangered species recover.
- AGC supports legislation to fully compensate landowners in an expeditious manner for the value of their property taken or deemed unusable.



Recycling bins on location at AGC's new headquarters which is currently under construction.

# ENHANCING THE ENVIRONMENT

## Other Issues:

### **Increase Congressional Oversight of EPA to Ensure Regulations are Consistent With Statutes**

Congress must exercise its authority to define in clear terms the mission and objective of EPA and should ensure that EPA programs are cost-effective, flexible, based on sound science and capable of achieving their intended objectives.

### **Expand the Use of Alternative Dispute Resolution (ADR) to Resolve Environmental Disputes**

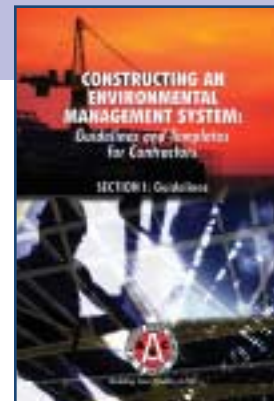
AGC supports the use of ADR to efficiently resolve environmental disputes between private parties and EPA. ADR techniques for preventing and resolving conflicts can have many benefits, including: faster resolution of issues; reduced transaction costs; improved working relationships; and increased likelihood of compliance with environmental requirements.

### **Encourage Onsite Compliance Assistance, Including a “Right to Cure” to Enhance Environmental Protection**

Most of the regulated community is afraid to request compliance assistance for fear of being cited for a violation. As a result of EPA’s unforgiving and inflexible enforcement policies, the agency’s compliance assistance program is not nearly as effective as it could be. AGC strongly supports confidential technical assistance without the threat of enforcement.

### **Permit the Use of Environmental Management Systems (EMS) and Allow Self-Audits, Without Threat of Penalty or Other Negative Consequences**

EMS can provide a framework for effective management of environmental obligations, including compliance with laws and regulations. An EMS helps a company identify actions that impact the environment, establish and achieve improvement goals, and check and correct problems as they arise. Government agencies should not be allowed to use information discovered during a self-audit to prove an environmental violation.



AGC released the construction industry’s first and only guide to environmental management systems (EMS).

# ENHANCING THE ENVIRONMENT

## **Ensure Adequate Funding for Abandoned Mine Land Reclamation**

AGC supports increased funding of the abandoned mine lands (AML) program. The benefits gained from reclamation of abandoned mine lands include protection of public health and safety, improved environmental and social conditions and better use of natural resources.

## **Protect Constitutional Rights of Private Property Owners**

AGC seeks and supports federal legislation that will fully compensate land owners in an expeditious and fair manner for reductions in the value of their property resulting from government rules and regulations that render such land unusable. Congress should adopt a clear statutory definition of what constitutes a “taking,” including not only physical occupation or use, but also regulation of use and/or diminished value.

## **Promote Quality Growth Over Smart Growth**

State and local governments should be the arbiters of growth policy, not the federal government. Adequately planning for and managing growth will ensure protection of sensitive environmental areas and improvement of the built environment.

## **Reduce the Nation’s Dependence on Foreign Energy by Tapping Domestic Sources of Oil Such as the Arctic National Wildlife Refuge (ANWR)**

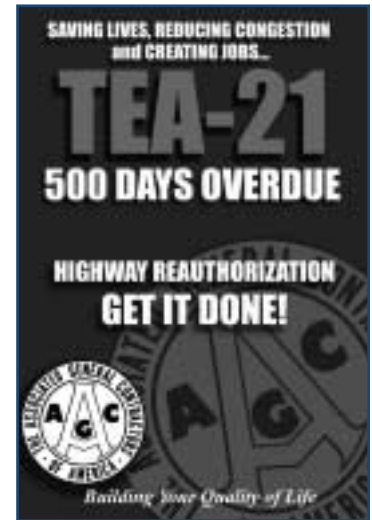
AGC supports opening the coastal plain of ANWR for oil exploration and drilling. America’s increasing dependence on foreign oil, coupled with the increasing cost of oil weakens our global economic competitiveness. The need to protect our valuable natural resources can be equitably balanced with the need to protect America’s economic viability.

# TRANSPORTATION AND HIGHWAY ISSUES

## Top Issues:

### PROTECT SUCCESSES OF TRANSPORTATION EQUITY ACT FOR THE 21ST CENTURY (TEA-21) & AIRPORT INVESTMENT REAUTHORIZATION FOR THE 21ST CENTURY (AIR-21)

- AGC supports increased funding for the highway program, improved work zone safety and environmental streamlining.
- The U.S. economy, as well as the day-to-day lives of the average citizen, depends on a well-functioning transportation system.
- With almost four million miles of public roads and bridges, more than 5,000 airports, 170,000 miles of freight rail track and 7,500 miles of subway and urban commuter track, the U.S. transportation system is a vital and valuable asset.
- However, our nation's investment in upkeep and expansion of this vital network has not kept pace with demand.
- Since 1970, vehicle-miles-traveled on our highways has increased 123 percent—while road capacity has increased by only five percent. Road use is expected to increase by nearly two-thirds over the next 20 years.
- From 1996 to 2002, ridership on public transit increased by 22 percent.
- By 2015 air cargo shipments are expected to triple, and air passenger travel is expected to grow by 50 percent, yet in the past 25 years only one major airport and 19 new runways have been constructed.



AGC ran this TEA-21 postcard advertisement in *Roll Call*. AGC members sent thousands of the postcards to Congress.

# TRANSPORTATION AND HIGHWAY ISSUES

- Failure to keep pace with this growth has resulted in a deteriorating system where:
  - ◆ 33 percent of America's major roads are in poor to mediocre condition;
  - ◆ 27 percent of America's bridges are structurally deficient or functionally obsolete;
  - ◆ 37 percent of America's major urban roads are congested;
  - ◆ runway capacity increased by three percent while passenger demand increased by 16 percent; and,
  - ◆ ridership on transit systems has increased 40 percent while current investments fund only 15 percent of the need.
- TEA-21 and AIR-21 made major strides addressing these concerns by making significant increases in investment in transportation infrastructure.
- TEA-21 established, for the first time, that all future gas tax revenues would be spent for their intended purpose — the upkeep and improvement of our highways and bridges.
- Last year, Congress took steps to ensure that all highway users pay their fair share to support the system.

## HIGHWAY AND TRANSIT REAUTHORIZATION FUNDING

- It is vitally important that Congress and the President keep their commitment to spend all fuel tax revenue for surface transportation improvements and look for new revenue sources to address the growing needs.
- Congress should protect the user fee-based system for financing vitally needed transportation improvements by protecting Highway Trust Fund firewalls and funding guarantees.
- The federal motor fuels user fee should be indexed retroactively and prospectively to address loss of purchasing power due to inflation.



2004 AGC Highway & Transportation Division Chairman D.B. Hill with Federal Highway Administrator Mary Peters.

# TRANSPORTATION AND HIGHWAY ISSUES

- Other transportation related user fees should be directed to the trust fund including the “gas guzzler” fee and user fees on exempt fleets of vehicles.
- Interest should be credited for trust fund balances.
- Tolling, bonding, public-private partnerships, State Infrastructure Banks and other alternative funding sources should be used to supplement user fee revenue.

## ENVIRONMENTAL REVIEW PROCESS

- Designate state transportation agencies as having lead responsibility for identifying the purpose and need of transportation projects and determining alternative approaches.
- Establish deadlines for completing environmental reviews by various federal resource agencies.
- Establish time limits for filing environmental lawsuits against highway projects following completion of environmental review process.

## CLEAN AIR CONFORMITY

- Requirements for transportation plans and clean air plans to conform with each other must be better coordinated to eliminate long delays and a multiple reviews.
- The frequency of conformity reviews should be required no more than once every five years and the type of events that trigger further reviews should be reduced.
- Air quality agencies should not be given authority to approve transportation plans.
- A grace period of at least 12 months should be allowed when an area experiences a conformity lapse.



# TRANSPORTATION AND HIGHWAY ISSUES

## HISTORIC REVIEW REQUIREMENTS

- Exempt projects that have a minimal impact on historic resources, parks, recreation areas or wildlife refuges from section 4(F) review and require consistent application of 4(F) requirements.
- Allow for more flexibility in determining project alternatives.
- Interstate highway system should not be treated as a historic property for 4(F) review.

## Other Issues:

### Make Work Zone Safety a Priority

- Supplemental funds should be made available to states as an incentive to make greater use of law enforcement officers and positive barriers in highway work zones.
- Unit prices should be used in the bidding process to encourage greater innovation in the use of traffic control devices and methods in highway work zones.

### Exempt Drivers of Construction Industry Vehicles from DOT's Hours-of-Service Regulations

- Maintain current exemption allowing construction industry drivers to reset their on-duty clock after 24-hour rest period.
- Allow expansion of permissible daily, on-duty time for construction industry drivers from 14 hours to 16 hours to allow for lunch and other rest periods.



Highway and Transportation Division Chairman Norm Walton discusses AGC's legislative priorities in TEA-21 reauthorization with Representative Jim Oberstar (D-Minn.), ranking Democrat on the House Transportation and Infrastructure Committee, during a Work Zone Awareness Week event in Washington, D.C. The 2005 Work Zone Week theme, "Slow Down or Pay Up," highlights an AGC priority to have funds available in the legislation to increase law enforcement presence to encourage motorists to reduce their speed in highway construction work zones.

# ENCOURAGING POLICIES TO CREATE AND MAINTAIN STRONG EMPLOYER-EMPLOYEE RELATIONSHIPS

## Top Issues:

### IMMIGRATION REFORM

- AGC supports the creation of a new guest worker program that would reduce the paperwork burden on the employer and limit the bureaucracy faced by immigrants and employers. Immigration reform can help address the shortage of skilled and unskilled workers, a problem the construction industry continues to face.
- AGC supports legislation to tighten the documentation process and hold the federal government responsible for ensuring the accuracy of identification cards and social security numbers, so that employers no longer have the threat of undocumented workers on their jobsites.
- AGC would like to see the cap for H2B visas lifted and the paperwork process streamlined so that temporary legal immigration is more successful.

### WORKFORCE TRAINING

- AGC supports reauthorization of national career and technical education funding, the Carl D. Perkins Act. AGC also supports continued funding of targeted job tax-credits for employers.
- Implementation of apprenticeship programs, Workforce Investment programs, career and technical education, career academies and charter schools are ways to increase the numbers of skilled workers in order to meet the industry's needs.
- A strong and skilled workforce is vital to the continued growth of the construction industry. AGC members have cited the shortage of skilled labor as one of the most significant challenges they face. Availability to quality training is a key to keeping the industry strong.
- Increased knowledge about the opportunities available and the skills that are required will only improve our workers and the industry as a whole.



Students from East Ridge Construction Career Academy in Chattanooga, TN address AGC of America Open House attendees.

# ENCOURAGING POLICIES TO CREATE AND MAINTAIN STRONG EMPLOYER-EMPLOYEE RELATIONSHIPS

## Other Issues:

### **Protect the Right of Employees to Choose Whether to Be Represented by a Union by Way of an NLRB-Conducted Secret-Ballot Election**

AGC opposes legislation that would require an employer to recognize a union as its employees' collective bargaining representative absent an election conducted by the National Labor Relations Board (NLRB).

### **Ensure Employers' Right to Attorney Fees When They Prevail in Cases Brought Under the NLRA [303(b) Amendment]**

Employers and labor organizations are and should be subject to administrative and judicial actions to enforce rights and obligations imposed by the National Labor Relations Act (NLRA) and the Occupational Safety and Health Act (OSHA). AGC also believes that employers and labor organizations should be able to collect the attorney fees and costs that they incur when successfully defending themselves in such actions.

### **Oppose Expansion of the Family and Medical Leave Act (FMLA)**

AGC opposes any attempt to expand coverage of the FMLA to cover absences unrelated to health or to include employers with fewer than 50 employees.



David L. Thompson, Counsel to the U.S. Senate Committee on Health, Education, Labor & Pensions speaks to the AGC Labor and Employment Law Council at the 20th Annual Construction Labor Law Symposium.

# ENCOURAGING POLICIES TO CREATE AND MAINTAIN STRONG EMPLOYER-EMPLOYEE RELATIONSHIPS

## **Support Measures to Enable Multi-Employer Pension Plans to Weather Economic Downturns**

Employment-based retirement plans sponsored by multiple employers in accordance with one or more collective bargaining agreements are common in the unionized sector of the construction industry. Enacting a provision to raise the full funded level for these plans will allow trustees to put off forced benefit increases and keep money in the plans for a “rainy day.”

## **Oppose Government-Mandated Labor Agreements (PLAs)**

AGC is strongly opposed to any federal measure that would give a preference to either open-shop or union contractors or would disrupt the collective bargaining process, including any measure that would mandate labor agreements on federal or federally-assisted projects.

## **Protect the Political Rights of Union-Represented Employees**

AGC supports legislation that protects worker’s union dues from being used for political causes and other objectives they do not support, provided such legislation does not impose additional administrative or legal burdens on employers.

# HELPING EMPLOYERS PROVIDE A SAFE AND HEALTHY WORK ENVIRONMENT

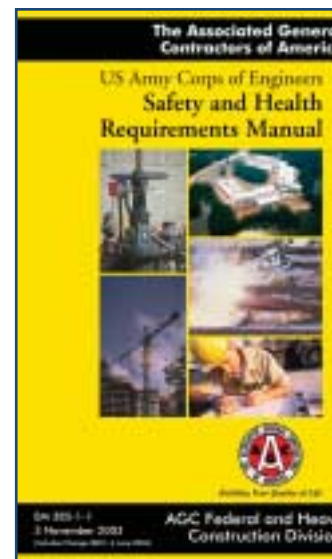
## Top Issues:

### OSHA REFORM

- AGC supports OSHA's efforts to streamline enforcement by removing standards or regulations that duplicate, overlap or are inconsistent with each other.
- AGC also supports OSHA's efforts to reduce paperwork requirements or increase optional methods to store or deliver required paperwork, or other electronic methods to store and transmit data collection required by regulatory agencies.
- Regulations should be updated that reference outdated consensus standards that can result in an employer citation if the employer is using the wrong version of the standard.

### STRONGER ALLIANCES

- AGC supports cooperative arrangements between employers, employee representatives, owners, regulatory agencies and other organizations that work together to improve workplace safety with minimal regulatory burdens.
- Voluntary compliance with safety and health regulations costs less than non-compliance, especially if citation penalties, increased risk liability and other potential future costs are included in the overall safety calculations.



AGC was granted exclusive rights to publish and distribute the updated USACE Safety Manual, providing an important tool for AGC contractors working on Corps projects.

# HELPING EMPLOYERS PROVIDE A SAFE AND HEALTHY WORK ENVIRONMENT

## Other Issues:

### **Support Efforts to Revise Occupational Safety and Health Review Commission (OSHRC)**

AGC strongly supports efforts by Congress to reform the OSHRC in order to better help contractors resolve citation disputes with OSHA.

### **Encourage Employers to use Privately Managed, Comprehensive Substance Abuse Programs to Enhance Worker Safety**

Encouraging contractors to implement comprehensive substance abuse programs will result in safer work sites. One out of six fatalities in construction involves substance abuse.

### **Support Improved Safety and Efficiency through use of Employee Involvement Programs**

Through active training and employee involvement, contractors can improve their safety program and reduce their injury, illness and fatality rates.



Assistant Secretary of Labor OSHA Administrator John Henshaw presents the OSHA Challenge Pilot Program recognition to AGC CEO Stephen Sandherr.

# ENSURING FAIR FEDERAL CONTRACTING OPPORTUNITIES

## Top Issues:

### **OPPOSE PROCUREMENT OF CONSTRUCTION USING REVERSE AUCTIONS**

- AGC supports a prohibition on the procurement of federal construction projects using the reverse auction delivery method.
- AGC believes that while reverse auctions may be appropriate for the procurement of bulk commodities, such as building materials, they fail to recognize the principles on which “best value” procurement have been founded and ultimately are a poor use of taxpayers’ money.
- Due to the complexities of federal construction projects, the procurement of construction services via the reverse auction method fails to take into account that construction is a unique mix of services and systems tailored to individual owner needs and budgets, site requirements and the changing composition of the project team, while products and commodities are manufactured with little or no variability.
- AGC fully supports the findings of the USACE study which plainly states that there was no evidence that reverse auctions provide any significant or marginal edge in savings over the sealed-bid process for construction services.



The Honorable J.P. Woodley, Jr., Assistant Secretary for Army Civil Works, with 2004 AGC President Jim Waltze.

### **REVISE THE CONTINUING CONTRACTS CLAUSE**

- The Continuing Contracts Clause, which is a required contractual clause in all navigation and waterways projects, puts an inordinate amount of risk on contractors who are at risk of facing an exhaustion of appropriations for underfunded projects.

# ENSURING FAIR FEDERAL CONTRACTING OPPORTUNITIES

- If appropriations are exhausted, a contractor is faced with either continuing to work and self-finance the project until additional funds become available or suspend work at their own cost.
- The clause is necessary for carrying out multi-year projects, however it must be amended to allow contractors to be compensated for unanticipated demobilization and remobilization costs due to funding shortages.

## **OPPOSE EFFORTS TO RECLASSIFY “CONSTRUCTION” AS A COMMODITY**

- Acquisition reform and product liability legislation often attempt to define construction as a product. As new legislation is being considered, liability must accurately reflect the nature of a construction project as a combination of design, engineering and construction services, combined with maintenance of the facility by the owner.
- If construction is not recognized as a service, it could be subject to either a strict liability standard or the Uniform Commercial Code. Construction is a contractual agreement between two or more parties to build, modernize or rehabilitate a facility or road.
- As procurement reform continues, construction must be addressed as a service. There are site-specific and design-specific distinctions for each construction project, unlike manufacturing which is a repetitive, rarely-changing process.

## **ELIMINATE SPECIAL PREFERENCE AND QUOTAS IN GOVERNMENT CONTRACTING**

- AGC has long supported equal opportunity for all construction firms to succeed or fail on their individual merits, without regard to the race or gender of their ownership. Consistent with that position, AGC continues to oppose special preferences based on race or gender in the belief that such measures are unfair and unlawful, and have done little to help disadvantaged firms learn how to compete.



2004 AGC President Jim Waltze and U.S. Secretary of Commerce Don Evans.

# ENSURING FAIR FEDERAL CONTRACTING OPPORTUNITIES

- Federal laws now require goals, set-asides and bid preferences for “disadvantaged” firms. These measures routinely require contracts and subcontracts to go to “disadvantaged” firms, even if and when those firms are not the lowest or most qualified bidders.

## SUPPORT GENERAL SERVICES ADMINISTRATION (GSA) REFORM

- GSA reform is necessary to streamline and prioritize various functions of the federal government. A more efficient GSA will better allocate the space needs of government.
- As part of GSA reform, Congress should:
  - ◆ require GSA to consider the economic impact of project site selection;
  - ◆ require GSA to submit to Congress annually, as part of a new three-year planning cycle, its authorization and appropriations requests, in order of priority, for constructing, altering, purchasing, acquiring or leasing government office space;
  - ◆ address long-term government housing needs;
  - ◆ provide design guides and standards for federal courthouses; and
  - ◆ create innovative public-private partnering agreements.
- AGC supports the implementation of policies that promote the uniform operation of GSA’s regional offices to provide consistency in the construction process with GSA headquarters guidance.



World War II Memorial built by AGC members Tompkins Builders with Grunley-Walsh Construction (General Contractors) and Gilbane Building Company (Construction Manager).

# ENSURING FAIR FEDERAL CONTRACTING OPPORTUNITIES

## OPPOSE UNSOUND BID SHOPPING LEGISLATION

- AGC has policies against both bid shopping and bid peddling. Prime contractors, who are the responsible parties within federal contracts, ensure quality construction and timely completion in accordance with the federal government's plans and specifications.
- Nevertheless, the purported need for this particular legislation is not supported by any federal government study, is not requested by any federal entity, and is not considered common commercial practice within the construction industry.
- Proposed bid shopping legislation places prime contractors in the untenable position of bearing the full brunt of any penalty imposed, regardless of whether the prime contractor is engaged in the prohibited behavior. It also proposes penalties that are grossly unfair and overreaching because it applies the concept of liquidated damages inappropriately.



AGC's partnering efforts with U.S. Army Corps of Engineers, Naval Facilities Engineering Command and U.S. Air Force Civil Engineer Support Agency ensures strong advocacy, sound policy formation, and cooperation with the military construction agencies.

# ENSURING FAIR FEDERAL CONTRACTING OPPORTUNITIES

## Other Issues:

### **Procurement Reform for Construction Services**

Reform of the federal procurement process should recognize construction's unique melding of industry sectors while ensuring the government is using the most cost-effective method of procurement.

### **Remove Provisions from HUB Zone Program that Penalize Federal Contractors**

AGC believes that the Small Business Administration (SBA) should investigate the alleged abuses of the program and provide annual reports on employment and income in the nation's HUB Zones in order to ensure that the goals of the program — to “increase employment opportunities, investment and economic development” in low income/high unemployment areas — are being met.

### **Oppose Mandatory Bid-Listing Laws and Regulations**

AGC opposes mandatory bid listing for federal government projects, as it undermines the control of a project by the general contractor, inserts the government in the contractual relationship, limits opportunities for subcontractors to compete and increases the burden on contracting officers.

### **Ensure Past Performance Evaluations are Implemented and Conducted Fairly and Consistently**

Increasingly, past performance is a heavily weighted selection criteria used to determine the successful bidder of a federal contract. A neutral, third-party review process should examine and rebut performance evaluations to ensure the accuracy of the information.



Chairman of the House Armed Services Committee Duncan Hunter speaks to AGC Federal Contractors.

# ENSURING FAIR FEDERAL CONTRACTING OPPORTUNITIES

## **Ensure the Objectivity of Best Value Selection Process**

Best value does not always guarantee the lowest cost to the government and is often a subjective determination. Instead, the government should continue to select the best-qualified contractor through sealed, low cost procurements.

## **Standardize Procedures for Contractor Debriefings Upon Completion of Federal Construction Projects**

Consistent, timely and thorough debriefings should take place both pre-award and post-award, and ensure open communication throughout the project.

## **Support a Statute of Repose for Federal Construction**

AGC supports establishing a six-year federal Statute of Repose for latent defect claims. Often, the government fails to keep up with proper building maintenance, leading to failures years later, for which the contractor should not be held liable.

## **Oppose Efforts that Restrict the Government's Ability to Contract with Industry on Commercial Activities (TRAC Act)**

Public-private competition for federal contracts creates significant savings for the federal government, assuring superior performance and innovation. AGC opposes changes to OMB Circular A-76 which would limit the ability of private companies' to competitively bid on contracts.



Presidential Advisor Karl Rove meets with AGC President Samuel P. Hunter and wife Ann at the 2005 Presidential Inauguration in Washington, DC.

# ENSURING FAIR FEDERAL CONTRACTING OPPORTUNITIES

## **Allow for Recovery of Field Office Overhead Attributable to Administering Change Orders on Federal Contracts**

Contractors should recover the actual costs of field office overhead attributable to change orders on federal construction projects.

## **Encourage Privatization of Commercial Functions and Control Federal Agency Mission Creep**

AGC opposes efforts to restrict federal government outsourcing or attempts by the government to perform work that is otherwise a commercial activity.

## **Continue Use of Contingency Funds for Federal Construction Projects**

Without contingency funds, the safety, quality, and even completion of construction projects is in question because projects cannot adjust to the varying scope, design issues, and other changes unforeseen and necessary for completion.

## **Support Application of Federal Prompt Payment to HUD Work**

Current administration of HUD funds for construction projects is not subject to federal prompt pay provisions of the FAR, leaving contractors no recourse other than litigation to address the issue of late payments.

## **Preserve Subrogation Liens**

State workers' compensation plans should have the ability to recoup workers' compensation costs when faulty products cause an employee's injury, ensuring that employees are fairly compensated and the solvency of state workers' compensation plans.

# YOUR VOICE ON CAPITOL HILL

## AGC POLITICAL ACTION COMMITTEE

AGC PAC is an essential component of AGC's legislative agenda. AGC members contribute personal dollars on a voluntary basis, providing AGC PAC the resources needed to expand the base of pro-construction allies in the House and Senate. With this support, pro-construction candidates are given the opportunity to advance AGC's legislative priorities in Congress.

During the 2004 elections, AGC PAC contributed more than \$900,000 to federal candidates and supported the winner more than 90 percent of the time. By helping to elect pro-construction candidates through direct contribution and get-out-the-vote efforts, AGC is turning Election Day victories into legislative successes in the 109th Congress. These candidates will directly affect the passage of AGC's top legislative priorities.



## LEGISLATIVE ACTION CENTER

Take Action! Access the AGC Legislative Information and Action Center at [www.agc.org/LAC](http://www.agc.org/LAC) and make sure your voice is heard on Capitol Hill. The construction industry employs seven million people nationwide; activation of AGC members can change elections.

With several mouse clicks you can:

- ◆ Register to Vote
- ◆ Find Your Polling Location
- ◆ Contact Your Members of Congress
- ◆ Find Your Representatives AGC Vote Record
- ◆ And Much More...

Visit AGC's Legislative Action Center at [www.agc.org/LAC](http://www.agc.org/LAC)





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