



Construction Industries of Rhode Island

# Rhodework Review

Summer 2016

- New OSHA Silica Regulations
- CIRI Spring Dinner Meeting
- Safety Week Recap

## President's Message

# A renewed sense of synergy on multiple levels:

Continuing to build on an inspiring year.



Michael D. D'Ambra  
CIRI President

The passage of the *RhodeWorks* program in early February was a milestone moment. For the first time in Rhode Island's history, the transportation construction industry was presented with a dedicated and dependable source of funds to tackle the massive infrastructure challenges facing our state. Accordingly, CIRI is deeply committed to working with RIDOT to prove the wisdom and value of this program to RI taxpayers.



### Promising developments on the national level.

On the federal front, legislators are starting to realize the importance of stable and dependable funding. With the passage of the five-year FAST Act, we've finally gotten out of the quicksand of temporary emergency appropriations that only kick the can down the road. But the FAST Act is hardly the finish line.

Working with our friends at ARTBA, CIRI will continue to advocate for a more permanent funding solution for the Highway Trust Fund — while helping to guard our industry from regulatory expansions that are injurious to the operations and profitability of our member companies.

Maintaining a strong and vibrant business environment for transportation construction is not only crucial to our

members: it's crucial to the economic revitalization of Rhode Island and the nation at large.

### Introducing our new CIRI brand identity.

When our freelance creative team, BrennanFournier, set out to develop a new brand identity for CIRI, it wasn't a matter of simply updating our logo.

Our new brand identity needed to reflect who we are as an organization. It needed to reflect our ability to evolve with our ever-changing industry. It also needed to reflect the overall vision and dedication that inspires our member companies — as their people engineer and perform the infrastructure improvements that are critical for our state.

Our new brand icon appropriately is a visual representation of the three elements that need to be reconciled, in order to build roads and bridges that are strong and safe:

■ **The sky.** The natural element that affects the construction process itself through its weather patterns, while calling for high quality standards to



# What election season really means for our members:

It's time to support the CIRI Political Action Committee.

*Continued from previous page*

withstand the climate extremes of the Northeast.

■ **The road.** The high performance solutions we engineer, for both new and existing roadways, to serve the diverse transportation needs of our state. These needs include daily commuting, business travel, recreational travel for residents and visitors — and the crucial flow of billions of dollars in goods that are shipped to and from Rhode Island every year.

■ **The earth.** Like the sky, the earth beneath a project affects the way we approach the challenge at hand. How we work with that terrain is key to the stability, durability and value of every project we undertake.

All of us at CIRI are truly inspired by the positive momentum that has taken shape in the first half of 2016. We look forward to building on that momentum for the continued betterment of our state, its economy and its people.

Sincerely,



Michael D. D'Ambra



*First Vice President, Stephen A. Cardi II, speaking to the need for members to support the CIRI PAC at our 2016 Spring Dinner Meeting.*

Every January, the Rhode Island Legislature convenes for the better part of six months to propose new laws. Many of these laws, if passed, will affect the operation and profitability of our industry — and not in a good way.

This is why the CIRI Political Action Committee (PAC) needs your help now. In addition to the advocacy efforts we provide when the General Assembly is in session, the CIRI PAC provides financial support to help elect candidates who understand and advocate for our industry and the RI economy.

## **Contributions to our PAC are more than welcome. They're crucial.**

Please consider a personal contribution to the CIRI PAC today.\* We welcome any amount you feel is appropriate, to help keep our message front and center with legislators at the RI State House.

The candidates who are elected this November could have a decided effect on your business by the middle of June.

## **Please mail contributions to:**

CIRI Political Action Committee  
615 Jefferson Boulevard, Suite 207  
Warwick, RI 02886-1357

**\*NOTE: Rhode Island State Law prohibits the acceptance of any corporate or business checks for campaign contributions. Only personal checks are an acceptable form of contribution. Donations are not tax deductible and are limited to \$1,000.**

## **Welcome to our new members.**

### **Adler Pollock & Sheehan P.C.**

One Citizens Plaza, 8th Floor  
Providence, RI 02903

### **J.F. White Contracting Company**

10 Burr Street  
Framingham, MA 01701

### **Pawtucket Hot Mix Asphalt**

PO Box 205  
Manville, RI 02838



# 2016 Henry J. Sherlock Scholarships awarded.

Six students honored at CIRI Annual Spring Dinner Meeting.



*Shown here at the scholarships presentation are: (front row) Regina Collari, Hannah Grivers and Audra Ravenelle; (back row) Michael D. D'Ambra, CIRI president, Conor Blomquist, Nicholas Ridder and Eric Lundberg, CIRI board member and key program advocate. Fiona Johnson was unable to attend.*

Marking the sixth year of its scholarship program, CIRI has awarded \$2,500 to each of six students to apply to their college studies. Since its inception in 2011, the program has awarded a total of \$60,000 in scholarship monies.

This year's awards were presented at the CIRI Annual Spring Dinner Meeting on May 25 at Alpine Country Club. The scholarships were renamed in 2014 in honor of Henry Sherlock, executive director of CIRI for 37 years and a life-long advocate for the pursuit of higher education.

Any senior high school student graduating in 2016 who is the child or grandchild of a present employee or an employee of a CIRI member company — and will be enrolling in a two-year or four-year accredited college or

university — was eligible to apply for consideration. The winning 2016 graduates who received this year's scholarship grants are:

**Conor Blomquist** • A graduate of Carver Middle High School who resides in Carver, MA, Conor will be majoring in aerospace engineering at Worcester Polytechnic Institute. His goal is to become an aircraft/spacecraft designer and eventually work for NASA. Conor's father, Scott Blomquist, is employed by Barker Steel.

**Regina Collari** • A graduate of Scituate High School who resides in Scituate, MA, Regina is headed to UMass/Amherst to pursue a liberal arts education with a focus on social sciences and humanities. Regina's father, Robert Collari, is employed by J.F. White Contracting.

**Hannah Grivers** • A graduate of North Providence High School who resides in North Providence, Hannah will be majoring in biology with a specialization in neuroscience at Assumption College. Her goal is to become a researcher with a focus on studying the brain. Hannah's father, Peter Grivers, is employed by Vanasse Hangen Brustlin.

**Fiona Johnson** • A Dublin School graduate who resides in Harrisville, NH, Fiona is looking to major in a STEM field with a minor in French. Fiona's father, Brice Johnson, is employed by Milton Caterpillar.

**Audra Ravenelle** • A graduate of Smithfield High School who resides in Greenville, RI, Audra will be majoring in health sciences at Ithaca College. She hopes to build a career in either pre-medicine or nutrition and to eventually open her own clinic. Audra's father, Tood Ravenelle, is employed by Gordon R. Archibald, Inc.

**Nicholas Ridder** • A graduate of Pembroke High School who lives in Pembroke, MA, Nicholas will pursue a double major in political science and Russian studies at The College of the Holy Cross. With a career in government/politics as his main goal, Nicholas would also like to join the Peace Corps and possibly teach in Russia. His father, Scott Ridder, is employed by BETA Group, Inc.

# RIDOT releases first RhodeWorks quarterly report.

New focus on increased accountability and transparency is evident in expanded format.

## RIDOT Construction Contracts To Be Advertised: FFY 2016 4th Quarter (7/1 through 9/30)

On May 2, RIDOT released its first quarterly report required under the RhodeWorks legislation passed by the RI General Assembly in February. The new report format includes a wealth of details not offered in previous reports, in line with the desire of Director Peter Alviti, Jr. and Deputy Director Peter Garino to earn public trust in RIDOT through greater efficiency, cost-effectiveness and transparency.

“Prior to us coming here last year, RIDOT was operating without accurate project budgets, and didn’t have a method to track budgets or schedules from beginning to end,” Alviti recalls. “Now a specific project manager is assigned to oversee each project from start to finish. This establishes a single point of accountability over the lifetime of a project.”

### Visible signs of progress. Both on paper and onsite.

Going beyond the statutory requirements set by the RhodeWorks legislation, the Q2 FY 2016 report released on May 2 covers a two-year span. It includes updates on current bridge conditions, progress reports for all active projects, construction contract awards, and projects coming up for bid for the balance of 2016 and in 2017. Special sections of the report feature major projects being undertaken, along with RIDOT’s plan to resolve legacy issues that were inherited by its new management team and reorganized department.

In addition to the expanded report format, RIDOT has also begun to post “accountability signs” at individual jobsites. These signs use a traffic-

Project	Expected Award Value (\$M)	
Providence River Pedestrian Bridge	Oct 2016	10.0
Statewide Guardrail 2017-2019	Oct 2016	2.5
Carolina Bridges (57F)	Nov 2016	3.9
South County Freeway Bridge #686 (52A)	Nov 2016	1.2
Wood River & Holburton Bridges #261, #262 (58D)	Dec 2016	2.4
Statewide Fence 2017-2019	Nov 2016	0.9
Aquidneck Avenue Improvements: Middletown & Tiverton	Nov 2016	0.9
Pedestrian and Intersection Safety Improvements - STC	Nov 2016	1.0
Central Street Bridge #449 (70B)	Dec 2016	6.3
Newman Avenue Bridge #224 (57D)	Jan 2017	3.0
Old Sakonnet River Bridge Demolition	Dec 2016	15.8
Providence Area Bridges #1080, #1082 (56B)	Jan 2017	1.3
Slatersville Stone Arch Bridge #273 (70C)	Jan 2017	5.0
Washington Bridge North #700 (57A T-J)	Jan 2017	10.0
Statewide Impact Attenuator 2017-2019	Jan 2017	2.0
Old Stone Bridge Tiverton	Dec 2016	1.6
Route 102 & Route 117 Improvements - Roundabout	Jan 2017	2.1
<b>TOTAL (in millions)</b>		<b>\$69.9</b>

light type graphic to quickly indicate whether a project is on time and on budget, while also indicating its projected completion date and final cost.

“We’ve been entrusted with a tremendous responsibility to make sure the RhodeWorks program is implemented

effectively and efficiently,” Alviti concludes. “This quarterly report is an important first step toward showing Rhode Island taxpayers we’re both capable and committed to delivering on our promise to rebuild our state’s infrastructure.”

# Transportation outlook brightens on federal and state levels.

ARTBA's Alison Black and RIDOT Director Alviti featured at May 25 event at Alpine CC.



*Alison Black • ARTBA Senior Vice President & Chief Economist*



*Peter Alviti, Jr. P.E. • RIDOT Director*

During the first six months of 2016, major funding commitments by the U.S. Congress and the State of Rhode Island began to have a positive effect on the transportation construction industry. This was the main topic of discussion at the annual CIRI Spring Dinner Meeting on May 25. Held at Alpine Country Club in Cranston, the event attracted approximately 200 attendees from the CIRI membership. Featured speakers were:

**Alison Black • ARTBA Senior Vice President & Chief Economist**

On December 4, 2015, the Fixing America's Surface Transportation (FAST) Act was signed into law. Alison Black of The American Road & Transportation Builders Association (ARTBA) spoke to the May 25 assemblage about the immediate and future benefits this upsurge in financial support will provide to the industry.

Prior to the FAST Act, Congress had implemented over 40 short-term funding extensions as stopgap measures over the last decade. Coupled with the 2008 recession, this decreased the real value of highway work by about 25%. The resulting uncertainty caused major issues for states like RI that depend heavily on federal funding.

"Due to the passing of the FAST Act," Black stated, "federal highway funding in FY2016 will increase from \$40.3 billion in the previous year to \$46.4 billion. Federal funds for Rhode Island will increase from \$211M to \$242M in FY 2016, and the five-year

program will provide \$1.16B in total funding for your state."

While the FAST Act is designed to reverse the decade-long deficiency in federal highway funding through 2020, ARTBA is concerned about the remaining lack of a long-term solution to eliminate the ongoing funding gap for the Federal Highway Trust Fund (HTF). "ARTBA's top priority for 2016," said Black, "is to continue to try to find a fix for this." On a positive note, Black pointed out that most of the recent HTF revenue enhancements have come through budget allocations and broad based bills.

In addition, Black offered a summary of various regulatory issues ARTBA is focused on as an advocate and watchdog for the industry. These include proposed changes to the EEO-1 form that companies with over 100 employees are mandated to file, concerns about the new FHWA tracking proposal for greenhouse gas emissions, and new silica exposure regulations released by OSHA on March 24.

**Peter Alviti, Jr. P.E. • RIDOT Director**

Since the historic *RhodeWorks* program was passed by the General Assembly on February 11, RIDOT has moved swiftly to put the massive bridge repair program in motion, to put shovels in the ground, and to get Rhode Islanders back to work. Peter Alviti provided details on how RIDOT was able to hit the ground running — the result of new and improved project management protocols introduced and implemented by its new management team over the past year.

# New silica exposure regulations causing industry concern.

ARTBA joins lawsuit in federal court to challenge validity..

*Continued from previous page*

A particular example cited by Alviti is the current Pleasant Valley Parkway bridge project in Providence. Just six months since the award, an accelerated phase of work has put the project 7 months ahead of schedule despite environmental restrictions. This key artery is slated to reopen by end-of-year, as opposed to the original target of mid-2017.

“This improved performance didn’t just *happen*,” Alviti said. “It’s the result of hard work across RIDOT to develop a new way of doing business. We studied best practices used by DOTs across the country to bring more transparency, accountability, quality results and speed to our project management process. We now have a finger on the pulse of all aspects of a project, from initial conception to final completion.

At the time of Alviti’s speech, 54 active construction projects were underway in 2016 including 26 bridge projects. As opposed to the department’s past practice of meeting the FHWA’s minimum 4-year plan requirement, RIDOT has now adopted a 10-year plan — only the 3rd state in the country to do so.

“The reliable, dedicated and predictable revenue stream created by *RhodeWorks* enables both RIDOT and its industry partners to plan effectively,” said Alviti. “The way diverse stakeholders came together to accomplish this, including Governor Raimondo, is something I’ve never seen in my 66 years of living in Rhode Island.”

On March 24, OSHA issued new regulations to significantly tighten the existing federal standard for allowable worker exposure to crystalline silica dust: a basic component of dust from soil, sand, granite and other construction related minerals. Exposure levels would be limited to 50 micrograms per cubic meter of air, averaged over an 8-hour shift, compared to the previous 250-micrograms level for the construction industry.

These regulations were due to go into effect on June 23, giving construction companies one year to comply. After a 17-year battle, including its concerns being ignored in the final rulemaking process, ARTBA joined an early April lawsuit filed in the 5th U.S. Circuit Court of Appeals in New Orleans. Multiple issues cited by ARTBA include:

**Unworkable air sampling requirements.** Sampling and testing procedures for silica exposure are not only time-consuming, the tested workplace location and conditions will typically change by the time results are in hand.

**Compromising other safety concerns.** An inordinate focus on silica exposure would divert significant human and financial resources from mitigating and eliminating other serious hazards, including runovers, backovers and work zone intrusions.

**Unintended negative health effects.** By requiring workers to wear respirators in hot environments, there is potential exposure to otherwise avoidable heat stroke and stress.

**The use of outdated data.** OSHA health-data studies used to craft the

regulation go back as far as the 1930s. More recent data shows dramatic silica exposure reductions under the existing standard. According to the CDC, deaths due to silicosis have declined 93% over a 40-year period. Also, OSHA estimates the new standard will cost the construction industry about \$659 million a year — while an independent analysis co-sponsored by ARTBA estimates the cost at \$2.2 billion.

As ARTBA believes these burdensome silica exposure regulations will also increase overall safety risks to transportation construction workers, it is financially supporting litigation to stop implementation of this unwarranted regulatory action.



*Transportation construction industry concerns about the new OSHA silica exposure regulations include the feasibility of testing within a continually changing jobsite environment, in addition to potential negative effects on overall safety and the health of jobsite workers.*

# Safety awareness/training kicks off active spring season.

CIRI-led effort coincides with National Safety Week.



*Peter Robbins, Chairman of the CIRI Safety/EEO/Training Committee.*

National Safety Week, which takes place annually the first week in May, has become a key tradition for the construction industry. Again in 2016, CIRI sponsored a corresponding awareness/education effort on the local level to augment the ongoing safety programs of its member companies.

During the weeklong event, CIRI distributed nearly 1,700 commemorative t-shirts with the program's mantra, *Many Roles, One Goal: Building Safely Together*. This year's initiative inspired 12 companies to participate, ranging in size from 10 employees to 500 employees each.

"The timing of our 2016 Safety Week effort couldn't be better," said Peter Robbins, director of safety for D'Ambra Construction and chairman of the CIRI Safety/EEO/Training Committee. "It's a valuable opportunity to expand the knowledge of hazards and procedures at the

beginning of the work season. The level of participation is particularly rewarding, knowing how busy our members' work crews are during the spring."

## **Leveraging established partnerships and member resources.**

In the planning and execution of the initiative, CIRI was assisted by the Laborers' International Union of North America (LIUNA), Local 271 and the American Road & Transportation Builders Association (ARTBA). The training component was conducted via a series of toolbox talks by the participating companies, either at their headquarters or on jobsites. Topics included prevention of falls (the leading cause of construction related



injuries), runover and backover prevention, first aid and CPR procedures, and rigging and signal person training.

"We looked to the safety managers at the various companies to do the training, since they already have a rapport with their employees," Robbins explains. "Since some companies don't have a safety manager, the owners actually pitch in and get involved. They believe the most important thing is for their employees to be able to go home at the end of the day without being injured. It's living proof they care about their employees at a deeper level."



*One of nearly 1,700 t-shirts distributed by CIRI during the weeklong event.*

# Resisting the tides of regulatory overreach.

TMAW program is a driving force on the national level.

Federal regulations are continually being introduced that are often unwarranted and injurious to the transportation construction industry. This is particularly true for an outgoing administration. For example, May 16 was the last day for the Obama Administration to introduce regulations that are not subject to the Congressional Review Act. Any regulations introduced from May 17 forward could be struck down by the next Congress or President in January 2017.

Through its ongoing advocacy activities, ARTBA's Transportation Makes America Work (TMAW) program plays a key role in helping to protect the interests of our industry at large. Funds donated to TMAW support ARTBA's efforts to litigate against federal regulatory overreach, to join in coalitions seeking legislative relief — and to ensure the voice of the transportation construction industry is heard during all regulatory discussions.

In addition to the new OSHA regulations for silica dust exposure, detailed in the article on Page 7, federal regulatory proposals that ARTBA is actively challenging include:

## **Proposed changes to the EEO-1 form.**

The Equal Employment Opportunity Commission (EEOC) has proposed to increase reporting requirements for

numerous employers, including contractors working on federal-aid construction projects.

Currently, all private contractors with 100 or more employees working on such projects must report data reflecting the ethnicity, race, and gender of their employees through the EEO-1 form. The Commission's February 1 proposal would require those employers to report salary and number of hours worked for employees as well.

The proposal raises numerous issues, including the anticipated administrative and project costs of this additional regulatory burden. Another area of concern is the lack of context for these salary records, since the required reports will not include information on the seniority, education level or performance of employees. Recent large-scale

breaches of confidential federal government data also raise security and privacy concerns about the collection of proprietary salary information.

## **Redefining “waters of the United States.”**

In one of the largest regulatory efforts under the current administration, the United States Army Corps of Engineers and the Environmental Protection Agency (EPA) are proposing to expand the current definition of “waters of the United States.” Currently, federal jurisdiction extends only to “navigable” waters and adjacent wetlands. Under a new EPA rule, however, the government's reach would extend to all waters of the United States.

ARTBA and its industry allies filed a federal lawsuit in 2015 to stop the EPA from extending federal jurisdiction over roadside ditches. ARTBA has made the case, on multiple occasions, that roadside ditches should not be regulated as traditional jurisdictional wetlands “as they are not connected water bodies and they contribute to the public health and safety of the nation by dispersing water from roadways.”

The new rule, however, did not categorically exempt roadside ditches from federal jurisdiction. A federal appeals court has prevented the rule from taking effect while the litigation is pending.

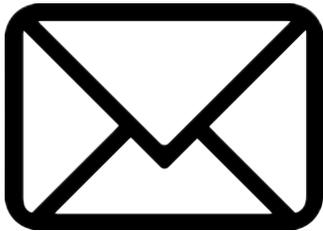


# ARTBA Northeast Regional Meeting held in Providence.

CIRI was co-sponsor for annual two-day event.

## Member Email Addresses: Desperately Needed

If you haven't sent us your email address yet, please do so. We really need to complete our email database, in order to simplify and streamline the member notification process. It'll only take you a minute to send a quick email to [exec@ciri.net](mailto:exec@ciri.net). So why not now?



The American Road & Transportation Builders Association (ARTBA) conducts a series of annual regional meetings, which are valuable opportunities for transportation construction professionals to network and learn about the state of the industry. The 2015 ARTBA Northeast Regional Meeting, co-sponsored by CIRI, was held at the Omni Providence on December 9 & 10. Highlights of the meeting included:

**Keynote Address by Peter Alviti, Jr. of RIDOT.** Director Peter Alviti, Jr., P.E. delivered a detailed presentation on the proposed *RhodeWorks* plan, then in the midst of lively discussion and debate across the state. Alviti spoke to the key aspects of this comprehensive initiative to rehabilitate the state's infrastructure and revitalize the RI economy.

**The State of the Transportation Industry in the Northeast.** A panel discussion featuring a quartet of key executives from regional firms, including CIRI President, Michael D. D'Ambra,

who is executive vice president for D'Ambra Construction Company.

**State Market & Government Affairs Updates.** A six-person panel discussion featuring executive management representatives from construction industry trade groups across the region, including Tim Scanlon, executive director of CIRI.

**Presentations by key ARTBA representatives.** Throughout the event, attendees were addressed by upper-level ARTBA executives and board members including:

- Alison Premo Black, senior vice president and chief economist
- David Zachry of Zachry Construction Company, 2015-2016 chairman
- Dean Franks, vice president of congressional affairs
- Dave Gehr, senior vice president of Parsons Brinckerhoff and ARTBA Northeastern Region vice chairman



# CIRI

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*Participants in the panel discussion on The State of the Transportation Industry in the Northeast were (l to r): moderator Dave Gehr, ARTBA Northeastern Region vice chairman & Senior Vice President of Parsons Brinckerhoff (VA); Eli Khoury, Senior Vice President, HDR Engineering (NY); Jeff Sterner, President & COO, High Industries (PA); Ted Zoli, Senior Vice President, HNTB (NY); and Michael D. D'Ambra, CIRI President & Executive Vice President of D'Ambra Construction Co. (RI)*