



SEPTEMBER 2022

September 5, 2022

September 12, 2022

September 19, 2022

September 26, 2022

[View Online](#)

September 6, 2022

The VOICE of Construction



Take Action Against Government Mandated PLAs

By Dustin Steiner, Vice President Government & Industry Relations

As you know, on February 4, 2022, President Biden signed Executive Order (EO) 14063, which will require **every** federal prime contractor and subcontractor to engage in negotiation or agree to Project Labor Agreements (PLA) on federal construction projects valued at \$35 million or more. This EO will eventually repeal and replace President Obama's own PLA EO in 2009, which *encouraged* the use of PLAs on projects above \$25 million.

The Federal Acquisition Regulation Council has issued a proposed rule opening a public comment period until October 18, 2022. Take action now by visiting [Oppose Government-Mandated Project Labor Agreements \(PLAs\) - Associated General Contractors of America \(agc.org\)](#) and letting the Biden Administration know how this impacts your company.

The White House estimates this EO could impact **\$262 billion in federal construction** and **200,000 workers**. AGC of America CEO, Stephen Sandherr, said the Biden Administration is trying "*to solve a problem that doesn't exist*" and criticized the timing of this order "*at a time when firms are already struggling with labor shortages and skyrocketing materials prices. It also undermines the bipartisan spirit of the new infrastructure bill.*" AGC of America and AGC San Diego both supported the Bipartisan Infrastructure Law.

Back home in San Diego, AGC is leading the charge against **Measure D**. Measure D, if passed, would open the door to discriminatory, union-only, project labor agreements on billions of dollars of City of San Diego projects. Please consider a donation by making a check payable to *San Diegans Against Discrimination* and mailing to:

San Diegans Against Discrimination
C/O C. April Boling
7947 Hemingway Ave
San Diego, CA 92120

If you have any questions or would like to arrange a check pick-up, please [e-mail](#) me.

CARB: "Oh, Never Mind"

By Mike McManus, Director of Engineering Construction & Industry Relations

After a decade of making costly engine replacements to meet air-quality regulations, the trucking and construction industries are now being told by the California Air Resources Board (CARB), "Oh, never mind." CARB is now proposing a new set of regulations called the Advanced Clean Fleets Regulation. This after these two industries have spent billions of dollars complying with CARB's present regulatory scheme.

The present rules are called the Truck and Bus Regulation. On-road diesel vehicles with a Gross Vehicle Weight Rating (GVWR) of greater than 14,000 pounds were required under the rules to reduce exhaust emissions by meeting particulate filter requirements and upgrading to newer engines. Vehicles with a 2010 engine model year (EMY) or newer are fully compliant.

Older vehicles had to be upgraded or replaced under the following schedule for GVWR over 26,000 pounds (under 26,000 pounds has a slightly different schedule):

Engine Model Year	PM Filter	2010 EMY by
Pre-1994	Not Required	Jan. 1, 2015
1994-1995	Not Required	Jan. 1, 2016
1996-1999	Jan. 1, 2012	Jan. 1, 2020
2000-2004	Jan. 1, 2013	Jan. 1, 2021
2005 or newer	Jan. 1, 2014	Jan. 1, 2022
2007-2009	If already equipped	Jan. 1, 2023

There also were exemptions in the regulations. For example, low mileage construction vehicles with a particulate matter filter could operate up to 15,000 miles per year without upgrading the EMY per the schedule above, and dump trucks could operate up to 20,000 miles per year. More time to upgrade engines was also available for fleets that installed PM filters in all their vehicles.

As you can see from the replacement schedule above, the truck and construction industries have been spending billions of dollars over the last 12 years bringing their fleets into compliance. The investments into these upgrades by fleet owners are also long-term investments. The assumption by fleet owners is that they are making 25–30-year investments into these commercial vehicles which means that replacing a 2005 engine with a 2010 engine which was required on January 1, 2022 was an investment that was to carry that equipment out to 2052 or so.

Now CARB is saying that the climate crisis is causing them to change the rules and go all-electric. Meaning that the billions of dollars that have been spent on compliance will not get the expected return on investment and billions more will need to be spent on a new regulatory scheme moving forward.

The new proposed Advanced Clean Fleets Regulations are a dramatic departure and amazingly tone deaf to the economic reality of the truck and construction industries. The regulation would apply to fleets performing drayage operations, state and local agencies, federal government agencies, and high priority fleets with at least 1 vehicle with a gross vehicle weight rating (GVWR) greater than 8,500 lbs. operating in California. High priority fleets are defined as an entity with \$50 million or more in gross annual revenue or a fleet who owns, operates, or controls a total of 50 or more vehicles themselves or under

common ownership and control. Only vehicles with a GVWR greater than 8,500 lbs. included in this total. The regulation affects medium- and heavy-duty trucks, off-road yard trucks and light-duty mail and package delivery vehicles.

Regulated fleets must only purchase zero emission vehicles starting in 2024. Lighter vehicles, such as box trucks and yard tractors will have to be replaced with Zero Emission Vehicle(s) (ZEV's) starting at 10 percent of the fleet by 2025 up to 100% by 2035. For heavier vehicles like big rig trucks, 10% of the fleet must be ZEV's by 2030 and 100 percent ZEV's by 2042.

The cost of putting in a charging system at one fleet facility is estimated to be about \$100,000. This does not include the upgrade required by the utility company on their equipment to bring enough electricity to the facility to power the charging system for heavy vehicles. The batteries for a big truck are estimated to weigh 10,000 lbs., which means that an 80,000 lb. rated big rig can haul 15% less goods, so we need 15% more trucks on the road to haul the same goods in California and 15% more drivers. The costs are enormous for this new scheme, not to mention the monumental waste of resources already sunk into these fleets.

They also seem to be oblivious to the fact that, as we are seeing in real time, this past Labor Day, the energy grid in California can't handle the electricity load of today. It will take decades of investment by utility companies to upgrade the systems to meet the new demands of charging electric vehicles being proposed by California.

AGC Public Entities Dinner

Join us for the AGC Public Entities Dinner on **September 15** at the San Diego Yacht Club to learn from six public agencies about upcoming projects. Also support the EGCA Foundation "Honoree and Scholarship Awards" as we award local student scholarship winners, and honor **Ron and Jerry Zagami** of *Clairemont Equipment Company*, as this year's EGCA Foundation Honoree.



DATE: Thursday, September 15, 2022

TIME: 4:30 PM to 8:00 PM

LOCATION: San Diego Yacht Club

COST: \$75 per person

RSVP your VIP seating at an agency table today! Each agency table will have 8-10 seats. When you register you will have the option to note your table preference. Spend the evening with agency officials that you are interested in working with in the future.

- Table #1 - **Airport Authority**
- Table #2 - San Diego City - **TABLE FULL**
- Table #3 - **San Diego County**
- Table #4 - Caltrans - **TABLE FULL**
- Table #5 - **SANDAG**
- Table #6 - **SDUSD (San Diego Unified School District)**

Title Sponsor: [Trench Shoring Company](#) and [Martin Marietta](#)

Drink Ticket Sponsor: [GLA Partnering](#)

Table Sponsors: [Cavignac](#), [Hazard Construction Engr LLC](#), [Cass Arrieta](#) and [Vulcan Materials](#)

Sponsorships still available – [click here for information](#)

Prefer to register by email – [click here to download registration form.](#)

Registration Information:

[Click here](#) to start registration process, and to view all available items for this event.

Public Agencies and guests please use the “non-member” item to register for this event.

Buy tickets for the **San Diego Staycation Raffle** – includes Hornblower Dinner Cruise for two and one-night hotel stay! Buy your tickets when you checkout online or [click here for a Raffle Ticket Form](#).



Event and Car Show Entry Registration Open for AGC CLC Mixer & Car Show on October 6!

The Construction Leadership Council invites members and guests to the 9th annual AGC CLC Mixer and Car Show! Enjoy delicious food truck fare, ice-cold beverages, while checking out the classic cars and hot-rods on display.

The event starts earlier this year at 3:30 p.m. and goes to 6:30 p.m. at the AGC East County Headquarters and Apprenticeship Training Center.

[**Register Today!**](#)

Thank you to our current event sponsors!

Food Truck Sponsor: [National Electrical Contractors Association](#) - (NECA)

Beverage Sponsor: [Milwaukee Tool](#)

Platinum Sponsor: [Bergelectric Corp.](#), and [Dynalectric](#)

Gold Sponsor: [Griffith Company](#), [Swinerton](#), [Simpson Strong-Tie](#), [TC Construction](#)

[**Sponsorship opportunities still available.**](#)

Do you have a classic car or truck you want show off?

Car registration is also open for the CLC Mixer & Car Show on October 6! Register to display your classic car, hot-rod, or truck at the event. All vehicles must register in advance by September 15.

[Click here to register your car online](#) or download, complete and submit the [Car Entry Form](#) by email.

Please contact [Kellie Korhonen](#) with any event questions or for sponsorship opportunities.



33rd Annual AGC Fall Golf Classic, Monday, October 10

(AGC Meetings & Events Committee)

Are you in? We only have 6 foursomes left!

Register today for the AGC Fall Golf tournament, scheduled for **October 10** at the **Country Club of Rancho Bernardo**.

This is our final golf event of the year.

Special thanks to our returning Title Sponsors:



And to our Major Sponsor:

FINCH □ THORNTON □ BAIRD LLP

ATTORNEYS AT LAW

Don't wait until you get the names of your players and register now.

[Click Here](#) to Register!

The **Country Club of Rancho Bernardo** is a private course in immaculate condition. Unless you are a member, or a guest of a member, there are not a lot of opportunities to play there.

Registration begins at 9:30 a.m. with a Shotgun Start at 11:00 a.m.
Your fee Includes the following:

- **Golf & Cart**
- **Breakfast & Prime Rib Dinner**

This just in...Cart Sponsorship available!

Additional Sponsor Opportunities! Exhibitors, Contest Sponsors, Beverage Sponsors, and Raffle Prize Donations! To become a sponsor, [click here](#).

Contact Rae Krushensky at raek@agcsd.org with any questions.

AGC 2022 Holiday Dinner Dance



The AGC 2022 Holiday Dinner Dance at the Hotel Del Coronado on December 3

Sponsored by Alliant Insurance Services and Moss Adams, LLP
Deadline for room reservations is November 11th

Start making your plans to attend the **best party of the year!**

Invitations were mailed last week to the primary contact for each AGC member company.

The AGC Holiday Dinner Dance is a San Diego construction industry tradition. For over 80 years, AGC San Diego members have been celebrating the holidays together during this elegant "black tie" affair. 2020 was the first time ever we had to cancel this festive event, and we hope we never have to again. This has always been one evening in which the industry takes a "time out" and celebrates together regardless of what is "going on" in the world.

With that, the AGC Meetings & Events Committee wanted a theme that will take you back to the decade that really celebrated good times, "**The “Roaring 20’s!”**"

Guests attending the Dinner Dance can choose to dress in formal attire as normal, or dress in tasteful attire supporting the theme.

[Click here](#) for a copy of the invitation. [Website registration link](#).

There is no formal agenda, or long speeches, just fine dining, dancing, and good conversation with your friends in the industry.

If you can't fill a table, no worries. We will fill it for you with other couples who will be attending.

This year, we welcome back the Los Angeles "band of the year, "The Trip."

Also, don't forget the Rady Children's Hospital & Polinsky Promises to Kids Toy Drive! Make a child glow this holiday season with a new toy and help us carry on a tradition established more than forty years ago. Please bring a new, unwrapped toy with you to display at the event, or you can drop one off at either the AGC office at Ferris Square or at Riverford Road in Lakeside. Drop offs needed by December 13. Toys will be delivered to Rady Children's Hospital and to the Polinsky Center the week before Christmas.

Room reservations can be made by calling 1-800-468-3533 or clicking on the link below. The group code is **AGCA**.

<https://book.passkey.com/go/AGCA22>

Please also note that discounted rates are very limited this year, and the only rooms we are able to offer with a group discount are noted below. Some of these room types may already be sold out.

Hotel del Coronado – Room Type	Single Rate	Double Rate
Victorian Building Guestrooms	\$ 325.00	\$ 325.00
The "Views" Building Resort View Guestrooms	\$375.00	\$375.00
Cabana Pool View Guestrooms	\$ 445.00	\$ 445.00

As in previous years, the normal Resort Fee for overnight rooms of \$35 has been **waived** for our group.

Check-in time is 4:00 PM, and check-out time is 11:00 AM.

Other Fees: Note that in addition to the normal occupancy tax, there will be a Historic Preservation Fund (HPF) charge of \$15 plus applicable state and local tax that will be posted to all guest rooms.

Parking: Daily self-parking rates are discounted at \$25, and \$35 for valet parking. For overnight guests the rates are \$30 for self-parking and \$40 for valet parking per day. Make sure to mention the AGC group.

In the event the AGC room block becomes full, members can also book rooms at the **Glorietta Bay Inn**, directly across the street from the Del, or at the **Loews Coronado Resort**. Note that there are no room blocks at these locations.

For your convenience, here are their websites:

<https://www.gloriettabayinn.com/>

<https://www.loewshotels.com/coronado-bay-resort>

Please contact Rae Krushensky at the AGC with any questions at raek@agcsd.org.



AGC Members Apply Now for The Construction Innovation Award

Over the years the AGC Construction Technology Committee has been able to highlight and award member companies for their advancements using technology in the construction industry. The committee has expanded and updated the award to encompass “technology and innovation” to highlight advancements in the industry. The application is now available for the 2022 Excellence in Construction Innovation Award.

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The application deadline for the Construction Innovation Award is Friday, October 14, 2022, see application for details. [Click here to download the application.](#)

Please contact AGC staff member Kellie Korhonen at kellie@agcsd.org if you have any questions about the award or application.



Volunteers Needed - Burn Institute - Senior Smoke Alarm Project - Oct. 15

Help keep seniors safe in their homes! AGC's Build & Serve Committee needs volunteers to assist with installing smoke alarms at a senior mobile home park in **Ramona on Saturday, October 15 from 8 am – 2 pm** for the Burn Institute's Fire-Safe Seniors Program.

Volunteers are assigned routes of homes and paired up with another volunteer. You'll install alarms and review fire safety information with residents. Training and drills (limited amount) are provided by the Burn Institute, so we are asking volunteers to bring their own battery-operated drill.

We ask that volunteers fill out the [application](#) then [sign up here](#).

[FLYER](#)



CRITICAL ISSUES IN CONSTRUCTION CONTRACT NEGOTIATIONS

SEPT 27TH @AGC-SD

NOON-1:00PM

PRESENTED BY FIRM PARTNER
ADAM WITT



FINCH • THORNTON • BAIRD^{LLP}

ATTORNEYS AT LAW



- September 15 - PUBLIC ENTITIES DINNER
- September 20 - MEET YOUR GC
- October 6 - CLC CAR SHOW & MIXER
- October 10 - FALL GOLF
- December 3 - HOLIDAY DINNER DANCE - Roaring 20's theme
- December 15 - ANNUAL MEETING

SEPTEMBER CLASSES

- Sept. 8 - Microsoft Excel Intermediate
- Sept. 12-14 Fall Protection 24-Hour CPT **SAVE 20% with promo code LABOR20**
- Sept. 13 - Frame Scaffold 8-hour Training
- Sept. 13-15- Scaffold 24 Hour CPT
- Sept. 13 - Stormwater Webinar: COI for removing area
- Sept. 13 - Construction Law, Scheduling impact Claims
- Sept. 13 - Forklift Operator Training
- Sept. 14-15 - CQM-C
- Sept. 15 - Microsoft Excel Advanced
- Sept. 19 - Fall Protection Competent Person Refresher
- Sept. 20 - Prevailing Wage, Certified Payroll & Compliance Training
- Sept. 20-22 - Fall Protection 24 Hour CPT for EM 385
- Sept. 20-22 - Estimating Civil Construction 3-day Training **(2 SEATS OPEN)**
- Sept. 21 & 22 - Supervisory Training Program
- Sept. 22 - QuickBooks for Beginners
- Sept. 26-29 - OSHA 30 Hour Construction Outreach
- Sept. 27 - Construction Law, Critical Issues in Contract Negotiations
- Sept. 27 - Project Management Bootcamp
- Sept. 28 - CPR First Aid
- Sept. 29 - QuickBooks for Intermediate / Advanced
- Sept. 28-29 - USACE CQM-C

JULY - DEC EDUCATION CATALOG



Training Calendar & Class Registration

For more information on classes, contact: [Becca Schaffer](#), 619-592-4533



Committee Meeting Calendar

Get Involved - Join a Committee

SEPTEMBER MEETINGS

- Sept. 7 - 7:00 AM - **Safety Committee** - Lakeside
- Sept. 14 - 8:00 AM - **Port** - Virtual
- Sept. 20 - 11:30 AM - **Specialty Council** - Lakeside
- Sept. 21 - 11:30 AM - **H.R. Practices Committee** - Lakeside
- Sept. 22 - 4:00 PM - **Construction Leadership Council (CLC)** - Lakeside
- Sept. 22 - 1:00 PM - **Water Authority** - Virtual
- Sept. 30 - 11:00 AM - **Technology Committee** - Lakeside



AGC East County Facility & Apprenticeship Training Center
10140 Riverford Road
Lakeside, CA 92040
(858) 558-7444
[DIRECTIONS](#)



AGC Government Affairs Office & Fall Protection Training Campus
6212 Ferris Square
San Diego, CA 92121
2nd floor
[DIRECTIONS](#)

About Monday Morning Quarterback

AGC San Diego Chapter's Monday Morning Quarterback is a "hot off the press" and to the point Monday morning briefing on the important issues facing San Diego's construction industry. It is prepared by AGC Chief Executive Officer, Eddie Sprecco, and Vice President Government & Industry Relations, Dustin Steiner.

Please contact [Eddie Sprecco](#) or [Dustin Steiner](#) with your comments, or with information that should be conveyed to the industry through this service. Well over 3,000 individuals employed by AGC member firms are part of this system.

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AGC San Diego Chapter, Inc.

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The Associated General Contractors, San Diego Chapter, Inc.

10140 Riverford Road, Lakeside, Lakeside, CA 92040

September 12, 2022

The VOICE of Construction



Electoral Bargaining

By Dustin Steiner, Vice President Government & Industry Relations

Last week, on Labor Day, the Governor signed into law what could end up being a sweeping change to labor relations in the State of California. In the aftermath of the COVID pandemic, the State Legislature has passed several laws to aid in recovering from government mandated closures and restrictions. AB257, known as the *Fast Food Accountability and Standards Recovery Act* or *FAST Recovery Act* specifically targets fast food workers in large chains (100 or locations more nationally).

The *FAST Recovery Act* will create a 10-member panel to “establish sectorwide minimum standards on wages, working hours, and other working conditions related to the health, safety, and welfare of, and supplying the necessary cost of proper living to, fast food restaurant workers, as well as effecting interagency coordination and prompt agency responses in this regard.” ([read full text here](#))

The panel, which will be housed in the Department of Industrial Relations, will have:

- One representative from the Department of Industrial Relations.
- Two representatives of fast food restaurant franchisors.
- Two representatives of fast food restaurant franchisees.
- Two representatives of fast food restaurant employees.
- Two representatives of advocates for fast food restaurant employees.
- One representative from the Governor’s Office of Business and Economic Development.

Each member will serve a 4-year term. One of the main targets of this new panel is a higher minimum wage. California already has the highest minimum wage in the United States as it moved to \$15 an hour (26 or more employees) at the beginning of 2022. However, within the text of the bill is a likely jump to \$22 for those meeting the above standards – fast food, 100 locations. Per the bill text: “Any minimum wage established by the council shall, from January 1, 2023, to December 31, 2023, inclusive, shall not be greater than twenty-two dollars (\$22) per hour.” Beginning January 1, 2024, it could be increased by up to 3.5% annually.

So, why does this matter to construction? Well, the so-called “Fight for \$15” movement to make minimum wage \$15/hour started with fast food and is now the law of the land. But, the bigger picture is this is a major step toward **sectoral bargaining**. Sectoral

bargaining, popular in other parts of the world like France, Belgium, and Austria, shifts collective bargaining to an industry, region, or occupation. In other words, everyone in a particular sector would be covered by the same agreement regardless of where or for whom they actually work. Most of the United States is covered by **enterprise bargaining**, which is specific to one company or one particular worksite. This also continues a trend in this State of elected legislators granting tremendous power to an unelected body.

AGC San Diego will be following this one closely.

New Buy America Requirements on the Way

By Mike McManus, Director of Engineering Construction & Industry Relations

The U.S. Department of Transportation (USDOT) has temporarily suspended Buy America requirements for certain construction materials needed to build infrastructure projects with federal participation, in part due to challenges in sourcing domestic construction materials and ongoing supply chain issues.



On November 15, 2021, President Biden signed the Infrastructure Investment and Jobs Act into law. A crucial provision in the Act, called Build America, Buy America Act (BABA), imposes broader Buy America requirements for certain construction materials — materials other than items of primarily iron or steel — including stone, sand or gravel, non-ferrous binding agents, plastic- and polymer-based products, glass, lumber, and drywall.

The relevant Buy America requirements became effective on May 14, 2022. The USDOT temporarily suspended those requirements when it issued its [180-day waiver](#) on May 19, 2022. Contractors need to know that the waiver is slated to expire November 10, 2022, so expect that bid solicitations from that day forward will have the BABA requirements added back in.

The suspension of Buy America requirements is affording the USDOT and procuring governmental entities time to develop enforcement and compliance mechanisms for new Buy America standards.

The delay also will allow contractors time to investigate potential domestic sources of certain construction materials and to build up an adequate supply base to support federally funded transportation infrastructure projects.

The USDOT agreed that public interest waivers should be used sparingly and concluded that avoiding the disruption to civil infrastructure (particularly transportation and transit) projects constitutes a rare and appropriate use of the authority.

Generally, Buy America requires that all iron and steel, manufactured products, and construction materials used in federally funded/federal-participation infrastructure projects must be produced in the United States. Buy America requirements are largely observed by contractors and subcontractors, project sponsors, builders, and design and construction professionals. The White House provided preliminary guidance in an [OMB Memorandum](#) published on April 18, 2022, highlighting that a public interest waiver may

be appropriate where a procuring agency determines that the Buy America requirements are inconsistent with other important policy goals.

To give any input on the anticipated effects of this new BABA requirement to AGC of America please [click here](#).

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DATE: Thursday, September 15, 2022

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LOCATION: San Diego Yacht Club

COST: \$75 per person

Public Officials Speaking at the Event:

- Margie Perez (Caltrans)
- Lee Dulgeroff (San Diego Unified School District)
- Bill Morgan (County of San Diego)
- Rania Amen (City of San Diego)
- Chris George (SD Airport Authority)
- Venky Ganesan (SANDAG)

Limited seats available at the following Agency Tables (all other agency tables full):

- **Table #1** - Airport Authority
- **Table #3** - San Diego County
- **Table #5** - SANDAG
- When you register you will have the option to note your table preference.

Registration Information:

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Drink Ticket Sponsor: [GLA Partnering](#)

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Pre-Registration required by September 28 - [Register Today!](#)

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[Sponsorship opportunities still available.](#)

Please contact [Kellie Korhonen](#) with any event questions or for sponsorship opportunities.



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Classic, Monday, October 10**
(AGC Meetings & Events Committee)

4 foursomes left!

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**AGC 2022
Holiday Dinner
Dance**



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Deadline for room reservations is November 11th

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We ask that volunteers fill out the [application](#) then [sign up here](#).

[FLYER](#)



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A promotional graphic for Hawthorne CAT featuring a black credit card with "CAT" and "HAWTHORNE" on it. The background is a dark, textured surface.

CRITICAL ISSUES IN CONSTRUCTION CONTRACT NEGOTIATIONS

SEPT 27TH @AGC-SD
NOON-1:00 PM

PRESENTED BY FIRM PARTNER
ADAM WITT



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Mark Your Calendars

UPCOMING EVENTS

A small calendar for September is shown in the bottom right corner, with the date "24" highlighted.

- September 15 - PUBLIC ENTITIES DINNER
- September 20 - MEET YOUR GC
- October 6 - CLC CAR SHOW & MIXER
- October 10 - FALL GOLF
- December 3 - HOLIDAY DINNER DANCE - Roaring 20's theme
- December 15 - ANNUAL MEETING

SEPTEMBER CLASSES

Sept. 13 - Frame Scaffold 8-hour Training
Sept. 13-15- Scaffold 24 Hour CPT
Sept. 13 - Stormwater Webinar: COI for removing area
Sept. 13 - Forklift Operator Training
Sept. 14-15 - CQM-C (**CLOSED**)
Sept. 15 - Microsoft Excel Advanced
Sept. 19 - Fall Protection Competent Person Refresher
Sept. 19-21 - Fall Protection 24 Hour CPT for EM 385
Sept. 20 - Prevailing Wage, Certified Payroll & Compliance Training
Sept. 20-22 - Estimating Civil Construction 3-day Training (**CLOSED**)
Sept. 22 - QuickBooks for Beginners
Sept. 26-29 - OSHA 30 Hour Construction Outreach
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Sept. 27 - Project Management Bootcamp
Sept. 28 - CPR First Aid
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Sept. 28-29 - USACE CQM-C

JULY - DEC EDUCATION CATALOG



Training Calendar & Class Registration

For more information on classes, contact: [Becca Schaffer](#), 619-592-4533



Committee Meeting Calendar

Get Involved - Join a Committee

SEPTEMBER MEETINGS

Sept. 14 - 8:00 AM - Port - @ Port offices
Sept. 20 - 11:00 AM - Specialty Council - Lakeside
Sept. 21 - 11:30 AM - H.R. Practices Committee - Lakeside
Sept. 21 - 4:00 PM - Construction Leadership Council (CLC) - Virtual
Sept. 22 - 1:00 PM - Water Authority - Virtual
Sept. 30 - 11:00 AM - Technology Committee - Lakeside



**AGC East County Facility &
Apprenticeship Training Center**
10140 Riverford Road
Lakeside, CA 92040
(858) 558-7444
[DIRECTIONS](#)



**AGC Government Affairs Office &
Fall Protection Training Campus**
6212 Ferris Square
San Diego, CA 92121
2nd floor
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Please contact [Eddie Sprecco](#) or [Dustin Steiner](#) with your comments, or with information that should be conveyed to the industry through this service. Well over 3,000 individuals employed by AGC member firms are part of this system.

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The Associated General Contractors, San Diego Chapter, Inc.
10140 Riverford Road, Lakeside, CA 92040

September 19, 2022

The VOICE of Construction



One Million Dollars

By Dustin Steiner, Vice President
Government & Industry Relations

We officially launched our campaign against **Measure D**(iscrimination) just a few short weeks ago. In fact, we made our first deposit from AGC's Infrastructure PAC on August 31. As of Friday, we have raised over **\$1 MILLION** dollars to fight this discriminatory and deceptive ballot measure. **THANK YOU** to all of you for stepping up to donate and spreading the word. We are just getting started!

We will show voters that Measure D discriminates against 80% of the local construction workforce and hurts the very people it purports to help. We will also let them know that the City is misleading them with deceptive, poll-tested, rhetoric. As you know, they continue to say this is about "safeguarding" San Diego tax dollars, despite the fact that the City has not lost out on any state funding and continues to receive hundreds of millions of dollars each year. Last week, a Superior Court Judge had this to say about their misleading messaging: "...the court similarly finds the text of these ballot materials is **false and misleading**. The available evidence confirms not only that the City is already eligible for state funding notwithstanding the Ordinance, but also that the **City has continued to receive state funding for its projects**. These portions of the ballot materials suggest the City is not currently eligible for state funding, which is **demonstrably untrue**. Accordingly, the court grants Petitioner's request for a writ ordering Respondents to delete these portions of the ballot material."

Make no mistake about it, we are up against a very powerful and influential political machine, and it will take significant resources to overcome the deceptive campaign that has already begun. Please join us by contributing whatever you can toward our fight against discrimination. The Committee (*San Diegans Against Discrimination, Opposing Measure D*) can accept personal or corporate checks. Make your check payable to *San Diegans Against Discrimination* and I will come pick it up!

This is not union vs. non-union, it is simply a matter of fairness. ALL San Diegans deserve the chance to work on public projects paid for by their tax dollars! Thank you all for your commitment to this endeavor.

NO on D
**STOP THE DISCRIMINATORY
& MISLEADING BALLOT MEASURE**

Last Chance to Attend the “Meet Your General Contractor Luncheon” with BNBuilders on September 20, 11:30 A.M. – 1:30 P.M.

Presented by the AGC Specialty Contractor's Council.



Registration for this event will close at 12:00 p.m. sharp today!!

This is a members' only event and pre-registration is required, [please click here](#).

BNBuilders will present a panel of key staff to explain their bidding procedures, prequalification process, delivery methods, minority & small business participation, safety expectations and the company's goals & future plans.

Thank you to the following sponsors, who will be hosting the luncheon after the presentation:



Due to the generosity of these companies, there is no cost for **AGC contractor and affiliate members** to attend. *No general contractors please.*

For questions, please contact Rae Krushensky at raek@agcsd.org.

State Construction Stormwater Permit Adopted

By Mike McManus, Director of Engineering Construction & Industry Relations

On September 8, 2022, the California State Water Resources Control Board approved the Construction General Permit (CGP), an NPDES permit regulating stormwater discharges from construction sites. This was after about three years of deliberation, stakeholder meetings and receiving public comments. The vote on September 8, to approve the new permit was 4-0 with one Board member not in attendance. The Water Board seemed to back off the most onerous requirements in the proposed new permit, literally at the last moment.

The current permit was approved in 2009 and became effective in 2010. However, because of a legal challenge by the building and construction industry, the permit was revised, and the amended version went into effect in 2012. The same group of construction industry experts who challenged the 2010 permit were at the recent adoption hearing as were the same environmental justice warriors from non-government organizations (NGO's) like the Coastkeeper and the National Resource Defense Council. The staff, most of whom were probably in middle school in 2010, proposed the nearly identical permit requirements that were challenged in 2010 and set aside by the court. It seems obvious to this observer, that the NGO's have powerful sway over the Water Board staff and only the threat of another legal challenge backed them off.

The construction industry, represented by several collaborating coalitions, worked hard to educate the Water Board's staff, board members and the Newsom administration about some problematic portions of the new CGP. The final approved permit went through numerous changes – even as recently as the day of hearing. Most of those changes occurred due to concerns raised by the building and construction industry.

The new permit will go into effect on September 1, 2023. However, for those projects that secure coverage under the current permit (2012 permit) prior to September 1, 2023, that coverage will last for two years after the effective date (September 1, 2025). This is by default a 2-year permit grandfathering clause. As previously mentioned, the building and construction industry coalition secured several procedural changes to the proposed permit that were necessary to keep compliance costs of the new permit down.

Over the last three years of deliberations the primary issue of concern with the permit was the inclusion of numeric effluent limits (NELs). The construction industry had success in removing almost all NELs from the permit and for the remaining NELs the State Water Board incorporated a reopener provision allowing stakeholders to generate data that industry experts believe will assist the building and construction industry in pushing back on the remaining NELs before they go into effect.

The original NEL's proposal by the State Water Board three years ago by staff were to include 69 NEL's for various polluted waterbodies throughout California. In the final permit, the only NELs that will go into effect when the permit becomes effective apply to four specific lakes in the Los Angeles region (Echo Park Lake, Legg Lakes, Peck Road Park Lake, and Puddingstone Reservoir) and in those cases are dealing with pesticide compounds only.

However, it is important to note – as mentioned previously – that the State Water Board included a re-opener for these NELs and that an update is required by August 2023 (prior to the effective date of the permit). The remaining NELs (zinc, lead, copper e.g.) for these four lakes as well as the NELs for the Dominguez Channel and the need to comply with the NELs do not kick in until March 23, 2032.

As for the San Diego Region, the NELs for the Chollas Creek watershed for zinc, copper, and lead do not go into effect until October 22, 2028. One reason why these effective dates are important to the building and construction industry is that until those effective dates kick-in, we would not be open to third-party lawsuits.

The newly adopted permit does include new provisions that will add costs to the compliance of the permit. AGC will be working on organizing training sessions for contractor staff to understand the new permit procedures, costs and reporting requirements.



Car Show Entry Registration Deadline Extended to Sept. 26

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[Click here to register your car online](#) or download, complete and submit the [Car Entry Form](#) by email.

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The event starts earlier this year at 3:30 p.m. and goes to 6:30 p.m. at the AGC East County Headquarters and Apprenticeship Training Center.

Pre-Registration required by September 28 - [Register Today!](#)

Thank you to our current event sponsors!

Food Truck Sponsor: [National Electrical Contractors Association](#) - (NECA)

Beverage Sponsor: [Milwaukee Tool](#)

Platinum Sponsor: [Bergelectric Corp.](#), [Dynalectric](#), [HawthorneCat](#), [Hensel Phelps](#), and [U.S. CAD](#).

Gold Sponsor: [Griffith Company](#), [McCarthy Building Companies](#), [Swinerton](#), [Simpson Strong-Tie](#), [TC Construction](#)

[Sponsorship opportunities still available.](#)

Please contact [Kellie Korhonen](#) with any event questions or for sponsorship opportunities.



**33rd Annual AGC Fall Golf
Classic, Monday, October 10**
(AGC Meetings & Events Committee)

2 foursomes left!

Register today for the AGC Fall Golf tournament, scheduled for **October 10** at the **Country Club of Rancho Bernardo**. This is our final golf event of the year.

Special Thanks to our returning Title Sponsors:



And to our Major Sponsor:

FINCH ▪ THORNTON ▪ BAIRD^{LLP}
ATTORNEYS AT LAW

[**Click Here**](#) to Register!

The **Country Club of Rancho Bernardo** is a private course in immaculate condition. Unless you are a member, or a guest of a member, there are not a lot of opportunities to play there.

Registration begins at 9:30 a.m. with a Shotgun Start at 11:00 a.m.

Your fee Includes the following:

- **Golf & Cart**
- **Breakfast & Prime Rib Dinner**

This just in...Cart Sponsorship available!

Additional Sponsor Opportunities! Exhibitors, Contest Sponsors, Beverage Sponsors, and Raffle Prize Donations! To become a sponsor, [click here](#).

Contact Rae Krushensky at raek@agcsd.org with any questions.

**AGC 2022
Holiday Dinner
Dance**



The AGC 2022 Holiday Dinner Dance at the Hotel Del Coronado on December 3

Sponsored by Alliant Insurance Services and Moss Adams, LLP
Deadline for room reservations is November 11th

Start making your plans to attend the **best party of the year!**

Invitations were mailed last week to the primary contact for each AGC member company.

The AGC Holiday Dinner Dance is a San Diego construction industry tradition. For over 80 years, AGC San Diego members have been celebrating the holidays together during this elegant "black tie" affair. 2020 was the first time ever we had to cancel this festive event, and we hope we never have to again. This has always been one evening in which the industry takes a "time out" and celebrates together regardless of what is "going on" in the world.

[Click here](#) for a copy of the invitation. [Website registration link](#).

Room reservations can be made by calling 1-800-468-3533 or clicking on the link below.

The group code is **AGCA**. <https://book.passkey.com/go/AGCA22>

[Click here](#) for additional information about room reservations.

Please contact Rae Krushensky at the AGC with any questions at raek@agcsd.org.



AGC Members Apply Now for The Construction Innovation Award

Over the years the AGC Construction Technology Committee has been able to highlight and award member companies for their advancements using technology in the construction industry. The

committee has expanded and updated the award to encompass "technology and innovation" to highlight advancements in the industry. The application is now available for the 2022 Excellence in Construction Innovation Award.

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Please contact AGC staff member Kellie Korhonen at kellie@agcsd.org if you have any questions about the award or application.



Volunteers Needed - Burn Institute - Senior Smoke Alarm Project - Oct. 15

Help keep seniors safe in their homes! AGC's Build & Serve Committee needs volunteers to assist with installing smoke alarms at a senior mobile home park in **Ramona on Saturday, October 15 from 8 am – 2 pm** for the Burn Institute's Fire-Safe Seniors Program.

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[FLYER](#)



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Training Calendar & Class Registration

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Committee Meeting Calendar

Get Involved - Join a Committee

SEPTEMBER MEETINGS

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Sept. 21 - 11:30 AM - **H.R. Practices Committee** - Lakeside
Sept. 21 - 4:00 PM - **Construction Leadership Council (CLC)** - Virtual
Sept. 30 - 11:00 AM - **Technology Committee** - Lakeside



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[DIRECTIONS](#)

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The Associated General Contractors, San Diego Chapter, Inc.
10140 Riverford Road, Lakeside, CA 92040

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September 26, 2022

The **VOICE** of Construction



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The event starts earlier this year at 3:30 p.m. and goes to 6:30 p.m. at the AGC East County Headquarters and Apprenticeship Training Center.

Pre-Registration required by September 30 - [Register Today!](#)



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[Click here to register your car online](#) or download, complete and submit the **[Car Entry Form](#)** by email.

Thank you to our current event sponsors!

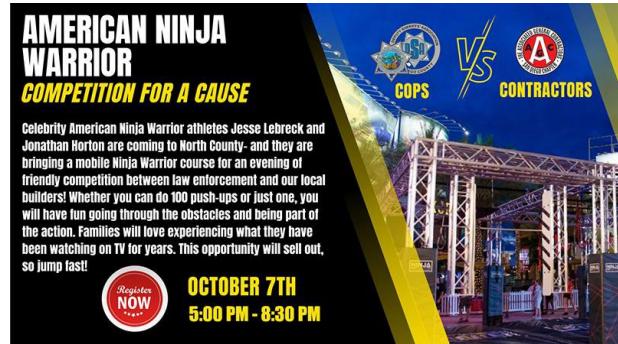
Food Truck Sponsor: [National Electrical Contractors Association](#) - (NECA)

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Gold Sponsor: [Griffith Company](#), [McCarthy Building Companies](#), [Swinerton](#), [Simpson Strong-Tie](#), [TC Construction](#)

Please contact [Kellie Korhonen](#) with any event questions or for sponsorship opportunities.



Cops v. Contractors – American Ninja Warrior Style

By Dustin Steiner, Vice President
Government & Industry Relations

Have you ever watched "American Ninja Warrior" on TV and thought "I can do that!" Well, here is your chance! We have a very special and unique opportunity for you!

On **Friday, October 7, from 5 p.m. - 8:30 p.m.**, Celebrity American Ninja Warrior athletes **Jesse "Flex" Lebreck** and **Jonathan Horton** are coming to Palomar Medical Center Escondido, and they are bringing along a Ninja Warrior course that **YOU** can run through! The travel course is a scaled-down version of the one you've seen on TV and is great for kids and adults alike, so all are welcome! That's right, this is a family-friendly event that will afford everyone in attendance the chance to try the course.

We are also teaming up with our friends at the **Deputy Sheriffs' Association** for a **Cops v. Contractors** main event! Whether you can do 100 push-ups or just one, you will have fun going through the obstacles and being part of the action. This opportunity will sell out, so jump fast! AGC and DSA are recruiting a limited number of 4-person teams to take on the course in prime time.

Is spectating more your style? Come hungry to enjoy catering from *Hot Dog on a Stick* and San Diego food truck sensation, *Rice or Death*. Post competition, the course will be open to AGC and DSA kiddos and non-competitors (**food, beverage, and course-run ALL included in \$25 ticket price**). For added excitement, this special evening will also feature magician **John Michael Hinton**, as seen on the CW's hit show *Penn & Teller, Fool Us*. With millions of views on YouTube, John Michael is a sought-after speaker and entertainer.

This is a **special one-of-a-kind event** that gives you the chance to flex your muscle, while supporting construction, law enforcement and the Palomar Health Foundation.

Sponsorships are available! Please inquire [here](#).

To purchase tickets or register a team, please [click here](#). (Under 5 years old is FREE). Also, this event is open to anyone who is a friend of the AGC, so please spread the word and share the registration link with your family, friends, and networks!

Labor Shortage is Problem Number One

By Mike McManus, Director of Engineering Construction & Industry Relations

Recent analysis from AGC of America shows that the construction industry across the country and in California is still expanding, but there are some headwinds ahead due to the

likelihood of a recession, on-going inflation, and high interest rates along with the threat of more rate increases. A shortage of skilled labor is back as top concern that seems to be contradicted by government mandates that further restrict availability.

Using February 2020 as a pre-pandemic benchmark, Bureau of Labor statistics tell us that commercial, industrial, and infrastructure construction are still down about 2.5% but have risen almost 12% in work volume since the bottom fell out in April 2020. Residential construction has grown significantly across the country and is at almost 7% higher in construction volume than the pre-pandemic days prior to early 2020. But this appears to be ready for a change as the Fed continues to jack up interest rates.

Prices have been mixed, but contractors seem to have changed their approach to bidding. From September 2020 to September 2021, contractors only raised their bid prices about 5% according to the Bureau of Labor Statistics. Meanwhile, the aggregate wholesale prices of construction commodities rose by 20-25% putting major financial strain on many firms. However, since then bid prices have risen about 20% reflecting that contractors are having to pass along the inflation that has occurred due to supply chain disruptions and rising fuel costs among other factors. Wholesale prices of construction commodities are mixed but as a whole look like they have peaked and now fallen off by double digit percentages.

Since the start of the pandemic in early 2020, some commodities' wholesale prices have steadily risen. Others have had radical swings in price. Some examples of wholesale percentage of price increases are as follows for important construction commodities:

Commodity	% change since April 2020	Peak % change since April 2020
Steel Products	103%	140%
Lumber/Plywood	53%	120%
Copper and Brass	55%	79%
Gypsum Materials	49%	Steady Rise
Aluminum	36%	60%
Truck Transportation	36%	Steady Rise
Bid Price (non-resid.)	25%	Up since Sept. 2021

It is no wonder that contractors have had to raise their prices and we would expect that to continue. This will likely factor into a short-term slowdown of some construction as owners take a wait and see approach on the cost of construction in the near term. AGC America reports that a slowdown is likely in homebuilding, warehouse, retail, office and lodging construction.

This comes on the heels of a very good year behind us. According to the U.S. Census Bureau, we have had a mixed bag of construction spending during the period of July 2021 to July 2022.

Utility construction such as electric, oil, gas fields, and pipelines were down collectively 12% most likely due to government policy across the country. Warehouse and retail construction was up 13%. Highway and street construction rose a modest 5%, while manufacturing construction is booming, up 19%.

The three major hikes in federal spending may have little impact in the short run on the fortunes in the construction industry. Why? Because the federal government is not very nimble, and puts in place regulations that hurt the very people they are trying to help.

The Infrastructure Investment and Jobs Act (IIJA), the "Chips" Act (semiconductor manufacturing subsidies) and the *Inflation Reduction Act* collectively are adding historic bumps in theoretical federal spending. However, we already are seeing with the IIJA that the strings attached to the funds are slowing down construction awards and actual spending of federal dollars. Environmental clearance hurdles, *Buy America* provisions and now the latest, restrictive labor provisions, are likely to be added to federal construction projects.

Materials costs and lead times for some materials continue to challenge owners and contractors across the country and here in California. However, labor availability has resumed to be the number one challenge for contractors. 100% of contractors, in a recent survey, have said that they are having trouble filling hourly craft worker positions for crafts such as electricians, mechanics, millwrights, pipelayers, plumbers, and traffic control personnel. Two thirds of contractors in California report that they are having trouble filling any type of craft worker position.

We need all hands-on deck!



The AGC 2022 Holiday Dinner Dance at the Hotel Del Coronado on December 3

*Sponsored by Alliant Insurance Services and Moss Adams, LLP
Deadline for room reservations is November 11*

Start making your plans to attend the **best party of the year!**

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Puttin' on the Ritz 1920's Evening Attire!

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THE NUTS & BOLTS OF PROJECT LABOR AGREEMENTS (PLAs)

OCT 11TH @AGC-SD
NOON-1:00PM

PRESENTED BY FIRM PARTNER
CHAD WISHCHUK



FINCH THORNTON BAIRD LLP
ATTORNEYS AT LAW



2022 EXCELLENCE IN CONSTRUCTION INNOVATION AWARD



encompass “technology and innovation” to highlight advancements in the industry. The application is now available for the 2022 Excellence in Construction Innovation Award.

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[JULY - DEC EDUCATION CATALOG](#)



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For more information on classes, contact: [Becca Schaffer](#),
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SEPTEMBER MEETINGS

Sept. 28 - 1:00 PM - Water Authority - Virtual
Sept. 30 - 11:00 AM - Technology Committee - Lakeside

OCTOBER MEETINGS

Oct. 5 - 7:00 AM - Safety Committee - Lakeside
Oct. 5 - 8:00 AM - Build & Serve Charitable Alliance - Lakeside
Oct. 19 - 11:45 AM - Airport - Virtual
Oct. 20 - 1:00 PM - City of San Diego - Virtual
Oct. 27 - 12:00 PM- Meetings & Events - Lakeside



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About Monday Morning Quarterback

AGC San Diego Chapter's Monday Morning Quarterback is a "hot off the press" and to the point Monday morning briefing on the important issues facing San Diego's construction industry. It is prepared by AGC Chief Executive Officer, Eddie Sprecco, and Vice President Government & Industry Relations, Dustin Steiner.

Please contact [Eddie Sprecco](#) or [Dustin Steiner](#) with your comments, or with information that should be conveyed to the industry through this service. Well over 3,000 individuals employed by AGC member firms are part of this system.

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