



 Contractors
Association
of West Virginia

ANNUAL REPORT 2020

HARD AT WORK KEEPING WEST VIRGINIA MOVING FORWARD

Contractors Association of West Virginia members continue to do their part to protect workers and the public amid the coronavirus that introduced unprecedented challenges in everyday work and personal lives. Our members have created comprehensive new safety plans to change the way construction operates in order to maintain a commitment to safety. We are working safe so we can expand health care facilities, build schools and maintain critical infrastructure such as highways and airports.

From the President



The front cover of this annual report reflects that 2020 has been a challenging year for all of us. The good news is that we – the CAVW and our members – rose to the challenge and kept construction moving forward. With our great partners at the Associated General Contractors (AGC) of America and the American Road and Transportation Builders Association (ARTBA) and their remarkable work, we kept our members' projects operating safely by making available COVID-19 safety tool kits, conducting safety stand downs and providing accurate and timely information on various issues. These include the Paycheck Protection Program (PPP), new family and medical leave requirements, and contract language modifications to reflect changing conditions or possible project delays.

West Virginia's construction industry has been fortunate in that Governor Jim Justice, in his March 23, 2020 Executive Order on Stay at Home, declared construction an essential business. There were projects that were delayed but the designation spared the industry from a partial or complete shutdown as experienced in surrounding states. The Governor's decision has kept thousands of construction workers on the job, in turn, earning income, buying goods and services, and generating taxes that help the rest of the state's economy.

Just as construction is an essential business, the Contractors Association of West Virginia is essential to making sure our members' concerns are addressed. The CAVW has been moving forward with information and services to members as we navigate through this new business environment. Most state and federal employees are working under the Governor's

stay at home order to minimize exposure for agency and private sector employees, and for residents of the communities where they live and work. Yet, the CAVW has continued to meet with our contracting agency partners, through conference calls and Zoom meetings, to discuss project information, specifications, bidding opportunities and other industry related issues.

The CAVW Strategic Planning Committee met in October 2019 to chart the association's goals and objectives over the next three years. One of our action plans was to utilize Zoom or some other video conferencing to communicate with members. Nowhere in the discussion was pandemic mentioned but, rather, to maximize the effectiveness of our communication efforts, as well as, to engage more members in meetings and training. A number of committees and subcommittees, as well as the CAVW Board of Directors and Executive Committee, are meeting via Zoom. This is just one example of how the CAVW continues to grow and adapt to meet the needs of an ever-changing construction industry.

We were fortunate that we were still able to have our Annual Meeting in person in July and a regional meeting in Weirton in September. The CAVW State Meeting, the 2021 Mid-year Meeting in Palm Desert, California, and a number of educational programs were canceled due to the pandemic. We were not able to personally meet the finalists for a CAVW Scholarship Foundation scholarship award, but every finalist this year received a monetary award. We were able to recognize winners of the prestigious CAVW safety awards at the Annual Meeting.

The West Virginia Construction and Design Exposition (WV EXPO) was canceled two weeks before opening its doors to over 5,000 registered attendees and exhibitors March 25 and 26. While it was disappointing not to see

members at the state's premier show for the construction and design industry, we are cautiously optimistic that EXPO will be back up and running in March 2021. If not, the WV EXPO board will provide an exciting virtual event that will allow us to deliver content and engage members in a professional manner.

All of us are looking forward to a new year that will have significant but different challenges. There are some signs of the start of a return to normalcy, albeit a new normal. Governor Justice has made a number of recent announcements about new companies planning to locate their operations in West Virginia. These include the \$500 million Virgin Hyperloop project in Tucker and Grant counties, a \$350 million methanol plant in Pleasants County, a \$30 million Gruppo Fanti metal manufacturing facility in Weirton and a multi-million dollar project at Mitsubishi Heavy Industry's facility at the North Central West Virginia Airport in Bridgeport.

The CAVW will make sure the construction industry plays a key role in rebuilding West Virginia's economy. We will push for investment in infrastructure that will create economic vitality for our state and jobs for thousands of West Virginia construction workers. This will be a key component of our 2021 legislative program when legislators come to Charleston in February.

I thank all members who worked this year to promote the CAVW's mission by being engaged in online committee and task force meetings, programs and seminars. While we adjust to this new normal, I hope all CAVW members will stay safe and healthy.

Sincerely,

A handwritten signature in black ink that reads "Michael Gianni". The signature is written in a cursive, flowing style.

Michael Gianni
President

CAVW ADVOCACY EFFORTS PROTECT INDUSTRY'S INTERESTS

CAVW continues its policy to play a lead role on behalf of our members in state government affairs by professionally and effectively representing the concerns of contractors, subcontractors, suppliers and construction-related interests. There were a number of issues in the 2020 legislative session that could have negatively affected CAVW members and their employees, and a few that provided new investment in infrastructure. H.B. 4001 creates the West Virginia Impact Fund designed to help

attract outside capital to West Virginia that can be used to open new large-scale business projects and create jobs. Legislators passed H.B. 4051, which updates broadband enhancement and expansion policies in the state. This bill has become especially important as people are moving to West Virginia from populated areas to work remotely. H.B. 2646 provides a safe harbor for employers to correct underpayment of wages and benefits due to separated employees. Under previous law, employers were open to double damages and legal fees for being late in paying separated employees.

Bills of importance to CAVW members during the session include updating policies and procedures related to School Building Authority of West Virginia construction projects, rules relating to the State Building Code, creating the State Parks and Recreation Endowment Fund to invest in state parks and recreational facilities, and S.B. 551 and S.B. 589 which provide additional funding measures for water and sewer projects. The CAVW worked to defeat legislation that would reduce funding for the State Road Fund and a bill mandating contractors verify the employment eligibility of

an employee through the E-Verify program.

HUB/PAC BACKS CONSTRUCTION INDUSTRY SUPPORTERS

HUB/PAC, the association's political action committee, supports candidates for the West Virginia Senate and House of Delegates who will give the CAWV a fair hearing on those issues affecting the contracting industry. This year's historical election saw Republicans gain a super majority in both houses of the West Virginia Legislature, the first time since 1920. Candidates endorsed by HUB/PAC were mostly successful in their primary and general election races. In Senate races, 100 percent of the candidates supported by the CAWV won their elections. In the House, 94 percent of those supported won. The HUB/PAC Board of Trustees set an ambitious fundraising goal this year in order to financially back candidates who professed a business and construction philosophy. The CAWV will be meeting with new senators and delegates to acquaint them with our members' concerns and legislative priorities.

AGC KEPT AMERICA BUILDING

The Associated General Contractors (AGC) of America made sure members had access to the resources, information, and even, at times, the equipment needed, to make sure the construction industry could protect workers, and the public, from the coronavirus. Within days of the start of the outbreak, AGC organized a recurring series of webinars led by experts that provided members up-to-date guidance on how to react to the virus. The organization also distributed regular updates that provided the latest developments on issues from safety requirements to the latest economic conditions.

AGC helped shape the federal Paycheck Protection Program to make sure construction firms could qualify for loans, and then worked to improve the program to protect as many jobs as possible. AGC is now working to oppose an IRS ruling declaring that expenses funded through a PPP loan are not deductible for this year.

For 2021, AGC has created two campaigns to educate key Congressional leaders on the need to pass new infrastructure investments. One campaign is the Transportation Construction Coalition – co-chaired with ARTBA – and AGC's own Americans for Better Infrastructure campaign.

ARTBA PROMOTES HIGHWAY REAUTHORIZATION BILL

The American Road and Transportation Builders Association (ARTBA) provided videos for highway contractors on how workers can stay safe when working in close proximity when

pouring concrete or laying asphalt. The association continues its work on passage of a long-term federal highway bill and increased funding for road and bridge construction projects.

The American Society of Association Executives, as part of its centennial celebration, honored ARTBA and 99 other associations for their contributions to community and business success. ARTBA was recognized in the safety category.

CAWV VIRTUAL MEETINGS KEY IN KEEPING MEMBERS UP TO DATE AND COMMITTEES ACTIVE

The CAWV upgraded its technology pre-pandemic to provide for virtual meetings. Post pandemic, Zoom became the primary method to conduct committee and task force meetings, seminars and training. The CAWV was able to partner with the West Virginia Department of Environmental Protection to offer a virtual meeting on how to fill out the proper paperwork for stormwater permitting and with the Abandoned Mine Lands (AML) Division to learn about issues on AML and bond forfeiture projects. Several CAWV committees were able to continue their work by meeting virtually throughout the year instead of meeting in person. This year's CAWV Annual Meeting at the Greenbrier featured both General James Hoyer of the West Virginia National Guard and Jimmy Wriston, WVDOT Deputy Secretary/WVDOH Deputy Commissioner. Members not attending the meeting could listen via Zoom. The CAWV is continuing to upgrade its technology to ensure the committees stay active and continue their important work during and after the pandemic.

SCHOLARSHIP PROGRAM AWARDS \$17,500 IN 2020

The CAWV Scholarship Board of Trustees was unable to proceed with the interview process to determine a first-place winner for the CAWV Scholarship for 2020. To make sure that scholarship dollars were awarded and utilized by applicants, scholarship trustees voted to recognize seven finalists for their achievements and awarded each of them \$2,500. The students receiving scholarships were from West Virginia University, Fairmont State University and Marshall University.

Scholarship trustees were also able to raise money this year with two separate CAWV scholarship golf outings. Because of the pandemic, a fall outing was added to go along with the regularly scheduled June scholarship golf outing to allow everyone a chance to play while still practicing social distancing and following CDC guidelines.

SAFETY COMMITTEE EDUCATES AND RECOGNIZES MEMBERS FOR WORKING SAFER

Helping members work safer is a top priority of the CAWV, whether it is how to navigate OSHA Standards or educating members on the latest workplace safety issues regarding COVID-19.

The CAWV partnership with Encova Insurance provides significant savings on members' workers' compensation insurance costs. The program provides a discount on premiums to contractor members with a three-year loss ratio of 65% or less. The program is also a great resource for safety training programs. In 2020, CAWV members had access to work zone safety training that was presented by the American Road and Transportation Builders of America (ARTBA). The training, which was held at Encova's Charleston office, contained a full day of education from ARTBA, OSHA and Encova Insurance professionals on work zone safety issues.

CAWV members, along with hundreds of construction firms across the country, stopped work April 9 to participate in a nationwide safety stand-down focusing on ways to protect construction workers and the public from the spread of coronavirus. The safety stand-down, organized by AGC of America, was designed to make sure firms and workers are taking measures outlined by public health and safety officials to protect workers on active construction sites and the public.

The CAWV also offers several online tools for safety education through a partnership with ClickSafety Online Training. ClickSafety has an extensive list of safety training videos and seminars, including OSHA 10 and 30-hour courses that members can purchase at a 10% discount.

EXPO CANCELED DUE TO COVID-19 CONCERNS

The 41st annual West Virginia Construction and Design EXPO, scheduled for March 25 and 26 at the Charleston Coliseum and Convention Center, was canceled due to growing concerns about the COVID-19 pandemic. The EXPO Board of Directors was very excited about this year's show. Highlights of the 2020 EXPO were: Completely sold out exhibit space; expanded demonstration stage; outdoor area for equipment demonstrations; and a reverse job fair featuring 300 students from area v-tech schools seeking a career in the construction industry. EXPO features nearly 300 exhibitors, nearly 5,000 registered attendees and over 75 seminars, most offering free continuing education credits, making it an invaluable networking opportunity. The 2021 EXPO is sched-

uled for March 24 and 25. The board is meeting regularly to discuss exciting virtual options if an in-person EXPO is not feasible.

2020-2021 CAWV MEMBERSHIP DIRECTORY PUBLISHED

The 2020-2021 CAWV Membership Directory and Buyers Guide has been published and mailed to members. In addition, the directory is sent to manufacturing, oil and gas, coal and other construction owners, county boards of education, city maintenance departments, and government agencies in West Virginia. The publication is an indexed guide of all members and the services and products they provide. The publication contains a definitive listing of "Who's Who" in West Virginia's construction, engineering and design industries.

YOUNG CONTRACTORS FORUM HOSTS A NUMBER OF SUCCESSFUL EVENTS

The focus of the Young Contractors Forum (YCF) is to better fulfill the need to cultivate the next generation of leaders in the construction industry, as well as the association. The group hosted several functions, including the YCF annual Toys for Tots Golf Outing in October. The event was a huge success with dozens of toys being donated. The Toys for Tots program rolled into December with many members helping to make a difference in the lives of hundreds of children in need this holiday season. The YCF is also hosting a community build project at the Kanawha-Charleston Humane Association in Charleston. The project consists of building and installing a 16'x8' open shelter at the facility's outdoor dog play area to shelter volunteers from poor weather conditions. The YCF will continue to add programs and President Michael Gianni would like to encourage all member companies to send future leaders of their organizations to YCF functions.

TASK FORCE CONTINUES TO CREATE FUTURE CONSTRUCTION WORKFORCE

The Workforce Development Task Force continues its efforts to enhance career and technical training programs to create a future workforce for CAWV members. The task force worked closely with General James Hoyer and Colonel David Shafer, West Virginia National Guard, on the Governor's Jobs and Hope of West Virginia equipment operator training courses, and continued discussion on implementing the guard's Building Construction Training course in 2021. The task force invited CAWV members on several visits to Camp Dawson to

meet the graduates of the equipment operator training course and to offer input on the training and how to make sure graduates are ready to be employed by CAWV members. The guard continues to find good quality candidates and graduated its largest class to date in October.

The task force, with assistance from the Public Relations and Education committees, has developed a program called BuildWV. This program is based on a website that will act as a "go to" online destination for information on construction careers. The site includes information on training, education, and career opportunities for students, adults and military veterans. BuildWV anticipates partnering with several other organizations including educators, government officials and West Virginia's construction industry. This program was originally scheduled to launch in 2020 but has been put on hold until task force members can meet face to face with teachers, counselors and students in the various high schools around the state to ensure the launch is a success.

HIGHWAYS AND COVID-19

The WVDOH and highway contractors responded to the pandemic utilizing technology, innovation, flexibility and cooperation. Dozens of committees and task forces continued their mission via online meetings where they developed a new aggregate Alkali Silica Reaction (ASR) program impacting concrete mix designs; adoption of the WVDEP Best Practices Guide, replacing the WVDOH E&S manual; a requirement for accredited labs for quality control testing of concrete cylinders for compressive strength; new caisson provisions; pavement markings and traffic control; pavement smoothness, pipe and backfill; and dozens of other specification, publication and material changes.

Innovative contractors and WVDOH personnel also developed many ways to minimize or eliminate handling of material tickets and a new 2021 specification opens the door for E-Ticketing. The WVDOH also renewed the use of DocuSign, utilizing electronic signatures for many purposes, including contract documents and bonds. A specification change also eliminates the need for in-state agent signatures on bonds beginning next year.

Contractors were also given the opportunity to request a two month extension on prequalification renewals when preparation of needed financials were impacted by COVID. Contract time extensions were also up for consideration when COVID impacted labor, subcontractors, materials or schedules.

Groundwork was also laid this year for the phase out of Marshal Mix Designs and the move to a single mix design system utilizing Balanced Mix Design (BMD). Project stormwater permits were another challenge worked on by industry, CAWV and WVDEP, as a lack of permits held up many projects. COVID also contributed to ongoing cash flow issues at the WVDOH, impacting project payments and significantly diminishing the planned 2020 construction program.

Contractors and WVDOH continue to focus on expediting project finals, a priority that lead to the formation of a joint finalization task force. The task force released training videos recently on their YouTube channel aimed at aiding project personnel at all levels with their role in the finals process. The Specifications Committee passed a package of Section 100 changes promoted by the WVDOH that changes the definition of "Complete", "Substantially Complete", "Final Acceptance", "Punch List" and introduces withholding of estimate payments on any and all contractor projects. Another proposal this year called for elimination of winter shut down but it was withdrawn by the WVDOH.

Joint task forces also worked on significant changes to purchase order (PO) programs for aggregates, asphalt and concrete pavement repairs.

AROUND THE CAWV

The CAWV's headquarters in Charleston's East End Historic District was renovated this year. The Strategic Planning Committee, prior to COVID-19, decided to engage more members in meetings and training programs by upgrading the association's video conferencing capabilities. Many committee meetings this year have been held via Zoom. Other upgrades to the headquarters include updating bath and kitchen areas, new carpet, flooring, lighting fixtures, paint, and lobby signage.

With so many construction firms relying extensively on telecommuting and remote access, prioritizing cybersecurity and system resilience may be more important than ever. The CAWV was selected to participate in a test program through AGC of America's Cyber Security Pilot Program to help members from becoming vulnerable to the many forms of cyberattacks, including social engineering, ransomware attacks, wire fraud, and hacking.

Pat McDonald, CAWV assistant executive director, was elected president of the West Virginia Society of Association Executives. WWSAE fosters education and professionalism within West Virginia's association community.

