



AMERICAN COUNCIL OF ENGINEERING COMPANIES
of South Carolina

**American Council of Engineering Companies
of South Carolina
Board of Director's Meeting
November 7, 2019
Davis & Floyd
240 Stoneridge Dr. Ste 305
Columbia, SC 29210
Call In Info:
Call in: 877.778.5242 . Code: 8090281
Leader Pin: 4394866**

Board of Directors

- ☐ Keith Overstreet, PE, *Chair*
- ☐ Jason Eppley, PE, *Vice Chair*
- ☐ Matt Gehman, *Sec./Treasurer*
- ☐ Cameron Nations, PE, *Past Chair*
- ☐ Chuck Black, PE, *Director*
- ☐ Petrina Butler PE, *Director*
- ☐ Theresa McClure, *Director*
- ☐ Jeff Mulliken, PhD, PE, *Director*
- ☐ Ben Temple, PE *Director*
- ☐ Mike Wooten, PE, *Director*
- ☐ Kylie Page, PE, *National Director **
- ☐ Rick Fauteux, PE, F.ACEC, *Affiliate National Director **
- ☐ Tom Jordan, PE, *Environmental Committee Chair**
- ☐ Melvin Williams, *Transportation Committee Chair**
- ☐ Ricky Ward, PE, *Communications Committee Chair**
- ☐ Bryan Shiver, PE, *Membership Committee Chair**
- ☐ Adam B. Jones, *Executive Director**
- ☐ Allison J. King, *ACEC-SC Staff**
- ☐ Matteah Taylor, *Account Executive**
- ☐ Other*

* denotes non-voting

Agenda

1. Call to Order – Keith Overstreet, PE
2. Approve Consent Agenda
 - Board Minutes October 3, 2019
 - Membership Report: (Membership application T2 UES Inc)
3. Financial Report – Matt Gehman
 - Financial Report
4. Chair's Report: - Keith Overstreet, PE
 - Strategic Plan
 - ACEC-SC Position on Average Overhead Rate on Fixed Fees at SCDOT
 - HB-1 Visas Webinars (Gehman & McClure)
 - 11/18/19
 - WebEx
5. Executive Director's Report – Adam B. Jones
 - Legislative Report
 1. Off Season Lobbying / Bills Tracked
 2. Designer Fair Contracting Bill
 3. SC Frivolous Civil Proceedings Sanctions Act
 4. Senate committee to address interstate congestion
 - ACEC Strategic Plan
 - ACEC Minute Man Grant for QBS Study
 - SC Engineering Conference & Trade Show
 - SCESS
 - NSBA Steel Bridge Forum
 - PAC Bowling
 - EEA
 - Membership Meeting/Reception w/ Linda Darr 12/2/19
 - Retreat at Fripp Island (cottages)
 - SC Commercial/Low Tonnage Paving Cert Program
 - Adam B. Jones approached to serve on NAECE Executive Committee
 - NAECE Winter Meeting in December
 1. Board Meeting
6. ACEC National Directors Report – Kylie Page, PE
 - Fall meeting in Chicago
 - ACEC PAC Goal needs to be met by ACEC Fall Meeting
7. Committee Reports:
 - Transportation Committee
 - ✓ Annual Meeting Update
 - Environmental Committee – dormant until Fall
 - BRE Committee (Member Firm Scholarship Report)
 - Communications Committee
 - Membership Committee (new chair, Bryan Shiver)
 - Advocacy PAC
8. Other Business
 - Surplus investments
9. Next Meeting: December 5, 2019 Davis & Floyd Columbia, SC
10. Adjourn

**ACEC SC Board of Directors Meeting
October 3, 2019
Davis & Floyd
240 Stoneridge Dr. STE 305
Columbia, Sc 29210**

Call to Order: ACES-SC Chair Keith Overstreet called the Board meeting to order at 10:03 AM. The following were in attendance: Keith Overstreet, Jason Eppley, Matt Gehman, Petrina Butler, Theresa McClure, Ben Temple, Kylie Page, Adam Jones, Allison King, and Matteah Taylor. The following called in: Cameron Nations, Chuck Black, Jeff Mulliken, Rick Fauteux, Melvin Williams, and Ricky Ward.

Agenda Approval: Motion was made by Butler and seconded by Eppley and passed unanimously to accept the consent agenda.

Introduction of Matteah Taylor as the new employee of Jones, McAden and Associates as the Account Executive.

Membership Report: Member renewals are tracking as normal. Third notices will be sent to unpaid members the week of October 14 – 18, 2019. ACEC-SC will be sending the first quarter dues to ACEC National.

There were two new member applications to be approved by the Board members.

Carolina TEA submitted their application with sponsorship by Mulliken. Carolina TEA submitted an EEA Notice of Intent.

HNTB sponsored by Williams.

A motion was made to approve both for membership by: McClure and seconded by Gehman, was passed unanimously.

Cardno is considering not renewing with ACEC on the National level.

Financial Report: Secretary/Treasurer Matt Gehman:

- Highlights from Gehman include:
 - Gehman reported the majority of income is dues.
 - Income Code 4130.10 for EEA is short of goal. Jones said we should meet the budgeted goal.
 - Jones said there are currently 15 projects which is standard.
 - Jones asked to extend the deadline by two weeks
 - The Board agreed to extend the due date for an additional 2 weeks.
 - Gehman said the majority of expenses are for management fees.
 - The cost for photo copies was mentioned by Eppley. Jones said the majority of the photo copies at this point are for the Transportation Committee, which are required to be in color.
 - Currently ACEC-SC has an income is \$249,110.83 vs. expenses are \$52,557.36 with a total net income of \$196,553.47.

A motion was made to approve the financial report by Eppley and Butler seconded. Motion was passed unanimously.

Chair's Report: Keith Overstreet

- Strategic plan: Six items have been completed.
 - Jones spoke briefly about the new membership Committee Chair, Brian Shiver with Insight Group
- ACEC-SC Position on Average Overhead Rate on fixed fees at SCDOT. Jones explained what was in everyone's packet
 - Ad Hoc Committee Chair Mulliken discuss events since the last meeting.
 - Ad Hoc Committee Chair Mulliken said he received comments and incorporated them into the white paper. Mulliken said he is comfortable moving forward with the draft paper in the Board's packet. He

- noted it has been sent to the Professional Service Committee Chair Shawn Epps, F&ME, as well as Transportation Committee Chair Melvin Williams.
 - A brief discussion ensued on the path forward. Williams expressed he would like feedback from the committee, but the Board wanted to act faster.
 - Theresa McClure, HDR, suggested we get FHWA involved as they have been at the table in other states where this idea had been defeated
 - A motion was made by Vice President Jason Eppley, Davis & Floyd and Seconded by Petrina Butler, TRC, to accept the draft white paper as the ACEC-SC Board of Director's Position statement on the use of an Average Overhead Rate on Fixed Fees at SCDOT. The Motion passed unanimously.
 - Shawn Epps and the Professional Services Committee to try to set a meeting.
 - Jones was instructed to write a cover letter to accompany the position statement with Chair Overstreet and his signatures on it. and deliver to the SCDOT.
- HB-1 Visas: McClure said we have access to the webinar from ACEC National; although, the sound is not very good. Gehman reached out to the law firm to participate in a question and answer session. If the HB-1 Visas webinar is usable it will be another workforce development for members. McClure is reaching out to the Law Firm to see if they could participate in a live webinar that ACEC-SC Member Firms could watch at their own desks.

Executive Director's Report: Adam Jones

- Legislative Report
 - Off Season Lobbying/Bills Tracked
 - Jones said he has been making off season lobbying meetings when legislators are in town for other business.
 - Designer Fair Contracting Bill
 - Jones said he has given draft language to Senate LCI Staff to have the bill drafted so the bill could be prefilled in December.
 - SC Frivolous Civil Proceedings Sanctions Act
 - No movement on this bill.
 - Senate committee to address interstate congestion
 - Jones told board the Senate has created a new committee to address Interstate Congestion. Senators Setzler and Alexander are Chairing the Committee
- SC Engineering Conference & Trade Show
 - Jones said they still working on the revenue split. Jones said ACEC-SC had the strongest number of members in attendance
- SC Board of Registration for PE & PLS funding cut
 - Emily Farr SCDLLR Director spoke to board
 - 20% reduction in fees for PE, PLS, & COAs
 - Must get approval from legislature
- SCESS
 - Advertising for the seats that are opening
 - Both sitting members are seeking reappointment
- NSBA Steel Bridge Forum (November 5, 2019)
 - Registration Open
- PAC Bowling (October 30, 2019)
 - Board support needed
- Tim Scott – (PAC benefit date change – October 9, 2019)
 - Jones asked if anyone from the Board of Directors would be in attendance.
- EEA

- Deadline for Notice of Intent
 - Jones said we have NOI's for 15 projects
 - Board agreed to extend the date for notice of intent by two weeks
- Emcee
- Membership Meeting/Reception w/Linda Darr 12/2/19
 - Jones said he is trying to arrange ACEC President & CEO Linda Baur Darr in Columbia on 12/2/19
- Retreat at Fripp Island
 - Jones explained that we're going back to Fripp for the retreat. People would be staying in cottages not hotel rooms.

ACEC National Director's Report: Kylie Page

- ACEC National Fall Meeting is in Chicago, IL, October 12-16. ACEC-SC will get together for dinner on Monday night. Page will provide a report after the fall meeting.
- ACEC-SC has received over \$7,000 for National PAC. The ACEC-SC goal is \$12,000.
 - Page thanked Black and Eppley for their contributions.
 - For the first time in many years, ACEC-SC may not meet the goal.
 - She said the burden has always fallen on the board.
 - Page said it can be confusing with regards to contributions with National and State PAC. National PAC can only be given by the individual while the State PAC can be given by individuals or companies.

Committee Reports:

- Transportation – information on the Ad hoc information on the average overhead rates at Hot Committee was given earlier in the meeting.
- Environmental – Committee is dormant but will be reactivated soon to plan the environmental track for the Winter Meeting.
- BRE Committee – Black said the education scholarship will be awarded soon.
 - Mulliken – reported the first Future Leaders session is scheduled for Thursday, October 10, 2019.
- Communications Committee – Ward reported for committee chairs to notify him of any changes on the website. There also starting a conversation of a social media strategy.
- Membership – Jones reported the new committee chair is Brian Shiver at Insight Group.
- Advocacy PAC – the bowling tournament is October 30, 2019. Gehman reported there will be a PAC oyster roast in February 2020 with the same format but a possible location change. Jones reported Nancy Mace requested money from ACEC National. Mace is a critic of SCDOT.

Chair Overstreet concluded the meeting by saying he liked having a consent agenda with the table of contents for the meeting. He reminded the group the meeting in November will be back at Davis & Floyd.

A motion was made by Eppley to Adjourn the meeting and seconded by Temple. Meeting was adjourned at 11:52 am.

Respectful submitted by Matteah Taylor, ACEC_SC Account Executive

Company Name	Date Received	Employee Count	4010 ACEC SC Dues	4020 ACEC PAC	4030 ACEC National Dues	4040 Minute Man	4045 Education Fund	TOTAL DUES
A Morton Thomas and Associates, Inc. (AMT)							\$0.00	\$0.00
Applied Building Science	7/22/19	25	\$1,434.55	\$179.31	\$2,637.00	\$21.00	\$0.00	\$4,271.86
AECOM							\$0.00	\$0.00
Alfred Benesch & Company	7/24/19	16	\$1,659.79	\$214.11		\$17.00	\$0.00	\$1,890.90
Alliance Consulting Engineers, Inc.	7/29/19	70	\$3,853.98	\$481.74	\$4,598.00	\$38.00	\$0.00	\$8,971.72
American Engineering Consultants, Inc.	7/15/19	25	\$2,141.10	\$267.63	\$2,472.00	\$21.00	\$0.00	\$4,901.73
Applied Control Technologies	7/24/19	10	\$810.87	\$107.59	\$859.00	\$8.00	\$0.00	\$1,785.46
Buford Goff & Associates	7/15/19	20	\$1,434.54	\$179.32	\$1,451.00	\$14.00	\$0.00	\$3,078.86
Bunnell-Lammons Engineering Inc.	10/21/19	108	\$4,710.42	\$588.80		\$47.00	\$0.00	\$5,346.22
Carolina TEA	10/15/19	3	\$269.97	\$107.06	\$244.98	\$8.56	\$0.00	\$630.57
Calyx Engineers & Consultants	8/5/19	2	\$856.44			\$8.00	\$107.05	\$971.49
Carper Civil Consulting, LLC	9/4/19	1	\$286.91	\$35.86	\$337.01	\$3.00	\$0.00	\$662.78
Carlisle Associates, Inc.	8/5/19	13	\$1,712.88	\$214.11	\$1,702.00	\$17.00	\$0.00	\$3,645.99
CDM Smith	9/23/19	83	\$4,282.20	\$535.27		\$43.00	\$0.00	\$4,860.47
Century Southern, Inc.	9/23/19	1	\$428.22	\$53.52	\$507.00	\$4.00	\$0.00	\$992.74
CH Engineering, PLLC	9/4/19	29	\$2,369.32	\$324.54		\$27.00	\$0.00	\$2,720.86
Civil Engineering Consulting Service, Inc.	07/10/19	35	\$2,409.33	\$321.16	\$2,999.00	\$25.00	\$0.00	\$5,754.49
Clark Patterson Lee	10/21/19	10	\$1,712.88	\$214.11		\$17.00	\$0.00	\$1,943.99
Collins Engineers, Inc.	8/12/19	11	\$1,712.88	\$214.11		\$0.00	\$0.00	\$1,926.99
Construction Science and Engineering, Inc.							\$0.00	\$0.00
Cox and Dinkins, Inc.	8/12/19	38	\$1,855.28	\$251.04	\$2,094.00	\$20.00	\$0.00	\$4,220.32
Davis & Floyd, Inc.	9/4/19	135	\$5,138.63	\$642.33	\$6,482.00	\$51.00	\$0.00	\$12,313.96
DDC Engineers, Inc.	7/15/19	48	\$2,569.32	\$321.16	\$2,948.00	\$25.00	\$0.00	\$5,863.48
Design South Professionals, Inc.	8/12/19	19	\$2,141.00	\$267.63	\$2,114.00	\$20.67	\$0.00	\$4,543.30
ECS Southeast, LLP	9/9/19	67	\$3,735.59	\$481.74		\$38.00	\$0.00	\$4,255.33
ESP Associates, PA	9/4/19	194	\$5,995.07				\$0.00	\$5,995.07
F&ME Consultants	8/5/19	60	\$3,425.76	\$428.22	\$4,080.00	\$35.00	\$0.00	\$7,968.98
Forsberg Engineering & Surveying, Inc.							\$0.00	\$0.00
Foth Infrastructure & Environment, LLC	7/24/19	5	\$1,233.62	\$160.58		\$13.00	\$0.00	\$1,407.20
Froehling & Robertson, Inc.	7/15/19	22	\$2,141.10				\$267.63	\$2,408.73
Gaines Engineering & Design, LLC							\$0.00	\$0.00
Gannett Fleming, Inc.	7/22/19	1	\$428.22	\$53.52		\$7.00	\$0.00	\$488.74
GHD	10/28/19		\$1,852.37	\$267.63		\$21.00		\$2,141.00
GWA, Inc.	7/29/19	9	\$1,284.66		\$1,368.00	\$13.00	\$160.58	\$2,826.24
HDR	8/12/19	150	\$5,566.86	\$695.85		\$55.00	\$0.00	\$6,317.71
Holt Consulting Company, LLC	7/22/19	16	\$1,712.88	\$214.11		\$17.13	\$0.00	\$1,944.12
Hussey Gay Bell							\$0.00	\$0.00
GPI Geospatial	7/22/19	8	\$1,284.66	\$160.58		\$13.00	\$0.00	\$1,458.24
Infrastructure Consulting & Engineering	10/28/19	174	\$5,995.07	\$749.38		\$60.00	\$0.00	\$6,804.45
CONSOR	8/19/149	15	\$1,712.88	\$214.11		\$17.00	\$0.00	\$1,943.99
Insight Group, A Christopher Company	10/21/19	13	\$1,147.62	\$143.45	\$763.00	\$11.00	\$0.00	\$2,065.07
IPW Construction Group	9/30/19	5	\$1,284.66	\$160.58	\$986.00	\$13.00	\$0.00	\$2,444.24
Johnson, Mirmiran & Thompson	8/19/19	24	\$2,141.10	\$267.64		\$23.00	\$0.00	\$2,431.74
KCI Technologies, Inc.	7/29/19	90	\$4,282.20	\$535.27		\$43.00	\$0.00	\$4,860.47
Keck & Wood, Inc.	7/22/19	15	\$1,712.88	\$214.11		\$17.00	\$0.00	\$1,943.99
Kimley-Horn and Associates, Inc.							\$0.00	\$0.00
Kleinfelder	8/19/19	20	\$2,141.00				\$0.00	\$2,141.00

Life Cycle Engineering, Inc.	10/15/19	130	\$5,138.64	\$642.33	\$15,584.00	\$51.00	\$0.00	\$21,415.97
MA Engineering Consultants							\$0.00	\$0.00
McCormick Taylor	9/30/19	5	\$1,284.66	\$160.58		\$13.00	\$0.00	\$1,458.24
Mead & Hunt, Inc.	7/29/19	93	\$4,282.20	\$535.27		\$43.00	\$0.00	\$4,860.47
Michael Baker International	7/22/19	90	\$4,282.20	\$535.27		\$43.00	\$0.00	\$4,860.47
MLB Engineering, LLC	9/4/19	1	\$428.22	\$53.52	\$507.00	\$4.00	\$0.00	\$992.74
A Morton Thomas and Associates, Inc. (AMT)							\$0.00	\$0.00
Neel-Schaffer, Inc.							\$0.00	\$0.00
NOVA Engineering	10/7/19	9	\$1,284.66	\$160.58		\$13.00	\$0.00	\$1,458.24
OLH, Inc.	7/15/19	20	\$2,141.10	\$267.63	\$3,718.00	\$21.00	\$0.00	\$6,147.73
WSP Parsons Brinkerhoff (formerly PB Americas)							\$0.00	\$0.00
Parrish and Partners, LLC	7/22/19	40	\$2,997.54	\$374.69		\$30.00	\$0.00	\$3,402.23
Pond	9/9/19	15	\$1,665.92	\$214.11		\$17.00	\$0.00	\$1,897.03
Professional Engineering Associates, Inc.	7/16/19	16	\$1,608.31	\$214.11	\$1,918.00	\$17.00	\$0.00	
Ramey Kemp & Associates Inc	7/22/19	8	\$1,284.66			\$13.00	\$160.58	\$1,458.24
RK&K-Rummel, Klepper & Kahl, LLP	9/4/19	9	\$1,712.88	\$214.11		\$17.00	\$0.00	\$1,943.99
Rowe Professional Services Company	9/4/19	4	\$856.44	\$107.05		\$8.00	\$0.00	\$971.49
RS&H	10/28/19	6	\$1,284.66	\$160.58		\$13.00	\$0.00	\$1,458.24
S&ME, Inc.	7/15/19	236	\$6,851.52	\$856.44		\$68.00	\$0.00	\$7,775.96
SAM, LLC	7/22/19	8	\$1,284.66	\$160.58	\$0.00	\$13.00	\$0.00	\$1,458.24
Sims Group Engineers, Inc	7/29/19	6	\$1,284.66	\$160.58	\$1,092.00	\$13.00	\$0.00	\$2,550.24
Stantec Consulting	8/12/19	51	\$3,425.76			\$34.00	\$428.22	\$3,887.98
Stevens & Wilkinson SC, Inc.	7/15/19	32	\$2,569.32	\$321.16		\$26.00	\$0.00	\$2,916.48
STV Incorporated							\$0.00	\$0.00
SynTerra	9/10/19	16	\$1,712.87	\$214.11	\$5,739.00		\$0.00	\$7,665.98
Terracon Consultants, Inc.	7/15/19	138	\$5,138.64	\$642.33		\$51.00	\$0.00	\$5,831.97
The Sheridan Corporation							\$0.00	\$0.00
Thomas & Hutton Engineering Co.	9/23/19	145	\$5,566.86	\$695.85		\$55.00	\$0.00	\$6,317.71
Three Oaks Engineering	8/5/19	9	\$1,284.66	\$160.58		\$13.00	\$0.00	\$1,458.24
TranSystems Corporation	8/12/19	40	\$2,997.54	\$374.69		\$30.00	\$0.00	\$3,402.23
TRC Environmental Corporation	10/21/19	73	\$3,853.98	\$481.74		\$38.00	\$0.00	\$4,373.72
Vaughn & Melton Consulting Engineers	9/4/19	16	\$1,712.88	\$214.11		\$17.00	\$0.00	\$1,943.99
W. R. Riggs And Associates, Inc.	07/10/19	5	\$856.44	\$107.05	\$986.00	\$8.00	\$0.00	\$1,957.49
Weston & Sampson	10/28/19	26	\$2,569.32	\$0.00		\$26.00	\$321.16	\$2,916.48
Wurster Engineering							\$0.00	\$0.00
Cardno							\$0.00	\$0.00
WSP	9/4/19	20	\$2,141.10			\$23.00	\$267.63	\$2,431.73
Tidemark Land Services, Inc.	7/15/19	15	\$1,147.62	\$143.45	\$1,231.00	\$11.00	\$0.00	\$2,533.07
Development Resource Group	8/12/19	12	\$577.24	\$72.12	\$357.72	\$0.00	\$0.00	\$1,007.08
TOTAL			\$168,095.87	\$18,511.79	\$69,774.71	\$1,560.36	\$1,712.85	\$255,898.16

AFFILIATE MEMBERS	Date Received		4050 ACEC SC Dues	4020 ACEC PAC	4030 ACEC National Dues	4040 Minute Man	4045 Education Fund	
ACEC Business Insurance Trust	10/21/19	0	\$650.00	\$81.25		\$6.50	\$0.00	\$737.75
Advance Drainage Systems, Inc.				\$0.00			\$0.00	\$0.00
Burkett Burkett & Burkett Certified Public Accountants, PA				\$0.00			\$0.00	\$0.00
Edwards-Pitman Environmental, Inc.	10/1/19	0	\$650.00	\$81.25		\$6.50	\$0.00	\$737.75
Enterprise Fleet Management				\$0.00			\$0.00	\$0.00
Gibbes Burton, LLC	8/5/19	0	\$650.00	\$81.25		\$6.50	\$0.00	\$737.75

Insurance Management Consultants, Inc.	8/19/19		\$650.00	\$81.25		\$6.50	\$0.00	\$737.75
Mar Mac Construction Products Co.				\$0.00			\$0.00	\$0.00
O R Colan Associates, LLC	7/22/19	0	\$650.00	\$81.25		\$6.50	\$0.00	\$737.75
Oldcastle-Adams Products							\$0.00	\$0.00
Primacq Group, Inc.	8/19/19		\$650.00	\$81.25		\$6.50	\$0.00	\$737.75
SC Asphalt Pavement Association	10/15/19	0	\$631.99	\$0.00		\$6.50	\$81.25	\$719.74
T. Wayne Owens & Associates, PC	9/4/19		\$650.00	\$81.25			\$0.00	\$731.25
THC, Inc.	7/15/19	0	\$629.78	\$81.25		\$6.50	\$0.00	\$717.53
The Canaan Agency				\$0.00			\$0.00	\$0.00
Tindall Corporation	7/29/19		\$650.00	\$81.25		\$6.50	\$0.00	\$737.75
TJS Deemer Dana LLP				\$0.00			\$0.00	\$0.00
Utility Coordination Consultants, LLC	7/15/19		\$650.00	\$81.25		\$6.50	\$0.00	\$737.75
TOTAL			\$7,111.77	\$0.00	\$0.00	\$65.00	\$81.25	\$8,070.52
				\$812.50				
GRAND TOTALS:			\$175,207.64	\$19,324.29	\$69,774.71	\$1,625.36	\$1,794.10	\$263,968.68

0

\$0.00

\$0.00

\$0.00

\$0.00

MEMBERSHIP APPLICATION

Section I

Firm Name _____

Parent Company (if branch or subsidiary) _____

Address _____

City/State/Zip _____

Phone _____ **Fax** _____

Website _____

Key Principal or Primary Contact (Required):

Full Name

Title

Email Address

Professional Role Within Firm

SC Registration #: _____

Total Company-Wide Personnel _____ **Total State Personnel** _____

SC Certificate of Authorization number as provided by the SC State Board of Registration for Professional Engineers and Surveyors: _____

Business Organization Type:

- | | | |
|--|--|--|
| <input type="checkbox"/> Cooperative | <input type="checkbox"/> Public | <input type="checkbox"/> Limited Partnership |
| <input type="checkbox"/> Corporation | <input type="checkbox"/> Private | <input type="checkbox"/> Limited Liability Company (LLC) |
| <input type="checkbox"/> Sub Chapter S | <input type="checkbox"/> Joint Venture | <input type="checkbox"/> Partnership |
| | | <input type="checkbox"/> Sole Partnership |

List all partners, limited partners, or individual owners residing in South Carolina; for a corporation, list all directors and officers (Use additional sheet if needed.)

Name	Title	Office Location (if different from above)	SC Reg. #
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Firm Description: Attach a 50-word description of your firm's activities and a copy of your marketing brochure.

Minority Status:

- | | |
|--|--|
| <input type="checkbox"/> Certified Small Business | <input type="checkbox"/> Service Disabled Veteran Owned Business |
| <input type="checkbox"/> Disadvantaged Business Enterprise | <input type="checkbox"/> Women's Business Enterprise |
| <input type="checkbox"/> Minority Business Enterprise | |

Disciplines Offered: For statistical purposes, indicate which of the following disciplines are provided by the firm. Include only in-house capability by virtue of experience and having a principal registered in the specific field:

- | | | |
|--|---|---|
| <input type="checkbox"/> Agricultural/Biological Engineering | <input type="checkbox"/> Electrical | <input type="checkbox"/> Development |
| <input type="checkbox"/> Architectural | <input type="checkbox"/> Environmental | <input type="checkbox"/> Marine & Coastal |
| <input type="checkbox"/> Chemical | <input type="checkbox"/> Fire/Earthquake/Hazards/Safety | <input type="checkbox"/> Mechanical |
| <input type="checkbox"/> Civil - General | <input type="checkbox"/> Forensic | <input type="checkbox"/> Mining/Materials |
| <input type="checkbox"/> Civil - Structural | <input type="checkbox"/> Geotechnical | <input type="checkbox"/> Nuclear/Petroleum/Energy |
| <input type="checkbox"/> Civil - Transportation | <input type="checkbox"/> Hydrology | <input type="checkbox"/> Planning |
| <input type="checkbox"/> Computer/Communications/Systems | <input type="checkbox"/> Industrial | <input type="checkbox"/> Surveying/GIS/Mapping |
| <input type="checkbox"/> Construction Management | <input type="checkbox"/> Land | <input type="checkbox"/> Water/Wastewater |
| | | <input type="checkbox"/> Other |

PLEASE ATTACH A COPY OF THE FIRM’S BROCHURE TO THIS APPLICATION. THANK YOU.

CERTIFICATE FOR MEMBER FIRMS

Application for membership in the American Council of Engineering Companies of South Carolina is hereby made and as a requirement thereof, the undersigned certifies all statements on this application are correct and that:

- 1. The principle business of this firm is the private practice of consulting engineering;
- 2. This firm is not engaged in the sale of a factory product or in the contracting for construction;
- 3. This applicant firm agrees to subscribe to the principles and the dues payment policy and the Articles of Incorporation and Bylaws of the American Council of Engineering Companies of South Carolina;
- 4. This firm will energetically support the activities of the American Council of Engineering Companies of South Carolina.

Firm

Signature

Title

Sponsored by ACEC-SC Member:

Firm

Signature

Section II

Add the names of staff members whom you feel would benefit from participation in ACEC-SC and ACEC. Your firm’s ROI on your ACEC membership is directly related to the number of staff who are active in the Council. (Use separate sheets to provide additional names)

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

STAY IN TOUCH WITH THE ENGINEERING COMMUNITY

(All staff members added to this roster will receive ACEC *Last Word* and *Engineering Inc.*, ACEC-SC Reports and *Bi Annual ACEC-SC Membership Directory*)

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

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Professional Role Within Firm

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Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

Full Name

Title

Email Address

Professional Role Within Firm

RETURN THE COMPLETED APPLICATION TO: American Council of Engineering Companies of SC
826 Assembly Street
Columbia, SC 29201

QUESTIONS? Contact Adam B. Jones • 803-771-4271 • adam@acecsc.org
(803) 771-4272 Fax • www.acecsc.org

For Official Use Only:

☐ Firm

☐ Branch

☐ Pay Direct

☐ MO Incentive. Fill in percentage:

Received: _____

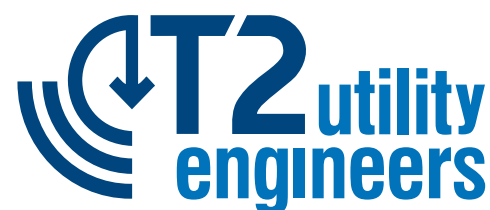
ACEC-SC Accepted: _____



ABOUT T2

Utility Engineering and Surveying Services

T2ue.com



T2 Utility Engineers is a professional services company offering a wide range of utility engineering services that support public and private sector clients.

This includes our leading edge work in the field of Utility Engineering and Surveying (UES). UES focuses on the planning, design, construction, operation, maintenance, and asset management of any and all utility systems, as well as the interaction between utility infrastructure and other civil infrastructure.

With more than 35 offices across North America, T2 is uniquely positioned to mobilize our UES teams to assess and manage project utility risks of any size at any location.

Visit T2ue.com for more info.

At a Glance



35+
OFFICES



12,000+
UES PROJECTS



Risks posed by existing utilities to infrastructure projects are tremendous, and increasing as underground space becomes more congested. We use engineering judgement to treat utility issues, focusing attention to properly assess the potential utilities impact on each project.

The foundation of Risk Mitigation is using Subsurface Utility Engineering (SUE) principles to create reliable drawings of the existing underground utilities. Investigations follow the industry recognized ASCE 38 – “Standard Guideline for the Collection and Depiction of Existing Underground Utility Data”, a performance-based standard that allows utility depictions to be shown and attributed according to their relative certainty of location.

Once the SUE drawings are produced, using the Quality Levels outlined in ASCE 38, the information can be used for effective Utility Coordination (UC). Professional UC services follow set processes that are vital to identify, mitigate, and manage the risks associated with existing utilities.



Our Core Utility Engineering & Surveying services:

Our professionals are certified engineers, geophysicists, surveyors and designers, who bring extensive industry expertise to projects of any size. Services include:

- 3D Underground Mapping
- CCTV Sewer Inspections
- Constructability Around Underground Facilities Studies
- Construction Administration & Inspection
- Design & Construction Survey
- Geophysical Investigations
- Ground Penetrating Radar
- Land Surveying
- Site Assessments & Investigations
- Subsurface Utility Engineering (SUE)
- Terrestrial & Mobile LiDAR
- Utility "As-Built" Surveys
- Utility Condition Assessment
- Utility Coordination (UC)
- Utility Data Asset Management
- Utility Design & Relocation Design (Public & Private)
- Utility Investigations (SUE & advanced geophysical)
- Utility Permitting & Agreements
- Utility Risk Management
- Utility System Planning & Design

Experience- The Right Solution for your Project

Our high-caliber teams of Professional Engineers, surveyors, geologists, geophysicists, planners, designers, and field technicians work with stakeholders and use the current industry standards and technologies to build an effective decision making process, address challenges and conflicts with confidence and complete projects efficiently and with reduced risk.

We work across the US and Canada in all market sectors including roadways, aviation, ports, military installations, rail projects, campus settings, transit, and all phases of land development for public and private sector clients.

Why T2? Value & Integrity

We're here to provide utility engineering or surveying or mapping to mitigate risk for your next project. Our job is to help reduce uncertainties and keep your project moving forward. With decades of experience, top notch equipment and processes, and hundreds of clients working with us over the years, you can be confident that your project will be handled with the attention it deserves.

Each of our assignments are tailored to the ultimate needs of our client and their project. We ensure that clients get value for money by recommending scopes and pricing that will get the results desired in the most economical manner. We treat each assignment as another way to prove our value as a long term partner in your organization's success.

Leading the UES industry

We are proud to be a founding and sustaining member of the American Society of Civil Engineers' (ASCE) Utility Engineering and Surveying Institute (UESI), whose mission is to advance the UES practice. Our experts lead the profession through speaking at industry conferences; developing standards and manuals of practice. We lead the industry by example. We develop professional practices that set the bar regarding the expectations for any SUE, survey or geophysical investigation.





Locations across the US and Canada

T2 Utility Engineers (T2) provides a full range of professional Utility Engineering services, including Subsurface Utility Engineering (SUE), advanced geophysics, surveying, and utility coordination to support Infrastructure projects in the United States and Canada. Recognized as a leader in managing the risks associated with above-ground and sub-surface utilities, T2 has provided expertise for projects of all sizes since 1993, from small development jobs to large-scale billion dollar infrastructure projects for public and private clients. With more than 35 offices across the United States and Canada, T2 can quickly mobilize resources for your project. In October 2019, T2 Utility Engineers became the new company name for Cardno's Utility Engineering & Surveying group - continuing the team's decades of industry leadership and expertise.

T2ue.com | 855-222-T2UE



					Jul '19 - Jun '20	Budget	\$ Over Budget	% of Budget	Jul '19 - Jun '20	DELTA	Notes
				Income							
				4010 - ACEC-SC DUES	168,095.87	161,000.00	7,095.87	104.41%	135,706.96	32,388.91	dues
				4020 - ACEC-SC PAC	19,324.29	18,000.00	1,324.29	107.36%	15,324.97	3,999.32	pac
				4030 - ACEC DUES	69,774.71	64,000.00	5,774.71	109.02%	52,196.73	17,577.98	dues
				4040 - ACEC MINUTE MAN FUND (TORT)	1,625.36	1,500.00	125.36	108.36%	1,274.30	351.06	minute man
				4045 - EDUCATION FUND	1,794.10	2,000.00	-205.90	89.71%	1,391.69	402.41	ed fund
				4050 - AFFILIATE DUES	7,085.95	10,000.00	-2,914.05	70.86%	5,179.78	1,906.17	affiliate
				4070 - ACEC ROYALTIES	562.25	0.00	562.25	100.0%	0.00	562.25	royalties
				4075 - REIMBURSEMENTS						0.00	
				4075.1 - MEMBERSHIP GOALS	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 4075 - REIMBURSEMENTS	0.00	0.00	0.00	0.0%	0.00	0.00	
				4130 - MEMBER EVENTS						0.00	
				4130.10 - ENGINEER EXCELLENCE AWARDS						0.00	
				4130.11 - ENTRY FEES	11,612.10	7,000.00	4,612.10	165.89%	1,350.00	10,262.10	EEA entry fees
				4130.12 - PLAQUES	0.00	2,000.00	-2,000.00	0.0%	0.00	0.00	
				4130.13 - EE BANQUET	0.00	8,000.00	-8,000.00	0.0%	0.00	0.00	
				4130.10 - ENGINEER EXCELLENCE AWARDS - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 4130.10 - ENGINEER EXCELLENCE AWARDS	11,612.10	17,000.00	-5,387.90	68.31%	1,350.00	10,262.10	total
				4130.2 - WINTER MEETING	0.00	22,000.00	-22,000.00	0.0%	0.00	0.00	
				4130.3 - SCDOT MEETING						0.00	
				4130.31 - SCDOT MEETING EXHIBITORS	4,643.65	10,000.00	-5,356.35	46.44%	0.00	4,643.65	exhibitors
				4130.32 - SCDOT MEETING SPONSORS	61,349.80	70,000.00	-8,650.20	87.64%	12,411.00	48,938.80	sponsors
				4130.33 - SCDOT MEETING REGISTRANTS	12,456.44	61,000.00	-48,543.56	20.42%	650.00	11,806.44	registrants
				4130.3 - SCDOT MEETING - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 4130.3 - SCDOT MEETING	78,449.89	141,000.00	-62,550.11	55.64%	13,061.00	65,388.89	total
				4130.4 - BOARD RETREAT	0.00	9,000.00	-9,000.00	0.0%	0.00	0.00	
				4130.5 - SUMMER ENGINEER'S CONFERENCE	0.00	10,000.00	-10,000.00	0.0%	0.00	0.00	
				4130.6 - MEMBER EVENTS						0.00	
				4130.61 - FALL PAC GOLF TOURNAMENT	2,606.93	10,000.00	-7,393.07	26.07%	0.00	2,606.93	pac bowling
				4130.62 - SPRING SCHOLARSHIP TOURNAMENT	2,891.80	15,000.00	-12,108.20	19.28%	2,891.80	0.00	
				4130.6 - MEMBER EVENTS - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 4130.6 - MEMBER EVENTS	5,498.73	25,000.00	-19,501.27	22.0%		5,498.73	total
				4130.7 - STEEL BRIDGE FORUM	3,915.36				2,891.80	1,023.56	s bridge
				4130 - MEMBER EVENTS - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 4130 - MEMBER EVENTS	99,476.08	224,000.00	-124,523.92	44.41%	17,302.80	82,173.28	total
				4140 - FUTURE LEADERS PROGRAM	21,933.60	25,000.00	-3,066.40	87.73%	20,733.60	1,200.00	future leaders
				4220 - TRAVEL REIMBURSEMENTS	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total Income	389,672.21	505,500.00	-115,827.79	77.09%	249,110.83	140,561.38	total income
				Gross Profit	389,672.21	505,500.00	-115,827.79	77.09%	249,110.83	140,561.38	
				Expense						0.00	
				6010 - ACEC NATIONAL DUES						0.00	
				6010.1 - MINUTE MAN CONTRIBUTIONS	0.00	1,500.00	-1,500.00	0.0%	0.00	0.00	
				6010.2 - NATIONAL DUES	0.00	64,000.00	-64,000.00	0.0%	0.00	0.00	
				6010.3 - EXECUTIVE DIRECTOR/NAECE DUES	200.00	200.00	0.00	100.0%	200.00	0.00	
				Total 6010 - ACEC NATIONAL DUES	200.00	65,700.00	-65,500.00	0.3%	200.00	0.00	
				6015 - ACEC-SC PAC Transfer	0.00	18,000.00	-18,000.00	0.0%	0.00	0.00	
				6020 - ACEC TRAVEL						0.00	
				6020.2 - EXECUTIVE DIRECTOR	2,478.60	8,000.00	-5,521.40	30.98%	1,119.50	1,359.10	travel
				6020.3 - NATIONAL DIRECTOR	0.00	5,000.00	-5,000.00	0.0%	0.00	0.00	
				6020.4 - PRESIDENT	0.00	5,000.00	-5,000.00	0.0%	0.00	0.00	
				6020.5 - PRESIDENT ELECT	0.00	4,000.00	-4,000.00	0.0%	0.00	0.00	
				6020.6 - AFFILIATE NATIONAL DIRECTOR	0.00	4,000.00	-4,000.00	0.0%	0.00	0.00	
				6020 - ACEC TRAVEL - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 6020 - ACEC TRAVEL	2,478.60	26,000.00	-23,521.40	9.53%	1,119.50	1,359.10	total
				6030 - BOARD EXPENSE	0.00	2,000.00	-2,000.00	0.0%	0.00	0.00	
				6050 - COMMITTEE ACTIVITY						0.00	
				6050.1 - MEMBERSHIP	0.00	6,000.00	-6,000.00	0.0%	0.00	0.00	
				6050.2 - TRANSPORTATION	83.40	2,000.00	-1,916.60	4.17%	83.40	0.00	
				6050.3 - ENVIRONMENTAL	0.00	250.00	-250.00	0.0%	0.00	0.00	
				6050.4 - COMMUNICATIONS	0.00	250.00	-250.00	0.0%	0.00	0.00	
				6050.5 - BRE	0.00	250.00	-250.00	0.0%	0.00	0.00	
				6050.6 - ADVOCACY/PAC	0.00	250.00	-250.00	0.0%	0.00	0.00	
				6050.7 - ADHOC/BYLAWS & INVESTMENTS	0.00	250.00	-250.00	0.0%	0.00	0.00	
				Total 6050 - COMMITTEE ACTIVITY	83.40	9,250.00	-9,166.60	0.9%	83.40	0.00	
				6120 - LEGISLATIVE ACTIVITY						0.00	
				6120.2 - LOBBY FEES	0.00	416.00	-416.00	0.0%	0.00	0.00	
				6120.3 - ACTIVITIES EXPENSE	0.00	500.00	-500.00	0.0%	0.00	0.00	
				6120.4 - SC PAC CONTRIBUTIONS	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 6120 - LEGISLATIVE ACTIVITY	0.00	916.00	-916.00	0.0%	0.00	0.00	
				6130 - MEMBER MEETING EXPENSES						0.00	
				6130.1 - ENG. EXCELLENCE AWARDS	625.00	16,000.00	-15,375.00	3.91%	625.00	0.00	
				6130.13 - EEA PLAQUES	0.00	2,000.00	-2,000.00	0.0%	0.00	0.00	
				6130.15 - EEA PRINTING	2,549.29	3,000.00	-450.71	84.98%	0.00	2,549.29	eea printing

				6130.2 · WINTER MEETING EXPENSE	0.00	15,500.00	-15,500.00	0.0%	0.00	0.00	
				6130.3 · SCDOT MEETING EXPENSE	18.60	64,000.00	-63,981.40	0.03%	0.00	18.60	fb ad
				6130.4 · BOARD RETREAT EXPENSE	0.00	9,000.00	-9,000.00	0.0%	0.00	0.00	
				6130.6 · MEMBER EVENT EXPENSES						0.00	
				6130.61 · PAC EVENT EXPENSE	62.11	10,000.00	-9,937.89	0.62%	0.00	62.11	reimburse mileage
				6130.62 · SPRING GOLF TOURNAMENT EXPENSE	3,546.15	15,000.00	-11,453.85	23.64%	3,546.15	0.00	
				6130.6 · MEMBER EVENT EXPENSES - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 6130.6 · MEMBER EVENT EXPENSES	3,608.26	25,000.00	-21,391.74	14.43%	3,546.15	62.11	total
				6130.70 · LEGISLATIVE RECEPTION	0.00	2,700.00	-2,700.00	0.0%	0.00	0.00	
				6130.80 · REGIONAL MEETINGS	181.48	4,000.00	-3,818.52	4.54%	181.48	0.00	
				6130 · MEMBER MEETING EXPENSES - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 6130 · MEMBER MEETING EXPENSES	6,982.63	141,200.00	-134,217.37	4.95%	4,352.63	2,630.00	total
				6130.8 · FAR PROGRAM EXP	0.00	0.00	0.00	0.0%	0.00	0.00	
				6140 · FUTURE LEADERS PROGRAM EXPENSE	801.76	20,000.00	-19,198.24	4.01%	801.76	0.00	
				6160 · DUES AND SUBSCRIPTIONS						0.00	
				6160.1 · SCCFLR DUES	0.00	2,500.00	-2,500.00	0.0%	0.00	0.00	
				6160.2 · SCFOR DUES	600.00	750.00	-150.00	80.0%	0.00	600.00	dues
				6160.3 · SCCESC DUES	200.00	200.00	0.00	100.0%	0.00	200.00	dues
				6160 · DUES AND SUBSCRIPTIONS - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 6160 · DUES AND SUBSCRIPTIONS	800.00	3,450.00	-2,650.00	23.19%	0.00	800.00	total
				6170 · SCCJC DUES	0.00	2,500.00	-2,500.00	0.0%	0.00	0.00	
				6200 · MANAGEMENT FEES	56,694.40	170,084.00	-113,389.60	33.33%	42,520.80	14,173.60	mgt fees
				6210 · MISCELLANEOUS OPERATIONS						0.00	
				6210.1 · PHOTOCOPIES	1,198.31	0.00	1,198.31	100.0%	1,155.41	42.90	copies
				6210.2 · POSTAGE	118.36	0.00	118.36	100.0%	116.16	2.20	postage
				6210.4 · LONG DISTANCE	200.52	0.00	200.52	100.0%	73.56	126.96	conf calls
				6210.5 · 501 APP	400.00				300.00	100.00	app
				6210.6 · OFFICE SUPPLIES	610.96	0.00	610.96	100.0%	610.96	0.00	
				6210.8 · WEBSITE ELECTRONIC MARKETING	670.99	7,000.00	-6,329.01	9.59%	670.99	0.00	website
				6210 · MISCELLANEOUS OPERATIONS - Other	0.00	5,000.00	-5,000.00	0.0%	0.00	0.00	
				Total 6210 · MISCELLANEOUS OPERATIONS	3,199.14	12,000.00	-8,800.86	26.66%	2,927.08	272.06	total
				6410 · BANK CHARGES / CREDIT CARD FEES						0.00	
				6410.1 · CAROLINA FIRST SERVICE FEE	8.00	50.00	-42.00	16.0%	8.00	0.00	
				6410.2 · PAYPAL EXPENSE	120.00	400.00	-280.00	30.0%	90.00	30.00	paypal
				6410.3 · REGONLINE EXPENSE	0.00	0.00	0.00	0.0%	0.00	0.00	
				6410.4 · RETURN CHECK FEE	0.00	0.00	0.00	0.0%	0.00	0.00	
				6410 · BANK CHARGES / CREDIT CARD FEES - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 6410 · BANK CHARGES / CREDIT CARD FEES	128.00	450.00	-322.00	28.44%	98.00	30.00	total
				6510 · LEGAL AND PROFESSIONAL SERVICES						0.00	
				6510.1 · ACCOUNTING & PROFESSIONAL SVCS	0.00	4,000.00	-4,000.00	0.0%	0.00	0.00	
				6510.2 · LEGAL & PROFESSIONAL SVCS FOR I	0.00	2,500.00	-2,500.00	0.0%	0.00	0.00	
				6510.5 · LIABILITY INSURANCE	0.00	350.00	-350.00	0.0%	0.00	0.00	
				Total 6510 · LEGAL AND PROFESSIONAL SERVICES	0.00	6,850.00	-6,850.00	0.0%	0.00	0.00	
				6610 · PUBLIC RELATIONS						0.00	
				6610.1 · PUBLIC RELATIONS & MARKETING						0.00	
				6610.6 · MAILCHIMP	151.18				107.99	43.19	mailchimp
				6610.1 · PUBLIC RELATIONS & MARKETING - Other	138.24	5,000.00	-4,861.76	2.77%	138.24	0.00	
				Total 6610.1 · PUBLIC RELATIONS & MARKETING	289.42	5,000.00	-4,710.58	5.79%	246.23	43.19	total
				6610.4 · AWARDS	143.33	200.00	-56.67	71.67%	143.33	0.00	
				6610.5 · ADVERTISING ON FACEBOOK	64.63				64.63	0.00	
				6610 · PUBLIC RELATIONS - Other	0.00	0.00	0.00	0.0%	0.00	0.00	
				Total 6610 · PUBLIC RELATIONS	497.38	5,200.00	-4,702.62	9.57%	454.19	43.19	total
				6999 · UNCATEGORIZED EXPENSES	0.00	0.00	0.00	0.0%	0.00	0.00	
				7000 · MINUTE MAN MATCH	0.00	1,700.00	-1,700.00	0.0%	0.00	0.00	
				Total Expense	71,865.31	485,300.00	-413,434.69	14.81%	52,557.36	19,307.95	total expense
				Net Income	317,806.90	20,200.00	297,606.90	1,573.3%	196,553.47	121,253.43	net income

ACEC-SC Balance Sheet

As of October 29, 2019

				Oct 29, 19	Notes
ASSETS					
	Current Assets				
		Checking/Savings			
			1001 · ACEC-SC	356,163.45	
			1010 · PAC	27,694.49	
			1015 · ACEC-SC Education Foundation	8,442.54	
			1120 · SCHO CD - CAROLINA FIRST	13,294.03	
		Total Checking/Savings			405,594.51
	Total Current Assets			405,594.51	
	Fixed Assets				
		TD Bank CD 4157			100,000.006 months @ 1.55%
		TD Bank CD 4181			100,000.009 months @ 1.45%
		TD BANK CD 4256			100,000.0012 months @ 1.45%
	Total Fixed Assets			300,000.00	
TOTAL ASSETS				705,594.51	
LIABILITIES & EQUITY					
	Equity				
		3000 · OPENING BAL EQUITY			27,737.68
		3900 · RETAINED EARNINGS			360,049.93
		Net Income			317,806.90
	Total Equity			705,594.51	
TOTAL LIABILITIES & EQUITY				705,594.51	



ACEC

AMERICAN COUNCIL OF ENGINEERING COMPANIES
of South Carolina

2019-2020

Strategic Plan
(Year two of Plan, last updated 3/2019)

Strategic Goal One

ACEC-SC will grow and diversify its membership and support growth in the engineering industry.

Action Items

1. Update demographics data for SC firms
2. Establish member profiles to target
3. Develop mailer to send out to target member profiles
4. Develop a call strategy to follow up mailer.

Strategic Goal Two

ACEC-SC will grow its brand to include transparency and effective communication

Action Items

1. Bylaws Committee to review possible changes to the bylaws and report during the May 2019 meeting.
2. Publish changes to the bylaws before June 2019 annual meeting so membership can vote on these changes.
3. Develop new website by July 1, 2019.

Strategic Goal Three

ACEC-SC will increase its legislative influence through PAC growth and membership engagement.

Action Items

1. Educate our members through messaging that will include short videos and other tactics.
2. Review successful messaging initiatives from other advocacy organizations to establish best practices.
3. Review our dues structure to determine if we could ask for a higher percentage as PAC donation.
4. Plan two, member engagement PAC events for Autumn 2019 and January 2020 at locations to be determined in the state.
5. Advocacy Committee to set up monthly call in meeting to discuss initiatives and progress.

Strategic Goal Four

ACEC-SC will have impactful committees that drive the organization toward our Mission & Vision.

Action Items

1. Use our standing committees to provide resources to execute the tactics, initiatives and activities that drive our Mission and Vision.
2. Provide summary report at our annual meeting that outlines each committees function and key accomplishments.
3. Include committee descriptions and functions on the new website.
4. Assign committee responsibilities to appropriate strategic goals and tactics in our Strategic Plan.

Strategic Goal Five
ACEC-SC will energize and engage its membership .
Action Items

1. Review social media best practices and determine the overall role of social media to our desire to engage membership.
2. Complete the membership directory.
3. Establish quarterly membership meetings to be held across the State and include in the upcoming annual calendar.
4. Plan and execute the 2019-2020 Future Leaders Program



Strategic Business Plan for ACEC-SC

9/29/19

Tactical Implementation									
Strategy No.	Strategy	Objective	Tactics (How)	Measures of Success	Who's Accountable	Resources (Who/What)	Committee	Timeframe	Progress Update
1	Grow and Diversify Membership	Outreach to target groups	Update demographic data of SC firms	Task Completed	JMA	Staff	Membership	6/1/19	Finished
1	Grow and Diversify Membership	Outreach to target groups	Establish member profiles to target	Task Completed	Shoemake	Membership Committee	Membership	11/1/19	
1	Grow and Diversify Membership	Outreach to target groups	Develop mailer	Task Completed	Shiver/ Adam Jones	Membership Committee	Membership	1/1/20	
1	Grow and Diversify Membership	Outreach to target groups	Develop a call strategy	Task Completed	Shiver; Adam Jones	Staff, Board	Membership	12/1/19	
2	Grow the Brand	Effective Communication	Update website	Website updated	Ricky Ward	Communications Committee; outside company; budget item	Communication	Ongoing	Done
3	Legislative Influence	Successful Messaging	Review other organizations tactics and develop best practices	Present best practice ideas to Board for consideration	Adam Jones	Staff; Advocacy Organizations	Advocacy/PAC	8/1/19	Continuing to look at these and work with NAECE Counterparts
3	Legislative Influence	Educate on Legislative process	Legislative Sessions at Conference	Session scheduled and delivered	Adam Jones	Staff	Advocacy/PAC	Ongoing	
3	Legislative Influence	Educate on Legislative process	Keynote Speaker at all conferences	Speakers scheduled	Adam Jones	Staff	Advocacy/PAC	Ongoing	
3	Legislative Influence	Develop Tools to aid members	Videos/Reference Cards	Plan developed and tools produced	Adam Jones	Staff	Advocacy/PAC	Ongoing	
3	Legislative Influence	PAC Growth through Member Donations	Review dues structure and seek higher percentage for PAC donations from member firms	Recommend percentage to board for action	Mike Wooten	Staff	Advocacy/PAC	8/1/19	raised to 12.5% on 19-20 Dues statement
3	Legislative Influence	PAC Growth through Member Donations	Plan two membership fundraiser activities	Activities planned and accomplished	Matt Gehman	Staff	Advocacy/PAC	1/1/20	1st Fundraiser 10/31/19
3	Legislative Influence	PAC Growth through Member Donations	Advocacy Committee to meet	Committee meeting monthly	Matt Gehman	Staff	Advocacy/PAC	Ongoing	
4	Impactful Committees	Engagement in Strategic Plan	Input committees into Strategic Plan Matrix	Task Completed	Keith Overstreet	Committee Chairs; Staff	All	5/1/19	complete
4	Impactful Committees	Review Committee activities for prior year	Report on function and accomplishments at annual meeting	Task Completed	Keith Overstreet	Committee Chairs; Staff	All	6/1/19	complete
4	Impactful Committees	Engagement in Strategic Plan	Update all committee descriptions for new website	Task Completed	Keith Overstreet	Communications Committee	Communications	7/1/19	Still need input from committee heads, figured may have new committee chairs, will update after first board meeting
5	Energize and Engage Membership	Develop Social Media Strategy	Review social media best practices and report	Report delivered	Adam Jones	Staff; Communications Committee	Communications	8/1/19	Need to meet with Committee. Staff has continued to engage members on social media.
5	Energize and Engage Membership	Membership Meetings	Plan and Execute 4 Membership Meetings	Events Scheduled and Held	Adam Jones	Staff; Membership Committee	Membership	Ongoing	1st membership meeting 8/1
5	Energize and Engage Membership	Membership Directory	Complete Membership Directory and provide	Task Completed	Adam Jones	Staff	Membership	8/1/19	Completed 6/1/19 and posted on website
5	Energize and Engage Membership	Engage Future Leaders	Plan and Execute the Future Leaders Program for 2019-20	Program Delivered	Jeff Mulliken	Staff; BRE Committee	BRE	Ongoing	



October 8, 2019

Chief Procurement Officer
J. Darrin Player
SCDOT
PO Box 191
Columbia, SC 29201

Dear Mr. Player,

The American Council of Engineering Companies of South Carolina (ACEC-SC) is the only state organization devoted exclusively to the business and advocacy interests of engineering companies and is comprised of member firms committed to the professional practice of engineering in every sense of the word. Our mission is to advocate, advance and protect the business interests of engineering firms and standards of the engineering profession in South Carolina.

In 1998 ACEC-SC and the South Carolina Department of Transportation (SCDOT) entered into a partnering agreement. The mission of the Partnership is: *"To provide a forum for improving the coordination and understanding between SCDOT and the consulting community as it relates to the development of transportation projects. SCDOT and the consultants each have resources and expertise that should be combined in a coordinated effort for the mutual benefit of the traveling public and taxpayers of South Carolina."* ACEC-SC values this partnership and for 21 years we think we have worked together in fulfilling this mission.

We write you today to inform you that ACEC-SC opposes the use of an average overhead rate on fixed fees because we do not believe this practice to be in the best interest of South Carolina's Engineering Firms, the SCDOT or to the public. As stated above, ACEC-SC values our partnership with the SCDOT, and are going on record opposing the idea of SCDOT using an average overhead rate on fixed fees. The ACEC-SC/SCDOT Professional Services subcommittee and the ACEC-SC/SCDOT Partnering committee have had discussion on this subject, and before the discussion goes any further ACEC-SC wants SCDOT to know our thoughts on the issues.

Enclosed is a position statement approved by the ACEC-SC Board of Directors on the use of an average overhead rate for fixed fees. The document explains why we think it would be disservice to engineering firms and thereby potentially limiting the firms who seek to serve the SCDOT; the result of which would eventually increase project costs to taxpayers.

ACEC-SC would like to have a meeting with SCDOT to discuss this further and/or discuss it at the ACEC-SC/SCDOT Partnering Committee Meeting on Friday November 15, 2019.

Sincerely,

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Adam B. Jones
Executive Director

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H. Keith Overstreet, PE
2019-2020 Chairman of the Board

CC: Jennifer Necker



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ACEC POSITION ON SCDOT APPLICATION OF AVERAGE OVERHEAD RATES DURING CONTRACT NEGOTIATIONS FOR PROFESSIONAL ENGINEERING SERVICES

The American Council of Engineering Companies of South Carolina is the only state organization devoted exclusively to the business and advocacy interests of engineering companies and is comprised of member firms committed to the professional practice of engineering in every sense of the word. We represent engineering companies large and small; practicing in multiple sectors and markets; private development, government, transportation, water and sewer, just to name a few.

Many of our member firms are engaged in contracts with SCDOT and so they have a mutual interest with the Department in serving the citizens of the state by providing a robust and comprehensive transportation system. These firms have expressed concerns to ACEC-SC regarding SCDOT's use of an "average" overhead rate in the calculation of fixed fees for professional services.

ACEC-SC supports fair and honest negotiations conducted in good faith between the SCDOT and any professional engineers selected to provide services based on their qualifications. ACEC-SC supports:

- Total contract value based on an agreed to scope of work.
- Scope of work and associated fee that is satisfactory to both parties when negotiations are completed.
- Value pricing for professional services that appropriately take all considerations (risks and rewards) into account.

We do not support the following as these do not meet the objective for arriving at a scope of work and total contract value satisfactory to both parties.

- The use of arbitrary or "average" overhead rates to derive a fixed fee.
- The use of stipulated overhead rates and fixed fee percentages independent of the type of project under consideration.
- Fee concessions from professional firms without an associated adjustment in the scope of work.

Federal Highway Administration regulations require that contracting agencies must use and apply a consultant's cognizant approved indirect cost rate, or an accepted rate established in accordance with the FAR cost principles (as specified in 48 CFR 31), for the purposes of contract estimation, negotiation, administration, reporting, and contract payment on federally funded projects, and the rate shall not be limited by administrative or de facto ceilings of any kind (as specified in 23 U.S.C. 112(b)(2)(C)-(D) and 23 CFR 172.7(b)). Use of a statewide average indirect cost rate in the analysis of contract costs or the negotiation and administration of the contract creates an arbitrary limitation that is inconsistent with the principles of reimbursement of the total allowable costs of contract performance that are embodied in the Federal requirements. With respect to fixed fees, FHWA regulations require that the determination of the amount takes into consideration the scope, complexity, duration, size and type of contract, degree of risk, amount of subcontracting, and the professional nature of the services (23 CFR 172.11(b)(3)).

ACEC-SC member firms believe that "financial rewards" for firms are important for investment into their operations that aids in new technology advancement and a highly technical workforce. These investments also stimulate performance, improve overall firm stability, and can aid in reducing overhead rates. A fixed fee formula that reduces the effective fixed fee for any ACEC-SC member firm is not consistent with this objective, nor the objectives of FAR 15.404-4, which is meant to offer financial reward toward attracting the best capabilities of both large and small firms and maintaining the industrial base. Government agencies generally

**ACEC POSITION ON SCDOT APPLICATION OF AVERAGE OVERHEAD RATES DURING CONTRACT
NEGOTIATIONS FOR PROFESSIONAL ENGINEERING SERVICES**

pay profit on labor and overhead (some also on non-salary items). Therefore, if profits are limited based on overheads this will not allow a firm to grow and creates a de facto ceiling on overheads which is inconsistent with the principles of reimbursement of the total allowable costs of contract performance that are embodied in the Federal requirements.

An arbitrary reduction of fees or overall contract costs is inconsistent with selection procedures (as specified in 23 U.S.C. 112(b)(2)(A), 40 U.S.C. 1104(a), and 23 CFR 172.5(a)(1)) for negotiation of fair and reasonable compensation considering the scope, complexity, professional nature, and estimated value of the services to be rendered. Reductions to overall contract costs also create a de facto ceiling on a firm's approved indirect cost rate required to be applied to contract negotiations and payment (as specified in 23 U.S.C. 112(b)(2)(D) and 23 CFR 172.7(b)) and could be viewed as creating an arbitrary reduction of direct salary/wage rates.

ACEC-SC members firms understand that contract negotiations are focused on establishing a Total Contract Value that meets SCDOT's program objectives and conforms to a mutually agreed upon scope of services. This overall contract value typically would not vary significantly between a Firm A or Firm B with different overhead rates, but how that contract value is determined does vary based on staff mix, project team firm mix and individual firm overhead rates.

A sample calculation is provided that shows the implications of this when Firm A has an overhead rate higher than the average and Firm B has an overhead equal to the average. As is demonstrated for this example, both firms will earn the full amount of the overhead and both firms will earn the identical amount of fixed fee. However, Firm A would be required to compensate for their higher overhead by reducing their labor to accomplish the work.

Firm A 200% Overhead

Firm B 150% Overhead

Typical SCDOT Negotiation to Total Contract Value

	Firm			Using Firm OH	
	Labor	OH on Labor	Fixed Fee %	Fixed Fee	Total Contract
Firm A	\$ 250,000.00	\$ 500,000.00	10%	\$ 75,000.00	\$ 825,000.00
Firm B	\$ 300,000.00	\$ 450,000.00	10%	\$ 75,000.00	\$ 825,000.00
Delta	\$ (50,000.00)			\$ -	

The sample calculation is repeated below for the case when fixed fee is instead computed based on the average overhead rate. In this case, Firm A can gain a nominal amount of direct labor cost and firms will earn the full amount of the overhead. However, Firm A will earn approximately 15% lower fixed fee than Firm B. Therefore, Firm A earns an effective fee percentage near 8% instead of the 10% that Firm B earns. This approach does not lead to fair and consistent treatment nor does it support the objectives previously noted.

**ACEC POSITION ON SCDOT APPLICATION OF AVERAGE OVERHEAD RATES DURING CONTRACT
NEGOTIATIONS FOR PROFESSIONAL ENGINEERING SERVICES**

SCDOT Negotiation to Total Contract Value with Fixed Fee Computed using Average OH Rate

Assumed Average Overhead Rate =		150%			
		Firm		Using AVG OH	
	Labor	OH on Labor	Fixed Fee %	Fixed Fee	Total Contract
Firm A	\$ 253,846.16	\$ 507,692.31	10%	\$ 63,461.54	\$ 825,000.00
Firm B	\$ 300,000.00	\$ 450,000.00	10%	\$ 75,000.00	\$ 825,000.00
Delta	\$ (46,153.85)			\$ (11,538.46)	

As discussed above, determining contract value varies significantly between two project teams based on staff mix, project team firm mix and individual firm overhead rates. Therefore, a comparison of negotiations between two firms or teams on a purely hour-to-hour basis is not practical. This is also a very common issue during negotiations with SCDOT when discussing tasks and phases of work based on internal staffing assumptions. However, you examine the impacts, ACEC-SC member firms have concerns when efforts are considered to “normalize” fee calculations. ACEC believes that when Qualifications-Based Selection is required to be used, the capping of overheads or fees for the purposes of negotiation and payment may be contradictory to the performance of a firm and the quality of work that may be provided. Firms maintain a FAR audited overhead rate that ensures the same rules apply to all firms across the broad spectrum of services. Higher or lower overhead rates reflect more on the size of the firm, utilization of staff and/or the nature of its business, more so than a measure of efficiency and therefore adjusting the fixed fee based on the overhead rate is perceived as unfair to your professional engineering and CEI partners..

At the time a similar approach was implemented for CEI contracts, the procurement subcommittee structure for was not in place and/or had other missions and was not prepared to tackle this issue. Based on our member firms’ experience with this policy we are observing the negative impacts on our member firms described in the examples above and is not achieving its intended goal, and we therefore oppose this policy for all professional services. For this reason and those stated within, the vast majority of ACEC-SC member firms agree in their concern over, and opposition to, the use of “average” overhead rates in the calculation of fixed fees for professional services. In the same regard, ACEC-SC member firms are in one accord in appreciation to SCDOT for our ongoing collaboration and hope that this objection is accepted for consideration.

Professional Services
Two Tier Selection Process
and
Fixed Fee Calculations

SCDOT Manual for Procurement, Management and Administration of Engineering and Design Related Services

6.8 Selection - Two-Tier Selection Process

SCDOT will conduct a two-tier selection process for the evaluation of proposals.

Tier 1: Selection Committee will review and score based on the technical criteria contained in the RFP

Tier 2: Designated Professional Services staff will review and score non-technical criteria contained in the RFP. Non-technical criteria may consist of but are not limited to:

Workload capacity: ability of proposed team to complete the project in an expeditious manner based on active work load or current commitments of key team members.

The relative weight of each criterion will be included in the RFP.

Workload Capacity

Workload Capacity consists of the amount of active executed contracts and contracts in negotiations minus the amount invoiced. The balance of the work to be invoiced will determine the capacity score.

$$\begin{array}{ccccccc} \text{Executed Contract} & & & & & & \\ \text{Amount} & + & \text{Amount in} & - & \text{Amount} & = & \text{Workload} \\ & & \text{Negotiations} & & \text{Invoiced} & & \text{Capacity} \end{array}$$

Recommendations

Workload Capacity Selection Criteria %
10%
15%
20%
25%

Workload Value	Score
Above \$10,000,001	0
\$9,000,001 - \$10,000,000	1
\$8,000,001 - \$9,000,000	2
\$7,000,001 - \$8,000,001	3
\$6,000,001 - \$7,000,000	4
\$5,000,001 - \$6,000,000	5
\$4,000,001 - \$5,000,000	6
\$3,000,001 - \$4,000,000	7
\$2,000,001 - \$3,000,000	8
\$1,000,000 - \$2,000,000	9
\$0-\$1,000,000	10

On-Call Selections

On-Call Basic Agreement Selections will use the two tier process when selecting consultants for participation on the on-call.

Likewise, the two tier process will be used for selection of a consultant for an on-call work order or task order.

Fixed Fee Calculation

Fixed Fee will now be calculated by using an average overhead rate.

$$\text{Fixed Fee} = (\text{DL} + (\text{DL} * \text{AvgOH})) * \text{FF Rate}$$

$$\begin{aligned} &\text{Total Combined Subtotal} \\ &= (\text{DL} + (\text{DL} * \text{OH})) + ((\text{DL} + (\text{DL} * \text{AvgOH})) * \text{FF Rate}) \end{aligned}$$

Fixed Fee Calculation

1	SETUP 1		
2	Edit Project Information		
3	<i>Labor Multipliers</i>		
4	Overhead Rate	166.000 %	<i>a</i>
5	FCCM Rate	0.890 %	<i>b</i>
6	Fixed Fee Rate	10.000 %	<i>c</i>
7	Average Overhead Rate	164.000 %	<i>d</i>
8	Combined Multiplier	2.9329	$(1+a) + ((1+d) * c) + b$

Fixed Fee

- Cost Plus Fixed Fee – compensation to Consultant will be based upon actual cost of performing all phases of work plus a fixed amount.
- Fixed Fee will not vary due to any differences between negotiated fee and actual cost.
- Amounts paid for fixed fees paid by the Consultant to the subconsultant will not be considered a direct cost of the Consultant but will be considered part of the fixed fee of the Consultant.
- Cost plus a percentage of cost agreements are prohibited.
- Fixed fee included in progress payments will be calculated by computing percentage of actual labor hours invoiced divided by labor hours authorized and then applying that percentage to the total fixed fee authorized under the agreement.

Fixed Fee

Compensation to Consultant under the terms of this BASIC AGREEMENT shall not exceed \$X,XXX,XXX for salaries, payroll additives, overhead, direct cost and outside services plus a fixed fee of \$YYY,YYY resulting in a maximum limit of \$X,YXY,XYX.

Contract Breakdown		
Compensation	Fixed Fee	Contract Total
\$X,XXX,XXX	\$YYY,YYY	\$X,YXY,XYX

Questions?

Adam B. Jones
ACEC-SC Executive Director's Report
11/7/19

Legislative Report:

- Off Season Lobbying/Bills Tracked
 - Still meeting with legislators when they're in town.
 - S.796, adoption of building codes
 - Coalition working on building code adoption cycle legislation (S. 796) met on October 17, 2019
 - New information about adoption cycles had come out from National Home Builders Association
 - The final version of S.796 referenced SC code not I-codes
 - Coalition decided to honor the agreement that was made last legislative year, but to take new information to Senator Alexander as information
 - Hearing held on October 30, 2019. Amended the bill to say national building codes instead of SC codes
 - Adoption cycle stays as agreed upon last year (3 year commercial / 6 years residential)
 - Passed out of subcommittee favorably
 - Designer Fair Contracting Bill
 - AIA-SC has signed on to help move it
 - Legislative services still working on language
 - Trying to get Senator Alexander to sponsor it in the Senate
 - If Alexander sponsors it we will ask Representative Sandifer to sponsor in the house
 - SC Frivolous Civil Proceedings Sanctions Act
 - AIA-SC is reviewing
 - Senate Committee on interstate Congestion
 - Met October 16, 2019
 - Presentation by Secretary Hall
 - Subcommittee will meet again
 - Senators asked for SCDOT to bring info on bonding capacity
 - No talk on how to fund projects dealing with congestion
- ACEC Strategic Plan
 - ACEC Board of Directors voted to approve new Strategic Plan on 10/13/2019 at ACEC Fall Conference
 - ACEC-SC National Director Kylie Page, PE, Insight Group, voted in favor
 - PURPOSE: Advance a business environment that enables our professional member firms to deliver safe, impactful, and sustainable solutions.
 - VALUES:
 - Agile and visionary leadership
 - Integrity and professionalism
 - Inclusion and diversity
 - Excellence through innovation
 - Trusted advisors
 - Copy of plan in packet

- ACEC gives NAECE \$250,000.00 Minute Man Grant for QBS Study
 - First study done since 1991
 - Outside party to do study (possibly NYU)
 - Detailed look at why QBS is the best way to procure work for design
 - Collecting examples of good and bad QBS Procurement
 - Will be published but not under ACEC banner
- SC Engineering Conference & Trade Show
 - Meeting on 11/11/2019
 - Kylie Page
 - Cameron Nations
 - Keith Overstreet
 - New members of committee after 11/11/19
 - Cameron Nations
 - Keith Overstreet
 - Jason Epply
- SCESS
 - Seats are being advertised
 - Current ACEC-SC representative:
 - Joe Greeburg, Design South Professionals LLC (SCESS Officer)
 - Cameron Nations, Parrish & Partners (ACEC-SC Past Chair)
 - Keith Overstreet, Design South Professionals LLC (ACEC-SC Chair)
 - SCESS Dinner 11/12/19
 - Currently no ACEC-SC people RSVP'd
- NSBA Steel Bridge Forum
 - 11/5/19
 - 91 (27 from SCDOT) in attendance (including speakers)
 - Good reviews
 - Proposed doing it every other year
 - Will turn profit
- PAC Bowling Tournament
 - Great event
 - Really good comments back
 - 34 bowlers
 - Expect to make \$1,000 +/- for PAC (waiting on final bills)
 - \$300 Raised for ACEC National PAC
- Engineering Excellence Awards
 - 27 Entries
 - Most we've had in years
- Membership Meeting /Reception w/ Linda Darr before ACEC-SC/SCDOT Annual Meeting will not be happening. Darr couldn't make it.
 - Told her we'd have her for something later this year
- ACEC-SC Retreat at Fripp Island
 - March 5-7, 2019
- SC Commercial/Low Tonnage Paving Certification Program

- Approached by Dave Herndon and Tri-County Tech about ACEC-SC endorsing program
- Herndon spoke with five-member firms about the issue
- SC Certification on commercial and low tonnage paving (parking lots and other commercial paving jobs)
- Info SCDOT certifications does not cover
- White paper in packet
- Wants ACEC-SC to endorse program
- National Association of Engineering Council Executives
 - Adam B. Jones was approached about being nominated to the executive committee of NAECE
 - Three year commitment
 - Would place Jones on ACEC National Executive Committee in three years
- NAECE Winter Meeting
 - December 5-7
 - ACEC-SC Board Meeting December 5, 2019
 - Start Board meeting early?

ACEC-SC Tracked Bills
Prepared by: Adam Jones
Report created on November 6, 2019

- SB5** **INTERSTATE LANE EXPANSION FUND** (SETZLER N) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 11-43-168 SO AS TO ESTABLISH THE INTERSTATE LANE EXPANSION FUND TO INCREASE THE NUMBER OF LANES ON EXISTING MAINLINE INTERSTATES AND TO PROVIDE THE MANNER IN WHICH THE SOUTH CAROLINA TRANSPORTATION INFRASTRUCTURE BANK SELECTS ELIGIBLE PROJECTS; AND TO AMEND SECTION 56-3-627, RELATING TO THE INFRASTRUCTURE MAINTENANCE FEE, SO AS TO CREDIT A PORTION OF THE FEE TO THE INTERSTATE LANE EXPANSION FUND.
- Current Status:** 1/8/2019 - Referred to Committee Senate Finance
Recent Status: 1/8/2019 - Introduced and read first time
12/12/2018 - Referred to Committee Senate Finance
State Bill Page: [SB5](#)
- SB7** **LIABILITY LIMITATIONS** (MALLOY G) A BILL TO AMEND SECTION 15-78-120, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE LIMITATION OF LIABILITY, SO AS TO INCREASE THE LIMITS FROM A LOSS TO ONE PERSON ARISING FROM A SINGLE OCCURRENCE TO ONE MILLION DOLLARS, TO INCREASE THE TOTAL LIMITS FROM A LOSS ARISING OUT OF A SINGLE OCCURRENCE TO TWO MILLION DOLLARS, AND TO REQUIRE THE LIMITS BE ADJUSTED ANNUALLY IN ACCORDANCE WITH THE CONSUMER PRICE INDEX.
- Current Status:** 4/11/2019 - Referred to Committee House Ways and Means
Recent Status: 4/11/2019 - Introduced and read first time
4/9/2019 - Amended
State Bill Page: [SB7](#)
- SB40** **SC FALSE CLAIMS ACT** (MALLOY G) A BILL TO AMEND TITLE 15 OF THE 1976 CODE, BY ADDING CHAPTER 85, TO ENACT THE "SOUTH CAROLINA FALSE CLAIMS ACT" PROVIDING FOR DEFINITIONS OF CERTAIN TERMS, LIABILITY FOR FALSE OR FRAUDULENT CLAIMS UNDER CERTAIN CIRCUMSTANCES, PROCEDURES FOR CIVIL ACTIONS FOR FALSE CLAIMS, THE PROCEDURE AND CONTENTS OF CIVIL INVESTIGATIVE DEMANDS, AND CREATING THE STATE FALSE CLAIMS ACT INVESTIGATION AND PROSECUTION FUND.
- Current Status:** 1/8/2019 - Referred to Committee Senate Judiciary
Recent Status: 1/8/2019 - Introduced and read first time
12/12/2018 - Referred to Committee Senate Judiciary
State Bill Page: [SB40](#)
- SB81** **DAMS** (CAMPSER, III G) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 49-11-125 SO AS TO ESTABLISH A PROCEDURE FOR AN OWNER OF A DAM TO DETERMINE IF THE DAM FALLS UNDER THE AUTHORITY OF THE "DAMS AND RESERVOIRS SAFETY ACT"; TO AMEND SECTION 49-11-120, RELATING TO DEFINITIONS APPLICABLE TO THE DAMS AND RESERVOIRS SAFETY ACT, SO AS TO REDEFINE THE TERM "DAM"; TO AMEND SECTION 49-11-160, RELATING TO AN ORDER TO MAINTAIN, ALTER, REPAIR, OR REMOVE A DAM, SO AS TO AUTHORIZE THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ISSUE AN ORDER WHEN A DAM BECOMES DANGEROUS TO HUMAN LIFE OR THE PROPERTY OF SOMEONE OTHER THAN THE OWNER OF THE DAM; TO AMEND SECTION 49-11-200, RELATING TO THE APPROVAL REQUIREMENT FOR CONSTRUCTION OR ALTERATION OF A

DAM, SO AS TO PROVIDE EXEMPTIONS TO THE REQUIREMENT WHEN THE DAM DOES NOT POSE A SIGNIFICANT DANGER TO HUMAN LIFE OR THE PROPERTY OF SOMEONE OTHER THAN THE OWNER OF THE DAM.

Current Status: 3/14/2019 - Senate Agriculture and Natural Resources, (Bill Scheduled for Hearing); **Time & Location:** 10:00 AM, Gressette Room 209

Recent Status: 1/16/2019 - Senate Committee recommends passage, as amended Senate Environmental Subcommittee -ANR
1/16/2019 - Senate Environmental Subcommittee - ANR, (Bill Scheduled for Hearing); **Time & Location:** 10:30 AM, Gressette Rm. 209

State Bill Page: [SB81](#)

Notes: Tracking

SB93

WETLANDS RESTORATION ACT (CAMPSER, III G) A BILL TO AMEND CHAPTER 11, TITLE 49 OF THE 1976 CODE, RELATING TO DAMS, BY ADDING ARTICLE 5, TO ENACT THE "WETLANDS RESTORATION ACT," TO PROVIDE THAT CERTAIN IMPOUNDMENTS THAT ORIGINALLY IMPOUNDED A PARCEL OF TIDELAND OR MARSHLAND BUT NO LONGER COMPLETELY IMPOUND THAT PARCEL MAY BE REPAIRED OR RESTORED.

Current Status: 1/8/2019 - Referred to Committee Senate Agriculture and Natural Resources

Recent Status: 1/8/2019 - Introduced and read first time
12/12/2018 - Referred to Committee Senate Agriculture and Natural Resources

State Bill Page: [SB93](#)

SB107

DAMS (CAMPBELL, JR. P) A BILL TO AMEND SECTION 49-11-120(4) OF THE 1976 CODE, RELATING TO THE DEFINITION OF "DAM", TO INCLUDE THE ERECTION OF AN ARTIFICIAL BARRIER FOR THE PURPOSE OF CREATING A RESERVOIR, TO CLARIFY THAT FAILURE OF A DAM MUST CAUSE DANGER TO HUMAN LIFE OR THE PROPERTY OF OTHERS, AND TO ADD NEW EXCEPTIONS TO THE DEFINITION; TO AMEND ARTICLE 3, CHAPTER 11, TITLE 49 OF THE 1976 CODE, RELATING TO THE DAMS AND RESERVOIRS SAFETY ACT, TO PROVIDE THAT OWNERS OF EXISTING DAMS OR PROPERTY OWNERS INTENDING TO CONSTRUCT OR ENLARGE A DAM MAY RECEIVE FROM THE DEPARTMENT A DETERMINATION CONCERNING WHETHER THE DAM IS SUBJECT TO THE PROVISIONS OF ARTICLE 3; TO AMEND SECTION 49-11-150 OF THE 1976 CODE, RELATING TO AN OWNER'S RESPONSIBILITY FOR THE SAFE MAINTENANCE OF A DAM OR RESERVOIR, TO PROVIDE THAT THE OWNER OF A DAM OR RESERVOIR MUST PROVIDE CONTACT INFORMATION AND A COMPLETED DAM OWNER CHECKLIST TO THE DEPARTMENT ON A CERTAIN SCHEDULE, TO PROVIDE FOR A CURRENT EMERGENCY ACTION PLAN, AND TO PROVIDE FOR NOTICE OF POTENTIAL OR ACTUAL FAILURES; TO AMEND SECTION 49-11-160 OF THE 1976 CODE, RELATING TO ORDERS TO MAINTAIN, ALTER, REPAIR, OR REMOVE A DAM OR RESERVOIR, TO CHANGE THE CIRCUMSTANCES UNDER WHICH THE DEPARTMENT MAY ISSUE AN ORDER DIRECTING THE OWNER OF A DAM OR RESERVOIR TO UNDERTAKE NECESSARY MAINTENANCE, ALTERATIONS, REPAIRS, OR REMOVAL; TO AMEND SECTION 49-11-170 OF THE 1976 CODE, RELATING TO BRINGING UNSAFE DAMS TO THE ATTENTION OF THE DEPARTMENT, TO PROVIDE THAT THE DEPARTMENT CANNOT REQUIRE CHANGES TO A DAM OR RESERVOIR DUE TO RECLASSIFICATION UNLESS NECESSARY TO PREVENT THE LOSS OF HUMAN LIFE; TO AMEND SECTION 49-11-200 OF THE 1976 CODE, RELATING TO THE DEPARTMENT APPROVAL REQUIRED FOR CONSTRUCTION OR ALTERATION, TO PROVIDE THAT CONSTRUCTION OF A NEW DAM OR RESERVOIR OR THE ENLARGEMENT, REMOVAL, OR REPAIR OF AN EXISTING DAM OR

RESERVOIR MAY NOT BEGIN UNLESS APPROVED BY THE DEPARTMENT AND TO PROVIDE FOR EXCEPTIONS; AND TO AMEND SECTION 12-6-3370 OF THE 1976 CODE, RELATING TO TAX CREDITS FOR THE CONSTRUCTION, INSTALLATION, OR RESTORATION OF WATER IMPOUNDMENTS AND WATER CONTROL STRUCTURES, TO PROVIDE THAT A TAXPAYER MAY CLAIM A CREDIT OF UP TO FIFTY THOUSAND DOLLARS FOR REPAIRS REQUIRED AS A RESULT OF THE DEPARTMENT RECLASSIFYING THE DAM.

Current Status: 5/9/2019 - STATEWIDE SECOND READING BILLS (Contested by Senator Harpootlian)

Recent Status: 5/7/2019 - STATEWIDE SECOND READING BILLS (Contested by Senator Harpootlian)

5/2/2019 - STATEWIDE SECOND READING BILLS (Contested by Senator Harpootlian)

State Bill Page: [SB107](#)

SJR144 ESTABLISH A REVOLVING FUND TO OPERATE A FINANCIAL ASSISTANCE PROGRAM TO PROVIDE GRANTS TO DAM OWNERS TO CONDUCT ENGINEERING AND SAFETY STUDIES (SCOTT, JR. J) A JOINT RESOLUTION TO DIRECT THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO ESTABLISH A REVOLVING FUND TO OPERATE A FINANCIAL ASSISTANCE PROGRAM TO PROVIDE GRANTS TO DAM OWNERS TO CONDUCT ENGINEERING AND SAFETY STUDIES ON THE DAMS.

Current Status: 1/8/2019 - Referred to Committee Senate Agriculture and Natural Resources

Recent Status: 1/8/2019 - Introduced and read first time
12/12/2018 - Referred to Committee Senate Agriculture and Natural Resources

State Bill Page: [SJR144](#)

SB180 UNMANNED AERIAL VEHICLES; TRESPASSING (MCELVEEN, III J) A BILL TO AMEND ARTICLE 7, CHAPTER 11, TITLE 16 OF THE 1976 CODE, RELATING TO TRESPASSES AND THE UNLAWFUL USE OF THE PROPERTY OF OTHERS, BY ADDING SECTION 16-11-605, TO PROVIDE THAT IT IS UNLAWFUL TO OPERATE AN UNMANNED AERIAL VEHICLE WITHIN A CERTAIN DISTANCE OF A FEDERAL MILITARY INSTALLATION; TO PROVIDE FOR DISPOSITION OF A CONFISCATED UNMANNED AERIAL VEHICLE; TO PROVIDE FOR EXCEPTIONS; AND TO PROVIDE PENALTIES FOR THE VIOLATION.

Current Status: 4/10/2019 - Referred to Committee House Judiciary

Recent Status: 4/10/2019 - Introduced and read first time
4/9/2019 - Roll call [Ayes-41 Nays-0](#)

State Bill Page: [SB180](#)

SB266 STATE GUARD (GOLDFINCH S) A BILL TO AMEND SECTION 12-6-1140 OF THE 1976 CODE, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, TO REQUIRE A MEMBER OF THE STATE GUARD TO COMPLETE A MINIMUM OF ONE HUNDRED NINETY-TWO HOURS OF TRAINING OR DRILL EACH YEAR IN ORDER TO QUALIFY FOR THE DEDUCTION; TO AMEND SECTION 25-1-635, RELATING TO LEGAL ASSISTANCE SERVICES FOR GUARD MEMBERS AND IMMEDIATE FAMILY MEMBERS, TO AUTHORIZE SOUTH CAROLINA STATE GUARD JUDGE ADVOCATES TO PROVIDE THESE SERVICES AND TO INCLUDE THEM WITHIN THE PERSONAL LIABILITY EXEMPTION; TO AMEND SECTIONS 25-3-20 AND 25-3-130, BOTH RELATING TO THE GOVERNOR'S AUTHORITY TO CALL THE STATE GUARD INTO DUTY, TO CLARIFY THE CIRCUMSTANCES AUTHORIZING THE GOVERNOR TO CALL THE STATE GUARD INTO DUTY AND TO PROVIDE THAT CIRCUMSTANCES INVOLVING A NATURAL OR MANMADE DISASTER, EMERGENCY, OR

EMERGENCY PREPAREDNESS MAY WARRANT CALLING THE STATE GUARD INTO SERVICE; AND TO AMEND SECTION 25-3-140, RELATING TO PAY OF STATE GUARD MEMBERS ON ACTIVE DUTY, TO PROVIDE THAT STATE GUARD MEMBERS MAY RECEIVE A DAILY STIPEND OR PER DIEM PAY FOR REASONABLE EXPENSES, OR BOTH, IF APPROVED BY THE ADJUTANT GENERAL.

Current Status: 1/8/2019 - Referred to Committee Senate Finance

Recent Status: 1/8/2019 - Introduced and read first time

12/12/2018 - Referred to Committee Senate Finance

State Bill Page: [SB266](#)

SB386 TORT CLAIMS ACT (MALLOY G) A BILL TO AMEND CHAPTER 78, TITLE 15, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SOUTH CAROLINA TORT CLAIMS ACT, SO AS TO AMEND AND REORGANIZE THE EXISTING EXCEPTIONS AND MAKE OTHER RELATED CHANGES.

Current Status: 3/27/2019 - Recommitted to Committee on Judiciary

Recent Status: 3/27/2019 - STATEWIDE SECOND READING BILLS (Contested by Senators Climer and Massey)

3/26/2019 - STATEWIDE SECOND READING BILLS (Contested by Senators Climer and Massey)

State Bill Page: [SB386](#)

SB401 CONSTRUCTION OF THE STATE HIGHWAY SYSTEM (CAMPBELL, JR. P) AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57-5-880 SO AS TO DEFINE CERTAIN TERMS, PROVIDE AN ENTITY UNDERTAKING A TRANSPORTATION IMPROVEMENT PROJECT SHALL BEAR THE COSTS RELATED TO RELOCATING WATER AND SEWER LINES, TO PROVIDE THE REQUIREMENTS FOR UTILITIES TO BE ELIGIBLE FOR RELOCATION PAYMENTS, AND TO PROVIDE A SUNSET PROVISION. - ratified title

Current Status: 5/21/2019 - Act No. 36

Recent Status: 5/13/2019 - **SIGNED BY GOVERNOR**

5/9/2019 - Ratified R 49

State Bill Page: [SB401](#)

SB431 ESTABLISH DOMICILE IN THIS STATE (HUTTO B) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-112-45 SO AS TO PROVIDE PEOPLE WHO HAVE A LAWFUL PRESENCE IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH DOMICILE IN THIS STATE FOR THE PURPOSE OF RECEIVING IN-STATE TUITION RATES AND FEES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND FOR STATE-SUPPORTED SCHOLARSHIPS AND GRANTS; AND BY ADDING SECTION 41-1-35 SO AS TO PROVIDE PEOPLE WHO HAVE A LAWFUL PRESENCE IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.

Current Status: 1/24/2019 - Referred to Committee Senate Education

Recent Status: 1/24/2019 - Introduced and read first time

State Bill Page: [SB431](#)

SB449 CAPITAL PROJECT SALES TAX (CAMPBELL, JR. P) A BILL TO AMEND SECTION 4-10-330, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CAPITAL PROJECT

SALES TAX, SO AS TO ALLOW THE TAX TO BE USED FOR CERTAIN INFRASTRUCTURE FOR ECONOMIC DEVELOPMENT PROJECTS.

Current Status: 1/29/2019 - Referred to Committee Senate Finance

Recent Status: 1/29/2019 - Introduced and read first time

State Bill Page: [SB449](#)

SB455 **TEMPORARY PROFESSIONAL LICENSE (ALEXANDER T)** A BILL TO AMEND SECTION 40-1-630(A) OF THE 1976 CODE, RELATING TO TEMPORARY PROFESSIONAL LICENSES, TO PROVIDE THAT A BOARD OR COMMISSION SHALL ISSUE A TEMPORARY PROFESSIONAL LICENSE TO THE SPOUSE OF AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES UNDER CERTAIN CIRCUMSTANCES, AND TO AMEND SECTION 40-1-640(A) OF THE 1976 CODE, RELATING TO THE CONSIDERATION OF EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY AN INDIVIDUAL AS A MEMBER OF THE MILITARY, TO PROVIDE THAT A PROFESSIONAL OR OCCUPATIONAL BOARD OR COMMISSION SHALL ACCEPT THE EDUCATION, TRAINING, AND EXPERIENCE COMPLETED BY A MEMBER OF THE MILITARY IN ORDER TO SATISFY THE QUALIFICATIONS FOR ISSUANCE OF A LICENSE OR CERTIFICATION OR APPROVAL FOR LICENSE EXAMINATION IN THIS STATE.

Current Status: 5/9/2019 - Senate insists upon amendment and conference committee appointed Davis, Gambrell, Scott

Recent Status: 5/9/2019 - Roll call Yeas-0 Nays-108
5/9/2019 - Non-concurrence in Senate amendment

State Bill Page: [SB455](#)

SB473 **RENTAL OF PRIVATE PASSENGER AUTOMOBILES (GROOMS L)** A BILL TO AMEND CHAPTER 31, TITLE 56 OF THE 1976 CODE, RELATING TO THE RENTAL OF PRIVATE PASSENGER AUTOMOBILES, BY ADDING SECTION 56-31-70, TO PROVIDE THAT AN INSURANCE POLICY THAT COVERS A PERSON OPERATING A RENTED OR LEASED VEHICLE, REGARDLESS OF THE LIMITATIONS OR EXCLUSIONS IN THE OPERATOR'S POLICY, SHALL BE PRIMARY TO A MOTOR VEHICLE INSURANCE POLICY IN WHICH THE NAME INSURED IS A RENTAL COMPANY OR AFFILIATE OF THE RENTAL COMPANY, A QUALIFIED SELF-INSURER, AND A BOND POSTED BY A RENTAL COMPANY OR AN AFFILIATE OF THE RENTAL COMPANY FOR THE PURPOSE OF COMPLYING WITH FINANCIAL RESPONSIBILITY.

Current Status: 3/6/2019 - Senate Transportation, (Bill Scheduled for Hearing);

Time & Location: 11:00 AM, Gressette 207

Recent Status: 3/5/2019 - Senate Transportation Subcommittee, (Bill Scheduled for Hearing); **Time & Location:** 12:00 PM, Gressette Room 207
2/27/2019 - Senate Transportation Subcommittee, (Bill Scheduled for Hearing); **Time & Location:** 10:00 AM, Gressette Room 207

State Bill Page: [SB473](#)

SB530 **PROCUREMENT CODE (LEATHERMAN, SR. H)** AN ACT TO AMEND SECTION 11-35-20, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PURPOSE AND POLICIES OF THE CONSOLIDATED PROCUREMENT CODE, SO AS TO PROVIDE THAT THE CODE MUST BE CONSTRUED AND APPLIED TO PROMOTE THE UNDERLYING PURPOSES AND POLICIES; BY ADDING SECTION 11-35-27 SO AS TO PROVIDE THAT NO PART OF THE CHAPTER MAY BE CONSIDERED IMPLIEDLY REPEALED BY SUBSEQUENT LEGISLATION; TO AMEND SECTION 11-35-40, RELATING TO THE APPLICATION OF THE PROCUREMENT CODE, SO AS TO PROVIDE THAT CERTAIN FAILURES TO COMPLY ARE NOT SUBJECT TO

REVIEW UNDER ARTICLE 17; TO AMEND SECTION 11-35-70, RELATING TO SCHOOL DISTRICTS SUBJECT TO THE PROCUREMENT CODE, SO AS TO CHANGE THE REFERENCE TO THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-210, RELATING TO CERTAIN DETERMINATIONS, SO AS TO PROVIDE THAT ALL FINDINGS, DETERMINATIONS, DECISIONS, POLICIES, AND PROCEDURES ALLOWED BY THIS CHAPTER ARE EXEMPT FROM CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-310, RELATING TO DEFINITIONS, SO AS TO AMEND CERTAIN DEFINITIONS AND ADD DEFINITIONS OF "BUSINESS DAY", "PERSON", AND "PUBLIC FUNDS"; TO AMEND SECTION 11-35-410, RELATING TO PUBLIC ACCESS TO PROCUREMENT INFORMATION, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY KEEP PORTIONS OF A SOLICITATION CONFIDENTIAL AND PROVIDE FOR CERTAIN WRITTEN DISCLOSURES; TO AMEND SECTION 11-35-510, RELATING TO THE CENTRALIZATION OF MATERIALS MANAGEMENT AUTHORITY, SO AS TO PROVIDE THAT THE VESTING AUTHORITY IS ALSO SUBJECT TO SECTION 11-35-1560; TO AMEND SECTION 11-35-530, RELATING TO ADVISORY COMMITTEES, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE BOARD WORKING IN ACCORDANCE WITH REGULATIONS OF THE BOARD; TO AMEND SECTION 11-35-540, RELATING TO THE AUTHORITY AND DUTIES OF THE BOARD, SO AS TO REMOVE CERTAIN REQUIREMENTS OF THE CHIEF EXECUTIVE OFFICER IN RELATION TO A DESIGNATED BOARD OFFICE; TO AMEND SECTION 11-35-710, RELATING TO CERTAIN EXEMPTIONS, SO AS TO REQUIRE THE STATE FISCAL ACCOUNTABILITY AUTHORITY TO MAINTAIN AND POST PUBLICLY A RUNNING LIST OF ALL CURRENTLY EFFECTIVE ACTIONS TAKEN BY THE BOARD; TO AMEND SECTION 11-35-810, RELATING TO THE CREATION OF THE MATERIALS MANAGEMENT OFFICE, SO AS TO CHANGE THE OFFICE OF GENERAL SERVICES TO THE DIVISION OF PROCUREMENT SERVICES; TO AMEND SECTION 11-35-820, RELATING TO THE CREATION OF THE INFORMATION TECHNOLOGY MANAGEMENT OFFICE, SO AS TO PROVIDE THAT THE OFFICE IS RESPONSIBLE FOR ADMINISTERING ALL PROCUREMENT AND CONTRACTING ACTIVITIES UNDERTAKEN FOR GOVERNMENTAL BODIES INVOLVING INFORMATION TECHNOLOGY; TO AMEND SECTION 11-35-1210, RELATING TO CERTAIN CERTIFICATIONS, SO AS TO PROVIDE THAT UP TO CERTAIN DOLLAR AMOUNTS AN INDIVIDUAL GOVERNMENTAL BODY MAY MAKE DIRECT PROCUREMENTS NOT UNDER TERM CONTRACTS; TO AMEND SECTION 11-35-1230, RELATING TO AUDITING AND FISCAL REPORTING, SO AS TO REMOVE THE REQUIREMENT THAT THE DIVISION OF BUDGET ANALYSIS WITH THE COMPTROLLER GENERAL SHALL ASSUME RESPONSIBILITY FOR CERTAIN FISCAL REPORTING PROCEDURES; TO AMEND SECTION 11-35-1410, RELATING TO DEFINITIONS, SO AS TO ADD DEFINITIONS FOR "COMMERCIAL PRODUCT" AND "COMMERCIALLY AVAILABLE OFF-THE-SHELF PRODUCT"; TO AMEND SECTION 11-35-1510, RELATING TO THE METHODS OF SOURCE SELECTION, SO AS TO ADD SECTION 11-35-1535 TO THE LIST OF EXCEPTIONS; TO AMEND SECTION 11-35-1520, RELATING TO COMPETITIVE SEALED BIDDING, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR DISCUSSION WITH BIDDERS; TO AMEND SECTION 11-35-1525, RELATING TO COMPETITIVE FIXED PRICE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS AND REMEDIES; TO AMEND SECTION 11-35-1528, RELATING TO COMPETITIVE BEST VALUE BIDDING, SO AS TO REMOVE CERTAIN PROVISIONS FOR DISCUSSION WITH RESPONSIVE BIDDERS; TO AMEND SECTION 11-35-1529, RELATING TO COMPETITIVE ONLINE BIDDING, SO AS TO PROVIDE FOR PUBLIC NOTICE; TO AMEND SECTION 11-35-1530, RELATING TO COMPETITIVE SEALED PROPOSALS, SO AS TO PROVIDE THAT OFFERORS MUST BE ACCORDED FAIR AND EQUAL TREATMENT WITH RESPECT TO ANY OPPORTUNITY FOR DISCUSSIONS; BY ADDING SECTION 11-35-1535 SO AS TO PROVIDE FOR COMPETITIVE NEGOTIATIONS AND TO PROVIDE CERTAIN REQUIREMENTS; TO AMEND SECTION 11-35-1540, RELATING TO NEGOTIATIONS AFTER AN UNSUCCESSFUL COMPETITIVE SEALED BIDDING, SO AS TO PROVIDE THAT THE PROCUREMENT OFFICER, NOT THE PROCURING AGENCY, SHALL

CONSIDER IF A BID IS UNREASONABLE; TO AMEND SECTION 11-35-1550, RELATING TO CERTAIN SMALL PURCHASE PROCEDURES, SO AS TO AMEND CERTAIN DOLLAR AMOUNT CAPS; TO AMEND SECTION 11-35-1560, RELATING TO SOLE SOURCE PROCUREMENT, SO AS TO PROVIDE FOR ADEQUATE PUBLIC NOTICE; TO AMEND SECTION 11-35-1570, RELATING TO EMERGENCY PROCUREMENTS, SO AS TO PROVIDE CERTAIN NOTICE OF THE AWARD; BY ADDING SECTION 11-35-1610 SO AS TO PROVIDE THAT A CHANGE OR MODIFICATION IN A CONTRACT MAY NOT ALTER A CONTRACT IN A MANNER INCONSISTENT WITH THIS CODE; TO AMEND SECTION 11-35-1810, RELATING TO THE RESPONSIBILITY OF BIDDERS AND OFFERORS, SO AS TO PROVIDE THAT CERTAIN COMMUNICATION IS PRIVILEGED; TO AMEND SECTION 11-35-1830, RELATING TO COST OR PRICING DATA, SO AS TO ADD COMPETITIVE NEGOTIATIONS PURSUANT TO SECTION 11-35-1535; BY ADDING SECTION 11-35-1840 SO AS TO PROVIDE THAT THE BOARD MAY PROMULGATE CERTAIN REGULATIONS; BY ADDING SECTION 11-35-2015 SO AS TO PROVIDE THAT A CONTRACT OR AMENDMENT IS NOT EFFECTIVE AGAINST A GOVERNMENTAL BODY UNLESS THE CONTRACT OR AMENDMENT IS IN WRITING AND SIGNED BY A CERTAIN OFFICER; TO AMEND SECTION 11-35-2030, RELATING TO MULTITERM CONTRACTS, SO AS TO PROVIDE THAT EVERY CONTRACT WITH A POTENTIAL DURATION EXCEEDING SEVEN YEARS MUST BE APPROVED BY THE BOARD; BY ADDING SECTION 11-35-2040 SO AS TO PROVIDE THAT CERTAIN LAWS ARE INAPPLICABLE TO CONTRACTS FOR THE PROCUREMENT OF COMMERCIAL PRODUCTS; BY ADDING SECTION 11-35-2050 SO AS TO PROVIDE THAT CERTAIN TERMS OR CONDITIONS IN A CONTRACT ARE VOID; TO AMEND SECTION 11-35-2410, RELATING TO THE FINALITY OF DETERMINATIONS, SO AS TO ADD CERTAIN SECTIONS; TO AMEND SECTION 11-35-2420, RELATING TO THE REPORTING OF ANTICOMPETITIVE PRACTICES, SO AS TO PROVIDE THAT CERTAIN COMMUNICATIONS TO THE OFFICE OF THE ATTORNEY GENERAL ARE PRIVILEGED; TO AMEND SECTION 11-35-3010, RELATING TO THE CHOICE OF PROJECT DELIVERY METHODS, SO AS TO PROVIDE THAT THE USE OF CERTAIN PROJECT DELIVERY METHODS MUST BE APPROVED BY THE BOARD; TO AMEND SECTION 11-35-3015, RELATING TO THE SOURCE SELECTION METHODS ASSIGNED TO PROJECT DELIVERY METHODS, SO AS TO ADD REFERENCES TO SECTION 11-35-1530 AND SECTION 11-35-1535; TO AMEND SECTION 11-35-3020, RELATING TO ADDITIONAL BIDDING PROCEDURES FOR CONSTRUCTION PROCUREMENT, SO AS TO PROVIDE THAT ADEQUATE NOTICE MUST BE GIVEN; TO AMEND SECTION 11-35-3023, RELATING TO PREQUALIFICATION ON STATE CONSTRUCTION, SO AS TO REMOVE CERTAIN REQUIREMENTS FOR A REQUEST FOR QUALIFICATIONS; TO AMEND SECTION 11-35-3024, RELATING TO ADDITIONAL PROCEDURES APPLICABLE TO PROCUREMENT OF CERTAIN PROJECT DELIVERY METHODS, SO AS TO PROVIDE THAT CERTAIN PROVISIONS DO NOT APPLY IF COMPETITIVE NEGOTIATIONS ARE CONDUCTED; TO AMEND SECTION 11-35-3030, RELATING TO BOND AND SECURITY, SO AS TO PROVIDE THAT CERTAIN SOLICITATIONS MAY PROVIDE FOR CERTAIN BOND AND SECURITY REQUIREMENTS; TO AMEND SECTION 11-35-3040, RELATING TO CONTRACT CLAUSES AND THEIR ADMINISTRATION, SO AS TO PROVIDE THAT CERTAIN CONTRACTS MAY INCLUDE CLAUSES PROVIDING FOR THE UNILATERAL RIGHT OF A GOVERNMENTAL BODY TO ORDER IN WRITING CERTAIN CHANGES WITHIN THE GENERAL SCOPE OF THE CONTRACT; TO AMEND SECTION 11-35-3070, RELATING TO THE APPROVAL OF CERTAIN CHANGES WHICH DO NOT ALTER SCOPE OR INTENT OR EXCEED APPROVED BUDGET, SO AS TO PROVIDE THAT A GOVERNMENTAL BODY MAY APPROVE CERTAIN AMENDMENTS CONSISTENT WITH ANY APPLICABLE REGULATION OF THE BOARD; TO AMEND SECTION 11-35-3220, RELATING TO QUALIFICATIONS-BASED SELECTION PROCEDURES, SO AS TO PROVIDE THAT ADEQUATE NOTICE OF THE INVITATION MUST BE GIVEN; TO AMEND SECTION 11-35-3230, RELATING TO THE EXCEPTION FOR SMALL ARCHITECT-ENGINEER AND LAND SURVEYING SERVICES CONTRAC

Current Status: 5/13/2019 - **SIGNED BY GOVERNOR**

Recent Status: 5/9/2019 - Ratified R 52
5/9/2019 - Read third time and enrolled
State Bill Page: [SB530](#)

SB591 **CONTRIBUTION AMONG TORTFEASORS ACT** (MASSEY A) A BILL TO AMEND SECTIONS 15-38-15, 15-38-20(A), 15-38-40(B), AND 15-38-50 OF THE 1976 CODE, ALL RELATING TO THE CONTRIBUTION AMONG TORTFEASORS ACT, TO INCLUDE PERSONS OR ENTITIES FOR THE PURPOSES OF ALLOCATION OF FAULT, AND TO MAKE CONFORMING CHANGES.

Current Status: 3/5/2019 - Referred to Committee Senate Judiciary
Recent Status: 3/5/2019 - Introduced and read first time
State Bill Page: [SB591](#)

SB667 **LICENSING OF EXISTING ENGINEERS** (MCLEOD M) A BILL TO AMEND SECTION 40-22-222 OF THE 1976 CODE, RELATING TO THE LICENSING OF EXISTING ENGINEERS, TO EXTEND THE DATE BY WHICH CERTAIN ENGINEERS AND GRADUATES OF CERTAIN ENGINEERING PROGRAMS MAY BE LICENSED AS PROFESSIONAL ENGINEERS; AND TO CREATE A STUDY COMMITTEE TO MAKE RECOMMENDATIONS CONCERNING THE ALIGNMENT OF OUR STATE'S PROFESSIONAL ENGINEERING LICENSURE REQUIREMENTS WITH THOSE OF OTHER STATES.

Current Status: 3/14/2019 - Referred to Committee Senate Labor, Commerce and Industry
Recent Status: 3/14/2019 - Introduced and read first time
State Bill Page: [SB667](#)

SB689 **PROFESSIONAL BOARDS AND COMMISSIONS** (CLIMER W) A BILL TO AMEND ARTICLE 1, CHAPTER 1, TITLE 40 OF THE 1976 CODE, RELATING TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, BY ADDING SECTION 40-1-75 AND SECTION 40-1-77, TO PROVIDE THAT PROFESSIONAL BOARDS AND COMMISSIONS MAY NOT SOLELY DENY A LICENSE APPLICATION BASED UPON AN APPLICANT'S PRIOR CRIMINAL CONVICTION UNLESS THE CONVICTION IS FOR A CRIME THAT DIRECTLY RELATES TO THE DUTIES AND RESPONSIBILITIES FOR THE SPECIFIC OCCUPATION OR PROFESSIONAL LICENSE BEING SOUGHT, TO PROVIDE THAT BOARDS AND COMMISSIONS MUST IDENTIFY CRIMES THAT WOULD LEAD TO AN AUTOMATIC DISQUALIFICATION FROM LICENSURE, TO PROVIDE THAT AN APPLICANT MAY OBTAIN A DETERMINATION FROM THE APPROPRIATE BOARD OR COMMISSION CONCERNING WHETHER HIS PRIOR CRIMINAL CONVICTION IS A DISQUALIFYING CONVICTION, TO PROVIDE NOTICE TO APPLICANTS WHO SEEK SUCH A DETERMINATION, TO PROVIDE FOR LICENSURE BY BOARDS AND COMMISSIONS FOR APPLICANTS WHO COMPLETE CERTAIN APPRENTICESHIP PROGRAMS, AND TO DEFINE NECESSARY TERMS.

Current Status: 5/9/2019 - STATEWIDE SECOND READING BILLS (Contested by Senators Alexander, Davis and Campsen)
Recent Status: 5/8/2019 - STATEWIDE SECOND READING BILLS (Contested by Senators Alexander, Davis and Campsen)
5/7/2019 - STATEWIDE SECOND READING BILLS (Contested by Senators Alexander, Davis and Campsen)
State Bill Page: [SB689](#)

SB780 **TOLL ROADS** (HUTTO B) A BILL TO AMEND SECTION 12-28-2920 OF THE 1976 CODE, RELATING TO THE CONSTRUCTION OF TOLL ROADS, TO PROVIDE THAT THE DEPARTMENT SHALL REVIEW HIGHWAY AND BRIDGE PROJECTS FOR THE POSSIBILITY

OF FINANCING THE PROJECTS WITH TOLLS AND TO PROVIDE THAT A TOLL MAY BE USED TO PAY FOR CERTAIN EXPENSES; TO AMEND SECTION 57-5-1330(2) OF THE 1976 CODE, RELATING TO TURNPIKE FACILITIES AND FEASIBILITY STUDIES, TO PROVIDE EXCEPTIONS FOR THE CONSIDERATION OF THE CONSTRUCTION OF A TURNPIKE FACILITY AND TO PROVIDE FOR THE FUNDING OF FEASIBILITY STUDIES FROM EXISTING DEPARTMENT OF TRANSPORTATION FUNDS; AND TO REPEAL SECTION 57-3-615 OF THE 1976 CODE, RELATING TO HIGHWAY TOLLS.

Current Status: 5/9/2019 - STATEWIDE SECOND READING BILLS (Contested by Senator Rice)

Recent Status: 5/8/2019 - STATEWIDE SECOND READING BILLS (Contested by Senator Rice)

5/7/2019 - STATEWIDE SECOND READING BILLS (Contested by Senator Rice)

State Bill Page: [SB780](#)

SB796 **SOUTH CAROLINA BUILDING CODES** (ALEXANDER T) A BILL TO AMEND SECTION 6-9-40(A) OF THE 1976 CODE, RELATING TO BUILDING CODE ADOPTION PROCEDURES, TO PROVIDE THAT THE SOUTH CAROLINA BUILDING CODES COUNCIL IS AUTHORIZED TO REVIEW, ADOPT, MODIFY, OR DENY AND PROMULGATE THE RESIDENTIAL BUILDING CODES WITHIN A CERTAIN TIMEFRAME, TO PROVIDE THAT THE COUNCIL MAY MODIFY, AMEND, OR DENY THE STUDY COMMITTEE'S REPORT OF RECOMMENDATIONS UNDER CERTAIN CIRCUMSTANCES.

Current Status: 10/30/2019 - Senate Committee recommends passage, as amended Senate Regulatory and Local Government - LCI (Unanimous vote)

Recent Status: 4/30/2019 - Referred to Committee Senate Labor, Commerce and Industry

4/30/2019 - Introduced and read first time

State Bill Page: [SB796](#)

SB833 **DEFINITION OF "SUBDIVISION"** (LOFTIS D) A BILL TO AMEND SECTION 6-29-1110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO LOCAL PLANNING, SO AS TO PROVIDE A DEFINITION FOR THE TERM "PLAT", TO REVISE THE DEFINITION OF "SUBDIVISION", AND TO PROVIDE THAT LAND SURVEYS, WHICH MEET THE EXISTING STATE SURVEYING STANDARDS, MUST BE FILED DIRECTLY WITH THE REGISTER OF DEEDS, REGISTER OF MESNE CONVEYANCES, CLERK OF COURT, OR OTHER OFFICES HOUSING SUCH DOCUMENTS AND ARE EXEMPT FROM ANY REVIEW, COMMENT, OR BEING APPROVED OR DENIED BY ANY POLITICAL SUBDIVISIONS OF THIS STATE INCLUDING ANY COUNTY OR MUNICIPAL GOVERNMENT OR ANY OF ITS DEPARTMENTS, DIVISIONS, BOARDS, OR COMMISSIONS.

Current Status: 5/8/2019 - Referred to Committee Senate Judiciary

Recent Status: 5/8/2019 - Introduced and read first time

State Bill Page: [SB833](#)

HB3079 **TRESPASSING** (POPE T) A BILL TO AMEND SECTION 16-11-600, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRESPASSING AND THE POSTING OF NOTICE OF TRESPASSING, SO AS TO ALLOW FOR A DIFFERENT METHOD OF THE POSTING OF NOTICE OF TRESPASSING INVOLVING CLEARLY VISIBLE PURPLE-PAINTED BOUNDARIES.

Current Status: 5/9/2019 - STATEWIDE THIRD READING BILLS (Contested by Senator Allen)

Recent Status: 5/8/2019 - STATEWIDE SECOND READING BILLS (Contested by

Senator Allen)
4/30/2019 - Senate Committee recommends passage, as
amended Senate Judiciary Subcommittee

State Bill Page: [HB3079](#)

HB3111 DUTIES OF THE DEPARTMENT OF TRANSPORTATION COMMISSION (CASKEY, IV M) A BILL TO AMEND SECTION 57-1-410, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE GOVERNOR SHALL APPOINT THE SECRETARY INSTEAD OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION; TO DEVOLVE THE DUTIES OF THE COMMISSION OF THE DEPARTMENT OF TRANSPORTATION UPON THE SECRETARY OF THE DEPARTMENT OF TRANSPORTATION; TO AMEND SECTION 1-30-10, AS AMENDED, RELATING TO THE DEPARTMENTS OF STATE GOVERNMENT AND THEIR GOVERNING BODIES, SO AS TO DELETE THE PROVISION THAT PROVIDES THAT PART OF THE GOVERNING BODY OF THE DEPARTMENT OF TRANSPORTATION IS A SEVEN-MEMBER COMMISSION; TO AMEND SECTION 1-30-105, RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE GOVERNING AUTHORITY OF THE DEPARTMENT OF TRANSPORTATION IS THE SECRETARY OF TRANSPORTATION; TO AMEND SECTION 11-43-140, RELATING TO THE BOARD OF DIRECTORS OF THE TRANSPORTATION INFRASTRUCTURE BANK, SO AS TO REMOVE THE CHAIRMAN OF THE DEPARTMENT OF TRANSPORTATION COMMISSION AS A DIRECTOR, AND TO PROVIDE THAT THE SECRETARY OF TRANSPORTATION IS A MEMBER OF THE BOARD; TO AMEND SECTIONS 57-1-10, 57-1-40, 57-1-370, 57-1-430, 57-1-490, AND 57-3-20, ALL RELATING TO THE ESTABLISHMENT OF THE DEPARTMENT OF TRANSPORTATION, AND ITS DUTIES AND RESPONSIBILITIES, SO AS TO ELIMINATE THE DEPARTMENT OF TRANSPORTATION COMMISSION AND ITS RESPONSIBILITIES, TO ALLOW THE GOVERNOR TO APPOINT THE SECRETARY OF TRANSPORTATION AND REQUIRE THE DEPARTMENT OF TRANSPORTATION SUBMIT TO THE GENERAL ASSEMBLY AN ITEMIZED PROJECT LIST TO BE FUNDED FOR THE FISCAL YEAR IN WHICH THE GENERAL ASSEMBLY WOULD ENACT ITS ANNUAL GENERAL APPROPRIATIONS ACT; TO AMEND SECTION 57-1-500, RELATING TO A DEPARTMENT OF TRANSPORTATION ETHICS WORKSHOP, SO AS TO DELETE THE DEPARTMENT OF TRANSPORTATION COMMISSIONERS AS PARTICIPANTS IN THIS WORKSHOP; TO AMEND SECTION 57-3-50, RELATING TO THE ESTABLISHMENT OF HIGHWAY DISTRICTS, SO AS TO SUBSTITUTE THE TERM "DEPARTMENT" FOR THE TERM "COMMISSION"; TO AMEND SECTION 57-1-90, RELATING TO MOTORCYCLES, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-3-210, RELATING TO THE DEPARTMENT OF TRANSPORTATION CONTRACTING WITH PUBLIC TRANSIT SYSTEMS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-3-700, RELATING TO THE DEPARTMENT OF TRANSPORTATION SERVING AS AN AGENT FOR COUNTIES, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-5-10, RELATING TO THE COMPOSITION OF THE STATE HIGHWAY SYSTEM, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-5-50, RELATING TO THE TRANSFER OF CERTAIN ROADS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-5-90, RELATING TO BELT LINES AND SPURS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-5-310, RELATING TO THE OWNERSHIP OF REAL ESTATE, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-5-340, RELATING TO THE DISPOSITION OF REAL ESTATE, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-5-1350, RELATING TO TURNPIKES, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTIONS 57-13-10, 57-13-20, 57-13-40, AND 57-13-50, ALL RELATING TO BRIDGES, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTION 57-25-120, RELATING TO DEFINITIONS, SO AS TO MAKE A CONFORMING CHANGE; TO AMEND SECTIONS 57-25-140, 57-25-150, 57-25-170, 57-25-200, AND 57-25-210, ALL RELATING TO SIGNS ALONG

THE HIGHWAYS, SO AS TO MAKE A CONFORMING CHANGE; AND TO REPEAL SECTIONS 57-1-310, 57-1-320, 57-1-325, 57-1-330, 57-1-340, 57-1-350, 57-1-460, 57-1-470, ARTICLE 7, CHAPTER 1, TITLE 57, AND SECTIONS 6, 7, AND 8 OF ACT 114 OF 2007 ALL RELATING TO THE CREATION AND FUNCTIONS OF THE DEPARTMENT OF TRANSPORTATION AND ITS COMMISSION.

Current Status: 1/22/2019 - Member(s) request name added as sponsor : Mace

Recent Status: 1/8/2019 - Referred to Committee House Education and Public Works
1/8/2019 - Introduced and read first time

State Bill Page: [HB3111](#)

HB3243 **SCHEDULE OF SPECIFIED FILING AND RECORDING FEES** (BERNSTEIN B) AN ACT TO AMEND SECTION 8-21-310, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO A SCHEDULE OF SPECIFIED FILING AND RECORDING FEES, SO AS TO REVISE AND FURTHER PROVIDE FOR VARIOUS FILING FEES, INCLUDING A FLAT FEE FOR VARIOUS DOCUMENTS. - ratified title

Current Status: 5/16/2019 - **SIGNED BY GOVERNOR**

Recent Status: 5/9/2019 - Concurred in Senate amendment and enrolled
5/9/2019 - Roll call Yeas-xxx Nays-xxx

State Bill Page: [HB3243](#)

HB3263 **ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT** (SMITH, JR. G) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "ARMED SERVICE MEMBERS AND SPOUSES PROFESSIONAL AND OCCUPATIONAL LICENSING ACT" BY ADDING SECTION 37-1-110 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR OCCUPATIONS AND PROFESSIONS REGULATED BY THE DEPARTMENT OF CONSUMER AFFAIRS IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-43-85 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS NONRESIDENT INSURANCE LINES PRODUCERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-47-17 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 38-48-25 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE AS PUBLIC INSURANCE ADJUSTERS BY THE DEPARTMENT OF INSURANCE IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 40-1-625 SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM LICENSURE FOR PROFESSIONS AND OCCUPATIONS REGULATED BY BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION IN CERTAIN CIRCUMSTANCES; BY ADDING SECTION 59-25-25 SO AS TO PROVIDE SPOUSES OF ARMED SERVICE MEMBERS STATIONED IN THIS STATE MAY WORK AS PUBLIC SCHOOL TEACHERS IN THIS STATE WITHOUT BEING LICENSED OR CERTIFIED BY THE DEPARTMENT OF EDUCATION IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-45-30, RELATING TO LICENSE APPLICATION FEE REQUIREMENTS FOR NONRESIDENT INSURANCE BROKER LICENSURE, SO AS TO EXEMPT CERTAIN ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THE FEES; TO AMEND SECTION 38-49-20, RELATING TO LICENSURE REQUIREMENTS FOR MOTOR VEHICLE PHYSICAL DAMAGE INSPECTORS, SO AS TO EXEMPT ARMED SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 38-53-80, RELATING TO LICENSURE REQUIREMENTS FOR BAIL BONDSMEN AND RUNNERS, SO AS TO EXEMPT ARMED

SERVICE MEMBERS STATIONED IN THIS STATE AND THEIR SPOUSES FROM THESE REQUIREMENTS IN CERTAIN CIRCUMSTANCES; TO AMEND SECTION 40-1-640, RELATING TO THE AUTHORITY OF CERTAIN PROFESSIONALS AND OCCUPATIONAL LICENSING BOARDS TO ACCEPT AND APPLY EDUCATION, TRAINING, AND EXPERIENCE OF CERTAIN SERVICE MEMBERS, SO AS TO MAKE EXERCISE OF THIS AUTHORITY NONDISCRIMINATORY IF CERTAIN CRITERIA ARE MET; AND TO REPEAL SECTION 40-1-630 RELATING TO TEMPORARY OCCUPATIONAL AND PROFESSIONAL LICENSES THAT BOARDS AND COMMISSIONS ADMINISTERED BY THE DEPARTMENT OF LABOR, LICENSING AND REGULATION MAY ISSUE TO SPOUSES OF ACTIVE SERVICE MEMBERS STATIONED IN THIS STATE.

Current Status: 5/9/2019 - STATEWIDE SECOND READING BILLS

Recent Status: 5/8/2019 - STATEWIDE SECOND READING BILLS
5/7/2019 - Amended

State Bill Page: [HB3263](#)

HB3404 LICENSURE (COLLINS N) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 59-112-45 SO AS TO PROVIDE PEOPLE WHO HAVE A LAWFUL PRESENCE IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH DOMICILE IN THIS STATE FOR THE PURPOSE OF RECEIVING IN-STATE TUITION RATES AND FEES AT PUBLIC INSTITUTIONS OF HIGHER EDUCATION AND FOR STATE-SUPPORTED SCHOLARSHIPS AND GRANTS; AND BY ADDING SECTION 41-1-35 SO AS TO PROVIDE PEOPLE WHO HAVE A LAWFUL PRESENCE IN THIS STATE AND ARE NOT PRECLUDED FROM ESTABLISHING RESIDENCY UNDER FEDERAL IMMIGRATION LAW MAY ESTABLISH RESIDENCY AND BE ELIGIBLE FOR OCCUPATIONAL OR PROFESSIONAL LICENSURE UNDER THE PROVISIONS OF THIS CHAPTER, PROVIDED OTHER LICENSURE REQUIREMENTS ARE MET.

Current Status: 5/7/2019 - House Judiciary, (Bill Scheduled for Hearing); **Time & Location:** 10:30 AM, Blatt Room 516

Recent Status: 4/30/2019 - House Judiciary, (Bill Scheduled for Hearing); **Time & Location:** 2:30 PM, Blatt - 516

4/3/2019 - Member(s) request name added as sponsor : Gilliard, R.Williams, Jefferson, Kimmons, Govan, Kirby, Bales, S.Williams, Mack, Hart, Clyburn

State Bill Page: [HB3404](#)

HB3622 LOBBYING DEFINITIONS LOCAL GOVERNMENT (ROSE S) A BILL TO AMEND SECTION 2-17-10, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITIONS OF "LOBBYING", "LOBBYIST", "PUBLIC BODY", "PUBLIC EMPLOYEE", AND "PUBLIC OFFICIAL", SO AS TO PROVIDE THAT "LOBBYING" AND "LOBBYIST" ALSO MEAN ANY PERSON WHO IS EMPLOYED, APPOINTED, OR RETAINED, WITH OR WITHOUT COMPENSATION, BY ANOTHER PERSON TO INFLUENCE CERTAIN OFFICIAL ACTIONS BY DIRECT COMMUNICATION WITH PUBLIC OFFICIALS OR PUBLIC EMPLOYEES, THE ACTION OR VOTE OF ANY MEMBER OF A COUNTY OR MUNICIPAL GOVERNING BODY, THE VOTE OF ANY PUBLIC OFFICIAL OR PUBLIC MEMBER OF ANY COUNTY OR MUNICIPAL AGENCY, BOARD, OR COMMISSION, OR THE OFFICIAL ACTION OR VOTE OF ANY COUNTY OR MUNICIPAL CHIEF EXECUTIVE OFFICIAL OR EMPLOYEE, INCLUDING MAYORS AND COUNTY OR MUNICIPAL ADMINISTRATORS OR MANAGERS, AND TO PROVIDE THAT "PUBLIC BODY", "PUBLIC EMPLOYEE", AND "PUBLIC OFFICIAL" ALSO MEAN COUNTY OR MUNICIPAL BODIES, EMPLOYEES, AND OFFICIALS.

Current Status: 1/31/2019 - House Constitutional Laws Subcommittee - Judiciary, (Bill Scheduled for Hearing); **Time & Location:** 9:00 AM, Blatt 515-A

Recent Status: 1/29/2019 - Member(s) request name added as sponsor :
W.Newton
1/24/2019 - Member(s) request name added as sponsor :
Calhoon, Hewitt

State Bill Page: [HB3622](#)

HB3656 DOT, FUNCTIONS AND PURPOSES (PENDARVIS M) A BILL TO AMEND SECTION 57-1-30, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE FUNCTIONS AND PURPOSES OF THE DEPARTMENT OF TRANSPORTATION, SO AS TO PROVIDE THAT THE DEPARTMENT SHALL IMPLEMENT A "COMPLETE STREETS" POLICY TO PROVIDE SAFE AND EFFICIENT ACCOMMODATIONS FOR PEDESTRIANS, CYCLISTS, AND TRANSIT RIDERS.

Current Status: 3/27/2019 - Member(s) request name added as sponsor :
Bernstein

Recent Status: 3/27/2019 - Member(s) request name removed as sponsor :
Felder
3/26/2019 - House Transportation Subcommittee - EPW, (Bill Scheduled for Hearing); **Time & Location:** 12:01 PM, Blatt - 427

State Bill Page: [HB3656](#)

HB3758 CONTRIBUTION AMONG TORTFEASORS ACT (HIOTT D) A BILL TO AMEND SECTIONS 15-38-15, 15-38-20, 15-38-40, AND 15-38-50, CODE OF LAWS OF SOUTH CAROLINA, 1976, ALL RELATING TO THE CONTRIBUTION AMONG TORTFEASORS ACT, ALL SO AS TO INCLUDE PERSONS OR ENTITIES INCLUDING DEFENDANTS AND NONPARTIES FOR PURPOSES OF ALLOCATION OF FAULT, AND TO MAKE CONFORMING CHANGES.

Current Status: 4/23/2019 - Member(s) request name removed as sponsor :
Clary

Recent Status: 4/9/2019 - Member(s) request name removed as sponsor :
W.Newton
2/12/2019 - Member(s) request name removed as sponsor :
G.M.Smith

State Bill Page: [HB3758](#)

HB3799 RELOCATING WATER AND SEWER LINES (LOFTIS D) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 57-5-880 SO AS TO PROVIDE THAT AN ENTITY UNDERTAKING A TRANSPORTATION IMPROVEMENT PROJECT SHALL BEAR THE COSTS RELATED TO RELOCATING WATER AND SEWER LINES, TO PROVIDE THE REQUIREMENTS FOR UTILITIES TO BE ELIGIBLE FOR RELOCATION PAYMENTS, AND TO DEFINE NECESSARY TERMS.

Current Status: 2/19/2019 - Member(s) request name added as sponsor : Yow

Recent Status: 2/19/2019 - House Transportation Subcommittee - EPW, (Bill Scheduled for Hearing); **Time & Location:** 12:00 PM, Blatt Room 433
1/30/2019 - Referred to Committee House Education and Public Works

State Bill Page: [HB3799](#)

HB4241 DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME (MARTIN R) A BILL TO AMEND SECTION 12-6-1140, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEDUCTIONS FROM INDIVIDUAL TAXABLE INCOME, SO AS TO REQUIRE A MEMBER OF THE STATE GUARD TO COMPLETE A MINIMUM OF ONE HUNDRED NINETY-

TWO HOURS OF TRAINING OR DRILL EACH YEAR IN ORDER TO QUALIFY FOR THE DEDUCTION.

Current Status: 3/28/2019 - Member(s) request name added as sponsor : Huggins

Recent Status: 3/26/2019 - Member(s) request name added as sponsor : Sottile
3/13/2019 - Referred to Committee House Ways and Means

State Bill Page: [HB4241](#)

HB4263 ENERGY STANDARDS (SANDIFER, III W) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 13 TO TITLE 10 SO AS TO PROVIDE THAT GOVERNMENTAL IMPROVEMENT PROJECTS, CONSTRUCTION PROJECTS, RENOVATION PROJECTS, OR IMPROVEMENTS TO REAL PROPERTY SHALL COMPLY WITH CERTAIN ENERGY STANDARDS; TO AMEND SECTION 48-52-620, RELATING TO THE REQUIREMENT THAT STATE AGENCIES AND SCHOOL DISTRICTS SUBMIT ENERGY CONSERVATION PLANS, SO AS TO ESTABLISH NEW METERING REQUIREMENTS; AND TO REPEAL ARTICLE 8, CHAPTER 52, TITLE 48 RELATING TO THE ENERGY INDEPENDENCE AND SUSTAINABLE CONSTRUCTION ACT OF 2007.

Current Status: 3/19/2019 - Referred to Committee House Labor, Commerce and Industry

Recent Status: 3/19/2019 - Introduced and read first time

State Bill Page: [HB4263](#)

HB4327 FARM STRUCTURE BUILDING CODES (WILLIAMS R) A BILL TO AMEND SECTION 6-9-65, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE INAPPLICABILITY OF CERTAIN BUILDING CODES ON FARM STRUCTURES, SO AS TO REVISE THE DEFINITION OF "FARM STRUCTURE" FOR PURPOSES OF THIS SECTION.

Current Status: 5/7/2019 - Read third time and sent to Senate

Recent Status: 5/7/2019 - THIRD READING STATEWIDE UNCONTESTED BILL
5/3/2019 - THIRD READING STATEWIDE UNCONTESTED BILL

State Bill Page: [HB4327](#)

HB4438 SALES AND USE TAX (MURPHY C) A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 4-37-60 SO AS TO PROVIDE THAT A COUNTY THAT HAS IMPOSED A TAX PURSUANT TO CHAPTER 37, TITLE 4, ALSO MAY IMPOSE ANOTHER SALES AND USE TAX.

Current Status: 4/9/2019 - Referred to Committee House Ways and Means

Recent Status: 4/9/2019 - Introduced and read first time

State Bill Page: [HB4438](#)

HB4598 DEFINITION OF "SUBDIVISION" (BURNS M) A BILL TO AMEND SECTION 6-29-1110, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO DEFINITIONS APPLICABLE TO LOCAL PLANNING, SO AS TO PROVIDE A DEFINITION FOR THE TERM "PLAT", TO REVISE THE DEFINITION OF "SUBDIVISION", AND TO PROVIDE THAT LAND SURVEYS, WHICH MEET THE EXISTING STATE SURVEYING STANDARDS, MUST BE FILED DIRECTLY WITH THE REGISTER OF DEEDS, REGISTER OF MESNE CONVEYANCES, CLERK OF COURT, OR OTHER OFFICES HOUSING SUCH DOCUMENTS AND ARE EXEMPT FROM ANY REVIEW, COMMENT, OR BEING APPROVED OR DENIED BY ANY POLITICAL SUBDIVISIONS OF THIS STATE INCLUDING ANY COUNTY OR MUNICIPAL GOVERNMENT OR ANY OF ITS DEPARTMENTS, DIVISIONS, BOARDS, OR COMMISSIONS.

Current Status: 5/9/2019 - Referred to Committee House Judiciary

Recent Status: 5/9/2019 - Introduced and read first time
State Bill Page: [HB4598](#)

Week In Review

SC state senator accuses Commerce secretary of disregarding public's right to know

State Sen. Dick Harpootlian accused the state's Commerce secretary in court of nonchalantly disregarding taxpayers' right to know whether tens of millions of public dollars spent to recruit a tire company to South Carolina was a good deal.

The Post & Courier

SC is 1 of 2 states lacking firefighter cancer protection law. Here's how that could change.

Steve Azzarella wasn't sleeping. He'd gained 30 pounds in the first few months of 2019 and his feet were hurting so badly he had a hard time walking. The 10-year veteran of the Charleston Fire Department wondered if he had arthritis, so he went to see a doctor.

The Post & Courier

SC does not plan to change how the state pays for K-12 schools in 2020

State senators looking to rewrite the outdated, byzantine way South Carolina funds K-12 schools can agree on one thing — an overhaul isn't going to happen next year.

The Post & Courier

Fines, penalties for using phone while driving in SC would rise under new plan

Kershaw County Sheriff's Deputy Chelsea Cockrell had on a reflective vest and was waving a baton as she directed traffic outside Lugoff Elementary School last Thursday.

The State

As South Carolina prepares to turn the clocks back, another push for a year-round fix

Carolinians will once again turn their clocks back an hour Sunday morning.

ABC Columbia

SC Commerce chief put on the hot seat in court fight over economic development deals

South Carolina Commerce Secretary Bobby Hitt was on the hot seat for nearly an hour Wednesday as state Sen. Dick Harpootlian grilled him in court about his agency's refusal to provide records and data on its economic development projects.

The State

STRATEGIC PLAN

PURPOSE: Advance a business environment that enables our professional member firms to deliver safe, impactful, and sustainable solutions.

VALUES:

- Agile and visionary leadership
- Integrity and professionalism
- Inclusion and diversity
- Excellence through innovation
- Trusted advisors

VISION FOR THE FUTURE: The American Council of Engineering Companies (ACEC) is *the* thought leader driving the delivery of valued engineering and other professional services for a better world:

Imagine a future where our families, friends, and neighbors can thrive. A place where our member firms are helping communities think about the future and delivering the next generation of innovative solutions that support how we live and work. Can you see a world where the purpose of our profession is valued and recognized as a place for a talented and diverse workforce to build a career?

ACEC and its member firms are at the center of creating a more sustainable, safe, secure, and technically advanced built environment. The Council represents a broad spectrum of firms providing engineering and other professional services and a diverse and ever-changing workforce associated with those firms. These professional service firms are drawn to the vibrant engagement offered by ACEC for each sector of their businesses, regardless of their size, geographical location, or markets served. Members at all levels are participating in ACEC and collaborating with each other through the Council's extensive networking channels including Member Organizations, Committees, Forums, and Coalitions.

ACEC actively promotes itself and is sought out as the knowledge resource for government, media, academia, and private industry. The Council is the “go to” resource for industry trends and data. Its professional member firms are valued and respected for their contributions to national, state, and local community infrastructures and to a better world. Member firms are succeeding through ACEC's influential voice and thought leadership. ACEC member firms are sought out and celebrated as *trusted advisors*, as the solutions provided by professional service firms are recognized for being as important to the world as the air we breathe and the water we drink.

LEADING BUSINESS STRATEGY

GOAL:

ACEC is a critical resource for the development of business strategy for member firms.

OBJECTIVES:

1. Achieve the widely accepted adoption of model contracts that recognize and value the essential nature of the professional services provided by our member firms.
2. Enhance ACEC's proactive and influential legislative and regulatory strategy and grow ACEC's effective PAC to further advance ACEC's advocacy influence.
3. Become *the* leading source of industry-wide research, forecasts, trend analysis, and education.
4. Adopt strategies to benefit member firms in recognition of the impact of the commoditization of engineering services.

EMBODYING INCLUSION AND DIVERSITY

GOAL:

ACEC is recognized as a welcoming organization where all members are included, involved and can achieve their full potential.

OBJECTIVES:

1. Improve the diversity of ACEC leadership.
2. Enhance the diversity of ACEC membership.
3. Increase ACEC engagement of diverse individuals from member firms.

EXPANDED AND INFLUENTIAL MEMBERSHIP

GOAL:

ACEC membership is robust and has grown through broader representation of firms working in professional services.

OBJECTIVES:

1. Increase membership from firms who primarily provide services to the private sector.
2. Advance the business of engineering and expand ACEC's influence by broadening membership opportunities for other professional service firms from within the built environment.
3. Aggressively grow non-dues revenue to offset ACEC's reliance on member dues.
4. Demonstrate a clear track record where ACEC has established itself as an influential thought leader.

ESSENTIAL VALUE TO SOCIETY

GOAL:

ACEC member firms engineering the built environment are recognized as essential to the quality of life every day.

OBJECTIVES:

1. Elevate policymakers', decision-makers' and other influencers' understanding of the essential role of member firms.
2. Increase media coverage of the member firms' contribution to the quality of life.
3. Future generations understand how member firms make a difference and are great places to build a career.

VIBRANT MEMBER ENGAGEMENT

GOAL:

ACEC and its effective PAC have active and vibrant participation of its membership.

OBJECTIVES:

1. C-suites of member firms are actively participating.
2. Future generations are actively participating.
3. Members are actively engaging in Member Organizations, Committees, Forums, and Coalitions.
4. Increase the effectiveness of leadership development opportunities.
5. Increase member engagement in ACEC/PAC.
6. Leverage engagement of experienced volunteer leaders.

2020 ENGINEERING EXCELLENCE AWARDS		
FIRM'S NAME	CONTACT PERSON	PROJECT TITLE
American Engineering Consultants, Inc	William H Bingham, Jr	Cayce's Massive Water Infrastructure Renewal
Carolina Transportation Engineers & Associates, PC	Derek Staton	Emergency Bridge Replacement 2018 2A DB
CDM Smith	Stuart Healy	CARTA Melnick Park & Ride Facility
CDM Smith	Mark Lester	Pineview Rd to Longview Rd (approx 1.2 miles)
Collins Engineers, Inc	Jonathan Sigman, PE	Drum Island Marsh Restoration
Davis & Floyd, Inc	Cheri Tapager	Sumter Water Treatment Plant No. 6
ECS Southeast, LLP	William M Porter, PE	Historic Railroad Cut Soil Stabilization Project
ECS Southeast, LLP	Jonathan Thrasher, PE	Hawthorne at Simpsonville
HDR	Keith Ingram	Folly Rd. & Camp Rd Intersection Improvement
HDR	David Kinard	Carolina Crossroads Corridor Improvement EIS
HDR	Theo Delihiannidis	SCDOT Load Rating Program Development
HDR	Samantha Dubay	Lowcountry Rapid Transit Opportunity Video
HDR	Greg.schuch@hdrinc.com	SC Route 41 Bridge Replacement over Wando River
Infrastructure Consulting & Engineering, PLLC	Lynda Monroe	Wando Welch Terminal Traffic Flow Improvements Phase 2
Infrastructure Consulting & Engineering, PLLC	Lynda Monroe	Maybank Highway Phase 2 Widening
Infrastructure Consulting & Engineering, PLLC	Lynda Monroe	Daniel Island Roundabout
Infrastructure Consulting & Engineering, PLLC	Lynda Monroe	Emergency Bridge Package 2018-1
Infrastructure Consulting & Engineering, PLLC	Lynda Monroe	Boundary Street Redevelopment
Infrastructure Consulting & Engineering, PLLC	Lynda Monroe	1-77 Widening & Rehabilitation (MM 15 - MM 27)
Johnson, Mirmiran & Thompson, Inc	Jim O'Connor	I-26 and Volvo Car Drive Interchange
Michael Baker International	Susan Muench Ruinen, PE	Greenway Extension & Bergen Road Tunnel
Parrish and Partners, LLC	Adam Parrish	S-39 Bridge Replacement over Little Fork Creek
POND & Company	Lorraine White	New McEntire Headquarters Facility
S & ME, Inc	Ronald Forest, Jr, PE	Brooks Stadium Expansion
STV	Mark Ginocchio	Folly/Camp Road Intersection Upgrades
Thomas & Hutton Engineering Co	Jennifer Hayes, PE, LEED AP	Connecting the Creek
TranSystems	Peter Strub	Coleman Boulevard Revitalization Project

South Carolina Commercial/Low Tonnage Paving: White Paper/Proposed Certification Program

My name is David Herndon, PhD in Civil Engineering from Clemson University. My Masters and PhD. research were both asphalt materials related. I have spent my entire working career within the confines of the asphalt industry from academia related activities, representing the heavy-highway asphalt contractors, and having my own contracting asphalt related firm for a short period, etc. One of my current roles includes teaching all levels of SCDOT Certifications for asphalt and earthwork. SCDOT, engineering, and contractor personnel are all involved in this training.

It is well known that the Design-Bid-Build construction process is full of uncontrollable and controllable risks. Being and remaining a profitable company anywhere in this process from contractors to the engineering community boils down to how controllable risks are managed and how well uncontrolled risk is understood and mitigated as reasonably as possible.

From my unique/somewhat independent position within the industry, I can easily see substantial uncontrolled risks to all parties involved in the commercial paving process in South Carolina. The primary reason for this unknown risk is how commercial projects utilizing stone base and hot-mix asphalt are specified referencing the latest version of SCDOT specifications.

The first major assumption that is made across the United States is that Department of Transportation's (DOT's) specifications for various quality measurements are applicable to large parking lot paving. DOT specifications are generally based on the assumption of very large tonnages of either stone base and/or hot mix asphalt placed in a single day. In my experience in South Carolina, DOT road paving asphalt tonnages range from approximately 1000 to 2000 tons per day. Many factors like project proximity, trucking availability, day or night paving, and others can alter these average tonnages. Specification limits for asphalt mix quality standards are statistically based on these larger tonnages where asphalt plants run consistently for long periods of time.

In-place HMA roadway quality standards (smoothness and compaction) measures are based on these high tonnage outputs as well. The same statistical arguments could be made for stone bases used in South Carolina when referencing SCDOT specifications compared to commercial projects.

Commercial projects achieve lower tonnages per day due to constructability issues in parking lots (planters, curb and gutter designs, irregular paving patterns, avoiding vertical construction, etc.). Large tonnage straight-line paving compared to small tonnage irregular paving is not an apples-to-apples argument, especially when specs are inappropriately thrown into the equation.

A second major assumption is that DOTs and commercial project owners have similar goals when beginning a paving project. I would argue DOTs primary goal is to ensure the taxpayer is being treated fairly through reasonable checks and balances. Private owners on the other hand are oftentimes more time-sensitive for project openings and therefore make construction-related decisions based on time constraints that can negatively affect overall quality. These decisions, which are out of the contractor's control, include items such as thinner designs, cold-weather construction mandates, materials selection, etc. In my experience private owners typically want both, quality and accelerated construction schedules which is often not practical, and which often puts engineers and contractors in controversial and adversarial positions.

A third assumption is that road paving (various categories – interstates, high volume secondary, low volume secondary, etc.) and commercial parking facilities have similar failure mechanisms. Typically road pavement deterioration over time is primarily due to repetitious heavy loading until the pavement simply wears out and can no longer support daily loading. Parking lot pavements failures are affected by loading to some degree, but they are heavily affected by drainage issues and various types of cracking due to oxidation. For example, one could reasonably argue that a high binder content mix with increased film thickness on aggregate surface and higher air voids compared to DOT recommendations and limits, would be more flexible and more crack-resistant in the long term for parking lot pavement applications. In addition, compaction standards used by DOTs in general may not be at ideal levels to ensure performance of long-term parking facility.

One could reasonably argue that referencing any DOT specifications for commercial parking lot paving is not ideal since standards are likely to be much tighter than reasonably needed to ensure a quality performing commercial paving project for owners. The use of DOT specs may artificially drive up project costs as well. Then why do we use DOT's specifications if they are not intended for commercial paving and have all of the issues described above?

Commercial paving standards are rare because there is no one recognized governing agency that would develop such specifications. In addition, the construction and engineering communities are fractured and so specialized there is little to no communication across these boundaries. And lastly, it is very easy for pavement designers to simply cut and paste DOT specifications without a true understanding of them. Thus, we are stuck with DOT standards as an industry. This is an acceptable condition if everyone in the process understands their responsibilities, roles, and reasonable interpretations of DOT specs in relation to commercial paving are made. This is the fourth major assumption and it has been my experience that this assumption is an extremely inaccurate one for all parties involved.

These four assumptions, either individually or in combination, create a contracting environment that is literally all over the map in how projects are designed, constructed, and inspected for quality for commercial paving projects. This affects quality, can increase construction time/project opening, can delay project acceptance, and often delays reasonable payments based on erroneous conclusions. These ambiguities create adversarial relationships and

increased stress to personnel from all parties throughout the process. These unknown and uncontrolled risks are high to all parties on a project-to-project basis, and potential unknown liability lies just around the corner for all parties concerned.

There are several arguments for continuing down our current path. These include: 1) it is the way we have always done it, 2) these unknowns and uncontrollable risks have not affected my company to date so why worry, 3) I can't change the system so why try, 4) it can't get any worse so why worry, and 5) it's too overwhelming and too expensive to change current practices.

Let me address these questions individually. First, there is a better way. This proposal outlines a process to address/identify the uncontrolled risk described above to all parties and convert it into manageable controlled risk while improving commercial paving quality statewide, reducing conflicts, reducing construction delays, etc.

To the argument that my company has not been affected, I would reply that in today's litigious environment, it is only a matter of time before you are affected, and it can be a very expensive first lesson.

And yes it can get worse. In January of 2018, SCDOT made substantial changes in how density is measured (eliminated the "All Other Paving" category, tightened/raised compaction standards, and changed how mixes are paid for). These new standards will only add to the confusion in the very near future when they are attempted to be applied to commercial paving projects.

We can address these four major assumptions and their respective limitations through a commercial paving certification process. The certification program would offer balanced training with respect to proper application of SCDOT standards to commercial paving projects from a the perspective of an owner, an agent of the owner, an agent of the prime contractor, and as a paving contractor either as a prime and/or subcontractor. Let me be clear, I do not think the wheel needs to be reinvented here to make a substantial impact in lowering risks to all parties. The training would simply define what each entity's defined responsibilities are when referencing SCDOT specs, identify current practices that may be utilized in error or at least not per SCDOT specs, and define what a reasonable application of the DOT specs would look like on commercial projects? The target audience would be owners, engineers, project managers, prime contractors, asphalt contractors, and local municipality road works personnel. The cost of training is negligible compared to potential liability associated with the various parties involved in the current state of our commercial paving process in South Carolina. If this proposal is fully supported by the engineering community and the paving community, we can change the system for the better on a slow incremental basis, and with the right commitment, risks can be defined, mitigated, and reduced for all parties involved.

The vision is to create a balanced/fair "Commercial Paving Certification Program" to be administered through Tri-County Technical College located in Pendleton, SC. Currently Tri-County is SCDOT's primary vendor in conducting SCDOT Certifications including earthwork and

all asphalt certification levels. The certification program could be easily moved around the state as needed to limit travel costs associated with training. The program would potentially be endorsed by the American Council of Engineering Companies of SC (ACEC), American Public Works Association (APWA), Carolinas Associated General Contractors Association (AGC), South Carolina Aggregates Association (SCAA) and the South Carolina Asphalt Pavement Association (SCAPA), or some combination of above willing participants. Required continuing training hours (PDH's) would be offered for the engineering community.

I am approaching the engineering community first as without your support I do not believe the other participants will have an interest conducting this training for variety of reasons. The training is initially proposed to be three days long. This could vary as content is added/deleted or as warranted as specification changes occur at SCDOT. Below is a general outline of topics I currently deem important to achieve the goals outlined above. These and other topics can be debated, added, removed, etc. as participatory groups deemed appropriate or necessary with proper justification and reasoning for such as change. I envision this class being a living breathing entity that can adapt as needed to specifications changes or as precedents are being set in construction law cases.

COARSE CONTENT:

DAY 1: HMA per SCDOT Specs 101

- 1) What does quality asphalt look like?
- 2) How does DOT specify the various components (Aggregate and Asphalt Binder)?
- 3) HMA Mix Design – How it is performed and what does it really mean?
- 4) How are the various SCDOT mix types selected and why?
- 5) What are private owners' responsibilities for roadway inspection when DOT specifications are referenced?
- 6) What is the contractor responsibility when DOT specs are referenced?
- 7) Why is paving prep important?
- 8) What is compaction? How is it achieved? How it is measured? Understanding the differences in measured density (gauges and cores), target density, and theoretical maximum density.
- 9) Review basic math when calculating tack rate, mix rate, and calculating compaction.
- 10) Review other asphalt quality issues such as segregation, cold weather paving, specialty mixes, etc.

DAY 2: Review SCAPA's "Commercial Paving Design Guide"/Discuss Graded Aggregate Base with Respect to SCDOT Specifications on Commercial Projects

The design guide does a good job of providing various design options for various subgrade conditions and traffic loadings for the commercial paving arena. For many years, including SCDOT projects, oftentimes the biggest paving issue was the selection of the proper mix for the appropriate application. A second major concern is how thick of a pavement structure is needed for the various loadings in commercial paving applications. The SCAPA guide does a great job of providing different overall designs of various components including graded aggregate based and thinner asphalt pavement options. Day 2 would answer questions concerning overall pavement design, proper mix selection for the right application, and thickness of various layers. As proposed Day 2 is not directly related to the inspection and responsibility issues discussed in the original problem statement, however it does fit nicely for ensuring proper design thickness and mix selection, which are very important parts of determining the overall quality of pavement.

Graded Aggregate Bases have specific requirements for thickness, slope, and compaction. Much like the asphalt problem statement above, often these specs are misinterpreted, and compaction may not be accurately measured as per DOT specifications. In many instances, on commercial projects no measurements are taken on the base materials because of lack of knowledge of specifications. One rule of thumb for HMA is that it is only as good as the base materials it is placed on top of. The omission of base compaction inspection, cutting corners on base thickness, and leaving subpar materials in place to reduce construction time/dollars will

negatively affect the life of the asphalt overlay in the long-term. Compaction of HMA will be significantly reduced if the base is insufficient and/or moving under loads.

DAY 3: Case Studies/Investigating HMA Performance Criteria after HMA Placement:

The scenario below is hypothetical but based on my real world experiences. I believe it illustrates potential liability concerns for all parties involved in the construction/inspection process. Below is a brief description of that scenario.

The design and letting were done with the typical Design-Bid-Build process for a very large commercial/retail facility. The design engineer referenced SCDOT specifications for graded aggregate base and HMA materials. The Prime Contractor signed the contract and subsequently requested bids for the base and asphalt construction from local paving contractors that specialize in this type of work.

On this project, it is important to note, that base materials were not tested for compaction and gradation as required by SCDOT specifications. Some questionable subgrade materials were left in place due to construction time and cost issues as directed by owner and/or representatives of the owner. In addition, paving was performed during the winter as directed by the owner and their representatives. The Asphalt Contractor was given a waiver to perform work in the colder months. SCDOT specifications explicitly prevent any surface mixes being placed in the months of December, January, and February without written permission of the Director of Construction (SCDOT Standard Specification – 2007 Section 401.4.4).

After initial construction was completed around the month of May, some “scuffing” of the pavement did occur due to the sharp turning of vehicles during the hotter summer months. All representatives met on the project and agreed these were merely cosmetic issues due to fresh asphalt and would go away over time. Therefore, the Asphalt Contractor at this point had to have the belief that remaining retainage would be paid and the project would be accepted as is.

The following summer a second engineering firm (Engineering Firm B) was contracted by the Owner/Prime to do a forensic investigation of the pavement after two years in service. At that point, cosmetic issues were not an issue, and the pavement had been performing well under heavy traffic for two summers. Engineering Firm B came in and cored the pavement in the light-duty section and the heavy-duty section of the pavement. Their report stated that binder content was high (but within specs), gradation was out on a number of sieves, and compaction was low when compared to SC-M-400 limits for cores (BSG of cores compared to lab generated MSG's from contractor plant tests). Their analysis of the cores resulted in a recommendation to remove and replace as per SCDOT specification provisions within SC-M-400.

The Asphalt Contractor outlined a number of issues/concerns (described below) in a response to the report and also asked for permission from the Prime to re-core pavement and redo the analysis. The Prime gave permission to core but also gave a short deadline for the Asphalt

Contractor to mobilize and remove and replace materials without a firm commitment on whether additional work would be paid for under a change order or at the Asphalt Contractor's expense. According to Prime, that determination would be made at a later date. The Asphalt Contractor did not mobilize and was declared to be in delinquency and Asphalt Contractor B was hired to remove and replace work by the date specified.

Liability Concerns - Asphalt Contractor

A typical industry standard is for paving contractors to place a note or clause in their respective bids that exempt the contractor from any testing requirements. However, I do not believe this precludes the asphalt contractor from doing the necessary quality control measures as outlined in SC-M-400 *Hot Mix Asphalt Quality Assurance* to ensure pavement quality.

Most contractors do basic/required quality control testing to reduce risks while also meeting minimum QC requirements in SC-M-400. However, some contractors take this clause literally and do no QC testing unless mandated to by project inspectors. The assumption made by these contractors is a somewhat valid one compared to assumptions described earlier in this paper. Their assumption is that the mix specified is the same mix we have been producing and placing on all commercial projects in this geographical area forever. For similarly designed base structures, the use of a similar mix will result in a similar roller pattern with similar compaction results.

I am not saying this assumption is wrong but it can be improved and verified with proper QC testing particularly when base issues/drainage issues may be present. Currently the application of this assumption could be considered a standard industry practice. Whether or not this clause is valid would be for construction law experts to determine. However, I can't imagine that this clause legally has much weight in an actual courtroom setting.

Liability Concerns – Engineering Community-Engineering Firm B

Engineering Firm B failed to follow key components of SC-M-400 that ensures a representative measure of quality is achieved. These are outlined below.

First and foremost, a SCDOT Surface C was designed/specified as the surface mix for both the light-duty and heavy-duty sections. Per SC-M-400, Surface C mix compaction is controlled by an established target density (roller pattern) and the comparison of randomly located nuclear gauge shots (SC-T-101) during production. However, Engineering Firm B used bulk specific gravities (BSG) of cores as compared to a lab maximum theoretical density (MSG) for determining compaction. MSG data came from contractor daily plant tests two years earlier. Essentially these are two different scales for compaction and the cutting of cores and subsequent compaction standards used to justify removing the surface mix were applied inappropriately.

Target density is established by a trial and error process as outlined in SC-T-65 during placement. Target density is the highest density achievable on the project given a certain

subgrade, base, number and type of rollers, mat thickness, environment, and other factors. The reason target density is used with secondary and low-volume SCDOT mixes is that there is often not enough structure to compact against to reach a predetermined density level as required on interstates where extensive pavement structures exist. It also must be noted that there are no remove and replace provisions within the SCDOT specification when target density is the controlling characteristic for compaction. SCDOT-M-400 explicitly states that Surface C compaction is controlled by target density. When using target density as the compaction standard, in the worst case scenario pay factor for density is 80%. Binder content and gradation must also be considered in a weighted average for overall pay.

The second major concern with the report from Engineering Firm B that ultimately recommended remove and replace was that the gradation of cored samples were out of tolerance on the fine side on a number of sieves. This analysis is in direct conflict with SCDOT specifications when measuring gradation. Gradations are performed on loose HMA samples pulled at the plant by the contractor (sometimes witnessed by SCDOT personnel at the plant). If DOT is not present, they require a bagged split sample for testing at a later date in an independent lab.

Using cored samples for gradation is inappropriate for two primary reasons. One, when coring a sample, coarse aggregates will be cut, therefore reducing particle size, which will bias the sample to the fine side. Secondly, there will be some breakdown of the original gradation as produced at the plant under the compactive effort in the construction process. The extent of breakdown is due to the original hardness of the rock as measured by L.A. Abrasion. The softer the parent material, the more breakdown will occur in the compaction process. For these reasons, DOT requires gradations to be performed on the loose material at plant. Yes, gradations of cores can give an indication of gradation, but it is inaccurate to use it as justification for remove and replacing the pavement surface.

A third major concern with the report from Engineering Firm B is that cores locations were obviously not randomized according to SCDOT specification (SC-T-101). It was not referenced in report and one look at the core map reveals randomization did not occur. A trip to the project site would further confirm this lack of randomization. Engineers are trained to resolve worst case scenarios in most instances. Therefore, cores were cut in joints, hand work areas, and construction platform pull-off areas while the main-line pull areas where the major traffic loading would occur were avoided. By selecting these locations without randomization techniques as per SCDOT specs, the compaction levels will be biased toward the low side of the specification and is not an appropriate application of the specification by any standard.

A fourth major concern with the core analysis, besides the fact that core density was inappropriate for SCDOT Surface C mixtures per SCDOT specifications is that an excessive number cores were cut and combined into one lot and then run through the density pay factor equation for density. This analysis is also incorrect per SC-M-400. DOT specs are based on a lot-to-lot basis, where a lot is defined as a day's production. When analyzing core data in the

heavy-duty section generated by Engineering Firm B (not per spec, no randomization), which could reasonably be assumed to be a single lot, the pay equation for density was low but did not trigger remove and replace provisions for mixtures specified according to core density data.

Again it must be noted that all density pay factors either based on target density or as a percent of maximum theoretical is done during HMA placement on a lot-to-lot basis. There really is a limited amount of information that can come from an after-the-fact investigation of a pavement performance/life that are applicable to DOT guidelines and specifications.

A fifth major concern is how daily plant maximum specific gravity data generated by the contractor as per specifications was used on a comparison basis with the Bulk Specific Gravity of the cores sampled by Engineering Firm B two years after the fact. From the report generated, it would appear that the highest MSG value was compared with core 1 and the lowest MSG value was compared to the last core cut. Per DOT spec, only the MSG from that day's production should be compared to core's BSG cut from the in-place HMA in the same lot. I would hard-pressed to believe that Engineering Firm B that was not involved in the original inspection, had diaries and paving plans needed to correctly match the MSG and core locations according to DOT requirements. A better method would have been to average the plant MSG's. Even better would have been to combine several cores and then determine an average MSG from in-place materials. Again, these assumptions have their flaws as well, but they are much more accurate/defensible assumptions than the ones actually made to recommend a remove and place in this situation.

A sixth concern is whether or not proper SC-T-87 procedures were followed by Engineering Firm B when actually cutting/sampling the cores. If procedures are not closely followed, the results of compaction testing can be altered and typically not for the better. There are cutting provisions, transportation provisions, and storage provisions. Considering the amount of flaws in the analysis above, one would question whether SC-T-87 procedures were followed to the letter. Coring is not something done on a daily basis by the CEI community.

Liability Scenario:

Based on Engineering Firms B report, the Prime Contractor places the original Asphalt Contractor in delinquency and instructs Asphalt Contractor B to mill 2 inches and replace 2 inches of SCDOT Surface C. The prime contractor then seeks payment from the original Asphalt Contractor to cover replacement costs. The Prime refuses to submit retainage on the original pavement and hold it as a partial pavement.

Potential outcome. Prime sues the original Asphalt Contractor for recovery of remaining cost of mix replacement. Original Asphalt Contractor countersues for original retainage. Prime and/or Asphalt Contractor sue Engineering Firm B. Only lawyers win in this scenario. Which company do want to be in this scenario? Construction law is not an exact science to say the least. Consider a jury of twelve persons not related to the construction industry ultimately making the

call on who is liable under this scenario. The verdict essentially pot-luck. Mediation with industry experts would be a better call, but still outcome is uncertain.

The following is a hypothetical example of how this might turn out legally.

Original Asphalt Contractor is awarded original retainage plus costs of experts in articulating defense, lawyers' fees, etc. based on the fact they followed industry standards at least minimally. They are not responsible for independent testing at the time of production and placement per the clause in their respective bids and the fact there were no requests by Owner, Prime, or Testing Firm to produce such results as per requirements in SCDOT specs. In addition, the fact that the Prime Contractor placed the original Asphalt Contractor in delinquency, that they gave no clear indication of a response to the original Asphalt Contractor's documented concerns with report, and the fact that very little time was given to respond before milling took place by Asphalt Contractor B as directed by the Prime would potentially not be looked upon favorably by the court.

Prime Contractor then sues Engineering Firm A (original firm responsible for testing) and Engineering Firm B for recovery of damages awarded to the original contractor.

Notice this is the first I have mentioned anything regarding the original testing Firm at the time of production. Their liability would be dependent on agreement with Prime and what their actual responsibilities were as outlined in the contract with Prime Contractor. In our scenario, Engineering Firm A was on the project during construction when SCDOT requirements should have been performed. They only measured temperature at arrival, random depth checks, and counted the number of tons delivered. No compaction data was generated for the graded aggregate base materials and no data was generated any for any HMA criteria.

Typically, SCDOT Asphalt Roadway Technician and Earthwork Base Course Technician certifications are required for these inspections per SCDOT specifications. Most likely these inspectors were not certified. Liability for Engineering Firm A would depend on whether or not contractually they were solely responsible for ensuring mix and placement were completed according to SCDOT spec. If the Prime Contractor was not willing to pay for the necessary certified CEI inspectors to ensure mix and placement quality then the majority of liability would potentially fall back to the Prime Contractor.

The most exposed party from a liability standpoint would be Engineering Firm B due to flawed analysis in their report and the remove and replace recommendation. A damage ruling against Engineering Firm B could include cost of replacement plus damages awarded to the original Asphalt Contractor in the first verdict, as well as damages and lawyers' fees for the second suit against the engineering firm.

CONCLUSION

Hopefully from the scenario above one can see the potential enormous liability costs for each party that are involved in the construction of large commercial paving projects. No party is immune. With unpredictable outcomes being dependent on the nuisances of construction law and a jury of twelve persons unfamiliar with typical construction contracts, processes, etc., we as a construction industry should do everything in our power to limit this exposure to all parties.

I believe the solution to this complex issue is a simple matter of education. The Commercial Project/Low Tonnage Paving Certification outlined in this proposal would be designed to do just that. The first step in solving a problem is admitting that there is one. I have no qualms in saying we currently have a problem using our current practices.

I would graciously ask for your support as individuals, companies, and industry associations as we move forward to hopefully quickly tackle this worrisome issue.

Respectfully Yours,

David Herndon, PhD

ACEC-SC Social Media Strategy

Assessment of current activity

- 3 platforms being used – LinkedIn, Facebook, Twitter
- ACEC-SC has a dedicated account on Facebook and Twitter, but not on LinkedIn
- On LinkedIn, Adam is using hashtags for ACEC-SC under his individual profile. No ACEC-SC profile
- LinkedIn not shown on homepage of ACEC-SC website, only Facebook and Twitter
- Most posts are from Adam, with board members contributing
- Focus of posts are from ACEC-SC activities – upcoming, live and post-activity

Ideas for strategy enhancements

- Provide relevant content with depth and value to ACEC-SC audiences, in addition to ACEC-SC activities
- Sources of content
 - National and other state MOs
 - Other SC associations
 - Member firms, e.g., thought leadership, news, accolades
 - 3rd parties
- Set appropriate and consistent tone for each channel
 - LinkedIn - professional
 - Facebook – may be a bit more casual
 - Twitter – same as Facebook
 - Are others needed? Are these the correct ones?
- Understand which channels are used by each ACEC-SC audience
 - Member firms and prospective member firms
 - Clients – mainly public sector
 - Legislative and regulatory agencies
- Set up ACEC-SC profile on LinkedIn – high priority
- Do we need a social media scheduling platform, e.g., Hootsuite or Buffer? TBD
- Define the social media brand for ACEC-SC – appropriate graphics/style/sizing need to be developed for each channel
- Have all posts come from ACEC-SC for branding purposes and to build following. Who should have access to post? Appropriate timing for posts? Editorial calendar? How to handle replies?
- Need formalized hashtags that the BOD can use to generate organic attention
- Metrics for success? Periodic reporting?
- Dedicated resource for social media program? Part time student? Internship?
- Goal – delivery quality and consistency to build a reliable community around ACEC-SC that supports the strategic plan

Examples of successful professional association social media programs

- <https://www.linkedin.com/company/south-carolina-economic-developers%E2%80%8B-association/>
- <https://www.linkedin.com/company/acec-of-georgia/>
- https://twitter.com/Central_SC
- <https://twitter.com/SMPSHQ>
- <https://www.facebook.com/CharlestonAMA/>
- <https://www.facebook.com/nawicpalmettosc/>



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