

**Wisconsin Chapter NECA**  
**2200 Kilgust Rd.**  
**Madison WI 53713**

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# Watts News

**February/March 2007**

## And The Winners Were...

...the attendees of the 2007 Winter Meeting of the Wisconsin Chapter NECA. The weekend meeting featured some mild January temperatures and even finer company as the members gathered for the semi-annual chapter meeting in Madison.

Speakers on Saturday included Leslie Ptak, who is the Madison area officer of "Compliance Assistance Services". While Leslie has no enforcement responsibility now, she has worked for OSHA as a compliance officer, and is now working to help contractors understand how to comply with the many jobsite regulations, develop adequate safety and training plans, and remain in compliance as conditions and regulations change.

Our next speaker was Karen Morgan, Bureau of Apprenticeship Standards, who discussed the status of electrical apprenticeship and the predicted growth for the future. She noted that the state electrical apprenticeship programs are currently about 50% union apprentices and 50% non-union apprentices. By the year 2010 the population of Wisconsin is expected to consist of more residents who are age 65 or older than the number of residents who are 18, spelling a likely shortage of workers for some workforce areas. Karen also discussed Executive Order #108 regarding use of apprentices on state projects, and how it will be enforced.



Our final speaker of the day was Fred Furland, with NECA's Management Educational Institute, who presented "The Case of the Disappearing Bottom Line, the Story of a Contractor in Trouble." His session was split into various workgroups to evaluate the financial health and predict outcomes for "Our Construction Company, Inc.", and provided clues to look for as well as a method for helping to turn around the company before it failed.

As always, there were winners at the meeting including **Rick Jones, Jones Electric**, who won the attendance prize. Drawings for future meetings were held and **Hady Electric** won the certification toward attendance at the 2007 NECA Convention in San Francisco. The following firms won certificates toward attendance at the



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The Wisconsin Chapter staff is pursuing a working relationship with the OSHA Compliance Assistance Services Officer, Leslie Ptak, who spoke recently at our Winter Meeting. The partnership would consist of regular meetings with OSHA to discuss regulations, and resolve common areas of concern, and would benefit our member firms by providing regular access to OSHA safety and health professionals. We will provide more details as they become available.

### Chapter Website Has New Password

In January, the NECA website was updated to include password protection for the labor relations areas of the site. This means you need a password to access the labor agreements and the wage rates which are posted on the site.

All member firms should have received a letter from the Chapter Office last month informing you of the new "login" name and password so you will have access. If you have any questions or did not see the letter, contact Jennifer (608) 221-4650.

## Top 10 Blue Collar Jobs of the Future

Those of you who attended the Winter Meeting heard the same message from Karen Morgan of the Bureau of Apprenticeship Standards. Competitive wages and industry growth mean the future is bright for construction. The top 10 blue collar jobs for the future, based on expected growth and salary medians are:

1. Construction and Building Inspectors
2. Waste and Wastewater Treatment Plant and System Operators
3. Elevator Installers and Repairers
4. Subway and Streetcar Operators
5. Iron and Metal Workers
6. Electricians
7. Brickmasons, Blockmasons and Stonemasons
8. Plumbers, Pipelayers, Pipefitters and Steamfitters
9. Heating, Air-Conditioning, Refrigeration Mechanics and Installers
10. Carpenters



Construction and extraction jobs are expected to grow 12 percent by 2014; an addition of 931,000 jobs.

## Ron Steiner is Hall of Fame Inductee

Ron Steiner, former Executive Vice President of the Wisconsin Chapter NECA, was inducted into the Wisconsin Apprenticeship Hall of Fame at the 23<sup>rd</sup> Biennial Apprenticeship Conference. The award was presented during the Awards Banquet, Monday, February

12. Ron began working in the electrical industry as a "helper" in his father's electrical contracting shop, and completed his electrical apprenticeship from 1958 to 1961. From that point forward he was involved in training of apprentices, first in the trade, and then on local apprenticeship committees. Ron served on and co-chaired the State Apprenticeship Advisory Committee, and the State Electrical Apprenticeship Advisory Committee, and served on many subcommittees as well. Ron retired from NECA as Executive Vice President in 2001 but continued



Karen Morgan, Director of the Wisconsin Bureau of Apprenticeship Standards presents the Hall of Fame award to Ron Steiner at the induction ceremony.

serving as an apprenticeship committee member on the State committees until his resignation in 2006. We extend our congratulations to Ron on this well-deserved recognition, and thank him for his many years of service.



## From the Desk of Attorney Kay

Public construction continues at a vigorous pace, although private construction has fallen off. It is a good time to review the essence of the statutory and administrative code requirements for bidding on state projects.

The Wisconsin Statute empowers the Department of Administration (DOA) to issue invitation for bids and to award contracts for the construction of state projects. The Department has promulgated administrative rules on the subject of advertising, bidding and award of construction contracts which is identified as Chapter ADM 21 of the Wisconsin Administrative Rules. The chapter contains nine sections covering (1) authority, (2) definitions, (3) advertising, (4) issuance of addenda, (5) submittal and receipt of bids, (6) withdrawal of bids, (7) bid openings, (8) rejection of bids, and (9) award of contract.

"Advertise for proposals" under ADM 21.02 refers to the written notice announcing that sealed bids will be received for a specific project and inviting prospective bidders to obtain or review drawings and specifications for the purpose of submitting a bid to do the work. The advertisement for proposals must contain the following information:

- (a) Location of the work.
- (b) Identification of the owner.
- (c) Scope of the work, which describes such items as square footage, number of floors and primary function(s) of the project.
- (d) A 10% bid guarantee is required.
- (e) Date and time receipt of bids will close and public opening will occur.
- (f) Location where bids will be received.
- (g) Date and place where drawings and specifications will be available.



"Bid guarantee" means a properly executed DOA form of bid bond, a bank certified check, or a cashier's check, in an amount equal to 10% of the highest combination of base bids and alternative bids submitted.

"Lowest qualified responsible bidder" is defined as follows:

*Lowest bidder.* The lowest bidder is one whose bid contains the lowest total dollar amount when compared with other bids submitted for the same work. Should the specifications require evaluation of other factors in conjunction with lowest dollar amount to determine the lowest bidder, a formula shall be specified which will permit the conversion of evaluation factors to a dollar value.

*Qualified bidder.* A qualified bidder is one who meets the following conditions:

1. Has completed one or more projects of at least 50% of the size or value of the division of work being bid and the type of work completed is similar to that being bid. If a greater magnitude of experience is deemed necessary, other than size or value of the work, such requirements will be described in the specifications.
2. Has access to all necessary equipment and has organizational capacity and technical competence necessary to enable performance

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### March 2007

#### **March 1**

La Crosse Membership

#### **March 7**

Madison Membership  
Janesville-Beloit Membership

#### **March 8**

Indianhead Membership

#### **March 12**

Kenosha-Racine Membership

#### **March 14**

Fox Valley Membership

#### **March 21**

Northeastern Membership

#### **March 22**

Wisconsin Valley Membership

### Upcoming Meetings

#### **March 18 - 21, 2007**

Spring Conference  
Tucson, AZ

#### **July 26 - 28, 2007**

Summer Meeting  
Sheboygan, WI

#### **October 5 - 8, 2007**

NECA Convention  
San Francisco, CA

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State regulators approved a merger recently between a Green Bay utility's parent company and a Chicago-based energy corporation. The Public Service Commission's OK was the final hurdle for WPS Resources Corp. and Peoples Energy Corp. The new holding company will be called Integrys Energy Group and have assets of more than \$10 billion. The PSC barred the new company from recovering any costs related to the merger from its Wisconsin customers. WPS Resources is the parent company of Wisconsin Public Service Corp. of Green Bay, which supplies power to much of north-eastern Wisconsin and parts of Upper Michigan and WPS Energy Services Inc. Peoples Energy is a parent company to Peoples Gas and North Shore Gas, which supply natural gas to customers in Chicago and other cities in northeastern Illinois.



Have you got a code question for Tom? Let us know and we'll ask him to answer it in a future newsletter.

## Winter Meeting a Star Studded Event

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2007 Summer Meeting in Sheboygan: **NEI Northern Electricians, Jones Electric, Van Ert Electric, Riley Electric, and Wamboldt Electric.** Congratulations!

Our Saturday evening "**Hollywood's Red Carpet**," aka NECA's All Stars banquet, included several winners, as the annual ECPAC raffle was held, and even our movie stars were auctioned off. All told, the Wisconsin Chapter donated just over \$4,000 to ECPAC. Raffle winners were **James Schwab, Arrow Electric**, who won tickets to "Man of La Mancha" in Madison, and also a handheld GPS unit. **Debra Foesch, Braun Electric** won tickets to see "Mamma Mia" in Madison, **Mark Hady, Hady Electric** won 4 tickets to the UW Men's basketball game versus Iowa, **Tim Morgan, Staff Electric** won 2 tickets to the UW Men's game versus Penn State, and **Darrell Braun, Braun Electric** won a 14k gold ring designed by BR Diamond Suite.



Turns out, **Elvis** is not only alive, but there are a couple of him. **Tara Johnson, T.D. Padesky Electric** was the big auction "winner" picking up **James Dean, John Wayne, and the 3 Stooges**, while **Arlan Hanson, A.A. Hanson Electric** bought **Betty Grable** and **John Wayne**. **Pete Baltes, Apex Electric** bought **Marilyn Monroe**, as did **Greg Dewitz, Great Lakes Electric**, while **Judy Groholski, Van Ert Electric, and Tim Burton, STI Electric/Pieper Electric** both took **Elvis** home with them. Our thanks to all who participated and donated to ECPAC.

If you didn't attend this year's meeting, now you know - there's no telling who might show up at a Wisconsin Chapter meeting. Our next event is July 26-28 at the Blue Harbor Resort in Sheboygan, so mark your calendars now.

## Tom's Code Corner

**Question:** Is an emergency stop necessary for a diesel fuel pump located at a shop for refueling trucks? There are no gasoline dispensers at this location.

**Answer:** Yes. 514.11 and NFPA 30

A disconnecting means is required for motor fuel dispensers per NEC 514.11.

Article 511 covers Motor Fuel Dispensing Facilities. There is a similar requirement for the disconnecting means in NFPA 30. The disconnecting means must be: clearly identified, readily accessible, and remote from the dispenser.

The disconnecting means must be located within 100-feet from the dispenser for an attended site. For an unattended site, at least 20-feet away but no further than 100-feet.

## MANPOWER STATISTICS

For the Month of -- **December 2006**

Local Union #	14	127	158	159	388	430	577	890	TOTAL
	=====	=====	=====	=====	=====	=====	=====	=====	=====
Local Contractors: NECA	9	4	3	19	5	5	4	6	55
Non-NECA	36	14	16	20	14	13	10	18	141
<b>Total Local Contractors:</b>	<b>45</b>	<b>18</b>	<b>19</b>	<b>39</b>	<b>19</b>	<b>18</b>	<b>14</b>	<b>24</b>	<b>196</b>
Traveling Contractors: NECA	8	4	6	7	7	4	4	5	45
Non-NECA	3	8	3	1	1	5	1	0	22
<b>Total Traveling Contractors:</b>	<b>11</b>	<b>12</b>	<b>9</b>	<b>8</b>	<b>8</b>	<b>9</b>	<b>5</b>	<b>5</b>	<b>67</b>
<b>TOTAL # OF CONTRACTORS - LOCAL AND TRAVELERS:</b>	<b>56</b>	<b>30</b>	<b>28</b>	<b>47</b>	<b>27</b>	<b>27</b>	<b>19</b>	<b>29</b>	<b>263</b>
Contractors More Than Two Months Delinquent in N.E.B.F.	1	1	1	1	1	3	0	1	9
Total Number of Contributing Contractors in Area:	57	31	29	48	28	30	19	30	272
Employees: NECA	275	62	217	740	285	69	199	367	2214
Non-NECA	212	106	159	106	50	73	93	78	877
<b>TOTAL EMPLOYED:</b>	<b>487</b>	<b>168</b>	<b>376</b>	<b>846</b>	<b>335</b>	<b>142</b>	<b>292</b>	<b>445</b>	<b>3091</b>

<u>Union #</u>	<u>NECA Division Name</u>
127	Kenosha Division
158	Northeastern Division
159	Madison Division
388	Wisconsin Valley Division
430	Racine Division
577	Fox Valley Division
890	Janesville-Beloit Division
14	Indianhead/La Crosse Division

NOTE: These figures only reflect employees of contractors not more than 2 months delinquent in their N.E.B.F. payments.

### Here's a Green Idea



More and more, there is a growing emphasis on green building and recycling materials. A Madison-based company will be donating and shipping 1.5 million recycled bricks to help rebuild damage caused by Hurricane Katrina. Champion Environmental Services has been recycling bricks from demolition projects for about five years, shipping bricks across the country. The mortar is chipped off each brick for the recycling efforts.

The greatest demand right now comes from the area devastated by Hurricane Katrina, and Champion has a large demolition project underway right now in a 320,000 square foot project in West Allis.

## From the Desk of Attorney Kay

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of the work properly and expeditiously.

3. Consideration will be given to associations consisting of 2 or more contracting firms organized for the purpose of entering into a construction contract as a single entity, providing the assignment of and provisions for continuity of the various responsibilities within the association are agreed upon prior to award of contract and further providing that either of the individual firms constituting the association is qualified as defined herein.
4. In the event that the project is of such magnitude as to limit competition as a result of the conditions established for qualification, the department may waive the condition for bidder qualification.
5. The department may require bidders to submit sworn statements as to financial ability, equipment and experience in construction and require other such information as may be necessary to determine their competency. Bidders failing to submit required sworn statements shall be deemed not qualified.

*Responsible bidder.* A responsible bidder is one who meets the following conditions:

1. Maintains a permanent place of business.
2. Provides a sworn statement upon request, which evidences the bidder has adequate financial resources to complete the work being bid, as well as all other work the bidder is presently under contract to complete.
3. Is bondable for the terms of the proposed contract.
4. Has a record of satisfactorily completing past projects. Criteria which will be considered in determining satisfactory completion of projects by contractors and subcontractors will include:
  - a. Completed contracts in accordance with drawings and specifications.
  - b. Diligently pursued execution of the work and completed contracts according to the established time schedule unless extensions are granted by the owner.
  - c. Fulfilled guarantee requirements of the contract documents.
  - d. Established and diligently maintained a satisfactory affirmative action program in accordance with the contract provisions.
  - e. Established and diligently maintained a satisfactory safety program in accordance with the contract provisions.
5. Is not presently on an ineligible list maintained by the department of administration for noncompliance with equal employment opportunities and affirmative action requirements as provided for in s. 16.765 (9), Stats., or on any other agency list for construction related violation of statutes or administrative rules.



ADM 21.08 defines "omission, error or mistake" as synonymous interchangeable terms, constituting a neglect to provide something that is required or a departure from accuracy.

ADM 21.04 covers the subject matter of "issuance of addenda". DOA is empowered to issue addenda during the bidding period to correct, alter or to provide clarification of the drawings and specifications for the project to be bid, or to extend the bidding period. No oral correction, alteration or clarification of those documents can be considered valid. Each addendum should be assigned an addendum number and shall be identified by a project number, title, and date of addenda. An addenda must be distributed to every recipient of drawings and specifications for the project. No addenda may be issued during the last seven calendar days prior to the published bid opening date unless the addenda also includes an extension of the bid opening date for a minimum of seven additional calendar days.

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## From the Desk of Attorney Kay

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Under ADM 21.05, all bids must be submitted in sealed envelopes and distinctly marked special envelopes are provided by DOA to identify the envelope as one containing a bid. If a bidder does not use the special envelope provided by DOA, the bidder must place the following information on the face of an outermost envelope containing the bidder's proposal:

- (a) This envelope contains a sealed bid.
- (b) Project name.
- (c) Project number.
- (d) Location of project.
- (e) Divisions(s) of work being bid.
- (f) Bid date.
- (g) Name and address of bidder.

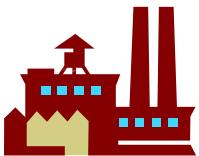


A bidder must deliver the sealed bid to the place designated in the published advertisement inviting bids, on or before the date and time specified. As each sealed bid is received by DOA, it is stamped upon the face of the envelope indicating the date and time the envelope was received. Any sealed bid received by DOA after the date and time designated in the advertisement shall be returned to the bidder unopened.

ADM 21.06 covers the "withdrawal of bids". Under that administrative rule, and consistent with the Wisconsin Statutes, at any time prior to the date and time of bid opening, a bidder may withdraw its bid without prejudice to the right of the bidder to submit a new bid. The withdrawal may be accomplished in one of the following two methods: (a) a written request submitted by the bidder on the bidder's letterhead stationery, or (b) personal appearance of the bidder who must identify himself or herself as being the bidder or the bidder's representative. After that authority and identity is established, the individual is required to sign a receipt for the withdrawn bid.

In the next publication of this newsletter, I will cover the state administrative code provisions relating to bid opening, rejection of bids and award of contracts.

## US Manufacturing Sector Contracts



The Institute for Supply Management recently reported that its manufacturing index registered 49.3 in January, down from 51.4 in December. A reading below 50 indicates contraction in manufacturing while a reading above 50 indicates growth. Economists had predicted a January figure of 51.5.

A steady contraction in US manufacturing could indicate a shaky start to the year for industrial activity, especially coupled with weakness in housing and autos, however, economists also noted that weak manufacturing could keep the Federal Reserve from raising the interest rate.

While a growing manufacturing sector would be better, there is no immediate need for concern. The decline may just be an adjustment, as the U.S. industrial sector has experienced growth for 51 consecutive months prior to November and further growth is expected. Overall, the U.S. economy grew 3.5 percent in the final quarter of 2006, a better than expected rate, indicating the economy is rebounding despite the automotive and housing industry slumps.

As a senior citizen was driving down the freeway, his car phone rang. Answering, he heard his wife's voice urgently warning him, "Herman, I just heard on the news that there's a car going the wrong way on Interstate 77. Please be careful!"

"Heck," said Herman, "It's not just one car. It's hundreds of them!"



## MANPOWER STATISTICS

For the Month of -- **January 2007**

Local Union #	14	127	158	159	388	430	577	890	TOTAL
	=====	=====	=====	=====	=====	=====	=====	=====	=====
Local Contractors: NECA	9	4	3	17	5	5	4	6	53
Non-NECA	33	14	16	21	16	15	11	18	144
<b>Total Local Contractors:</b>	<b>42</b>	<b>18</b>	<b>19</b>	<b>38</b>	<b>21</b>	<b>20</b>	<b>15</b>	<b>24</b>	<b>197</b>
Traveling Contractors: NECA	9	5	7	6	8	5	6	6	52
Non-NECA	3	11	4	1	2	5	3	1	30
<b>Total Traveling Contractors:</b>	<b>12</b>	<b>16</b>	<b>11</b>	<b>7</b>	<b>10</b>	<b>10</b>	<b>9</b>	<b>7</b>	<b>82</b>
<b>TOTAL # OF CONTRACTORS - LOCAL AND TRAVELERS:</b>	<b>54</b>	<b>34</b>	<b>30</b>	<b>45</b>	<b>31</b>	<b>30</b>	<b>24</b>	<b>31</b>	<b>279</b>
Contractors More Than Two Months Delinquent in N.E.B.F.	2	1	1	0	1	2	0	1	8
Total Number of Contributing Contractors in Area:	56	35	31	45	32	32	24	32	287
Employees: NECA	292	60	141	581	275	57	199	199	1804
Non-NECA	221	113	219	96	54	72	68	86	929
<b>TOTAL EMPLOYED:</b>	<b>513</b>	<b>173</b>	<b>360</b>	<b>677</b>	<b>329</b>	<b>129</b>	<b>267</b>	<b>285</b>	<b>2733</b>

<u>Union #</u>	<u>NECA Division Name</u>
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14	Indianhead/La Crosse Division

NOTE: These figures only reflect employees of contractors not more than 2 months delinquent in their N.E.B.F. payments.

## LM-10 Filing Deadline is March 31

If you made a financial payment, loan or gift to any union or employee or official of a union, that totals more than \$250, you are required to a Form LM-10 by March 31, 2007. If you are unsure, you should review your financial records from the past year to determine whether you made any such payments or gifts that exceed the \$250 threshold. The form itself, as well as instructions, is available at the Department of Labor website, "[www.dol.gov/library/forms/go-us-dol-form.asp?FormNumber=316](http://www.dol.gov/library/forms/go-us-dol-form.asp?FormNumber=316)".



Call the NECA Office (608) 221-4650, if you need assistance.