

Wisconsin Chapter NECA  
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January 2012

## 2012 Woodstock Winter Meeting

The 2012 Winter Meeting of the Wisconsin Chapter NECA will be held January 27-28 at the Marriott West in Madison.

Our first speaker for the Friday seminar will be Norb Slowikowski, with NECA's Management Education Institute, who will present his seminar Building Partnerships through Customer Service Excellence. Then NECA National's Executive Director of Market Development Rob Colgan and Executive Director of Standards & Safety Mike Johnston, will discuss Electric Vehicle Charging Stations and NECA-WORKS. There are 3 CEUs available toward the maintenance of Wisconsin Journeyman and Master Electrician certification for Rob and Mike's presentation.



Our speakers for the Saturday meeting will be Midwestern Region NECA Field Representative Mark Thomas, who will lead a discussion on Construction Wireman/Construction Electrician classifications, and Chief Electrical Inspector Joe Hertel from the State of Wisconsin Department of Safety and Professional Services. Joe will present a code update and will also address the upcoming State Electrical Licensing that will be effective as of April 1, 2013. Attendees will also receive CEUs for Joe's presentation.

BR Diamond Suite would like to invite the spouses to a "Breakfast at BR" on Saturday morning. Enjoy a behind-the-scenes tour on how jewelry is made at BR Diamond Suite, as well as a private showing of the latest in jewelry trends, fine jewelry, and much more.

Everyone is sure to have a great time at our Saturday evening closing banquet which will feature a Woodstock theme. Dust off your groovy threads and come hang loose with us, it will be a gas! We'll have a full report on the meeting in next month's issue of Watts News, so be sure to check it out.



*-Save the Date-*

*September 29 - October 2, 2012*

**Plan to attend the NECA Convention and Trade Show at the Mandalay Bay in Las Vegas!**

## Email Your Target Requests!

More and more contractors have asked about the ability to email their target requests forms rather than fax them to the Chapter office.



In the past, we have discouraged this practice in case the person responsible for targeting was gone and the request wasn't seen in a timely matter. That has now changed!!

We have created a new email address just for targeting and all employees at the Chapter office are able to access the emails in order to prevent any request from falling through the cracks.

If you choose to submit your target request form via email, you will receive a response email when your form has been viewed and another response email once the Local Union has targeted the project. If you have any questions regarding emailing target request forms, please contact Jessica Sailor at the Chapter office.



[target@wisneca.com](mailto:target@wisneca.com)



## NEI Electric Earns 2011 Build Wisconsin Award

On December 1st, at a statewide ceremony in Madison, NEI Electric received the 2011 "Build Wisconsin" Award in the Specialty Contractor - Electrical category for the work the company did during an extensive electrical service upgrade of Sacred Heart Hospital in 2010. the electrical service upgrade consisted of the complete replacement of major components of the hospital's electrical system, while keeping the hospital fully functioning.



"We successfully completed more than 80 planned major electrical shut downs over the course of this project without impacting patients or staff," said Joe Bembnister, Senior Vice President, NEI Electric.

Throughout the project, NEI recycled all reusable materials including metal, cardboard, paper, old feeder wire, old transformers and switchgear.

"We continued to keep Sacred Heart operating, patients safe and staff members working with very little impact to the hospital or its patients during the months-long, complex project," said Bembnister. "In fact, many people at the hospital were unaware that this project even took place. A project of this caliber leaves no room for mistakes and we were able to complete the upgrade without any major incidence - and on time and under budget."

Also involved in the project were: Market & Johnson; Certified Plumbing & Heating; Ahern Fire Protection; Werner Electric Supply; Viking Electric Supply, Square D; and Johnson Control.

Congratulations, NEI Electric!



## From the Desk of Attorney Robert A. Mich, Jr.



### RECOVERING COSTS ASSOCIATED WITH FAILED BIDS ON PUBLIC PROJECTS

Electrical contractors that provide services on large state and municipal construction projects are familiar with the competitive bid process. Competitive bidding is required on large public projects to protect taxpayers by obtaining services at the lowest possible cost from qualified contractors. Occasionally, through no fault of their own, potential bidders submit bids based on outdated or incomplete bidding information, thereby resulting in rejection of their apparent low bids.

Under those circumstances, Wisconsin courts have permitted apparent low bidders to seek an injunction to prevent the contract at issue from being awarded to another contractor. Timing is everything in those circumstances, because an injunction will not be issued if the governmental body has already executed a contract with another bidder. Although a public bidding authority cannot be compelled to award a contract to any bidder and a disappointed bidder cannot recover lost profits, a party successfully obtaining an injunction prohibiting the contract from being awarded to another party is entitled to recover its reasonable and necessary expenses associated with preparing its bid, plus the costs of obtaining bonds required by the specifications. Aqua Tech, Inc. v. Como Lake Protection & Rehabilitation District, 71 Wis. 2d 541, 239 N.W.2d 25 (1976).



But what happens in cases where a contract is already executed before the disappointed bidder has been notified of the contract award and has not had an opportunity to seek injunctive relief in court? The Wisconsin Court of Appeals recently ruled that a disappointed bidder under those circumstances may be entitled to recover their bid preparation expenses even in the absence of obtaining an injunction.

In North Twin Builders, LLC v. Town of Phelps, 2009 AP 3036 (May 3, 2011), the Town of Phelps solicited bids for a town hall repair project. The Town repeatedly changed the scope of the project, which prevented one of the bidders, North Twin Builders, from incorporating a necessary cost estimate into its final bid. The Town ultimately rejected North Twin Builders' bid as incomplete and awarded the project to the only remaining bidder. The Town signed a contract the same day with the other bidder and commenced construction. Under these facts, the Court of Appeals concluded that North Twin Builders moved quickly to protect its interests even though it was unable to obtain an injunction before the contract was signed. As the Court noted, "the public interest is not served by allowing municipalities to circumvent the competitive bidding statute by rapidly signing a contract and directing the startup performance." Id., ¶ 20. Disappointed bidders should make every effort to immediately seek injunctive relief from a circuit court if they feel they are the victim of an erroneous bidding decision by a governmental body. However, the North Twin Builders case keeps the door open for a disappointed bidder who is not able to obtain an injunction due to circumstances beyond their control to still recover their bid expenses.



### February 2012

#### February 1

Janesville-Beloit Membership  
Madison Membership

#### February 8

Fox Valley-Northeast Membership

#### February 9

Indianhead/La Crosse Membership

#### February 13

Kenosha-Racine Membership

#### February 23

Wisconsin Valley Membership

### Upcoming Meetings

#### January 27-28, 2012

NECA Winter Meeting  
Marriott West, Madison

#### March 18-21, 2012

NECA Spring Conference  
Loews Ventana Canyon  
Tucson, AZ

#### Sept. 30 - Oct. 2, 2012

NECA Convention  
Mandalay Bay - Las Vegas, NV

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## Against the Odds

Contrary to popular wisdom during a recession, a National Business Group on Health survey found that short-term disability claims dropped from 8.1 claims per 100 employees in 2008 to 6.7 claims per 100 employees in 2009, and long-term disability claims dropped from 4.6 claims per 1,000 employees in 2008 to 3.4 claims per 1,000 employees in 2009. Short-term disability costs dropped from 2008 to 2009, from \$343 to \$296 per employee, while long-term disability costs increased from \$10,507 to \$13,226 per claim. Carriers cited employees' unwillingness to risk their jobs by claiming disability for elective procedures as a reason for the drop in incidence. As the economy recovers, employers and carriers are trying to stabilize the slow rise in disability claims by focusing on absence management and return-to-work programs.

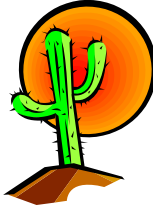


Do you have a code question for Joe? Let us know and we'll ask him to answer it in a future newsletter.

## 2012 Spring Conference

The 2012 NECA Midwest Regional Spring Conference will be held March 18-21 at the Loews Ventana Canyon in Tucson, AZ.

The conference will open with a cocktail reception Sunday evening. The opening general membership meeting will be held on Monday from 8:00 a.m. to 12:00 p.m. and seminar sessions will be held Tuesday. There will be an awards breakfast on Wednesday morning and a farewell reception Wednesday evening. A golf outing has been arranged for 1:00 p.m. on Tuesday, with a cost of \$160.00 per player.



The registration fee is \$500.00 per NECA member and \$400.00 per spouse or guest 18 years of age and over. The registration fee for children 17 years of age and under is \$100.00 per child. Registration information has recently been mailed out.

Gaze in awe at the natural beauty of the Catalina Mountains or at Mother Nature's nightly star show from the luxury of your private hotel room terrace. If you can tear yourself away from spectacular views, consider one of the many activities the resort has to offer. From hiking and bicycle rentals, to a 7,000 square foot full service spa and tennis center, there is something for everyone at Loews Ventana Canyon.

Please contact Rachel Jaeb at the Chapter office if you have any questions regarding this year's Spring Conference.

## 2012 Standard Mileage Rate

Beginning on Jan. 1, 2012, the standard mileage rates for the use of a car (also vans, pickups or panel trucks) will be:

- 55.5 cents per mile for business miles driven
- 23 cents per mile driven for medical or moving purposes
- 14 cents per mile driven in service of charitable organizations



The rate for business miles driven is unchanged from the mid-year adjustment that became effective on July 1, 2011. The medical and moving rate has been reduced by 0.5 cents per mile.

## Joe's Code Corner

**QUESTION:** Can I supply battery backup exit lights in an office building from an individual branch circuit?

**ANSWER:** Yes, with conditions. Battery backup exit lights are called "unit equipment." NEC 700.12(F) indicates unit equipment is to be supplied from a branch circuit supplying the normal lighting in the area. The exception allows for a separate branch circuit in an uninterrupted area served by a minimum of three lighting circuits. The separate branch circuit must be supplied by the same panelboard as the supplies to the normal lighting.

**MANPOWER STATISTICS**

For the Month of -- **November 2011**

Local Union #	14	127	158	159	388	430	577	890	TOTAL
Local Contractors: NECA	5	2	2	17	5	3	3	6	43
Non-NECA	30	7	14	14	8	18	8	10	109
<b>Total Local Contractors:</b>	<b>35</b>	<b>9</b>	<b>16</b>	<b>31</b>	<b>13</b>	<b>21</b>	<b>11</b>	<b>16</b>	<b>152</b>
Traveling Contractors: NECA	7	4	6	2	3	5	5	9	41
Non-NECA	9	10	7	3	0	3	0	7	39
<b>Total Traveling Contractors:</b>	<b>16</b>	<b>14</b>	<b>13</b>	<b>5</b>	<b>3</b>	<b>8</b>	<b>5</b>	<b>16</b>	<b>80</b>
<b>TOTAL # OF CONTRACTORS - LOCAL AND TRAVELERS:</b>	<b>51</b>	<b>23</b>	<b>29</b>	<b>36</b>	<b>16</b>	<b>29</b>	<b>16</b>	<b>32</b>	<b>232</b>
Contractors More Than Two Months Delinquent in N.E.B.F.	6	2	2	1	1	0	1	2	15
Total Number of Contributing Contractors in Area:	57	25	31	37	17	29	17	34	247
Employees: NECA	267	43	68	516	210	35	136	181	1456
Non-NECA	216	46	356	53	36	73	61	70	911
<b>TOTAL EMPLOYED:</b>	<b>483</b>	<b>89</b>	<b>424</b>	<b>569</b>	<b>246</b>	<b>108</b>	<b>197</b>	<b>251</b>	<b>2367</b>

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

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

**United States First Class Stamp Increase**



On January 22, 2012, the First-Class Mail stamp will increase 1 cent up to 45 cents.

This is the first increase in the price of a First-Class Mail stamp since May 2009. This information was obtained from USPS.com

## Man-hour Comparison Chart

### Local and Chapter Man-hour Comparison

	Hours 11-Nov	Hours 10-Nov	Month % Change	Hours 2011 YTD*	Hours 2010 YTD*	YTD % Change
<b>Local #14</b>	66,754	72,084	-7%	734,926	897,151	-18%
<b>Local #127</b>	11,726	17,037	-31%	184,971	250,264	-26%
<b>Local #158</b>	66,255	47,834	39%	761,210	546,476	39%
<b>Local #159</b>	85,011	77,248	10%	922,981	948,719	-3%
<b>Local #388</b>	34,535	26,116	32%	398,839	317,610	26%
<b>Local #430</b>	13,758	17,651	-22%	199,249	180,685	10%
<b>Local #577</b>	31,745	27,310	16%	366,104	343,749	7%
<b>Local #890</b>	38,931	35,354	10%	470,041	370,637	27%
<b>Chapter</b>	<b>348,715</b>	<b>320,634</b>	<b>9%</b>	<b>4,038,321</b>	<b>3,855,291</b>	<b>5%</b>

\*YTD numbers are Jan.-Nov.

## LED Chips on Silicon Wafers Coming to Market Soon

In the never-ending quest to find new, more energy efficient lighting technologies, light-emitting diodes (LEDs) have always held great promise. Like so many other technologies with great potential, making them cost competitive has been the challenge. That may change with the announcement by one manufacturer that it will soon begin making LED chips on silicon wafers.

In August, Livermore, California-based LED manufacturer Bridgelux announced it successfully applied LED chips to silicon and achieved high levels of lighting output, a result that bodes well for the low-cost, mass production of LEDs for consumer markets.

LEDs consist of semiconductor chips, made from Gallium nitride (GaN), which are applied to sapphire or silicon carbide. Applying them to silicon wafers could greatly reduce their cost.

However, the wafer application has been plagued by other problems, specifically cracking and bowing. Bridgelux claims to have solved these problems and achieved a lighting output that "has shattered its previous industry record."

According to the company, the performance level of its silicon wafer LEDs is comparable to sapphire-based LEDs. Specifically, the cool white LEDs showed efficiencies as high as 160 lumens per watt, and warm white LEDs showed efficiencies of 125 lumens per watt.

According to Bridgelux, applying the chips to silicon wafers could reduce the cost of LED production by as much as 75 percent. Silicon wafers are less expensive than sapphire or silicon carbide, and they are compatible with high-volume mass production by silicon chip manufacturers. This development could pave the way for widespread adoption of LED lighting in homes and commercial buildings.

Bridgelux expects to have its first commercially available silicon wafer LEDs available for delivery to the market within the next two years.



*You can't wait for inspiration, you have to go after it with a club.*

*~Jack London*

